

but he questioned the wisdom of locking up this money in Treasury bills.

THE PREMIER (Hon. Sir J. Forrest) said it had been done under the Act, and he supposed it was all gone now.

MR. LOTON said although the Government had invested the Savings Bank funds in Treasury bills, it would be competent for the Treasurer to negotiate these bills at any time with private individuals.

Clause put and passed.

Preamble and title:

Agreed to.

Bill reported.

ADJOURNMENT.

The House adjourned at five minutes past 5 o'clock p.m.

Legislative Assembly.

Thursday, 13th July, 1893.

Population of the Colony—Sandalwood Reserves and Inspectors—Erection of Northam Hospital—The Auditor General and the Works and Railways Department; appointment of a select committee—Treasury Bills Bill; consideration of committee's report—Engine Sparks Fire Prevention Bill; second reading; referred to a select committee—Post and Telegraph Bill; second reading—Post Office Savings Bank Consolidation Bill; second reading—Adjournment.

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

PRAYERS.

POPULATION OF THE COLONY.

MR. DEHAMEL, in accordance with notice, asked the Colonial Treasurer whether the population of the colony did not now exceed 60,000 in number.

THE PREMIER (Hon. Sir J. Forrest) replied that the Government believed

that the population of the colony did exceed 60,000, but the Registrar General had not yet made his official report.

DECLARATION OF SANDALWOOD RESERVES AND APPOINTMENT OF INSPECTORS.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands,—

1. What was the object of the Government in forbidding the cutting of sandalwood in the Yilgarn and certain other districts of the colony.
2. The names of officers appointed as Inspectors of Reserves, their duties and salary.

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) replied, as follows:—

1. To conserve a natural product of the colony, for which there is no demand at present, the supply already cut and ready for shipment being far in excess of the demand for some time to come.
2. Mr. Marwick, of York, has been appointed inspector at a salary of £200 per annum, the appointment being temporary. His duty is to prevent the cutting of sandalwood upon the reserved area.

ERECTION OF NORTHAM HOSPITAL.

MR. THROSSELL, in accordance with notice, asked the Director of Public Works when it was the intention of the Government to proceed with the erection of a hospital at Northam, for which funds were voted last session of Parliament.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied that the Government intended, if possible, to provide funds for this work on the Estimates.

THE AUDITOR GENERAL AND THE RAILWAYS AND WORKS DEPARTMENT.

APPOINTMENT OF A SELECT COMMITTEE.

MR. DEHAMEL: In rising to propose the motion standing in my name—"That, in the opinion of this House, it is desirable to appoint a committee to inquire into the charges and allegations concerning the Railways and Works Department,

as contained in the second annual report of the Auditor General, dated the 23rd day of May, 1893,"—I will first say that I shall ask to amend it by adding to it the following words: "with power to send for papers and persons." I see that on the notice paper for Monday, the 17th July, there is a notice of motion by the hon. member for Geraldton, asking for the appointment of a Commission to inquire into the working of the Civil Service; and it may possibly be thought that that motion would have covered the object I have in view in the motion which I now intend to move. But, after careful consideration of the wording of the hon. member's motion, I have come to the conclusion that it would not touch this question connected with the Auditor General's report; and that is the reason I am making mine a separate motion. In addition to that, I observe that the hon. member for Geraldton intends to move for a commission, whereas I ask for the appointment of a select committee consisting of members of this House only. When a commission is appointed, it often happens—in fact, it generally happens—that persons outside the members of this House are appointed on such commissions, and I think it would not do for us to allow any outsiders to come in and act upon a committee dealing with a question that has arisen between certain servants of ours in different departments. Therefore, I consider it is absolutely necessary that the two motions should stand as separate and distinct. On reference to the Audit Act of 1891, I find that the object of that Act, as set forth in the title, is "to amend the law relating to the receipt, custody, and issue of the public moneys, the audit of the public accounts, and the protection and recovery of the public property." I find also that, evidently in order to thoroughly protect the Auditor General in the carrying out of the duties imposed upon him by this Act, and to secure for him almost perfect independence of action—I find there is a special provision, under Clause 3, that "the Auditor General for the time being shall hold office during good behaviour, and shall not be removable therefrom unless an address be presented to the Governor from both Houses of the Legislature in one session, or from either House in two

