

Treasurer, who shall hold the same upon trust for the Company, but transferable to the Company only upon the joint consent of the Treasurer and the Company, or upon the order of the Court or a Judge. The interest, dividends, and annual income of the said investments shall belong and be payable to the Company."

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

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the words "and the securities for the same be deposited" be inserted between the words "invested" and "as," in the 16th line.

Question—put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the words "or deposited with the Treasurer," in the 17th line, be struck out.

Question—put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the words "deposited or," in lines 20 and 21, be struck out.

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

Bill reported, with amendments.

ADJOURNMENT.

The Council, at 9-10 o'clock p.m. adjourned until Monday, January 9th, 1893, at 8 o'clock p.m.

Legislative Assembly,

Thursday, 5th January, 1893.

Message from His Excellency the Governor: Midland Railway Proposals—Message from His Excellency the Governor: Advances from Revenue of funds required for Loan Works—Companies Bill: third reading—Swan River (Fremantle) Harbor Works and Tramway Bill: third reading—Bills of Sale Act Further Amendment Bill: third reading—Police Act, 1892, Amendment Bill: Legislative Council's Amendments—Midland Railway Proposals: Point of Order—Adjournment.

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

PRAYERS.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR, FORWARDING MIDLAND RAILWAY PROPOSALS.

THE PREMIER (Hon. Sir J. Forrest) presented the following Message from His Excellency the Governor:—

In accordance with the requirements of section 67 of the Constitution Act, the Governor recommends to the Legislative Assembly the consideration and adoption of the following resolutions:—

Resolutions of Joint Select Committee.

1. That the Government shall guarantee the payment of the principal and interest of £500,000 4 per cent. Bonds, to be created and issued by the Midland Railway Company Limited, for the purpose of providing moneys for the completion of its contract with the Government; the minimum price of Bonds to be fixed by the Government.
2. That the said Bonds shall be redeemable at the rate of £20,000 a year, the redemption to begin 1904.
3. That the Government shall be secured against all liability under the said guarantee by a first charge on the railway and everything appertaining thereto, including the lands on which it is constructed, and also on 2,400,000 acres of land to be selected by the Government—the whole free from encumbrances.
4. That until the Government is released from the guarantee on the said bonds, the Company not to sell any part of the said 2,400,000 acres without the consent in writing of the Government. All purchase moneys and rents arising from such lands, less five per cent., to be lodged with the Government, in trust for the payment of interest on and redemption of the said bonds.
5. That the said bonds and the interest thereon shall be paid by the Company; and in case of default by the Company and as soon as the Government shall have paid under the guarantee £20,000, then after giving three calendar months' notice of its intention, and the Company continuing in default, the Government may enter and take possession of the whole of the railway, lands, rolling stock, and everything appertaining thereto together with any lands re-

- maining unsold of the said 2,400,000 acres; and they shall all become the absolute property of the Government, freed from all rights of redemption claims or interest of the Company, the debenture-holders, and all other persons whomsoever.
6. That upon such entry and taking of possession as aforesaid the deposit of £10,000, deposited under the original agreement of 27th February, 1886, and all accrued interest thereon, together with the balance of any moneys held in trust for the payment of interest and capital as aforesaid, shall be forfeited by the Company, and become the absolute property of the Government, freed from all rights as aforesaid.
7. That the sum of £482,000, out of the proceeds of the said bonds, shall be deposited with the Government, to be applied in manner following:—
- (a.) The repayment of £60,000, already guaranteed to the National Bank of Australasia, by the Government on behalf of the Company, together with all interest accrued thereon.
 - (b.) £309,000, or so much thereof as may be required to complete and equip the railway according to the original contract, to be expended under the sole control of the Government in payment of the contractor on a revised schedule of rates to be approved by the Governor and on certificates to be passed by the Government.
 - (c.) The payment of £95,000 to the National Bank.
 - (d.) The payment of £18,000 to the London Joint Stock Bank.
 - (e.) The discharge of such other obligations of the Company as the Governor may approve.
 - (f.) The balance of the said sum of £482,000, after satisfaction of the above-named obligations, to be invested by the Government, and to be available for the redemption of the said bonds.
8. That the 200,000 acres now held by the Government as security for the £60,000 guarantee to the National Bank shall form part of the proposed security of 2,400,000 acres.
9. That the Company shall, within one calendar month from the date hereof, select and supply plans of the whole of the land to which the Company would be entitled were the railway completed.
10. That after the selection by the Government of the 2,400,000 acres as security as aforesaid, the balance of the lands (not already granted) to which the Company would be entitled on the due completion and equipment of the line, shall be selected by the Company out of the area from which the Company is entitled now to select in respect of the seven sections of the railway already opened for traffic. The mode of selection shall be arranged with the Government, and be made within one calendar month from the date hereof. The lands so selected to be granted to the Company as soon as surveys and plans shall be lodged by them.
11. That so soon as an agreement based on these proposals is executed, all Crown lands within the area of selection under the original contract shall be open for sale and occupation under the Land Regulations, notwithstanding clause 55 of the said contract.
12. That the Company, with the approval of the Government, shall be allowed to exchange any portion of the 2,400,000 acres for land already held in fee simple, and with the like approval to grant land in exchange for improvements made by pastoral lessees upon the land, which have to be paid for by the Company.
13. That clause 6 of the Agreement of 4th November, 1891, shall be maintained, with the additional provision that the expression, "two miles of the Eastern Railway on either side thereof," shall include two miles on both sides of any deviation thereof, as well as of the original line; the position of such deviation shall be notified to the Company within twelve months from the date of agreement.
14. That any prospectus, or printed or written representation published or made in England, containing any reference to the guarantee, shall be first approved by the Government.

15. That nothing contained in the proposed new agreement, except so far as the same may be expressed therein, shall affect the right of the Government under the original contract of 27th February, 1886.
16. That the works shall be resumed within one month of the completion of the proposed agreement, and the entire contract for the construction and equipment of the railway shall be completed within fifteen months from the same date. In default the Government shall be at liberty to enter upon and take possession of, and complete and equip the railway by its servants, agents, or contractors, and to expend the moneys deposited as aforesaid, in payment of the cost of such completion and equipment.
17. That the Government shall have the right of purchasing the railway and the works in connection therewith, at any time on giving 12 months notice of their intention to exercise such right. The price to be fixed by arbitration.
18. That the Government shall introduce a Bill into Parliament, authorising the Government to enter into an agreement on the basis of the above resolutions and to guarantee the said Bonds, and vesting the railway and land, &c., in the Government absolutely, in the event of the Government taking possession under Clause 5.

Government House, Perth, 5th January, 1893.

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR *RE* ADVANCES FROM REVENUE FOR VARIOUS LOAN WORKS.

THE PREMIER (Hon. Sir J. Forrest) presented the following Message from His Excellency the Governor:—

In accordance with the requirements of section 67 of the Constitution Act, the Governor recommends to the Legislative Assembly the consideration and adoption of the following resolution:—

That it is advisable that the Government be authorised to expend the following sums, to be advanced, in the first instance, from current Revenue, and

afterwards to be provided from Loan funds to be hereafter raised, viz.:—

1. Proposed deviations to improve the Grades between Fremantle and Beverley, and relaying the same with 60lb. rail	£ 111,742
2. Purchase of land for Perth Railway Station and erection and completion of Perth Railway Station and Yards, Buildings, &c., and estimated to cost £75,916, less a sum of £25,000 contributed from the South-Western Railway	50,916
3. Additional Rolling Stock for the Eastern Railway	48,566
4. Miscellaneous	18,776
Total	£230,000

Government House,
Perth, 5th January, 1893.

COMPANIES BILL.

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

SWAN RIVER (FREMANTLE) HARBOR WORKS AND TRAMWAYS BILL.

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

BILLS OF SALE ACT FURTHER AMENDMENT BILL.

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

POLICE ACT, 1892, AMENDMENT BILL—LEGISLATIVE COUNCIL'S AMENDMENTS.

The amendments made by the Legislative Council in this Bill (*vide* p. 517, *ante*) were agreed to without discussion.

MIDLAND RAILWAY COMPANY'S PROPOSALS.

THE PREMIER (Hon. Sir J. Forrest): Sir, in rising to move that you do now leave the chair for the purpose of the House going into committee to consider the resolution standing in my name, I should like to inform the House that there seems to be an impression abroad that the Government desire to rush the business of the country through with undue haste. Now, so far as the Government is concerned, there is no such intention. As I informed the House the other day, we desire if possible to finish

the business by Friday week, so as to enable his Honor the Speaker and myself to attend the Federal Council; but, as I then said, if we should not be able to finish the business by that time, then, so far as I am concerned, I shall not be able to proceed to Tasmania. That is all that will happen, so far as I am concerned. With reference to the motion standing in my name, all I shall now say is that I hope to be able to lay it before the House when in committee in a very few words, and having done so, the Government will be quite content to devote one or two, or more, days or sittings to the discussion of these proposals. We have no desire whatever to rush this matter through the House to-night, or even to-morrow, or next day. So long as we can finish the business of the country by Friday week, the Government will be perfectly satisfied. Therefore, members will see there is no desire, and no necessity whatever, to rush this matter through in one sitting. Having said that much, I now beg to move, sir, that you do leave the chair, and that the House resolve itself into a committee of the whole to consider the resolution standing in my name.

Motion—put and passed.

IN COMMITTEE.

