

Bunbury Railway. (2.) When will the railway be handed over to the Government by the contractors.

THE COLONIAL SECRETARY (Hon. S. H. Parker) replied:—(1.) The contract date for the completion of the line was the 14th July, 1893. (2.) It is hoped that the line will be handed over in a fortnight's time.

POST OFFICE SAVINGS BANK BILL.

THIRD READING.

This Bill was read a third time, and *passed*.

POST AND TELEGRAPH BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It having become necessary to look through the Acts relating to the Post Office, it has been deemed advisable to introduce this Bill, which has already passed the Assembly. I do not think there is any occasion for me to go into detail on the measure at the present time, for it involves no principle, but merely relates to the mode in which various departmental matters shall be dealt with by the Postmaster General, and which I can more fully deal with when we go into committee. I will now simply move that the Bill be read a second time.

Question—put and passed.

EXCESS BILL, 1892.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I beg to move that this Bill be now read a second time. It will be observed that the object of the Bill is to confirm an excess of £36,833 15s. 3d., which was expended over and above the votes of Parliament for the year 1892. The Bill has passed through all its stages in the House of Assembly, whose peculiar privilege it is to deal with the finances, and, therefore, I need say no more other than to ask hon. members to read it a second time.

Question—put and passed.

IN COMMITTEE.

The Bill was then considered in committee, and agreed to without amendment.

ADJOURNMENT.

The Council, at 4:45 p.m., adjourned until Tuesday, 15th August, at 2:30 o'clock p.m.

Legislative Assembly,

Thursday, 10th August, 1893.

Civil Servants writing to Newspapers—Petition of John Charles Martin—Powers of Collector of Customs, &c., *re* Wreck inquiries—Alleged irregularities of Resident Magistrate at Wyndham—Repair of buildings on the Eucla Telegraph Line—Criminal Law Appeal Bill: first reading—Legal Practitioners Bill: first reading—Financial Guarantees by Fire and other Insurance Companies—Return showing Annual Statements of Western Australian Life Insurance Companies—Extension of Leave of Absence—Return showing Sandalwood Licenses in Victoria and Gascoyne Districts—Bank Deposits of Public Companies—Central Board of Health and the Small-pox Epidemic—Release of Road Board Funds locked up in Reconstructed Banks—Stock Tax Bill: in committee—Destructive Birds and Animals Bill: second reading—Adjournment.

THE SPEAKER took the chair at 4:30 p.m.

PRAYERS.

CIVIL SERVANTS WRITING TO NEWSPAPERS.

MR. MONGER asked the Premier, without notice, whether there was any statute or regulation forbidding Civil servants from writing to newspapers; and whether the Premier considered it as singular that one Civil servant should comment on another Civil servant in the editorial columns of a newspaper.

THE PREMIER (Hon. Sir J. Forrest) replied that the rules and regulations in regard to public servants contributing to newspapers were fairly well known, and were to be found in the Civil Service Regulations, and applied to the Crown colonies only; but, in the opinion of the Government, they applied also to this colony, under the present Constitution. No public officer had a right to contribute to newspapers unless he signed his name

to the article he contributed; and, in contributing his opinions to a newspaper, he must not deal with any political subject. The hon. member might refer to the particular regulation, and it had the approval of the present Government. In regard to the second part of the question, not knowing to what it referred, he (the Premier) could not reply.

PETITION OF JOHN CHARLES MARTIN.

MR. MONGER presented a petition from John Charles Martin, praying that the Legislative Assembly would request and direct the Ministry to advise His Excellency the Governor to send the Petition of Right of the petitioner to trial, in order that damages against the Government might be sued for, in consequence of alleged malpractice on the part of the medical staff of the Colonial Hospital.

Petition received, read, and ordered to be printed.

POWERS OF COLLECTOR OF CUSTOMS, &c., *RE* WRECK INQUIRIES.

MR. SOLOMON, in accordance with notice, asked the Attorney General:—

1. Whether under the 28th Vict., No. 2, and the amending Acts thereof, the Collector of Customs and a Justice of the Peace were not the persons appointed to hold preliminary inquiries into wrecks, casualties, and cases of incompetency or misconduct of masters, mates, and engineers.

2. Whether it was not provided that the same persons made formal charges (if they thought fit) arising out of such inquiries, and then proceeded to formally investigate such charges.

3. Whether such persons had not power to cancel or suspend the certificate of such master, mate, or engineer.

4. Whether the only restrictions on such power were not the confirmation or otherwise of the decision by the Governor, and the assent of one nautical assessor to such decision.

5. Whether in view of Section 4 of 28 Vict., No. 2, such power of cancellation or suspension could legally be interfered with by the Board of Trade in England.

6. Whether the Merchant Shipping Act of 1854, and the amended Acts thereto, had been adopted, or were in force in this colony.

7. Whether there was any power of appeal to a master, mate, or engineer against such cancellation or suspension.

8. Whether the law at present in force in England did not provide for the holding of the preliminary inquiry by a Collector of Customs or Inspector, and the formal investigation of charges arising thereout by a totally distinct tribunal, viz., two Justices of the Peace, or a Stipendiary Magistrate, Sub-Collector, or Inspector appearing thereat in the character of a prosecutor.

THE ATTORNEY GENERAL (Hon. S. Burt) replied:—

As to questions 1, 2, 3, 4, the hon. member can readily satisfy himself on these points by reference to the provisions of the Act which he quotes.