consecutive sessions, praying for such removal." It will be seen, therefore, that the object of the Audit Act was clearly to secure the most reliable and most independent reports being furnished to us on all matters affecting the public accounts and the protection of the public property, and to place the Auditor General in a position of almost complete independence in the discharge of his duties. To see what those duties are, I refer members shortly to clause 39, which says: "The said Auditor General shall make and sign a full report upon such annual statement"—that is, the "annual statement of the Colonial Treasurer,—"to be called the Auditor General's annual report, and showing in what particulars such statement agrees with or differs from the books and accounts of the Colonial Treasurer, and, in case of disagreement, indicating such differences, and containing full particulars of every case in which the forms prescribed by this Act shall not have been adopted or shall in any manner have been varied or departed from, and of every case in which default shall have been made in delivering or sending accounts, or accounting for public or other moneys or stores." The Act also provides that "the Auditor General shall, within seven days after making and signing the said report, if Parliament be sitting, and, if Parliament be not sitting, then within seven days after it assembles, transmit to both Houses of Parliament printed copies of the said statements, accompanied by copies of the said report." It also provides that the Auditor General may make suggestions upon matters relating to the public accounts. We, therefore, see what are the duties, the responsibilities, and the powers invested by us, or cast by us, upon the Auditor General. Those duties the Auditor General has, in the present instance, performed, as set forth in his second annual report of the 23rd May last, which is now before Parliament. In this report the Auditor General complains, *inter alia*, that goods have been taken out of the Railway Stores without being debited, and without any claim having been rendered in respect of them; secondly, that certain other Government stores had been lent by the Engineer-in-Chief to a private contractor; thirdly, that the Railway Store-

keeper has to issue stores on the verbal instructions of the Engineer-in-Chief, and that months often elapse before the written order is forthcoming; fourthly, that the Auditor General has met with obstruction in the performance of those duties which Parliament has placed upon him; and, finally, the Auditor General, under the power conferred upon him by section 41 of the Audit Act, recommends a scheme by which these irregularities may be prevented in the future. I have already given in a very few words the gist of the powers and duties cast upon the Auditor General, and summarised the complaints made in his report; but I am also going to refer to some of the regulations issued by the Governor in Council, under the provisions of the 8th section of the Audit Act. There is only one clause to which I need refer, and that is clause 45, which is as follows: "All goods which are purchased in England or the colony, and received by the Commissioner of Railways and Government Storekeeper into store, shall be treated in the books of the Treasury as an asset until issued to departments for consumption, and shall, together with all expenses connected therewith, be charged to the undermentioned personal accounts:

"Railway Stores Account

"General Stores Account

"Stationery Stores Account.

"Claims for all issues from the stores shall be rendered at least once a quarter by the said Commissioner of Railways and Government Storekeeper to heads of departments for schedule in the usual manner, and, after credit for the same has been given in the proper account, the Commissioner of Railways will be held responsible for the amount standing to the debit of the first-mentioned account in the books of the Treasury, and the Government Storekeeper for that to the debit of the other two accounts." I admit the existence of a certain vagueness in the language in which this regulation is clothed; but, to my mind, it is clear that the wording of the latter part—namely, that claims for all goods issued from the stores shall be rendered at least once a quarter to be scheduled in the usual manner—renders it imperative that no goods should be issued at all without a claim or order