THE PREMIER (Hon. Sir J. Forrest): Sir, I rise for the purpose of moving "That in the opinion of this committee the Resolutions passed by the Joint Committee of both Houses of Parliament, and numbered 1 to 18 (*vide* "p. 534, *ante*), in regard to the proposals submitted to the Government by the Midland Railway Company (Limited), in a letter dated 28th November, 1892, for completing the Railway, should be adopted, and form the basis of an agreement to be entered into with the Company." I am pleased to know that members have had considerable time to thoroughly consider these resolutions. We have now been adjourned for something like a fortnight, and, therefore, I feel sure that members will have less difficulty in dealing with these important resolutions than they would if they had been asked to take them into consideration as soon as they were placed on the table of the House. Of course, members are thoroughly aware—and not

only members, but almost everyone in the colony—of all that has taken place (in this colony at any rate) in regard to this Midland Railway. The matter has been before the House on several occasions, and we all remember the resolutions which I submitted to the House last session, but which, I regret to say, have not resulted in furthering the object we all then had in view. I am sorry indeed that I should have to again trouble the House with this project. I had hoped that the resolutions that we passed last year would have resulted in this railway being completed by this time, and the lands adjacent to it thrown open to selection and occupation. But, as members know, that has not been the result, and the Government find themselves in the position of having to deal with this matter again, as one of the public questions of the day. It is not that we like to have to deal with this matter. It is not a matter of choice with us; it is a matter that has been forced upon us, and we are compelled to deal with it, in the same way as we have to deal with any other important question that arises in connection with the affairs of the colony. I do not think it necessary, or at any rate scarcely necessary, for me to inform the House of the position which the Government take up in regard to this matter, because I have on other occasions—on several occasions, I may say—tried to explain to the people of the colony the position we find ourselves in. I have informed the people of the colony—and I feel it my duty to again inform this House—that this Midland Railway is not a project for which the present Government are in any way responsible. It is a project that has been left to us as a legacy by a former Legislature—and a former Government, if you like—but I prefer to say it is a legacy bequeathed to us by a former Legislature. Therefore, in dealing with this matter, I wish distinctly to say that it is not a subject which I feel myself responsible for in the same way as I feel responsible to the people of the colony for any of the projects that have been initiated by the present Government. The Midland Railway contract was entered into on the 27th February, 1886; and of course members will see at once that it is a contract with the initiation of which the present Government

could have had nothing to do. We found it in force and being carried out when we came into office, and we find we have to deal with it in the same way as we have to deal with any other question that may arise, whether of our own making, or instituted by any other former Government or Legislature. However, we all know this: this Midland Railway has given a great deal of trouble, not only to this House, but also to the present Government. But I am glad to say that, although we have been harassed, and annoyed, and bothered with this undertaking, we have not as a colony suffered, in my opinion, any great loss through it, up to the present. In fact, as I think I said on a former occasion, up to the present the colony has not lost anything through this Company. We have no reason—except for the worry and annoyance it has caused us—to be anything but satisfied with the work that has been done by the Company, because up to the present moment we have had 154 miles of railway completed, and now working, which has not cost this colony anything up to the present time, either for its construction or working. Therefore, so far as the colony is concerned, I do not think the colony has any real grounds for complaint, except, as I have said, with regard to the annoyance and the continual trouble which the contract has given, both to this House and the Government. As members are aware, the Company found themselves in difficulties about a year ago or more.

MR. R. F. SHOLL: Long before that.

THE PREMIER (Hon. Sir J. Forrest): It was in November, 1891, fourteen months ago, that we first heard of their being in difficulties, when they appealed to the Government for a guarantee of £60,000. That was the first, or almost the first, intimation this Government had that the Company was in difficulties in regard to carrying on the work. We referred the whole matter to the House last year, and the House was pleased to approve of certain resolutions which I then submitted, on behalf of the Government, but which I am sorry to say have produced no good result. On the present occasion some further proposals were submitted to the Government, and on this occasion we took a different course. It was a matter, as I have said, which

was not of our own initiating, but a legacy left to us; but at the same time, we were perfectly willing to take the responsibility of dealing with these proposals, but we considered that the better course, in the interests of the colony, would be to refer the subject to a Joint Committee of both Houses of Parliament. We did so—and I should like to impress this upon hon. members—we did so after the House had expressed an opinion—it had a resolution submitted to it to that effect—that it was desirable, in the interests of the colony, that this railway should be completed, and the lands now excepted from sale be thrown open for selection and occupation as soon as possible. The resolutions which I have now the honor of moving are the result of the deliberations of that Joint Committee; and the Government have accepted these recommendations of the committee, as a whole, with some minor amendments. If these resolutions of the Joint Committee are approved by Parliament, this railway will be finished, I believe, without delay, and the lands along its route, both those in the hands of the Government and those belonging to the Company, will be thrown open for selection and occupation, and we may hope that settlement and the development of the country will follow. Of course I am aware that it may be said by some members that, after all the trouble we took last session in passing those other resolutions from which so much was expected, but from which nothing has resulted—I am aware it may be said by some members that the same thing may happen as the result of our present deliberations, inasmuch as I am not in a position to inform the House that the Company have accepted these resolutions of the Joint Committee. The reason, I take it, why I am not in a position to do so is that negotiations of this kind require a considerable amount of settlement before they can be brought to an issue. These important resolutions, before they are accepted by the Company and the debenture-holders in England, require some little time for consideration; and I suppose the Christmas and the New Year holidays have interfered, and it is hardly possible, I think, that we should have received an authoritative acceptance of these proposals from the Company. At

any rate I am not in a position to tell the House that the terms embodied in these resolutions have been accepted by the Company and by the debenture-holders. At the same time it seems to me that the resolutions, being reasonable in themselves, and certainly, in my opinion, being in the interests of the Company, cannot fail to be acceptable to the Company. Of course I cannot say that the whole of them will be acceptable, because some of the provisions are very stringent; but I think they should be generally acceptable to those who desire to see this great work carried out. At any rate, on behalf of the Government, I am prepared to take the trouble and the responsibility of submitting these resolutions to the House, and asking the House to accept them, feeling sure that they will prove acceptable, after careful consideration, to those who are interested in this Company and in the completion of its railway. Members will notice that one of the chief provisions contemplated in these resolutions is that the lands along the route of this railway shall be thrown open to selection immediately—not only the lands belonging to the Company, but also the lands belonging to the Crown, which are now locked up. As we all know, the time (under the original contract) when the Crown lands along the route of the railway would in the ordinary course be thrown open to selection and settlement is somewhat indefinite. I have not consulted the Law officers on this point, but I think I may safely say it is not clearly laid down in the original contract at what period these Crown lands would, in the ordinary course, be thrown open in the event of difficulties arising in the completion of the railway. The terms of the original contract are “during the time limited for the construction of the railway.” It is not clear to me whether the extension of time allowed by the Government for the construction of the railway would not be included within the original term. At any rate, I take it these lands could not be thrown open for selection until the 27th February, 1894; and one of the most important clauses of these resolutions is that providing that the lands along this railway—not only those belonging to the Company but also to the Crown—shall be at once thrown open to

selection and occupation. I am sure, if anyone takes the trouble—and I have no doubt all members have taken the trouble—to carefully read these 18 resolutions, they will find a great deal in them that will commend them to their good judgment. They will find that the committee have taken ample means to protect the colony. There is scarcely one of these resolutions that does not clearly show that. First of all the Government have the fixing of the minimum at which this loan of the Company is to be raised; then they have the disposal of the money, and, all through, it will be found that the colony is well protected. We shall have the control, not only of the sales of the Company's lands, but also of the proceeds of the loan; so that while on the one hand we are certainly assisting these people to raise the money for the purpose of carrying out this work, we are on the other hand taking every means and every care that the money so raised shall be spent in a certain way, and that the lands which the Company sell shall only be sold under certain conditions and at a certain price. There is another matter—I do not care much to refer to it, for I think we are amply secured, but no doubt something will be said about it by at any rate one or two hon. members—these proposals will secure for us the repayment of the £60,000 guaranteed by the Government and the Bank, and so get rid of that liability. That, I know, will be a disappointment to some hon. members, for it will rob them of a grudge or a grievance against the Government. At the same time, we shall at any rate be paid the money at once. It may be asked, and no doubt some people will ask, and I think very reasonably too, why the Joint Committee should have recommended that out of this loan to be raised by the Company the sum of £95,000 due to the National Bank is to be repaid, and also a sum of £18,000 to the London Joint Stock Bank. The reason, so far as I know the reason, is that these are sums of money that have been advanced for the construction of the railway, and they are secured either upon the Company's debentures or else upon the rolling stock, and it is necessary that these obligations should be discharged before the Company can give us a clean certificate in respect

of the whole of the railway and the whole of their 2,400,000 acres of land, the security they offer us for guaranteeing this proposed loan of £500,000. I should like to impress upon hon. members that although the Government propose to guarantee the interest upon this amount and the repayment of the capital, we are not ourselves raising the money. The Company undertake to do that. It is their own loan and not ours. The Government guarantee will no doubt enable them to get the money at a cheaper rate than they otherwise would, but I think no one can say that the Joint Committee have not taken care to amply protect the colony in the matter. The security to be offered is very ample—the whole of the railway, lands, rolling stock and everything appertaining thereto, and 2,400,000 acres of land. It seems to me we should appear somewhat in the character of usurers if, in the face of the large security we are demanding, we did not render ourselves liable to something in the shape of an equivalent obligation to the Company, or something at any rate approaching an equivalent obligation. It must be borne in mind that the whole of this security is forfeitable to us if the Company only make the slightest default in their agreement. I say these are very large powers to surrender to us, and I think the Company, in return, may fairly ask us to accept liability something reasonably commensurate with the value of the security they are offering us and the property to be forfeited. I do not think anyone in this House would say to a man, "I will lend you £1 upon property that is worth £100, but if you don't pay me back in a certain time you shall forfeit the whole of that £100 worth of property." I do not think anyone in this House would consider that a fair arrangement. So I say in this case: unless the amount we guarantee for this Company is something like the value of the property that we are asking them to forfeit, I cannot think it would be a right arrangement, even if these people were willing to agree to it. From my point of view, I do not think any Government or any person, unless he be a veritable Shylock determined to have his pound of flesh at any cost, should expect to enter into a one-sided bargain like that. It appears that this Company have encum-

bered their property to the National Bank to the extent of £95,000 and to the London Joint Stock Bank to the extent of £18,000, and they say, "Unless we can pay off these encumbrances we cannot offer you the security you require, that is the whole of the railway and our lands, free from all encumbrances." The Joint Committee considered that fair and reasonable, and they provide for the repayment of these claims out of this loan to be raised by the Company. For my own part I hope that the National Bank will be repaid. I think of all those who are mixed up in this railway, that institution deserves the fullest consideration. [AN HON. MEMBER: Question.] My idea is that the National Bank have come out of this matter as well, if not better, than anyone else, because the money they provided has been money to carry on this railway. They kept it going, we know that, for many a day, and in doing that they have been assisting in developing the progress of the colony.

MR. SIMPSON: At 8 per cent.

THE PREMIER (Hon. Sir J. Forrest): That is not very much; you would have to pay that wherever you go. Some members may be inclined to say that this sum of £309,000 mentioned in sub-section (b) of clause 7 is more than enough to complete this railway. I am not going to say that it is not. It may be more than sufficient to some extent, but the Joint Committee have been very careful to protect the interests of the country in that matter, because they specially say "£309,000, or so much thereof as may be required to complete and equip the railway according to the original contract."

MR. RICHARDSON: What will be done with the balance?

THE PREMIER (Hon. Sir J. Forrest): Sub-section (f) deals with that. It says that the balance, if any, is to be invested by the Government, to be available for the redemption of the bonds. So that if there should be a few thousand pounds over on any item, it will be available for that purpose. Personally, my own opinion is that there will be nothing over when the railway is completed and equipped, and all the obligations of the Company are discharged. But should there be anything over in the end, it will be available for the redemption of these

bonds. The hon. member for the Gascoyne laughs. I am not joking to-night. I am in a serious mood to-night, because I think I am dealing with a serious matter. It is all very well for the hon. member to laugh. He reminds me of Nero, fiddling whilst Rome was in flames. However, we are not in flames yet; but I regard this matter we are dealing with to-night as a serious matter.