5. I have never had occasion to consider the point.

6. Some are, and some are not.

7. Not unless such appeal is expressly given by statute.

8. I am unaware.

ALLEGED IRREGULARITIES OF RESIDENT MAGISTRATE AT WYNDHAM.

MR. MONGER, on behalf of Mr. CONNOR, in accordance with notice, asked the Premier whether any petition from settlers and residents at Wyndham had been received, praying for removal of the Government Resident (Dr. Wetherell), on the ground of incompetency as to magisterial duties, as proved by reversal of his decisions on the bench.

2. Whether any reports emanating from Wyndham had come under the notice of the Government with reference to the intemperate habits of that official, and other irregularities unbecoming to his official position.

3. Whether the Government would institute a strict inquiry into the truth or otherwise of these allegations, and take such action as to them seemed necessary to protect both the interests and the good name of the district.

THE PREMIER (Hon. Sir J. Forrest) replied: The Government have received no petition for the removal of the Resident Magistrate, Wyndham, nor can they admit that any incompetence as a magistrate has been proved against him. The Government are aware of certain rumours as to the conduct of Dr. Wetherell, and will institute an inquiry, and take such

action as may appear necessary, in the interests of the Service.

REPAIR OF BUILDINGS ON THE EUCLA TELEGRAPH LINE.

MR. HASSELL, in accordance with notice, asked the Director of Public Works when the Government intended to put the buildings on the Eucla telegraph line into a proper state of repair.

THE PREMIER (Hon. Sir J. Forrest), on behalf of the Director of Public Works, replied that the Government hoped to be able to make some provision on the Estimates for this work.

CRIMINAL LAW APPEAL BILL.

Introduced by the ATTORNEY GENERAL (Hon. S. Burt), and read a first time.

LEGAL PRACTITIONERS BILL.

Introduced by the ATTORNEY GENERAL (Hon. S. Burt), and read a first time.

FINANCIAL GUARANTEES BY FIRE AND OTHER INSURANCE COMPANIES.

MR. MONGER, in accordance with notice, moved, "That in the opinion of this House it is desirable that the fire insurance companies established, and to be established, in this colony should be required to furnish a financial guarantee to the Government, in the shape of a bank deposit receipt or deeds to the value of the said required deposit; also that all local and foreign insurance companies of whatever kind be required to give a similar guarantee to the Government." He said: In submitting this motion, I feel pretty confident I shall have the unanimous support of the Ministry and of hon. members. I have brought this motion forward for the purpose of asking the Government to bring in a Bill which will give to the public some security against the various fire insurance and other companies trading in this colony. We are in this position at present, that any fire insurance, accident insurance, or marine insurance company can open business in Western Australia, and receive such support as the public may be induced to give them, without in the first place bringing anything in the shape of capital. I have made inquiries, and find it is possible to start an agency in this colony for a fire insurance company on a

smaller sum than £100. This proposal for requiring such companies to deposit with the Colonial Treasurer, in some substantial shape, either securities or money, may not have been made law in any portion of Australia, yet I understand that in the United States, in Canada, and in many other countries, before any fire insurance company can start operations, it has to deposit securities to a substantial amount with the Government. Although it has not been considered necessary for any colony in Australia to legislate in this direction, I fail to see why Western Australia should not, for once, take the lead, especially in a matter that is of such vital importance. In my motion I do not suggest any particular sum, leaving it to be fixed by the Government, in the Bill which I hope they will introduce. We have trading in this colony something like 17 different fire insurance companies; and although I have no doubt that the gentlemen who represent those companies in this colony are fully satisfied as to the financial position and standing of the companies, yet I think it is the duty of the Government to avail themselves of the opportunity for securing the deposit or investment of moneys in Western Australia by those companies. I have been told that if such legislation is passed, it will mean that a number of companies will retire from Western Australia. Well, I can only reply that if such is thought advisable by those companies, the people in this colony will still be able to do their insurance business without them, and if any companies do not care to show their *bona fides* by depositing with the Government money or securities to a substantial amount, I say they are not fit to do business here, and we shall be better without them. But I am surprised to learn that the Government have effected the whole of their insurances with one company, which exports or remits its profits, monthly or quarterly, to some other country, and if ever that company has to meet a loss here, its local agent draws on the head office for the amount. I know that the company in question is of undoubted standing, and I know that the gentleman who represents it here is also undoubted; but I say it is the duty of the Government to support those institutions which do most for the colony.

My motion also refers to the advisability of requiring that all local or foreign companies of whatever kind should make a similar deposit with the Government. It will be within the recollection of some hon. members that we had, some few years ago, a company which started operations in Western Australia, and for some time they were conducted most successfully; but as soon as a loss had to be met, the local agent was missed from the place, and upon inquiries being made, the fact was discovered that the company had been defunct for a couple of years. At present, there is nothing to prevent similar companies starting in this colony; and therefore it is very necessary for the Government to take some steps for securing the people against such wild-cat companies as may think fit to start here in the future. I am quite satisfied to leave the preparation of the Bill in the hands of the Attorney General, and I have no doubt he will draw such a measure as will meet with the support of this House and the country.

Motion formally seconded.