being issued in due form prior to such goods being delivered. Still, I admit, there is some vagueness about this regulation, and I think that possibly the inquiry which I suggest may bring about a recommendation that there should be a special clause inserted in the regulations making it imperative upon the applicant for stores to deliver a written order before such stores shall be delivered out to him. On the other hand, looking at the remarks of the Auditor General, and his statements with reference to the Engineer-in-Chief, it would appear that the latter deems it necessary—I presume with the view of preventing the public business of the colony being in any way interfered with—that he shall have a "free hand." In other words, I take it he means that he shall be allowed to help himself on a mere verbal request, instead of putting in a written application for the goods he requires to be delivered. This, then, is a question which might well be settled by a select committee, if it is the wish of the House that such committee be appointed. It is clear that an inquiry into the general question will settle the first three issues which I have pointed out, namely, the question of the issue or loan of Government stores, either without any authority for the issue at all, or on the mere verbal authority of the Engineer-in-Chief, or any other head of department. The fourth charge alleged by the Auditor General, namely, that of obstruction in the performance of his duty, is to my mind a very serious one. He is there as our officer; we have cast these duties upon him, and it seems to me that this charge does require very strict and full investigation, for, if there is any obstruction, it is quite clear that to put any obstruction in the way of an important public servant like the Auditor General, is such a serious allegation that we ought to see that no further obstruction shall ever take place in the future. In order to show members the wisdom of this Audit Act, and the grave importance of this Store Account question, I would first point out to them that these stores are, in other words, part of the assets of the colony. They represent so much cash, which appears as expended in the public accounts of the Treasurer; and, if the stores are not there, then these assets are really so much less than they appear

to be. For instance, in balance sheet, No. 1 of the public accounts ending 31st December, 1892, we find, under "Stores in hand," an item of £82,473 credited to the Railway Stores.

THE PREMIER (Hon. Sir J. Forrest) : They amount to three times that now.

MR. DEHAMEL : If these stores had not been purchased, the Treasurer's credit balance on the 31st December last would, of course, have been so much greater. If, on the other hand, these stores, though purchased, have been issued without authority, then this Treasury return is fictitious; for we had not got assets to the amount of £82,000 in the Railway Stores at that time. Again, the Store Department itself is a very large one; the balance in hand on December 31st, 1891, amounted to £58,500 (I mean in round numbers), and during 1892 stores were purchased for the Railway Department amounting to £124,500, making a total of £183,000 worth of stores we had in the Railway Stores Department alone, during the year 1892. During that year stores were issued to the extent of £100,000 (in round numbers), leaving a balance in hand on the 31st December last as £83,000. Now, it is quite plain that this is a very large business that we are carrying on in this one department alone, and it seems clear that it cannot be properly carried on without a very strict system of accounts as to stores received and delivered out afterwards; precisely in the same way as a merchant carrying on business checks everything that comes into his warehouse and everything that passes out of it, without which he could not possibly, at the end of the year, say how his business stood. It is clear that unless the rules as to entries and vouchers for the delivery of goods are strictly enforced, it must not only cause a great waste of public property, but actually leave the department open to robbery itself, to the detriment of the public good. We are here for the sole purpose—not the sole purpose, but one of the principal purposes of our being here is to protect the interests of the taxpayers whose stores these are; and I think it is clearly our duty, having received a report such as the report to which I have referred from the Auditor General, to institute a searching inquiry into the charges made by him,

and into the conduct and management of the Store Department. I think it is unnecessary for me, having pointed out the gist of these charges, and the necessity for seeing that the rules of the Service are properly and strictly carried out,—it is unnecessary for me to do any more now than move the motion standing in my name, which is "That in the opinion of this House it is desirable to appoint a committee to inquire into the charges and allegations concerning the Railways and Works Department, as contained in the second annual report of the Auditor General, dated the 23rd day of May, 1893, with power to call for persons and papers."

MR. SOLOMON : In seconding this motion, I may point out that since the return showing the balance sheet referred to by the hon. member for Albany, we have a balance sheet up to the 31st March, 1893, and that balance sheet shows that the stores had then accumulated to the extent of £218,000, which shows the great importance of this department. I think, in a matter like this, it is only right that all parties should be protected, both the accuser and the accused, and it is with that view that I very cordially second this motion. I feel sure that the Government will not in any way oppose it, because, as a matter of right and in justice to all parties, the proposed inquiry is one that ought to be gone into, for the satisfaction of the country as well.