MR. R. F. SHOLL: It is serious for you.

THE PREMIER (Hon. Sir J. Forrest): It is not serious for me at all. I say I do not anticipate there will be anything over, for this reason: we know that in connection with any railway construction there are many expenses that we do not think of. We have found it so in our own case. I have no doubt, for one thing, that the rolling stock provided for under the original contract will be found very far short of the requirements of the line. We know that on our Eastern Railway we have had the greatest difficulty in keeping up sufficient rolling stock, and that we have had to borrow from the Great Southern Railway; and I think we shall find that this Midland contract does not provide for sufficient rolling stock. Then I take it there will be extra stations and extra sidings, and a hundred-and-one things required to complete this railway; and I feel quite sure that, when the time comes, we shall find, whatever Government may be in power, that this money, if there is any left, will be required to provide additional rolling stock and other things that will soon be wanted when this line gets into working order. Possibly I may be wrong; but that is my opinion. I now come to the question of the liability of the Government under these proposals, and, for my part, I must say that I do not view our liability as being very great. The conditions as regards the Company are very stringent, and, under these conditions they will be bound to provide the interest on this proposed loan, or else forfeit the whole of their property. In my opinion the conditions are not a bit too severe, because we say in effect to this Company, "We will assist you to raise this money on easy terms, far easier terms than you could otherwise expect to obtain it, but you must understand, and understand once for all, that

"you will have to provide the interest regularly or else you will lose your property." That is what we tell them. This colony is not going to provide the interest for this Company. We propose, with our assistance, to enable the Company to obtain this money on far easier conditions than they could obtain it without that assistance, but they must from the first understand that they must themselves provide the interest, and that if they fail to do so they must sacrifice their property. To those who think that the liability we are undertaking in this matter is a very serious liability, I would say this: even if it becomes practically a liability, what would be our position in the event of the Company making any default in respect of the payment of interest? Our position would be this: we should have the railway and all connected with it, and we should completely get rid of the Company. I believe there are many members who wish heartily and sincerely to see the colony rid itself of this Company; they think it is bad from top to toe. These very men will tell us to-night that this Company will not be able to pay the interest upon this money; if so, then by voting for these proposals they will get exactly what they want,—get rid of the Company altogether; for, if they do not pay the interest on their bonds we can get rid of them in three months; the Government will step in, and the Midland Railway Company will not be heard of again in Western Australia, for some time at any rate. Therefore, I hope these members will not have resort to the argument this evening that our liability is great and that the Company will not be able to pay interest; because, if they use that argument, they will be cutting the ground from under their own feet. To those who think with me that we shall find the Company in a position to pay interest, I would say that I think there are ample reasons for believing so. I thoroughly believe it myself, and I hope we may find it so. I have no desire to secure these people's property. I hope the Company will yet flourish, and become a great company, and make money here for those who are interested in this railway. The Government have no intention in bringing forward these resolutions that we should secure the Company's property for the sake of

guaranteeing this half a million of money. I think the chances of that are very remote, and I will say why. There are many sources of revenue for this Company,—sources, some of them, that we scarcely realise at the present moment; but I may name a few of them that, I think, will commend themselves. There will be the land revenue—the revenue from sales of land and from rents, which will have to be funded, and placed to a separate account, to be available for the payment of interest and the redemption of the bonds. Not one penny of this money—except 5 per cent., which I think is provided under clause 4, for expenses—will be appropriated by the Company; it will be lodged in the hands of the Government, and be under the control of the Government. Surely the sales of land and the leasing of land along this line will bring in something every year. I believe it will bring in a good deal to start with, and, as years go on and the value of the land is enhanced, I expect a large revenue will be derived from this source. Then there will be the sales of town lots. I hope to see townships springing up along this line as in the case of the Great Southern line. We know that within the last few years six or seven towns have sprung up along that railway, where we already have had to provide public buildings at considerable cost, all showing the progress of settlement and the growing requirements of the community. I see no reason why in the same way towns should not spring up on this other line, between here and Geraldton, and I anticipate a considerable source of revenue from this source. Then there is a sum of £14,000 already lodged in the Bank to our credit. That is one tangible asset at any rate. It is not very much I admit, but it is gradually increasing. Then there are the sales of land belonging to the Company themselves, in addition to the 2,400,000 acres, which we are to have as part security—some 900,000 acres, which will be sold I suppose, and realised, for the benefit of the present debenture-holders. And then behind all these items of revenue, there are the present debenture-holders themselves, who would lose everything if this property were forfeited to the Government. I think these people would make a strong effort to prevent that

coming to pass. Before the Government would be compelled to foreclose and forfeit the Company's property they would have to exhaust all these means of revenue—the revenue from land sales, land rents, the £14,000 deposit money, and the amounts realised from the sale of the Company's 900,000 acres of unploughed land, and also the capabilities of those persons in England who are interested in the concern, and who have advanced money upon the undertaking up to the present time, and who, we may depend upon it, rather than forfeit the whole of their property would, as reasonable and sensible men, make a strong effort to meet the interest as it becomes due. Besides all these sources of revenue there is yet another source of revenue which may accrue, and which I believe will soon accrue, and that is the profits from the railway itself.

MR. R. F. SHOLL: Ha, ha!

THE PREMIER (Hon. Sir J. Forrest): The hon. member laughs. I suppose he thinks the country through which this railway runs is a barren wilderness that will never produce anything, and that there will be no traffic at all on this line when completed. Probably he thought the same about the Great Southern line. The hon. member's idea seems to be that we should induce these companies to embark on these undertakings, knowing full well that when they built their railways they would never derive any profit from them. That seems about his idea of the fitness of things. He laughs his "ha, ha," and that is about all he can do. I think I have shown members there are certain sources of revenue which may be relied upon in connection with this project. There is one point I should like particularly to refer to in connection with this matter, and that is this: that, on the face of it, there could not be a more *bonâ fide* offer than this offer of the Company. There could not possibly be, there never has been, a more *bonâ fide* offer made on the face of it, than is contained in this memorandum. What does it consist of? It is this: that these persons, who up to the present time have found the whole of the money to build 154 miles of railway and to equip it and work it, at a cost, roughly speaking, of half a million of money, are now willing to let other people come in and take the whole

of their property—with the exception of some 900,000 acres of land—as security, with the right of forfeiture in the event of their not being able to pay a year's interest. I must say, if these people are not in earnest, I never had to do with people who were in earnest. I never had to do with what I call a more straightforward and *bonâ fide* offer than this one. These persons, having spent some half a million of money on their railway, are willing to stand aside and let other people come in and to yield up to them the security they now hold, with the view, of course, of enabling the work to proceed to a completion. They are far-seeing, I think, in that respect, for by finishing the railway their security will be more valuable as second mortgagees than it is now in their present position as first mortgagees. Again, I wish members to look upon this project as their own railway—as a railway running through their own territory. If it prospers, it can only prosper through the progress and prosperity of the colony. There is no other way for it. This line must prosper with the country's prosperity, and if the country does not continue to prosper neither can the railway prosper. For my own part I believe this line will change the whole aspect of the country between here and Geraldton. We have seen it in the case of another line, the Great Southern Railway, and I do not see why this Midland Railway should not bring about the same results. I look upon this railway—I always have looked upon it—as one of the great national works of the colony, a work that will have to be undertaken somehow or other, in order to connect this part of the colony with its Northern lands. We cannot, in my opinion, over-estimate the far-reaching influence and effects of the completion of this railway, the one connecting link now needed to unite these Southern parts of the colony with the North. I do not think, sir, I need say very much more on this subject. I believe thoroughly that these resolutions of the Joint Committee are the best we could do under present circumstances. There is of course the alternative, which will commend itself to some members—I believe they are very few—of doing nothing at all, and letting the project languish, and be a standing monument of failure, not only for people

in the colony to point at, but also for people in the old country to point at. That is the alternative. It is an alternative, which I will leave to one or two members on the opposite bench to contemplate, and to advocate if they wish, because I am not prepared to advocate it myself. I see no reason at all why this colony should not accept the recommendations of this Joint Committee. It appears to me we have everything to gain and nothing to lose, because while we are assisting to build this railway we are not assisting to build a railway in a foreign country, or for the benefit of people living in another land, but for ourselves, for the benefit of those who are living here, so that they may participate in the great and good results which this railway, in my opinion, will produce. I look upon it, as I have always done, as a national undertaking, and, though I regret it should be cast upon the present Government to be called upon to extricate the Company out of their difficulties, at the same time I think that, with the present proposals, we have no reason to be afraid of the liability we are asked to incur, or that it will operate in any way to our disadvantage. On the contrary, I believe it must be productive of great good to the colony. I beg to move the resolution standing in my name, “That in the opinion of this committee the Resolutions passed by the Joint Committee of both Houses of Parliament, and numbered 1 to 18, in regard to the proposals submitted to the Government by the Midland Railway Company (Limited), in a letter dated 28th November, 1892, for completing the Railway, should be adopted, and form the basis of an agreement to be entered into with the Company.”

MR. R. F. SHOLL: I beg to move, as an amendment, to strike out all the words after “That,” for the purpose of inserting the following in lieu thereof:—“The resolutions passed by the select committee in regard to the proposals of the Midland Railway Company be referred back to that committee for their report, in accordance with provisions of Standing Orders 353 to 356, together with their reasons for supporting or dissenting from such resolutions, and also for the names of the members voting in any division, distinguishing on which

side of the question they respectively voted." In moving this amendment I would point out that it has been usual when a select committee has been appointed for the committee to furnish a report, giving their reasons for any recommendation they made. This is a small matter, it is true; it is only a matter in which the expenditure of half a million of the colony's money is concerned,—for I am confident, in my own mind, that the colony will not only have to pay the interest but also the principal. I am not going into the merits of these proposals now, in moving this amendment. What I say is that the Standing Orders have not been complied with. We have a paper before us which is called a report, but it is not a report at all. It is not signed by the chairman of the select committee, nor does it pretend to be the committee's report. On the first page we have "Extracts from the Minutes" of this House and of the other House. Then we have a letter from the representative of the company. On the next page we have some minutes of the proceedings, with the names of the members who attended. Then we have another letter from the Company's attorney, and a list of shareholders and bondholders. Then we have a list of claims, and a balance-sheet, and finally we have the minutes of evidence. But there is no report from the Joint Committee. There is nothing to show how any member of the committee voted, and there is no reason given to show this House why the committee arrived at the conclusions they did. I think when this House appoints a committee to prepare certain resolutions, or to consider certain questions submitted to it, we have a right to know what reasons actuated the committee in coming to a decision. But, as I have said, we have not a word of information here. There is no report from the committee at all. Standing Order 353 says: "It shall be the duty of the chairman of every select committee to prepare the report." Where is it? Standing Order 354 says: "The chairman shall read to the committee convened for the purpose of considering the report"—here there is no report to consider—"the whole of his draft report, which, if desired by any member, shall be printed and circulated amongst the committee, and

a subsequent day fixed for its consideration." This committee may have done this, but they have brought up no report to this House. Standing Order 355 says: "Every report of a committee shall be signed by the chairman thereof." No chairman has signed this report; in fact, there is no report to sign. Standing Order 356 says: "The report of a committee shall be brought up by the chairman, or by some other member of and appointed by the committee for the purpose, and may be ordered to lie upon the table, or otherwise dealt with, as the House may direct." The House has not had a chance of directing anything to be done in this instance, for no report has been brought up. Another of our Standing Orders, 340, says: "An entry shall be made in the proceedings of the names of the members attending each committee meeting, and of every motion or amendment proposed in the committee, together with the name of the mover thereof."