MR. A. FORREST: As the hon. member has said, we have a large number of insurance companies doing business here, represented by agents; the money received is sent out of the colony monthly or quarterly; and, when a loss has to be met, the agent here draws on the head office elsewhere. Before any company should be allowed to do business here, a substantial amount should be lodged in the hands of the Colonial Treasurer, to show the company's *bona fides*. For instance, the life insurance societies have to deposit a large sum in cash or securities, and I fail to see any difference in principle between a life and a fire insurance company. The losses of a fire company occur quickly and for large amounts; in life companies also, the losses are sometimes large; the money is required at once, in such cases, and if any default were made by a particular company, the Colonial Treasurer would have an amount in hand with which to recoup those insurers who had claims. The hon. member has referred to a company which started business here a few years ago, and we may have other companies starting here, representing some name with headquarters in a far-off country; and so long as such companies can go on receiv-

ing money and don't have to meet losses, they may flourish for a time and defraud the public, as was done by the stock insurance company referred to. When that company began to have losses, the agent cleared out, and the fact was then discovered that the company consisted only of himself, and that he represented nobody. Yet that so-called agent employed canvassers all over the colony; large premiums were received for insuring valuable horses, but when the time came to claim payment for losses suffered by the insurers, the office was suddenly closed up, and the agent cleared out. As a director of one of the largest fire insurance companies doing business in this colony, I may say that company has no objection to make this deposit if required by law; and the same may be said of other *bona fide* companies who have come here and intend to stay. It is only those companies which are not represented by a large office here, but by agents who have not the slightest interest here, that would object to make the deposit. If we lose that class of companies, no harm will be done to the colony. The insurance companies that do business here are well known, and I do not think any of them will object to this proposed condition, because they at present keep large deposits in the banks here. I hope the Attorney General will see the expediency of introducing a Bill. Any well-dressed man may come here with a tall hat, and say he represents some company we may never have heard of, and, as soon as his business begins to go wrong, he may clear out without paying what he owes.

THE ATTORNEY GENERAL (Hon. S. Burt): I quite agree with the object of this motion. It is a very proper thing indeed, and I am considering something like it at present, in connection with the amendment of the Stamp Act. But the Government cannot be expected to prevent people from making fools of themselves. We will do what we can, for a good object, on the lines in which we treat the life insurance companies.

Motion put and passed.

RETURN SHOWING ANNUAL STATEMENTS OF WESTERN AUSTRALIAN LIFE ASSURANCE SOCIETIES.

MR. MONGER, in accordance with notice, moved that there be laid on the

table of the House a return showing the annual statements submitted by the various life assurance societies trading in Western Australia since "The Life Assurance Companies Act, 1889," was brought into operation. He said: My reason for this motion is that the public are never placed in possession of the information which the Government are supposed to have, in accordance with "The Life Assurance Companies Act of 1889." There is a provision in the Act requiring each life assurance company to furnish a statement of its affairs periodically to the Government; but, with the exception of one company, I am of opinion that the others have failed to comply with the Act. If the information required by the Act were duly supplied, it would be amply sufficient; but I believe only one company sends in the required return, and if the other companies do not supply the information to the Government, I should like to know whose fault it is. At all events, according to this Act, certain returns are or ought to be supplied annually to the Government, and the public of the colony are not made cognisant of the information. I think it is the duty of the Government to advertise those returns periodically, in the *Government Gazette*, for the information of the public. It would be of interest to the policy holders to know which company was doing the greatest amount of business in the colony, and naturally the public would appreciate the company which was found to be doing the most for the colony.

MR. SOLOMON, in seconding the motion, said: I consider it highly necessary that the public should be properly protected in these investments, by the publication of the required information, in the *Government Gazette*, from time to time. We all know that many persons do invest in these companies, and in the event of certain things happening, these investments are the only dependence of those intended to be benefited.

Motion put and passed.

EXTENSION OF LEAVE OF ABSENCE.

MR. MONGER, in accordance with notice, moved that extension of leave of absence, for fourteen days, be granted to the hon. member for the Murchison, Mr. E. F. Darlôt.

Motion put and passed.

RETURN SHOWING SANDALWOOD LICENSES IN VICTORIA AND GASCOYNE DISTRICTS.

MR. SOLOMON, in accordance with notice, moved for a return showing number of sandalwood licenses in existence in the Victoria and Gascoyne districts on 30th June last.

Motion put and passed.

BANK DEPOSITS OF PUBLIC INSTI- TUTIONS.

MR. SOLOMON, in accordance with notice, moved, "That in the opinion of this House it is desirable, in the interests of the public, that legislation be instituted with a view to placing all further deposits paid into banks and financial institutions in the colony by Municipalities, Health Boards, and all local public institutions, including Friendly Society funds, upon the same footing as deposits made by the Government." He said: It is well known in this colony, unfortunately, that, through the reconstruction of certain banks which stopped payment, the bank deposits of municipal councils and friendly societies have become locked up in such a way as to cause serious inconvenience. I speak particularly of the Municipality of Fremantle. According to Act of Parliament, certain rates are levied to provide a sinking fund for the repayment of loans and to pay interest on debentures issued; and in one of the reconstructed banks there is an amount of rates which had been collected, but which cannot now be drawn out, because the bank deposit of a Municipality is not allowed the same priority as is allowed by Act of Parliament to funds deposited in a bank by the Colonial Treasurer. The sum to the credit of the Fremantle Municipality in the suspended bank amounts to £1,197 19s. 5d., and part of this money should be available for the payment of interest which is coming due on debentures. About 2 per cent. of loan money has to be put aside yearly as a sinking fund, and to be vested in the Colonial Treasurer, and that also is a part of the money now locked up; but it is impossible for the Municipal Council to comply with the Act and carry out its various duties while the money is locked up in this way. The Health Boards, the Road Boards, and other public bodies are in the same