THE PREMIER (Hon. Sir J. Forrest) : I somewhat regret that the hon. member should have made this motion. I am aware, of course, that the language used by the Auditor General is somewhat severe, but really I do not think that there is anything, when you come to look into it, that is very serious. A little friction has occurred—as there always will be, I expect—between persons who are armed with great statutory powers and those who have not those statutory powers. But, perhaps, it would satisfy members if this committee were appointed. The Government have no objection at all, because, so far as we are concerned, we have nothing to hide or to keep back. We wish this House to know all about the public accounts and transactions of the Government as well as we ourselves. I do not take it that this inquiry, which is the outcome of the Auditor General's

Report, is in any way hostile to the Government. The committee will merely investigate this matter, and of course it will come to its own conclusions, as to whether the officers of the Government have been largely to blame or not. Of course the Government are responsible for the action of all its officers,—there is no denying that; and any reflection upon an officer of the Government is a reflection upon the Government. I am quite aware of that. But I hope that when this inquiry takes place it will be found that things are not so bad as the Auditor General would make it appear. Probably something will be found due to the system under which these matters have been worked. I do not myself altogether approve of the system that has been in operation; but it is the system we found in force when we came into office, and which is now about to be altered. I do not think it is a very good plan that stores to the amount of a quarter of a million of money, and which form part of the assets of the colony, and which appear as such in the books of the Treasury, should be in the hands of any other department than the Treasury; and the Government have already taken steps by which the control of all the stores of the colony—which are really assets, and treated as assets by the Treasury—shall be vested in that department, and that all other departments shall be its customers. The arrangements are not yet completed, and I am not prepared to say that the system will be a great success. At any rate we intend to give it a trial, and it occurs to me it will be more satisfactory that those who are responsible for the custody of these stores should have the control of them, or at any rate should have the charge of them. As I have said, we intend giving it a trial, and in another year I will be able to tell members whether it has worked as satisfactorily as I hope it will. I do not think that anything more is necessary from me at the present time, except to say that I do not think my friend the Commissioner of Railways has any objection to this inquiry. In fact, when I saw the Auditor General's report I anticipated that some member would move for a select committee to inquire into the matter, and what I expected has occurred. I can only say on behalf of the Government that we have no objection whatever to this motion.

Motion put and passed.

A ballot having been taken, the following Members, in addition to the Mover, were appointed to serve upon the committee:—Mr. Loton, Mr. Lefroy, Mr. Piesse, and Mr. Simpson.

TREASURY BILLS BILL.

On the Order of the Day for the consideration of the Committee's Report upon this Bill,

THE PREMIER (Hon. Sir J. Forrest) moved, as an amendment, that the words "Treasury of the colony," at the end of Clause 6 of the Bill, be struck out, and that the words "place mentioned for such payment on the face of the Bill" be inserted in lieu thereof. This would give an opportunity for the Government to name London, or the Treasury here, or any other place they chose, as the place where the interest and the principal might be paid at.

Amendment put and passed.

Report, as amended, adopted.

ENGINES SPARKS FIRE PREVENTION BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): I am going to move now the second reading of a Bill "to provide for the better prevention of fires caused by sparks from locomotive engines and to facilitate the recovery of damages in such cases." It may be in the recollection of the House that last year a resolution was put forward and adopted, at the instance of the hon. member who represents the Greenough, in these words: "This House is of opinion that legislation is requisite to protect farmers, pastoralists, and others from the great losses to which they are subjected through fires which originate from passing railway engines." The House, as I said, adopted that resolution, and of course the Government, the humble servant of members here, took up the matter, as we always shall be found to do when a substantive resolution is adopted, and try to give effect to it. Therefore it is that you have this Bill. I may say on this point that I think it is always a good plan to adopt, that the House should express its opinion in the form of a resolution, on any such subject as this, on which legislation is desired,

rather than asking the Government whether they intend to introduce a Bill to do so-and-so; because the answer to that would be, "No, it is not"; for this reason,—that legislation cannot be conceived in a moment. We want public opinion directed to it, and to see whether there is an attempt made to discuss it, and whether the country wants it. This Bill, I say, is the outcome of the resolution passed by this House last session. It deals with a subject on which some members feel a great amount of interest; of course, members who represent localities through which these engines pass have a greater interest in the subject, perhaps, than those who reside a greater distance from railways. It is a difficult subject somewhat, and this is a small attempt, and an honest attempt, and after some considerable consideration, to meet the question. I am far from saying, myself, that it is perfection, or that it even satisfies my own view; but, at any rate, it is an attempt to legislate in this direction, which perhaps we can improve in committee. The Bill seeks to compel engines passing along cultivated localities, where they are liable to do damage to crops and other farm produce, to burn coal instead of wood. It was said in this House last year that a provision of that sort would meet the difficulty. I have some doubt about it myself. However, that is the direction in which this Bill goes; we seek to prevent anything but coal being burnt when an engine is passing through a locality like the Greenough Flats, for instance, from which we have heard great complaints about the damage caused from these fires. It would be impossible, I think, to compel engines to burn nothing but coal when going through grassy localities, because a great deal of our country is grassy sometimes, and to do that would be to provide that engines should always burn coal, and, if you did that, you would raise opposition at once. Therefore it seems to me impossible to say, "You shall burn nothing but coal when passing through merely grassy land." But the third clause of the Bill, which is the main one, seeks to compel engines to use coal when passing through or along localities where there are agricultural crops; and, further than that, it provides that all engines shall be fitted with an efficient spark arrester.