THE PREMIER (Hon. Sir J. Forrest): We did that.

MR. R. F. SHOLL: But you didn't do this: "and if any division take place in the committee, the chairman shall take down the names of the members voting in any such division, distinguishing on which side of the question they respectively vote." You did not do that.

THE PREMIER (Hon. Sir J. Forrest): How do you know we didn't? It does not say that these division lists are to be presented to the House.

MR. SIMPSON: I rise to a point of order. I understand the hon. member for the Gascoyne is moving an amendment upon the Premier's resolution, and submitting that the resolutions which are before us are not in order. I presume if they are not in order we cannot entertain them.

THE PREMIER (Hon. Sir J. Forrest): The Standing Orders quoted by the hon. member for the Gascoyne refer to select committees. This was not a select committee, but a joint committee of both Houses of Parliament.

MR. R. F. SHOLL: The proceedings are the same.

THE PREMIER (Hon. Sir J. Forrest): Show me where it was done before.

MR. R. F. SHOLL: It has always been done in this House,

THE PREMIER (Hon. Sir J. Forrest) : Nothing of the sort. The hon. member is off the rail, I think.

MR. R. F. SHOLL : I am not off the rail. Probably the hon. gentleman himself will be off the rail before I have done with him. I say we have always had a report from every select committee appointed by this House, and we have had the reasons why the committee arrived at this or that conclusion. We have had that when the questions submitted were of very little importance : but here, when half a million of money is involved, we have no reasons at all given, nor even a report of any kind signed by the chairman. It is the only instance within my recollection where a select committee has brought up a number of recommendations without giving their reasons for making such recommendations.

THE PREMIER (Hon. Sir J. Forrest) : Look at the report of the Harbor Works Committee last year.

MR. R. F. SHOLL : I grant that the evidence we have had presented to us is very interesting, at any rate that of two of the witnesses. At the same time the document is not such a report as this House is entitled to. We are entitled to the reasons which induced the committee to make these recommendations, and we are also entitled to the division lists. I see by the minutes that there were divisions, and I think we ought to have them, according to the rules of the House.

THE PREMIER (Hon. Sir J. Forrest) : The rules you have read are rules applying to select committees. This was not a select committee, but a conference between committees of the two Houses.

MR. DEHAMEL : I rise with the greatest pleasure to support the amendment of the hon. member for the Gascoyne; and I wish, first of all, to call the attention of the House to the wording of the order under which this committee was appointed. It is in these terms: "Ordered—That the committee have power to call for persons and papers, "and report upon" such a date. The committee have not reported. They have brought up a document which is not a report at all. It does not even purport to be a report; it is signed by nobody. There is nothing to sign. We are asked, in this amendment, to do three

things: to send these resolutions back to the committee, in order that the committee may comply with the Standing Orders of the House, which have been passed for our guidance and the conduct of public business in this House. In the next place, we ask the committee to give us their reasons for supporting or dissenting from any of these resolutions; and, finally, we ask for the names of the members of the committee voting in any division, distinguishing on which side of the question they respectively voted. I propose to deal with the last first. Standing Order 340 clearly lays it down that, if any division takes place in a committee, the Chairman shall take down the names of the members voting in any such division, showing on which side they voted. It has been said that this was not a select committee. I submit it was a select committee. What do the Minutes of our own proceedings say: Tuesday, 6th December—"Sir John Forrest moved "that the select committee consist of "seven members," &c. I maintain that a select committee is subject to the same rules, whether it be a joint committee of the two Houses, or a select committee of one House. I have looked through the Standing Orders of both Houses, and I find that the Standing Orders in this respect are practically alike. Therefore, we must be guided in this matter by the Standing Orders of our own House for the guidance of select committees. There is nothing unreasonable in what this amendment asks for. It is quite reasonable that this House should be provided with the names of the members who voted in any division in this committee, so that we may see on which side they did vote. The reason for making such a Standing Order is obvious, and it is a wise and valuable one. I think I can show the value of it by reference to the division lists that take place in this House. These lists indicate not only the numerical strength of each side respectively in a division, but they also indicate the views and the leanings of the members voting. Therefore, I think it is most important and most essential that this House should have an opportunity of ascertaining how each individual member of the committee voted in every instance where a division took place. It may have a considerable effect

upon the minds of members of this House to know who voted for this or that resolution, and who constituted the majority, and who the minority.

THE PREMIER (Hon Sir J. Forrest): Was that done by the Harbor Works Committee last year?

MR. DEHAMEL: I don't care what was done by the Harbor Works Committee. When I come to that part of the question I will show him what was done on previous occasions in matters of somewhat similar importance to this. I will show what has been done as far back as 1883.

THE PREMIER (Hon. Sir J. Forrest): Why not go back to the year One?

MR. DEHAMEL: I say it is most important that we should have the names of those who voted in these divisions, so that we may be able to apportion the value of the votes given in support of these resolutions, and compare their votes with the record of their actions on the committee. I find there were 14 members on this committee, seven from this House and seven from another place; and I find that, out of these 14 members, 10 of them took an active and intelligent part in the proceedings, evincing great interest in all that transpired in the course of these proceedings, questioning very closely, questioning very wisely, questioning very pertinently, and showing that they understood and realised the gravity of the work cast upon them. But I find that four of the members, apparently, took little or no interest in the proceedings, or, if they did, it is a question for very serious consideration how far their actions or their votes should influence the members of this House in considering these resolutions, carried by a simple majority—constituted we know not of whom—of this Joint Committee. In the first place, we have the Hon. T. Burges, whose appreciation of his responsibilities in dealing with this great and important question, involving this country in untold liabilities, is shown by the parochial nature of the questions he put to the witnesses. It is evident that he, at all events, considered himself to be a mere delegate, and that the objects he had in view were, not to protect the colony, not to help the colony, but to obtain the following things: a station at the Irwin, sidings at Arrino, a removal of the

station at Dongarra, and the removal of sidings in various other places. These seem to have been the petty considerations that weighed upon the mind of this member of the committee. Lest members should think that I am a little bit harsh upon this gentleman, I am going to read and to call attention to the questions put by him. The witness under examination was the Engineer-in-Chief, and this is what took place:

15. *Hon. T. Burges.*—In estimating the cost at £309,000, you did not calculate the stations on the present line as complete?—There are no stations complete, but there is a good deal done. At Mingenew a little is done, and—

16. The Irwin station is not complete?—All that is absolutely necessary for the working of the railway is done, but the luxuries are not there.

17. Are the sidings there?—Yes; at Arrino the sidings are quite sufficient for the present traffic.

60. *Hon. T. Burges.*—In the event of the Government taking over this railway and completing it, would you recommend any of the stations or sidings now partly erected being removed to more convenient sites, such as the Dongara station, for instance, and the sidings on the line as far as Arrino. The present station at Dongara is said to be in a very inconvenient position, and if this railway came into the hands of the Government it might be wise to remove that station to some more convenient place, and the same with other sidings; is that included in your estimate?—No. I do not think I know enough about the country to give information on that point. My estimate does not contemplate any expenditure of that kind. If that sort of thing has to be done, it will be additional. But at present I have not sufficient information as to the wants of the people, what would suit their convenience, or the traffic, to enable me to express an opinion. Dongara station does certainly strike one as being rather inconveniently placed, on the face of it; but I would not say whether that is right or not, for I do not know enough about the country.

Members will see at a glance what was troubling the mind of the Hon. T. Burges on this important committee. These are the questions which suggested themselves to this gentleman when dealing with this very grave proposal, involving this colony in an expenditure of £500,000, with interest at £20,000 a year, and a probable loss of £40,000 or £50,000 in working expenses, when this railway falls into the hands of the Government. I say that the vote of this gentleman on this committee is really hardly worth any serious consideration

by members of this House when considering the very important matter we are asked to consider in this instance. The next two to whom I wish to draw attention are Mr. Amherst and Mr. Grant. These two members proved the depth of the very great interest they took in the proceedings of the committee by standing, like Simon Stylites, without saying a word.

THE PREMIER (HON. SIR J. FORREST) : Is the hon. member in order in criticising the actions of individual members of the committee, and naming them ?

MR. DEHAMEL : How am I to deal with the report otherwise ?

THE CHAIRMAN : I think the hon. member had better confine himself to criticising the report in general terms.

MR. DEHAMEL : I merely wish to show that certain members of the committee—I will not mention their names again—took no real interest whatever in the proceedings, and I think that no importance can be attached to the votes of members who find themselves unable to suggest a single question, or to elicit any evidence of any kind or description whatever. Then I come, finally, to another member—a member of this House—the hon. member for the DeGrey. I assure the House that nothing puzzled me more than the action of that hon. member on this committee. I have looked over the evidence again and again, backwards and forwards, upside down and every way, for I thought it was impossible that a member who in this House speaks on every conceivable subject, on every conceivable occasion, should have remained on this committee so absolutely silent as the hon. member for the DeGrey. But I found, after much diligence, that the hon. member for the DeGrey had really kept up his reputation for taking an active part in whatever he is concerned in ; for I find that no sooner had the committee appointed its chairman than the hon. member for the DeGrey got up and proposed the following erudite proposition : “ That this committee deems it advisable to consider the proposals made by the Midland Railway Company, with a view to affording the Company assistance in completing its contract.” Well, I am thankful to say that the hon. member for Geraldton was on that same committee, and he certainly

was not going to have the committee pledging itself straight away to such a thing as that. I believe, if the hon. member had not been there, there would have been a probability of that proposition being put and carried, and, if that had been done, the hon. member for the DeGrey would have settled the whole matter, the moment the chairman was appointed, and without the necessity for obtaining any evidence whatever in support of these proposals.

MR. RICHARDSON : Where does it say that the proposals should be adopted ? All my resolution said was that it was advisable to consider the proposals. This House had virtually affirmed that resolution when it referred the proposals to the committee.