position, their funds being locked up. The Road Boards have levied rates for road-making, and they are prevented from applying the money to that purpose. I am sure this House will see the impossibility of these bodies carrying on their duties, and their difficulty will affect the Government, because these bodies will have to appeal to the Government for assistance in carrying on their work. Again, the friendly societies, which are included in the terms of my motion, also require the same protection from this House, because these societies are upheld by the working classes, who pay their small contributions to them, so that in case of accidental injury or sickness they may obtain an allowance while unable to work. I think it is the duty of the Government, in all these instances, to protect the funds lodged in banks by securing to them a priority of claim.

MR. DEHAMEL seconded the motion.

MR. QUINLAN: The mover has sufficiently stated the necessity for some protection, in this direction. It is to be hoped we shall not have a recurrence of such disasters; but, in any case, some provision may be wisely made for the future, with a view to ensuring confidence to the people in placing their money in banks, and this applies particularly to the moneys of public institutions.

THE ATTORNEY GENERAL (Hon. S. Burt): A good deal of sympathy may be felt, in the case of Municipal Councils and Road Boards which have funds locked up in the suspended banks, and never have any funds but what the Government give them, but with which bodies I do not sympathise at all. Besides the societies spoken of by the mover, there are other people whose funds are locked up. I could cite many cases of friends of mine who have invested their little all in certain directions, and their schemes and arrangements have been upset by the stoppage of a bank. It will be necessary to distinguish between the different classes of creditors, as to giving a preferential claim upon the assets of a suspended bank. The only persons who have prior rights, in the bankruptcy or liquidation of a company, are the Crown, and the same principle is carried all through the Government administration. Crown debts stand before all others, in priority of claim upon assets; and simply

on that ground the Government debts take precedence, in the case of a suspended bank, so that the provisions as to the distribution of assets do not apply to the Crown or the Government, which takes its debt in priority. We must all regret that the funds of municipalities and other public bodies are locked up, especially the moneys required for sinking fund and the proceeds of loans which they want to spend on works; but, although the difficulty may be serious, it would be going beyond all principle, or anything that has yet been done in this direction, to provide by legislation that such bodies should have priority in their claim for debts against the assets of a bank, equally the same as for Crown debts. A good deal might be said on the part of bank shareholders or other persons interested in the distribution of assets. I do not think any such law exists in the world, for giving to the funds of these bodies a prior claim. In large centres of population, in other countries, there are many friendly societies, and if they were all to have priority over ordinary creditors, the assets of a bank might be absorbed by the preferential claimants. In the case of customers having credit balances—if there are such things now as credit balances—they would be put at a disadvantage by so many prior claimants for the bank's assets, who must first take their twenty shillings in the pound before ordinary creditors could come in at all. That would be the effect of this proposal. Although I have an open mind on the subject, and wish to hear it discussed, still this proposed preference would be something quite novel, and I am inclined to think it would not be a judicious innovation to try here.

MR. SOLOMON: No doubt this would be a novel remedy, but I do not know that in the history of the world the reconstruction of banks have been on so large a scale, in proportion to population, as they have been in Australia recently. We learn from the telegrams that, in America, hundreds of banks are failing, and the crisis is not an ordinary one. We have to consider the circumstances in which we are placed, that these institutions which I have included in the motion are public ones, that some of the moneys locked up were the proceeds of municipal and other rates, and that

another portion was contributed by the Government as subsidies to these public bodies. That portion which was derived from the taxation of the people was, indirectly, Government money, and therefore ranking in priority against the bank's assets. I think something might be done to protect these public bodies and societies, in the event of a recurrence of the unfortunate circumstances in which they are now placed.

THE PREMIER (Hon. Sir J. Forrest): What the hon. member has said has a good deal to commend it. At the same time, I am surprised that other hon. members have not something more to say on the subject, because my experience is that when a commercial company fails and the Crown steps in as having a prior claim to the payment of its debt, most of the other creditors complain that the Crown's priority is unfair to them. I have heard serious and grievous complaints that the Crown should be paid in full and private creditors come in afterwards, getting perhaps nothing. But if these public bodies and societies, which are very numerous, and likely to become more numerous in the future, are all to be considered as having priority before ordinary creditors, what is to become of the ordinary creditors' interests? I have before me a return which I have called for, showing the amounts that belong to various institutions as deposits or balances in the National Bank, and I am somewhat surprised at the amounts that are to the credit of the various Road Boards of the colony. This return shows one of two things: either that these Road Boards have considerable sums of money lying to their credit in the bank, or that they do not know how to spend the money they receive; and I must carefully consider, in the future, how the subsidies paid by the Government to these bodies are to be allotted. I find that there is a total of over £7,000 to the credit of these bodies, in the National Bank, a great deal of this money having been contributed by the Government; and all the time this money has been lying in the bank, the Government have been losing the interest on it which they might have received if lodged to the credit of the Government. We must devise some plan by which those public bodies which receive subsidies may regard the Colonial