What is an efficient spark arrester is a question upon which amateur engineers disagree. I do not know whether the profession are more likely to agree on the subject than amateurs. Therefore I do not see that we can do more than say that every engine shall be fitted with an "efficient" spark arrester. That leaves a good margin for litigation, but it is the only thing we can say, I think. Of course, whatever kind of an arrester is on an engine, the owner will swear it is an efficient one, and I suppose the question would have to be threshed out before some tribunal. There is also this to be considered: we must remember that up to the time an engine is about to pass through these crops it will have been using wood up to that point, and then they will have to begin to put coal on at once, and the mere fact of shoving it in will raise all the sparks of the wood; so that, in thinking the matter over further, it appears to me we would have to compel the use of coal for some distance before the engine came to the crops. When I mention these points, I do so merely to show the difficulty of legislating on the subject at all on the lines that this Bill takes. I would, therefore, like members to assist in making the Bill better than it is. Another way to meet the question, and possibly a better way, would be to compel railway companies, and the Government also, to burn a strip of land within their fences, all along their lines. It would be a considerable expense, no doubt, to apply that law to such companies as the Great Southern and the Midland, to compel them to burn both sides of their lines for a couple of hundred miles. This burning of an extensive strip of land like this would also itself be the cause of some danger; the fire might get away, and the poor farmer whom we are trying to protect might find himself in a worse plight than before. Then it may be said there is no occasion to burn the whole length of the line of railway, but only portions of it; but who is to decide which parts are to be burnt and which are not? These are some of the difficulties in the way, and the Government will welcome any assistance from members living in the country, who, perhaps, are more able to suggest some remedy better than this Bill now provides. As I have said, the Bill is an

honest attempt to grapple with the question, but I can see there are difficulties in the way. Clause 5 puts a penalty on any owner of an engine—and the word “owner” is described in the 2nd clause—who neglects to carry out the provisions of the Bill, that is by using wood when the engine is passing through any crops, and any damage is caused. If sued for damages he shall be liable to such damages as may be awarded by the Court or jury, unless he proves to the satisfaction of the Court that he has complied with the provisions of the Act, and has used coal when passing through the plaintiff's crops. I do not know that I need say any more, except to repeat that I hope any country members who may be able to suggest any improvement in the Bill will endeavour to do so, and to put the Bill into as good a shape as possible, and assist with their views the Government in order to effect the object of the resolution put forward and adopted by the House last session. I move the second reading.

MR. PIESSE: This short Bill introduced by the Attorney General to-day is, no doubt, one that should receive the attention of all members here, and especially those who reside in the country. We all know the dangers that surround us from these fires caused by passing engines. The country has been fired in all directions from time to time, and the damage done has been very considerable. The difficulty that I can see with regard to legislating upon the subject, upon the lines of this Bill, is, that in providing for the use of any mechanical appliance such as an efficient spark arrester, it is very hard to say what an efficient spark arrester consists of. It has been stated by those who have more knowledge possibly of engines than we have, that there never has been an efficient spark arrester manufactured and fixed to an engine. The only way I can see to deal with this matter would be by compelling the land along the railways to be burnt. Although it has been pointed out by the Attorney General that the expense which this would entail would be very considerable in the case of some of our railways, still I think that some means certainly should be taken in hand to bring about this object. No matter how expensive it may be for the companies concerned, it is also a very