MR. DEHAMEL : Well, sir, I think we are entitled to know how all these different members voted on the different resolutions before the committee, because, when we boil the matter down, we find in regard to four members of the committee that one of them was so parochial in his views as to lose sight of the main question altogether ; that two of them were apparently perfectly indifferent, taking no active interest whatever in the proceedings ; and that the other was—I don't exactly know what to say—too self-opinionated, I think ; and that all of them were equally unreliable, or at any rate equally unfit for us in this House to pay any attention to the votes they gave upon an important matter such as this ; in other words, their votes should not lead or influence the members of this House in any way. It is for this reason that I think the names taken on a division should certainly on every occasion be placed before us, and particular in an instance such as this. The next question to which I intend to address my remarks is about the committee not furnishing a report. There is no doubt at all about the order of the House ; it was that the committee should have power to call for persons and papers, and report on such a date. Therefore, this House ordered a report to be made, and the Standing Orders are clear on the subject that it is the duty of the chairman to prepare the report, and to sign it, and to bring it up. In this instance the chairman is a member of the other House, but it was agreed that the Premier should bring up the

report in this House and the chairman in the other. Now, as a matter of fact, no report at all has been brought up. True we have a document containing the minutes of the proceedings and of the evidence, but there is absolutely no report of any kind or description. We have the bald resolutions of the committee, but not a single reason given to show us why the committee arrived at these conclusions, or a division list to show who dissented from them or who supported them. We certainly should have the reasons why the committee decided to make these recommendations; I think that is absolutely necessary for our guidance in dealing with these resolutions.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Where is the Standing Order for that?

MR. DEHAMEL: For what?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): For the committee to state their reasons.

MR. DEHAMEL: I will show him that it has been the custom, the practice, to give reasons.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): We want the Standing Order, not the custom.

MR. DEHAMEL: The hon. member must not think that I am going to let this matter slip through so easily. I am going to show that, even in matters of minor importance, reasons have always been given by select committees for the conclusions they have arrived at, and those reasons have been furnished to the House. If that has been the practice when dealing with comparatively minor matters, how much more necessary is it that reasons should be given in the case of a Loan Bill—for that is what is practically before us—involving the colony in an expenditure of £500,000 to start with, and then £20,000 a year for interest, and £40,000 or £50,000 for losses on working expenses in connection with this railway when we get it.

THE PREMIER (Hon. Sir J. Forrest): That is your opinion.

MR. DEHAMEL: It is not my opinion alone. The same thing occurred with our Eastern Railway when it was first opened. If you refer back to *Hansard* for 1885 or 1886 you will find the matter referred to by his Honor the Speaker,

who showed a loss on the working of 90 miles of railway to be something like £90,000 a year.

THE PREMIER (Hon. Sir J. Forrest): Nonsense!

MR. DEHAMEL: I am speaking from memory. I know the loss on that line was a very heavy item, and as the length of the line was only about one-third of this Midland Railway we may expect that the loss will be very heavy. In any case, I think I am not wrong in putting it down at £40,000 or £50,000 at least.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): That's a splendid advertisement for the country!

MR. DEHAMEL: A very bad advertisement for the unfortunate taxpayers. I now wish to show what has been the practice in the past with regard to select committees giving their reasons for the conclusions they come to, and to show that those reasons are embodied in their reports. I will first of all take the report of the select committee appointed to consider an application from the W.A. Land Company for a reduction in the contract number of trains to be run over the Great Southern Railway. The committee recommended certain alterations in the time-table, and they say, "Were the foregoing proposals adopted, the time available"—and this is their reason for making the recommendation—"the time available for answering English correspondence would, as a rule, be from Monday afternoon until Wednesday evening." Then they go on to say: "Your committee cannot suggest any special arrangement for the conveyance of outgoing colonial mails"—why? They give their reason: "Owing to the uncertainty of the dates of arrival of the mail steamers from England; but passengers from the colonies would probably find their convenience fairly met by the special Wednesday night service." It will be seen that the committee took the trouble of giving the House their reasons for making these alterations. That report came before the House, and I may say I was instrumental in having it sent back to the committee for reconsideration, and we had a second report. In that report they say: "Your committee, having taken evidence from the officers of the Railway and Postal Departments, in view of the instructions

of your honorable House, regret that they are unable to advise such a rearrangement of the present train service as would both meet the convenience of passengers and facilitate the transit of mails from and to England and the colonies, and, at the same time, impose no further burden upon the taxpayers of the colony." The committee, it will be seen, give their reasons, and they add: "In the circumstances your committee recommend that the matter be left in abeyance until the proposed new time-table for the steamers leaving Adelaide comes into force, when both the English and colonial mails will arrive at Albany, as a rule, on the same day; and some satisfactory arrangement may be more readily arrived at than at present seems negotiable." It was a small matter this committee had to deal with, but they considered it their duty to explain to the House their reasons for the conclusions they were driven to. Now I come to the report of a select committee, which I consider very pertinent to the question now before us, a committee appointed to consider the question of a further loan of £525,000—about the same amount as the loan we are now asked to guarantee—"for public works." It will be seen that the two questions are very apposite.

THE PREMIER (HON. SIR J. FORREST): Was that committee acting under our present Standing Orders or the old ones?

MR. DEHAMEL: It was under the old régime, but they were practically the same rules with reference to select committees. I may point out that under the old form of Government, if a minority in the House strongly objected to the proposed loan they could have forwarded a protest to the Secretary of State for the Colonies, requesting him not to recommend Her Majesty to assent to the measure, but under the present régime such a course would be futile; therefore I say there is ten times more reason why the House should be informed of the reasons which induced a committee to recommend a loan. Paragraph 6 of the report of this select committee enters into full particulars as to the proceedings of the committee. It says:—

The character of the works at the Port of Fremantle caused lengthy discussion, Mr. Marmion advocating "That a sum of £242,000

shall be included in the Loan Bill to be introduced at this session of Council, for the purpose of carrying into effect Design B, of Sir John Coode, for Harbor Works at Fremantle, or such modification of the said Scheme (B) as may be recommended by Sir John Coode, or any engineer appointed and sent by him to Fremantle to examine and report upon the details of the said scheme and to draw up detailed plans and specifications for the construction thereof; such detailed plans and specifications being necessary before tenders can be called or a contract entered into for the construction of the said scheme of Harbor Works." But the following amendment on Mr. Marmion's resolution, which was moved by Mr. Shenton, met with general favor from other members, excepting, of course, Mr. Marmion;—"That the sum of £105,000 be appropriated towards the cost of Harbor Works at or near Fremantle, such sum not to be expended until Sir John Coode, or some engineer deputed by him, shall have visited Fremantle and examined the features of the Port on the spot."

The committee gave ample reasons for the resolution agreed upon. Then I go back to another report, the report of the select committee appointed to consider certain proposed amendments in the Land Regulations for the Kimberley district. I take this report particularly, for this reason: that on this committee I find the names of Mr. Venn, Mr. Marmion, and Sir John Forrest, three members who now occupy seats on the Treasury bench; and, surely, what they considered necessary to do in the year 1883, will also be considered necessary in the year 1893. The committee, in their report, say:

Your committee recommend, as an encouragement to persons to stock the district, and also in consideration of the difficulties and expense incurred in taking stock by sea, which up to the present time has been attended with considerable loss,—

They give their reasons—

That the stock required to comply with the Regulations should be reduced to ten head of sheep or one head of large stock for every 1,000 acres leased, instead of 20 head of sheep and two head of large stock as at present provided. They are further of opinion that the possession of the stock by the lessee within the district, whether his actual property or not, should be considered sufficient, and that it is not necessary to have the stock on each and every lease.

They go on to say:

Many arguments can be given in support of this, but among them they may mention the expense and inconvenience of keeping separate establishments, occasional want of feed and water, and lastly, that it is impossible to stock the whole country in a few years; and they are convinced that if the present recom-

mendations are approved they will be found to work well and be of advantage to the district.

It will be seen that the committee not only make recommendations, but they also favor the House, as they were bound to do, with their reasons.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Will he read the order given to that select committee?

MR. DEHAMEL: It appears that a Message had been received from the Governor, which I will read:

Referring to paragraph 19 of the Speech with which he opened the session, the Governor lays before the Honorable the Legislative Council the Despatches noted in the margin, on the subject of the Stocking Clause for the Kimberley District, the prior claims of lessees of Crown lands to a renewal of their leases, and other points connected with the Land Regulations.

The Governor requests the Council to consider these Despatches, and to favor him with their views upon the questions to which they refer.

The Regulation dealing with the renewal of existing leases of Crown lands has been drafted at the suggestion of the Council, and the Governor will be glad to learn, before proclaiming it, whether it meets their wishes.

Government House, Perth, 20th July, 1883.

That Message was referred to a select committee, who were ordered to report on a certain date. That was on all fours with the order given to the committee on this Midland Railway.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): Quite a different thing.

MR. DEHAMEL: There is no Governor now to send down a Message of that kind to the House; under the present Constitution it is the duty of the Premier to place these matters before the House. With that exception the thing is entirely on all fours. I now come to the final report I shall refer to, the report of the select committee appointed to report upon the question of the construction of railways on the land-grant system. It appears there were two distinct offers before the committee, with regard to which they say:—

The larger has for its object to remove, as far as possible, the isolation of these settlements from the thriving and comparatively populous Eastern colonies, and to secure for the port of Fremantle large advantages as a calling place for ocean mail steamers; while, by means of the smaller, it is proposed to

promote the internal development of the colony, to populate the Southern agricultural districts, and to bring, at the same time, the important harbor of King George's Sound into easy communication with the metropolis.

After reviewing the merits of the two schemes, and deciding upon the basis upon which they should formulate their recommendations, the committee say:—"This basis has, for the sake of convenience, been embodied in the following series of resolutions, which—preceded by one determining the lines of railway to be constructed—your committee now recommend to your honorable House for adoption." That report, like all the others, is signed by the chairman of the committee. The work devolving upon that committee was exactly on all fours with the work devolving upon the present committee. Certain proposals were submitted for their consideration to report upon, and they did so, and submitted 14 different resolutions, which they recommended to the House for adoption, in the same way as we have 18 resolutions from this Midland Railway Committee. But here we have no report from the committee, and no reasons whatever given as to why they recommend these resolutions for our adoption. I think I have now shown that in the past it has always been the custom of committees to report to the House, and in their report to favor the House with the reasons which induced them to arrive at certain conclusions. Finally, I shall point out to members that the Government themselves, in referring this matter to a select committee of the two Houses, sought to throw the onus of adopting these proposals entirely off their own shoulders, and, by means of this committee, to cast it upon the members of this House. The Premier tonight told us he did not intend to take any responsibility with regard to these resolutions.

THE PREMIER (Hon. Sir J. Forrest): I never said anything of the sort. I said I was prepared to take all the responsibility.