Treasurer as their banker, rather than the ordinary banks, so that by this arrangement the Government may be able to secure the banking interest which is allowed on balances to their credit. I notice, in this return, that the Ashburton Road Board, represented by my colleague the Attorney General, has £1,304 to its credit; and I think that, instead of keeping so much in a bank, the board ought to have spent it on the roads of the district. The West Kimberley Road Board has £697 to its credit—and I do not know why that board should have such an amount lying unused in the Bank; showing, apparently, that the board does not look after the roads as it ought to do, by spending on them the money received for the purpose. I am sure there has been plenty of road work to do in those districts, and I think the boards should spend the money as they get it, in doing the necessary works, rather than hoard up balances in the banks. The Arthur River Road Board has £537 in the same bank; the Narrogin Board has £406, the Northam Board has £560, the Gascoyne Board has £366, the Jandakot Board has £322, the Geraldton Board has £344, and the Murray Board—I cannot find anything to its credit in the National Bank. All the boards have been keeping large amounts to their credit in that bank; and, if we add also the balances belonging to Municipalities, with their sinking fund accounts, there is a total of £7,313 0s. 10d. standing to the credit of these public bodies in one bank. Of course the locking up of these balances, by the bank's suspension, is a serious matter for so many public bodies, which have local duties to carry out with the money. I wonder that some interim payments have not been made to reduce these amounts. However, we must devise some means by which so much public money shall not be lying at the bank without bearing interest, and that the Treasurer may obtain for the colony any advantage that may accrue. As to the proposition of the hon. member, I really have not made up my mind with regard to it. The motion, if passed, will do no great harm; leaving the Government to consider what can be done. Of course the House will not expect the Government to undertake things that are not reasonable. There are difficulties in dealing with the question. Perhaps

the hon. member will withdraw his motion, leaving the Government to consider, before the end of the session, whether anything can be done in the matter. I am not sure that we can properly legislate in this direction, but it may be carefully considered.

MR. COOKWORTHY: As the Attorney General sees some objection to legislate on this question, would it not be well to follow the practice of the Old Country, and have a bank in connection with the Government, holding the same relation as the Bank of England holds to the British Government? I do not suggest a State Bank, but something similar to the Bank of England, into which all public moneys could be paid, and having the credit of the State at its back.

MR. PATERSON: Reference has been made to the Road Boards having such large sums in the bank. The reason is that most of the road-making, in country districts in the South, is done at the end of the winter, and is being undertaken now; so that, if these balances could be drawn on, they would soon be reduced.

MR. LEFROY: I think the explanation just given is quite correct. The moneys received from the Government are paid to the credit of the boards about the end of March, and the reason why so much was lying to their credit when the National Bank suspended payment is that they had not begun to pay for the road-making, which is done in the winter months. At the same time, I am surprised to see that so many of our public bodies have been placing their money in the National Bank instead of in our local institution. The Road Board in the Moore District have, in their wisdom, placed their money in the local bank; they have it to their credit now; and they are in a position to do the necessary road work. It would be well if, by some rule, the public bodies were to place their funds in some local bank, to be approved by the Government, the bank's business being watched over to some extent. This applies especially to the Government subsidies, which are paid to these bodies in order that they may expend them for public purposes; and such moneys should be carefully protected. As to the Colonial Treasurer being the banker for these public bodies, that seems reasonable, and I hope the Government will be able to devise some

scheme which may, in the future, ward off these dangers.

MR. TRAYLEN: The hon. member for the Moore, who is usually so careful and prudent in his remarks, overlooked the fact that this sword has another edge; for though the blow that has fallen does not directly touch the local institution, but others having their headquarters in other colonies, yet the next blow that falls may be felt most by the institutions in this colony, and then how glad those of us will be who escape by having our balances in the National or some other bank that has its headquarters elsewhere. So that I cannot support his suggestion; but I do think it an excellent suggestion that the Treasurer should be the banker for our public bodies, and if the Premier will do something in that direction I shall be glad to support him. The way might be paved by the hon. member for Fremantle withdrawing his motion.

MR. MOLLOY: The suggestion made by the Premier is the way out of the difficulty, and especially so as the balances now locked up in the suspended banks are mostly public funds that have been paid to the credit of the local bodies. If the Road Boards can keep such large balances in the banks, lying idle, they cannot require so much assistance from the Government. The plan suggested by the Premier will avoid the necessity for exceptional legislation.

MR. SOLOMON: After what has fallen from the Premier, I am satisfied that the Government will see the necessity of taking some action in the direction I have proposed. With the permission of the House, I will withdraw the motion.

Motion, by leave, withdrawn.

CENTRAL BOARD OF HEALTH AND THE SMALL-POX EPIDEMIC.

MR. TRAYLEN, in accordance with notice, moved, "That a return be laid upon the table of the House showing the number of meetings held by the Central Board of Health during the recent epidemic of small-pox, the minutes of such meetings, and the appointments made by the Central Board relating to the control of the epidemic." He said: I trust hon. members will vote for the production of these papers. The only explanation I need give is that which is

furnished by a return which the Premier yesterday laid on the table, and in which there appears a telegram from the chief medical officer in Victoria, stating that a man named Connacher, who was previously a patient in a hospital in Western Australia, and had arrived by steamer at Melbourne, was found to be suffering from small-pox; and some similar circumstances to this have led to severe things being said with respect to the Central Board. If the return I now ask for be laid on the table, it may show whether such strictures are entirely unwarranted. If, after seeing the return, a further resolution is considered necessary, it can be based on the facts of the case.