expensive and serious matter for those who have their crops destroyed, and the country blackened, as I have seen it, for miles and miles, on either side of the railway. Speaking as I can with some experience of the railway which passes through the Southern portions of the colony, the Great Southern Railway, I may say that every endeavour has been made by that Company to protect the surrounding country from fire. Last year they burnt the whole of the country through which their engines passed that was liable to be fired, and they did it very efficiently indeed. But still there is this trouble before us, that in firing the land along the line of railway, if the fire escapes from the control of those engaged in the work, the result may be equally disastrous. Probably, if it were made an offence to allow fire to escape in this way, and that some punishment should follow, or damages be recoverable, it might make people more careful. I do not find that in the other colonies there is any special legislation dealing with damages arising from fires caused by passing engines; I believe the provisions of the Police Act are made to apply, which simply refer to fires caused through the neglect of those who may camp in the bush, and who leave their fires without extinguishing them, or to fires caused by adjoining owners burning their land. There is no special law dealing with fires caused by engines. It appears to me that unless we have some stringent legislation as to burning the land adjacent to the lines, we cannot protect ourselves any more than we are now protected. It is no use depending upon having efficient spark arresters. Fires would be as numerous as ever; in fact, more so. One serious trouble there would be with these arresters is that the live coals falling on the line from the ash-pan would be blown to the side of the line and ignite it, and thus set fire to the adjacent country. No doubt some effort ought to be made to deal with the question. Last year we had placed before us very forcibly the troubles and the losses of the Greenough farmers through these fires, and also the troubles of those living adjacent to other railways, such as the Jarrahdale Timber Company's line; and I know myself of many losses that have been caused from the same cause. I think the only way to

deal with the question would be to appoint a select committee to consider the Bill, which is really one of vital importance. There is no particular hurry; we have some months before us, and, so long as the Bill becomes law before the summer season sets in, it will be time enough. The Attorney General has told us that he has brought in the Bill in consequence of the resolution passed last session, and he has candidly acknowledged that his knowledge of the subject is to a certain extent superficial. No doubt the hon. and learned member could settle the points of law that are likely to arise over the question of what is an efficient spark arrester, better than he can deal with the practical problem of how to prevent these fires. For my own part, I am afraid that, although the question of what is an efficient spark arrester might be a source of large profit to the lawyers, it would be a great loss to the country. I beg to move that the Bill be referred to a select committee.

THE SPEAKER: After the Bill has been read a second time, it will be competent for the hon. member to do that; he cannot do so at this stage.

MR. THROSSELL: I have much pleasure in speaking in support of this Bill, for I look upon it as an honest attempt to legislate in a direction that is very much required. I can speak from experience of the necessity for it in my own part of the colony. It is not long ago since three separate buildings were destroyed by fire caused by sparks from passing engines, besides the destruction of crops. The necessity for such a measure has been brought before the House many times, and I am very glad that the Attorney General has taken action in the matter. I presume that the Bill, in dealing with damages for injury to property, will extend not only to damage caused to standing crops and natural herbage, but also to farm buildings, haystacks, and such property. With regard to the remedy suggested of burning a tract of land along the railway line, such a course has been tried successfully in my own district, and with the result that fires from passing engines have been reduced in number. The measure will have my cordial support.

MR. CLARKSON: Speaking from my own knowledge, I may say that I have

never known of a case, from personal observation, where a fire has been started by a passing train, but I have heard so frequently that it is the case that I am bound to believe that it does occur. With regard to the Bill now before the House, it is capable, I think, of considerable improvement, as the Attorney General himself has suggested; and I think, with the hon. member for the Williams, it would be well to refer it to a select committee, composed of men who thoroughly understand what they are dealing with, and who can possibly deal with the subject better than a committee of the whole House could. I think, myself, it would be well to compel railway companies to burn the land within their fences, and to do it in the early part of the summer. Stock being kept away from this land, of course the grass is much ranker there, and when it dries and is ignited it gives a good start to the fire to get away. So far as the Eastern Districts line is concerned, there is not much danger of fires from these engines, as there is nothing to burn along the line except scrub, and it would be quite unnecessary to burn where the line passes through scrubby country; it is only necessary to do so where the country is grassy. I feel very much inclined to support the proposal to refer the Bill to a select committee.