MR. DEHAMEL: Then I retract the word "no," and substitute the word "all." What I say to this House is this: before any of us accept the responsibility of such a serious matter as this Midland Railway—for it is a serious matter—it is our bounden duty to see

that the Standing Orders of the House have been complied with, and that we not only have the committee's resolutions and the minutes of evidence, but also a report from the committee, duly signed by the chairman, showing why the members of the committee supported this resolution and why they opposed that resolution. We should then have something to go upon, and something to consider. I have the greatest pleasure in supporting this amendment of the hon. member for the Gascoyne.

THE ATTORNEY GENERAL (Hon. S. Burt): I have listened for some time to the technical objection put forward by the hon. member, and put forward for a purpose—and no doubt it has served his purpose, which is to delay as long as possible the consideration of these resolutions. But I am bound to say that the hon. member is utterly mistaken in the observations he has placed before the committee, and I trust the committee will not for a moment think of being led or advised by the hon. member in such a matter as this. He has cited precedents dating some ten years back, and connected with a defunct Council; but the practice he refers to was ascertained to be utterly wrong and irregular. It was found that it was not the duty of select committees to enter upon the reasons which actuated them in coming to their conclusions, and that such a thing was not done in any other Legislature. No such practice existed anywhere else, and latterly I believe it was abandoned here. The practice is to give the evidence taken, if any, and the resolutions based upon that evidence. How could you give the reasons? Every man on the committee probably had a different reason. Are you to give every individual member's reasons for coming to this or that conclusion? If so you would want to have the reasons of every member of the committee taken down in shorthand. I fancy, if that were done, we should find some marvellous reasons, especially in this instance. What was this committee that was appointed in this matter? There is no such a thing as a Joint Select Committee. I defy the hon. member to point to any Standing Order or rule relating to a Joint Select Committee. This was no such committee, nor was it a conference either, in the sense of a con-

ference between the two Houses, but a select committee of each House in order to confer with each other, and the rules applying to such committees are simply four, and no others. They are Standing Orders 253 to 256. Last session we had a Conference between the two Houses, and a certain number of what are called managers were appointed by each House to serve on the Conference, and during that Conference the business of the House was suspended. That was one form of proceeding, but this is another method. This was a conference between two select committees, and the only rules regulating these proceedings are those I have mentioned. Standing Order 253 says: "No select committee of the Legislative Assembly shall confer with a select committee of the Legislative Council, without an order of the Legislative Assembly made on motion." That was done. Standing Order 254 says: "When any such order has been made, it shall be communicated by message to the Legislative Council, with a request that leave may be given to the select committee of that Council to confer with the select committee of the Legislative Assembly." That was done. The next rule is: "Every select committee of the Legislative Assembly directed to confer with any select committee of the Legislative Council, may confer freely by word of mouth, unless the Legislative Assembly shall otherwise order." That, too, was done. We conferred freely, and by word of mouth. The only other rule applicable is this: "The proceedings of every conference between a select committee of the Legislative Assembly and a select committee of the Legislative Council shall be reported in writing to the Legislative Assembly by its own committee." We did so. The proceedings were reported, and we had the report brought up and laid on the table. What more could be done? How was the select committee of the Assembly to report to this House and give its reasons? What had it got to report? It considered nothing by itself, apart from the select committee of the other House. It was ordered to confer with a select committee of the Legislative Council for the purpose of formulating a scheme for the attainment of certain objects. It did so. The House has the scheme now before

it, embodied in these proposals: What more was there to report? You have a number of resolutions formulated by which the objects in view may be attained, and the best report you could possibly have is the minutes of the evidence, and the resolutions adopted by the committee, which you have. All the committee had to do was to report its proceedings, and I say that was done. You have every piece of evidence taken, every resolution passed, and the names of all the members who were present at every meeting. If that does not make up the proceedings of the committee, I don't know what does. As to the report not being signed by the chairman, there is no provision even made for the appointment of a chairman. This was a conference between two committees, and there is no provision in our Standing Orders for a chairman of a Conference. Nor is there such a thing as a Joint Select Committee. I defy anyone to find any rule referring to such a body. Therefore, I submit that the hon. member for Albany is entirely off the rails, and does not know what he is talking about. He gets up, with a pile of books in front of him, and quotes a lot of precedents which are not to the point at all, and then walks out of the House, so that he shall not hear what is said in reply. That is his way. What was done in this instance, as I have said before, was this: a select committee was appointed by this House to confer with a select committee of the other House, and the select committee of this House had no order from the House to act by itself in any way. It was to confer with the select committee of the other House with a view to formulating a scheme, and, having done so, to report its proceedings. That it did. I submit it has fulfilled in every item the mandate of this House. There was no mandate for the chairman to make or sign any report. All that was ordered to be done has been done. I cannot help thinking that there is so very little in this amendment that this House is not likely to delay its proceedings in order that this report may be sent back. Sent back where? Sent back to whom? The other committee is defunct—dead as a door nail. How are we to meet them? How are we to find the remains of a defunct committee? Are we to walk about the precincts of this

House during the recess, searching for the ghosts of our friends of the other House who belonged to this defunct body? The hon. member cannot surely be in earnest when he proposes to send this report back.

MR. R. F. SHOLL: I can assure the Attorney General I am most seriously in earnest, and I ask members not to be led away by the sophistries of my learned friend. He is used to this sort of game. It is his profession, to make people believe that black is white, and white no color at all. It is very clear to me that this committee ought to have prepared a report. It was ordered to do so. Standing Order 336 says: "On the appointment of every committee"—*every* committee—"a day shall be fixed for the reporting of their proceedings to the House, and on such day the final report of the committee shall be brought up by the chairman, unless further time be moved for and granted: provided that it shall always be competent for the chairman to bring up the report whenever the committee has concluded its proceedings." This committee has brought up no report, and I think we are entitled to a report. This is a most important question we have to deal with, and a very serious one for this country, when we are asked to vote half a million of money to a company of straw. I think it is necessary we should have the fullest information as to why the committee came to these conclusions. I for one at any rate intend to assert my right as a member of this House to obtain such information from any select committee appointed. I maintain that the action of this committee was contrary to the Standing Orders which guide us in conducting our business. I maintain that what the Attorney General has stated does not apply in this instance.

THE PREMIER (Hon. Sir J. Forrest): You consider your opinion on such a subject is better than the opinion of the Attorney General, no doubt.

MR. R. F. SHOLL: I think the Attorney General was only trying to make black appear white. I do not believe the opinion he gave us was a serious one.

Question put—That the words proposed to be struck out stand part of the resolution.

Agreed to, on the voices.

POINT OF ORDER.

MR. R. F. SHOLL: I now, sir, ask for your ruling as to whether this so-called report of the select committee is in proper form, in accordance with our Standing Orders.

THE CHAIRMAN: I think the hon. member will have to move me out of the chair, if he wants a ruling on that point.

MR. R. F. SHOLL: Then I beg to move, sir, that you do leave the chair, so that the point of order may be decided by the Speaker.

MR. DEHAMEL: It is necessary, before you leave the chair, that you should give a ruling yourself. It is only when an objection is taken to the Chairman's ruling that the matter is laid before the Speaker. That is provided for in Standing Order 142.

THE ATTORNEY GENERAL (Hon. S. Burt): I submit that the Chairman is not called upon to give any ruling at all. The question has been disposed of by the amendment having been negatived. Under the circumstances, the Chairman cannot be called upon to give a ruling upon a matter that has already been disposed of. It is a very inane proceeding to ask him to rule upon a point which has been already settled by the committee itself. The question was, that the matter be referred back to the select committee for another report, and it was negatived. Therefore, what is there to rule about? Supposing the Chairman were to rule that this report is not in proper form, what would be the effect of such a ruling when the committee have decided not to refer it back, whether it be a good report, or a bad report, or no report at all?

MR. R. F. SHOLL: It is true that the amendment has been negatived on the voices, but I wish a ruling as to whether we are proceeding in this matter according to our Standing Orders, whether our proceedings are regular, and in accordance with Parliamentary procedure. It is ridiculous for the Attorney General to say we cannot get a ruling upon a point of order because an amendment has been negatived.

THE ATTORNEY GENERAL (Hon. S. Burt): At present there is absolutely nothing before the committee, and how can you raise a point of order upon a question that is not before the committee. We have disposed of the point of order

by negating the proposal to refer this matter back to the Joint Committee. We have accepted the report, and declined to send it back.

MR. TRAYLEN: I submit it is not too late yet to ask for a ruling as to the regularity or irregularity of our proceedings. We have merely voted that certain words shall not be struck out of the resolution before us. We have not yet voted that the resolution shall be agreed to; and I beg now to ask for the Chairman's ruling as to whether this report before us is in proper form, and in accordance with the Standing Orders of the House. I beg to ask for a distinct ruling on that point.

THE CHAIRMAN: If I am asked to give a ruling I will do so. I think the question raised has already been decided by the action of the committee in refusing to send back the report. When the amendment was before the committee it was open to any member to raise the point as to the formality or the informality of the report. That was, in fact, the very point raised by the amendment itself, which proposed to send back the report to the select committee, so that, if there was any informality about it, it should be rectified. But the committee negatived the amendment, and by so doing disposed of the question of the formality or informality of the report.

MR. TRAYLEN having objected to the ruling of the Chairman, and tendered his objection in writing, as required by Standing Order 142,

THE CHAIRMAN left the chair, and the House resumed.

THE SPEAKER: The Chairman of Committees has put this paper in my hands, signed by the hon. member for the Greenough, who says he objects to the ruling of the Chairman. If I am expected to give a ruling on the point, I must know what the ruling of the Chairman of Committees was.

MR. TRAYLEN: May I now ask your Honor to rule on a point of order?

THE SPEAKER: Yes.

MR. TRAYLEN: It is this: as to whether the report of the select committee is in due form, that is, in accordance with our Standing Orders. I beg to ask your Honor's ruling on that point.

THE SPEAKER: We have got no Standing Orders with reference to the

proceedings of Joint Select Committees, but my own opinion is that the same rules that govern the proceedings of select committees would govern the proceedings of Joint Select Committees, in the absence of any specific rules dealing with Joint Select Committees. That being so, I am of opinion that there should have been a report accompanying these papers sent up by this committee. On looking through them, I find there is no report. There is nothing to certify even that the proposals are the proposals of this committee.

THE PREMIER (Hon. Sir J. Forrest): I brought them up and laid them on the table as the report of the select committee of both Houses, and it is so recorded on the Minutes.

THE SPEAKER: I do not think there is anything that can be called a report, certainly not signed by the chairman as required by our Standing Orders. I think it is merely a technical objection. The question referred to the committee was this: "That the proposals of the Company, as contained in their letter of the 25th November, 1892, be submitted to a Joint Committee of both Houses of Parliament, with a view, if possible, of formulating some scheme by which the objects above mentioned may be attained." There is no doubt that this committee did formulate a scheme, which has been printed and placed on the table, and is now in the hands of members. Therefore, so far as that is concerned, the committee has carried out the object for which it was appointed; but, in my opinion, they have omitted the technical proceeding of presenting their report upon that scheme. It might have been done in half a dozen lines, stating that they had considered the question and had agreed to the proposals. That would have been quite sufficient, signed by the chairman; and, in my opinion, this ought to have been done, for I think that the same rules regulate the proceedings of a Joint Select Committee as regulate the proceedings of a select committee of either House.