MR. QUINLAN: In seconding this motion, I see no objection to it. With reference to the case of supposed small-pox on the steamer "Eddystone," I know for a fact that the man did not have small-pox; and, in proof of that, I may say there was no case of small-pox resulting from it among the large number of passengers on the same steamer. The man was supposed to be suffering from small-pox, according to the opinion of a medical man who saw him in another colony.

MR. A. FORREST: It would be better if this motion were withdrawn. We have had enough of small-pox in this colony, and we do not want to add to the large expense by spending more money in printing a return which nobody would read. We all know that the Central Board of Health did little or nothing, and we do not want the minutes of their meetings to tell us that. The Local Board of Health, comprising the members of the City Council, did all the work, and stamped out the epidemic.

THE PREMIER (Hon. Sir J. Forrest): The Government are anxious, on all occasions, to furnish to the House any information that it is in their power to give, and, if this motion be passed, I am quite willing to make a request to the Central Board of Health. But that Board is a statutory body, of an honorary character, and I am not aware that the Government have any control over it. Under the powers of a statute, they carry on their duties, in their own way, to the best of their ability, and if the Government have any control they do not ex-

ercise it. Even if this motion be passed, how is the desired information to be obtained? I shall be willing to write a private or an official note to the Chairman of the Board, asking him to comply with the resolution; or the request might go directly from this House. These statutory boards are in a peculiar position, and do not like to be interfered with. Perhaps the Speaker might forward the resolution to the Board, the Government having nothing to do with it.

MR. MOLLOY: I think the least said about this subject the better. It is notorious that the Central Board, to whom we should have looked in an emergency, and from whom we might have expected much, did nothing at the critical time. It was left to the Perth Local Board of Health to meet the difficulty, and they did it to the best of their ability, and to the satisfaction of the public. We know that, during the epidemic, numerous and bitter complaints were made against the health authorities. I was struck by the remark of the Premier that he had no authority over the Central Board. Well, considering that the Chief Medical Officer of the Government is the chairman of that Board, I think the Government have control over the Board in that direction.

THE PREMIER (Hon. Sir J. Forrest): There is no reason why he should be the chairman. It is not required in the Act.

MR. MOLLOY: Still, he is the chairman. However, in respect to the cost of suppressing the epidemic, the Government have responded liberally to the appeal of the Local Board for funds, and the Board are thankful for this assistance in their difficulty. Considering that we do not want to revive this unpleasant matter, nor create any further scare, to the injury of the colony, it would be well to withdraw the motion.

MR. COOKWORTHY: As I do not understand the object of the motion, I do not agree with the suggestion that the less said about the late small-pox epidemic, the better. I think it was a disgrace to any civilised community that there should be a panic at the idea of a few cases of small-pox. When the epidemic broke out, there was not a single globule of vaccine matter in the colony. The people were in a perfect panic, and there was nobody at the helm to direct them or

give them courage. The Government ought to take steps for preventing such a state of affairs occurring in the future.

THE PREMIER (Hon. Sir J. Forrest): There was no panic, except where there was no small-pox.

MR. COOKWORTHY: When people were taken out of their beds in the cold nights, and placed in tents, they might as well have been put out of existence. I believe, from the newspaper reports, that had proper precautions been taken, there would hardly have been a death from the small-pox. There was not a virulent case reported, and I only hope the Government will take steps to prevent such a scare in future.

MR. TRAYLEN: I am aware there is some difficulty in respect to the Premier's calling on the Central Board for the production of their minutes. I am also aware that if he were to write to the Board the minutes would be forthcoming. If they be not forthcoming when asked for, I know the public will believe the worst. This motion should give to the Central Board an opportunity of disproving the statements that have been made, and of making some reply to the severe strictures that have been passed on the Board, or on its president. Such strong things have been said to-night by two of my colleagues in the City Council, without waiting for the production of these minutes, that I do not think I shall want them, after those remarks. I was not prepared to say the strong things that have been said by the hon. member for West Kimberley and the hon. member for Perth; but now that the strictures have been made, I do not know that it is so necessary for me to press the motion. The subject can come up in some other form. I am willing to withdraw the motion, if the House wishes it.

Motion, by leave, withdrawn.

RELEASE OF ROAD BOARD FUNDS LOCKED UP IN RECONSTRUCTED BANKS.

MR. A. FORREST, in accordance with notice, moved, "That, in the opinion of this House, it is expedient that the Government should take such steps as are necessary to release the funds of the various Roads Boards, now locked up in the National Bank of Australasia or other reconstructed Banks." He said: I move

this motion, because the district I have the honour to represent has £700 in the National Bank, £500 of which was received from the Government, shortly before the bank closed, to complete the stock route between Derby and the De-Grey district. This money was to be paid to the contractors on the completion of their work, and the men are now in Derby awaiting the settlement, the sum due to them being £530. The Chairman of the West Kimberley Road Board has telegraphed to me as follows:—"The money is required to settle with contractors; sums overland stock route, £530; nearly £700 locked up in National Bank. Resolved at Board meeting to ask member to see the Government on the subject, and, if no arrangement made to meet the liabilities, Board will resign in a body." The sum of £500 was voted by this House to sink wells on the stock route between Derby and the Southern boundary of the West Kimberley District; the work has been completed, and the men are now awaiting settlement. Who is to pay this money? The Road Board? I do not know whether they are individually liable, but, if so, it is very hard on persons who take up honorary positions on Road Boards. If the Government, with their great powers, would see what could be done with the bank, I think some arrangement might be made by which 90 per cent. of the Board's funds could be withdrawn, to pay urgent claims.