THE CHAIRMAN OF COMMITTEES: I may say that my ruling was to this effect, that the amendment having been negatived disposed of the formality or informality of the report.

THE SPEAKER: I think it did dispose of that question. The committee

itself has decided that the matter shall not be referred back to the Joint Committee, and, having done so, has disposed of the question of the formality or informality of the report in this instance. Therefore, my ruling will be to that effect. I will now leave the chair, so that the committee may resume its work.

IN COMMITTEE.

THE PREMIER (Hon. Sir J. Forrest): I think it would be more convenient to members if, instead of moving a general resolution, we should take these resolutions one by one. I do not think we could expect the House to approve of them *en bloc*. I therefore beg to move that the resolutions of the select committee be put *seriatim*.

MR. DEHAMEL: I move that progress be now reported, and leave asked to sit again. The Premier told us there was no desire on the part of the Government to rush these resolutions through this evening, and I think we may now report progress.

Question put—That progress be reported.

The committee divided, the numbers being—

Ayes	4
Noes	23

Majority against ... 19

AYES.	NOES.
Mr. R. F. Sholl	Mr. Burt
Mr. Simpson	Mr. Clarkson
Mr. Traylen	Mr. Cookworthy
Mr. DeHamel (Teller).	Mr. Darlôt
	Sir John Forrest
	Mr. A. Forrest
	Mr. Harper
	Mr. Hassell
	Mr. Lefroy
	Mr. Loton
	Mr. Marmion
	Mr. Molloy
	Mr. Paterson
	Mr. Pearse
	Mr. Phillips
	Mr. Piesse
	Mr. Quinlan
	Mr. Richardson
	Mr. H. W. Sholl
	Mr. Solomon
	Mr. Throssell
	Mr. Venn
	Mr. Monger (Teller).

Motion to report progress negatived.

MR. LOTON: Having been indisposed during the last few days, I am not prepared to go at any length into this matter, though it is known to the committee that I hold as strong views on the question at issue as any member of this Assembly. To my mind, sir, this question has to be

faced in one out of two ways: either we must refrain altogether from rendering any financial aid to this Company, and deal with them under the terms of their contract, or else we must proceed in the matter on the lines proposed by the select committee. There is no other course open to us. I was one of the members of this select committee, and it will be seen, if members will refer to the Minutes, that I proposed a certain resolution—which I thought was in the interests of the colony—that it was inadvisable for the Government to enter into any guarantee for the payment of either interest or principal in order to assist this Company; in other words, that we should not pledge the colony's revenues to provide these people with any funds. The House will see the amount of support which that resolution received in the committee. I regret to say that only three voted in favor of it; their names are not given, nor is it necessary to give them. If they are still of the same opinion, they will have ample opportunity of giving expression to that opinion in the course of this debate. As I have said, if it is decided to again assist this Company, it appears to me we can only do so on the basis of these resolutions. I should like to draw attention to this fact: the Premier, on all occasions that he has addressed us on this subject, gets away from the main question, which is this: the construction of this railway was to be on the land-grant system. This colony was never to be called upon to contribute one cent. towards the cost of constructing this line; such a thing was never contemplated when the contract was entered into. We undertook to pay for the line in land, and, in the event of a certain contingency happening, we were to carry on the railway, in the event of the Company not doing so; but it was never intended that the colony should provide the Company with the means of constructing the line, or any portion of it. More than that, I submit now, with all due deference to the opinion of other members, that the colony now is not in a position to undertake this liability, and to guarantee the principal and interest which it is necessary to provide before this line can be completed, as now proposed. Having undertaken other large public works, involving the colony in a very large expenditure, I say

the colony is not now in a position to pledge its revenues for the purpose of assisting this Company. My real objection to our doing so arises from this fact, that in doing this we are really involving ourselves at the present moment in a further Loan of £500,000, together with the interest thereon. The Premier may say there is no risk or no responsibility about it; but we cannot get away from this fact, that the colony is asked to guarantee both principal and interest. Although this impecunious Company may, perhaps, be able, with this Government guarantee, to find this money, I would ask in what better position will it be to find the interest? In no better position whatever, because it will have secured to the Government the whole of its property, including 2,400,000 acres of its lands. The Premier placed before us what he regards as certain sources of revenue which the Company will have, and which he says will be available to meet this sum of £20,000 a year required for the payment of interest. One of these sources of revenue is to be the receipts from the sales and the rents of the land to be disposed of, and, as a last resource—viewing the future prospects of the undertaking in a very favorable light—he says there will be the profits arising from the working of this railway. Well, sir, seeing that the profit on the working of railways in Western Australia up to the present day is *nil*,—

THE PREMIER (HON. SIR J. FORREST): Not quite; there is a little bit of profit this year.

MR. LOTON: The hon. gentleman may say so, but I venture to state that our railways have not been maintained, in proper working order, and with the necessary rolling stock, in addition to the working expenses. When we can maintain our railways in proper order and provide all necessary rolling stock for the efficient working of them, without having resort to loan moneys, then you may say that they are paying concerns, but not before. I ask then where is this interest of £20,000 a year to come from? Is it to come out of the sales of lands that are secured to the Government? Well, to do that, at 6s. 8d. an acre, it would require 60,000 acres to be sold and paid for in cash, every year. I submit, for the consideration of this

committee, whether this Company is likely to sell 60,000 acres of land every year, at an average value of 6s. 8d. per acre, and get the money for it, to meet this interest? I say no. Then where is the money to come from? The Premier told us that the Company will still have 900,000 acres of land, which they have already selected, and which belongs to them. He also said there would be the bondholders or shareholders to fall back upon. But is it likely that this Company, if they complete this railway, which they have pledged as security as well as the rest of their land, is it likely that, being out of pocket already—I am alluding now to the unfortunate portion of the debenture-holders who will have a very small voice in the matter, because they will be overruled by the majority—I ask is it likely that this unfortunate minority, who have already lost their money, will come forward with any more capital to provide interest and a sinking fund to meet the claims of these other bondholders? I say no. Is it likely that the shareholders of the Company, who, according to their own showing and their own balance-sheet have raised about a million of money for the purposes of this railway, of which only £525,000 or about one-half of it (according to their own showing) has been actually expended on the line, and £188,000 of which has been placed in the Bank to meet the interest payable to the debenture-holders, making about £700,000 out of the £1,000,000, there being still £300,000 unaccounted for; I ask is it likely that these people, when they get the fee simple of their 900,000 acres, are going to appropriate any of the money they may realise from the sale of that land to pay the interest on this other money? I don't think so. I am looking at them as men whose transactions we have been able to follow from the start: and I say they are not men who are likely to throw away the substance for a vain shadow. These are my principal objections to assisting the Company; and I say now in all sincerity, and in the best interests of this colony, it would be far better for the Government to take proceedings against the Company under the original contract, giving every liberal consideration to the Company if they are prepared to proceed with the work, but

not allowing it to remain in abeyance any longer. If they are unable to carry it out, then put an end to it, and let us complete it ourselves, as early as we possibly can. At present the hands of the Government and the hands of the colony are forced. They are forced in this way: they are called upon to spend half a million of money in the construction of a railway, when we are really not in a financial position to afford it. I do not propose to go any further into this matter this evening; but these were my views when on the select committee, and they are my views now. The Government of the day, in my opinion, have already committed one or two egregious blunders—and I say they were blunders—in its relations with this Company. The first blunder was the guarantee of the £60,000 advanced to the Company by the Bank; and the next blunder was a still more serious blunder, and that was in not enforcing the conditions of the contract as each 50-mile section of the line was completed. It was the duty of the Commissioner of Railways to see that each section was thoroughly completed and equipped, but this was not done. The Government, being desirous of assisting the Company, have, to a certain extent, placed themselves in the hands of the Company, and placed themselves and the country, to a certain extent, in a dilemma. They did it with a good intention, no doubt; but I submit their judgment has not been sound. With regard to the proposals now before us, having failed to obtain any support to the resolution I myself submitted to the committee, I feel that there is no other alternative except to accept this scheme, with the view of endeavoring to arrive at some conclusion. The conditions, I think, are stringent conditions, but not more so than the Company have a right to expect; and, on the other hand, the interests of the colony are, I think, as much safe-guarded as we could possibly make them. That is the basis of such support as I am able to give to these resolutions. I regret extremely myself that this question has been so often before this House.

THE PREMIER (Hon. Sir J. Forrest): We all do that.

MR. LOTON: From the very first I have offered a prominent, and I may say

a very strong and determined, opposition to any assistance being granted to this Company, and, on one occasion, I had the support of a majority in this House, but it was subsequently negatived by the then Government of the colony. The Premier, in addressing himself to this question, is never tired of telling us that it is one for which the present Government are not responsible, that it was left as a legacy, an unfortunate legacy, to them by another Government. No doubt about that; but I think the present Government have added to the legacy, and have done so to the detriment of this colony. They added to it in the first instance by guaranteeing a loan of £60,000—I admit it was secured, but there was a principle involved; and they have further added to it by failing to insist upon the completion of the various sections of the line that have been opened. They have been adding to it in this way all along; and, last session, they did all they could to add still further to it, by a further guarantee to the Company.

MR. DEHAMEL asked whether the Government would consent to the House now reporting progress?

THE PREMIER (Hon. Sir J. Forrest): No, no; we have done nothing to-night so far, through the hon. member's obstruction. Let us get on with one or two of these resolutions. We can then report progress.

MR. DEHAMEL: Then I will proceed to read the correspondence on this subject. (Reads a portion of the published correspondence). If the Government persist in forcing these resolutions through the House, I can tell them that not one of them, and not one of those who support them in doing so, will come back to this House again, when we go to the country.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): What do you know about the opinion of the country?

MR. DEHAMEL: Why should the Premier have told us this evening that the Government were not going to rush these resolutions through the House, and now, when we ask that progress may be reported, he is determined to rush them through? I will tell him what people outside say—I impute no motives myself—but people outside say that he, the Premier of this colony, is a partner with

his brother, the hon. member for West Kimberley.

MR. A. FORREST: It's a lie!

MR. DEHAMEL: It was said so in some affidavit that was put in—I am only telling what I hear about the place—with reference to the Federal Hotel at Fremantle, and people outside say that the object of the Government in forcing these proposals upon the people of the colony is that they seek to benefit the firm of Alexander Forrest & Co.

MR. A. FORREST: I beg to call attention to what he says. He is imputing motives. He says that the Premier is a partner in the firm of A. Forrest & Co.; if he says that, he is telling lies.

MR. DEHAMEL (addressing the Chairman): I must request you to order the hon. member for Kimberley to withdraw that at once.

THE CHAIRMAN: I did not hear distinctly what the hon. member said.

MR. DEHAMEL: Then I will repeat it. He says I am telling lies. I ask you to order him to withdraw that at once.

MR. A. FORREST: The remark I made was this, that the hon. member for Albany imputed or said that the Premier was a partner in the firm of A. Forrest & Co., and that it was for that reason that this Midland Railway was bolstered up; and I said he was telling a lie, and I say it again.

MR. DEHAMEL: I said it was what other people said outside. I said I was imputing no motives.

THE PREMIER (Hon. Sir J. Forrest): But you are imputing motives. It is no use your saying what people say outside. Is that your best argument?

MR. DEHAMEL: A good enough argument. I did not say it myself; I said that people said so outside.

MR. A. FORREST: Well, you come outside, and I'll show you.

THE CHAIRMAN: I must rule that it is not in order to impute motives.

MR. DEHAMEL: I said I was imputing no motives; I simply mentioned what was said outside.

THE PREMIER (Hon. Sir J. Forrest): Who says it? Bring him forward.

MR. DEHAMEL: I shall have to bring a great many forward.

THE PREMIER (Hon. Sir J. Forrest): Well, do so. We shall then know whom we have to meet.

MR. DEHAMEL: I tell you what is the general talk outside.

MR. A. FORREST: And I say it's a lie!

MR. DEHAMEL: I insist upon you, as Chairman, calling upon him to withdraw that.

THE CHAIRMAN: I understood the hon. member for Kimberley to say that your statement was that certain things had been said outside with reference to the Premier and the hon. member for Kimberley's firm, and that the hon. member said that those statements were lies. That is how I understood him.

MR. DEHAMEL: That is not what he said.

MR. A. FORREST: That is what I did say.

THE PREMIER (Hon. Sir J. Forrest): I do not wish to rise, and get out of temper, but I think it is really beyond what we ought to stand, that a member should come here and make such statements, on the authority of people in the streets, and then say he does not say it himself, but that people outside say it. If he has any decency he will give his authority, and not come to this House, and, upon some general report he says he has heard outside, cast aspersions upon the character of a member holding the position I do. I think it is downright scandalous, unless he is prepared to prove what he says.

THE CHAIRMAN: It is a well known parliamentary rule that it is not proper to impute motives. I think it would tend more to the despatch of business, and that it would be better for the character of the Legislature of this colony, if remarks of that kind were avoided in the future.

MR. DEHAMEL: What I stated was what one hears. I think the remarks I made ought to be taken by the Government in good part. I did not say myself that these remarks were true. All I said was that that was what was said outside. It seems to me a great pity that the Government should attempt to force down upon us these Midland Railway proposals, without giving us proper time to consider them, and to reply upon them. When the Premier addressed us upon them he told us that the Government had no intention of forcing them upon us. I say he is forcing them upon us.

THE PREMIER (Hon. Sir J. Forrest): We have not passed one single resolution yet.

MR. DEHAMEL: No, nor are you likely to pass one to-night. If the Premier will now do the graceful thing and consent to report progress, he will find that instead of wasting a tremendous lot of time, he will get through them in one-half, aye one-quarter, the time he will if he is determined to balk the Opposition.

MR. A. FORREST: Only 4 to 26.

MR. DEHAMEL: That was only on the question of reporting progress. Wait until we come to deal with the resolutions. I think every member who has the interests of the colony at heart is bound to speak to all these resolutions, and give his reasons on such an important question as this. What are we asked to do? We are asked to find another half million of money, and we are asked in this very resolution to find another £230,000. This is an important and most serious question for this colony to consider. It is not as though we were going into any work that would be remunerative; for we know that if we adopt these Midland Railway propositions we shall have to find the money, and we have also to meet the loss on the working of these railways; and yet, when we have these difficulties to face and this loss to meet, with only this little miserable population of under 60,000 people to provide all this money, we find the Premier trying to force us to swallow this scheme and take it through to-night, at eleven o'clock. If the Government insist upon this, they will be hanging a millstone around their necks, and they will feel the pressure of its weight with an absolute certainty within the next two years. And they will find that the feeling of the colony at large is against them; and not a single member on that Government bench will ever sit on that bench again, if the Government force upon us a matter of such importance. Bearing in mind the Premier's promise and statement to-night, I ask whether he is going to insist on this matter going forward to-night. If it does go forward to-night, I am quite prepared to speak upon it for a very long time.

THE CHAIRMAN: The question is whether the resolutions relating to the Midland Railway shall be taken *seriatim*.

MR. DEHAMEL: Yes, and I want to see, whether the better sense of the Government will not lead them to consent to an adjournment of this debate until Monday next, because we are asked to do one of the most important things—certainly the most important thing we have been asked to do this session, and second in importance only to the passing of the Loan Bill two years ago. I want to have time to prepare my remarks, and to put my views in a short form.

THE CHAIRMAN: It would be better if the hon. member would confine himself to the question.

MR. DEHAMEL: Before going into the question, I would like to know whether the Premier will meet the views of members on this side.

THE ATTORNEY GENERAL (Hon. S. Burt): I do not know whether the hon. member has concluded his speech, but I have had enough of him. The question he puts is whether the Government intend to force these resolutions upon the House. The tactics of the hon. member can be seen through—they are very thinly disguised; but they do not affect the Government any more than they affect any member of this committee. The hon. member has a right to do what he is doing, but I did not expect these tactics would be resorted to so early. A good deal has been said about the people of the country, but the people of the country will judge between the hon. member and the Government, and will see whether he is playing the fool here this evening or not. I have good reason for believing that the public will say that he is. These proposals are the result of the conference of select committees appointed by each House. They are the result of their conference, without any previous consultation whatever. That result has now come before this House, and these proposals which they recommend for acceptance have been in print and before members for over a fortnight. The Government are now asking the House to consider them. It has been moved that the proposals of the Joint Committee be taken *seriatim* instead of *en bloc*. Is that evidence that the Government wish to force them on the House? It is the opposite. Do the tactics of the hon. member show any desire to consider these proposals, or do they show the opposite? They do

not show any desire to consider them at all. The hon. member for the Swan is the only member of this committee who has had an opportunity of addressing himself to these proposals, and yet we are told by the hon. member for Albany that the Government are trying to force these proposals on the House. As long as the House likes to put up with the hon. member for Albany, I shall join in listening to him; but there is no truth in saying the Government are desiring to press forward these proposals, because the Government do not, at the dictation of one hon. member, who represents nobody in this House but himself, consent to adjourn this debate until some future day. It is not too much to ask that the debate on the first resolution should be allowed to proceed. We do not even ask that the first resolution should be passed to-night, but that it should be debated. It is a silly assertion to say the Government are trying to force these proposals on the House. If any appreciable portion of the House evinces a desire to report progress at any time, the Government always bow to that sense and that desire to report progress. But we should be abrogating our functions as a Government if, because the hon. member for Albany moves to report progress, and is supported only by three members, we consented to delay this business at his dictation. Until a more general feeling is evinced in favor of reporting progress, the Government cannot and ought not to accede to the request.

MR. RICHARDSON: If I thought the Government were making any attempt to force these resolutions on the House, I have sufficient independence to resist it, and other hon. members have too. But these resolutions have been before us for consideration during a fortnight, and if the hon. member for Albany has been unable up to this date to arrive at any conclusion in reference to them, I should say his mind is in a lamentably confused state; indeed I should say that is the real explanation. The only pertinent speech from the acute Opposition has been that of the hon. member for the Swan, and his remarks carry a good deal of weight. It was a clear, business-like speech, and though we may not all agree with it, yet it dealt with the question in a proper manner;

whereas the tactics of the hon. member for Albany have been simply obstruction from start to finish. Before the Joint Committee sat, there was a previous resolution of this Assembly, as follows:—"That in the opinion of this House it is desirable that the Midland Railway should be completed, and the lands now excepted from sale be opened for selection at as early a date as possible. 2. That the proposals of the Company, as contained in their letter of the 25th November, 1892, be submitted to a joint committee of both Houses of Parliament for consideration, with a view, if possible, of formulating some scheme by which the objects above mentioned may be attained." The hon. member for Albany has said that we must face a loss of £40,000 to £50,000 a year on the working of the Midland Railway when it is finished, while the whole of the railways in this colony do not lose that amount, and the loss on them is decreasing. The Great Southern Railway Company are working a line nearly as long as the Midland line and through very similar country, yet they are actually making a profit over the working expenses. I say that remark alone stamps the hon. member's utterances as not worth listening to from a business point of view. The reason we have not made progress to-night is owing to the obstructive tactics of the hon. member for Albany. The question resolves itself into this, as the hon. member for the Swan sensibly remarked, and as he thought we ought to do: should we leave the Midland Railway Company alone, and let events take their course? There is some sense in that; it is a definite policy, which we can grasp. Or, there is the alternative course, that if the country is not willing to leave the two ends of this railway unfinished, then the next thing is that we must consider these resolutions. But, in the remarks of the hon. member for Albany, I cannot see any policy to guide us. He simply objects to everything. If we do not accept these proposals, what else are we to do? Mind you, there is a lot in them that is very hard for me to swallow, and very hard for members of the Government to swallow. But the thing is this: can you do any better? If so, I should welcome the better scheme. Let us have some other scheme, if it is an improvement on this,

But as to the argument about leaving the Company alone, and making them forfeit the railway, any hon. member who advocates that course must know it is utterly impracticable, and, if members who say so were in a responsible position, they dare not talk in that way. They know that the English newspapers and the financial men of London would make the name of this colony stink, by saying we had induced them to spend a large amount of money in making a railway in this colony and then had seized the railway; and they would say also that the Government of the colony had so little faith in it that we dared not spend enough money for completing a railway which was to connect the capital of the colony with the port of Geraldton. If, now, these opposing members can show us that it will be better to leave the line as it is, and be content with these two unconnected ends, then let them try to convince us of that.

MR. MOLLOY: I fully agree with the last hon. member in saying that the delay to-night has been occasioned by the hon. member for Albany; and it does seem inconsistent that the very member who accuses the Government of trying to rush this matter through has been himself delaying the progress of business over three hours, while accusing other people of being the cause of delay. He accused the Joint Committee of not having reported to this House in proper form; but if he had only given to those members an opportunity of speaking in this debate, he would soon have found out which way their opinions inclined, and would thus have ascertained all he professes to want by sending the report back to the committee. But he has endeavored to prevent that object being brought about, because he thought the majority of this House were not in accordance with his opinion. As the hour is now so late, and many hon. members wish to speak, I move to report progress, and ask leave to sit again on Monday next.

Question—put and passed, and progress reported accordingly.

ADJOURNMENT.

The House adjourned at 11.15 p.m.