THE PREMIER (Hon. Sir J. Forrest): The bank won't pay sixpence.

MR. A. FORREST: I can assure the Premier the bank is allowing advances to be made against current balances. In New Zealand, where the Government are not so strong as are the Government in this colony, a Bill has been passed through Parliament providing that any customer having a credit balance in a re-constructed bank, on getting a letter from the bank certifying to the amount, may deliver that letter to the Colonial Treasurer and receive a certain proportion—for £700 locked up the customer could obtain from the Government £500. The Road Boards in the Northern part of this colony are in this position, that work has been going on and has to be paid for. In the Southern districts the season for road making does not commence till near the end of winter; but in the North that

practice does not apply. The roads and bridges get into such a state of disrepair—

THE PREMIER (Hon. Sir J. Forrest): There are no bridges in your district.

MR. A. FORREST: I hope the Government will allow this motion to pass, and see if they can do something with the reconstructed banks for allowing some portion of these balances to be withdrawn by Roads Boards for making urgent payments. In the West Kimberley District this stoppage is a peculiar hardship, because the money for this work was specially voted by this House; and now that the work has been done to the satisfaction of the Road Board, they are not able to pay the contractors. I hope the Treasurer will see the managers of these banks.

MR. HASSELL: In seconding the motion, I wish to explain the position of the Plantagenet Road Board with regard to the Government grant for making a road up Eucla cliff, and to show why the Board have £277 locked up in the National Bank. It was simply through the Colonial Treasurer neglecting to inform the Chairman of the Board that the money had been paid into the bank to the Board's credit; and the money was placed there two days before the bank suspended payment. Had the Chairman known, he would have taken care that the bank should not stick to the money. To-day I got this telegram from the Chairman:—"Plantagenet Road Board two hundred odd pounds refused by Perth office."

THE PREMIER (Hon. Sir J. Forrest): I believe it is a rule, in the Treasury, that when money is paid to the credit of any public body, the chairman or treasurer is informed of the amount placed to its credit. The instance referred to by the hon. member will be one of that kind; and, as a rule, the advice is sent. I have been struck with certain remarks with reference to the position of these Road Boards, which adopt the tone of very injured persons, in telling the Government they are going to resign in a body if the Government do not do something. But the Government did not place the money in any particular Bank. We paid the money to the credit of the several Boards, and they placed it in the Banks; and now, because they cannot draw it out, they turn round and threaten

to resign in a body if the Government do not do what they require. If anyone is to blame for this difficulty, I think the Government are not to blame, for we have had nothing to do with the placing of the money. I realise fully the gravity of the circumstances, and, although it is a very serious matter for the Government to have to pay over again about £7,000 which they have paid already, I think hon. members will have to agree that these public bodies must be relieved from the present difficulty.

MR. A. FORREST: You can get $4\frac{1}{2}$ per cent. on the money that is locked up.

THE PREMIER (Hon. Sir J. Forrest): We don't want the $4\frac{1}{2}$ per cent. Money is not so plentiful that the Government are anxious to pay £7,000 over again, having paid it already to the various institutions of the colony, and of course we have demands coming upon us for the current year, including demands from Road Boards for works to be done. We must try to do something to meet these difficulties, and I am now considering in what way it can be done, and whether a Bill ought to be submitted to this House for authorising the Government to take over the credits for these locked-up balances, by paying the amounts, and taking over the securities. That is the course that has been adopted in Queensland, and I suppose the Government there have found it as difficult to release money from the suspended banks as we do. The amount may appear small, but the Government have other claims and obligations to consider. However, that is, I think, the course we shall decide to follow—to submit a Bill to this House for authorising the Government to pay, out of the Consolidated Revenue Fund, some portion or the whole of these amounts, and to take the securities against the banks in exchange. As to trying to do anything with the banks in question, I believe it is not possible, under the terms of their reconstruction; but they may make advances under some particular form of guarantee, which the Government are not authorised to give, and it is not desirable that the Government should give guarantees or bills for long periods, in exchange for advances bearing interest. I have no objection to the motion being passed, as it will strengthen the hands of the Government, and we shall feel assured that

when we do bring in a measure on the subject it will meet with the support of hon. members.

MR. R. F. SHOLL: The remarks of the Premier show that a Bill should be brought in for protecting the bank deposits of Road Boards or Government moneys paid into banks, as suggested by the hon. member for Fremantle (Mr. Solomon), by making such funds a first charge against assets; for, after all, these funds are Government moneys placed to the credit of certain institutions for carrying out public works.

THE PREMIER (Hon. Sir J. Forrest): The money may not all be so.

MR. R. F. SHOLL: A Bill such as has been indicated may be desirable. It is also a good suggestion that the Government should keep the banking accounts for these Road Boards, and the necessity for a Bill would be done away with, as regards the future. Evidently the different Road Boards have had more money allowed to them than they had use for, or else they have neglected to spend the money. If the Government keep the banking accounts of the different Road Boards, they will be able to form some opinion as to how the Boards are spending the money, and, when allotting the next year's grants in aid, they will be able to increase or curtail particular amounts. With reference to the Bill, the Government must not forget that these securities to be taken over are not altogether certain, for we don't know whether these reconstructed banks are going to pull through. It is a question whether, when the time comes, the banks will be able to repay the principal as well as paying the interest in the meantime, for they have to pay interest on a very large capital.

MR. LEFROY: It has been distinctly explained that most of the money which these Road Boards have had locked up in the suspended banks had been placed to their credit only just before the suspension. I know the Government grants were not placed to the credit of the Road Boards until April, and the banks suspended in May. Nearly all the Road Boards do their work in the winter time, and I would not like it to go forth that the Road Boards are not spending the public money that is entrusted to them; for I believe they try to do it with care, and they pre-

fer to spend it at a time of the year when they would get the best value for the expenditure. The telegram from West Kimberley says the Board will resign in a body if such and such a thing is not done; but I think the motion of the hon. member for that district is more to the point, and will accomplish the end we all desire. The Road Boards are regarded by the public as distinctly Government institutions, and if the contractors are not paid the money when due, the delay will reflect discredit on the Government—I am quite certain of that—and will bring them into bad odour if the money due cannot be obtained. If the Government can see their way to pay these contractors, I think it will be to the advantage of the country, because when contractors do work for the Road Boards they look upon it as Government work.

Motion put and passed.

STOCK TAX BILL.

The Bill having been reported with amendments,

THE PREMIER (Hon. Sir J. Forrest) moved that all the words after the word "upon," in the third line of Clause 1, be struck out, and the following inserted in lieu thereof:—"the animals mentioned in the schedule to this Act, save as therein excepted, on their importation into the colony, such duties as are respectively specified in the said schedule."

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

THE PREMIER (Hon. Sir J. Forrest) moved that the words "of such" be inserted between the words "any" and "animals" in the second line of Clause 3.

Question put and passed, and the clause, as amended, agreed to.

Report, with the further amendments, adopted.

DESTRUCTIVE BIRDS AND ANIMALS BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading, said: This Bill has come down from the Legislative Council. Last session the Council passed a resolution requesting the Government to prohibit the importation of sparrows; this Assembly concurred, and the present Bill is the result

of the action of the Government upon that resolution. The Bill proposes to prohibit the introduction of the sparrow, and any other destructive bird to which the Governor in Council may apply the Act by proclamation. Destructive animals may, in the same way, be proclaimed. The Bill is short and simple.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 6:23 p.m.

Legislative Assembly,

Monday, 14th August, 1893.

Victoria Public Library: Petition *re* Lending Books out of the Library—Fremantle Gas and Coke Company's Amendment (Private) Act: Petition for leave to introduce—Application of proceeds of Sales of Crown lands towards Repayment of Loans—Stock Tax Bill: third reading—Constitution Act Amendment Bill: third reading—Adjournment.

THE SPEAKER took the chair at 7:30 p.m.

PRAYERS.

VICTORIA PUBLIC LIBRARY: PETITION *RE* LENDING OF BOOKS.

MR. CANNING presented a petition from several residents of Perth and its neighbourhood, praying the House to take such steps as might be necessary to enable certain books (other than books of references) to be lent out of the Victoria Public Library.

Petition received, read, and ordered to be printed.

FREMANTLE GAS AND COKE COMPANY'S AMENDMENT (PRIVATE) BILL.

PETITION.

MR. QUINLAN presented a petition from the Fremantle Gas and Coke Company, Limited, praying for leave to intro-

duce a private Bill intituled "An Act to amend 'The Fremantle Gas and Coke Company's Act, 1886,' and to extend the powers and privileges of the Company."

Petition received and read, and ordered to lie upon the table.

APPLICATION OF PROCEEDS OF SALES OF CROWN LANDS.

MR. HARPER, in accordance with notice, moved that Mr. Speaker leave the chair, and that the House do now resolve itself into a committee of the whole, to consider the following Financial Resolutions:—

"1. That it is contrary to the principles of sound finance, and to the best interests of this country, that the proceeds of sales of Crown lands should be paid into the general revenues of the colony.

2. That all such moneys (after deducting expenses incurred in survey and sale) should be removed from the control of the Government and placed in the hands of trustees.

3. That it should be the duty of such trustees to utilise the moneys so placed under their control, in making provision for the repayment of loans by the process of a sinking fund, or by the purchase of the colony's stock whenever profitable opportunities should occur.

4. That legislation should be initiated this session, providing for the enactment of the foregoing resolutions; such legislation to come into force on the first day of July, 1894."

Question put and passed.

MR. SPEAKER left the chair.

IN COMMITTEE.

MR. HARPER: I desire, by leave of the House, to put the motion standing in my name in separate parts. It will be observed that the first paragraph embraces the whole policy of the matter, and the other resolutions deal with details; therefore I should like the committee to consider the first resolution by itself.

Ordered—That the Resolutions be considered *seriatim*.

MR. HARPER moved,—“(1) That in the opinion of this committee it is contrary to the principles of sound finance, and to the best interests of this country, that the proceeds of sales of Crown lands should be paid into the general revenues of the colony.” He said: In speaking to