MR. DEHAMEL: I only saw this Bill a few minutes ago, and I notice some things in it which I certainly do not like, and I shall support the reference to a select committee. Practically, as the Bill stands, it provides that no engine of any description shall burn anything but coal in the colony. Clause 3 provides that "every owner of an engine which passes through, along, or by land whereon wheat, maize, oats, rye, barley, flax, hay, or other agricultural produce liable to be injured or destroyed by fire is growing, or is stored, shall cause such engine to carry and use coal, and shall also prevent the use or consumption of any fuel other than coal upon or by such engine while passing through, along, or by such land." We know that all along our country lines there is agricultural produce of some description growing, and any engine running on those lines must burn coal and no other fuel. It is a question whether it would not be much

better for the Government to burn wood on their railways instead of coal. I have heard that wood makes a better fire, and is far cheaper, and, in addition to that, we should be encouraging a local industry. On that ground I shall have very great objection to this Bill; but, as it is proposed to refer it to a select committee, I shall only just mention the point now.

MR. SIMPSON: I am entirely in sympathy with the idea or the effort that is attempted to be made by this Bill to prevent settlers on agricultural land adjacent to railways from being injured; but, so far as I can see—and I can speak with some little knowledge of the subject—to add this Bill to the Statute-book of the colony will be so much useful type, ink, and paper wasted. I do not think it will ever result in a single measure of protection to the settlers. The idea that as soon as ever an engine gets to a field of wheat or hay, or anything else in the way of produce, the fireman shall forthwith shovel in a bag of coal is,—well, ridiculous. Without being a lawyer or in any way connected with lawyers—although, I dare say, if this Bill passes it will be a happy day for them—I venture to say that, so far as this Act goes, there is nothing in it that confers any further right of recovery for damages than already exists under the present laws of the country, when an injury is done. I know that in New South Wales there is no such Act, and I know a farmer there who was lately burnt out by a fire caused by a spark from a passing engine, and the Government paid the damages, and paid it without going into law. I believe I may safely say that there never has been an action at law in this colony brought by these much injured farmers to test the question of the liability of the owners of these engines. I believe, myself, that under the present law there is full power to recover damages in such cases. With regard to referring the Bill to a select committee, I shall support it; although I believe, if it does go to a select committee, they will find they are attempting to do something which no one in this world can do. They may be able to frame a Bill, of course; but, so far as I can see, for the collective wisdom of the colony to pass a law which will compel a stoker to shovel in a sackful of coal whenever he passes a

ten-acre field, would be simply ridiculous. It cannot be said that no efforts are now made by railway companies in this colony to prevent the occurrence of these fires. I myself saw, with my own eyes, the employes of the Midland burning a lot of land adjoining their line, and the gentleman in charge made every provision he could to burn all the grass and other inflammable material within reach. If we insist upon this being done by the companies, surely it is only fair that we should insist upon farmers doing so too. Anyone can see how far a spark will travel. I have no sympathy with those people who attempt to do impossibilities; and I believe that every man who is damaged by a spark from a passing engine is already provided with a remedy under the present law, and if our farmers would only bring a test case into Court I believe they would find out that it is so, and that this Bill will do no more for them. I do not think it will assist our settlers at all, and the best thing to do with it is to relegate it to a committee, and I don't think we shall ever see it again.

MR. PATERSON: Having been an unfortunate sufferer for the last seven years from fires caused by sparks from passing engines, I naturally feel some interest in this measure. I shall therefore support the motion to refer it to a select committee, and will do all I can to make it a useful and workable Bill. My belief is that prevention is better than cure; and, if we can prevent these fires, it will be much better than going to law over them. I do not believe in what fell from the hon. member for Geraldton. I think the question is one that can be dealt with in a satisfactory way, if we try. As for suing owners of engines for damages, it is impossible, I think, as a rule, to find out when or how these fires originated. A spark falls through the ashpan of an engine going at the rate of 20 or 30 miles an hour, and it is next to impossible to bring the matter home to any particular person. Only last year a case in point occurred on my own place; in fact, I have been a sufferer from these causes for years past, but it is next to impossible to sheet a charge home to anyone, though you may be convinced in your own mind how the fire originated. Last year a train passed through one of my fields,

and, ten minutes afterwards, the whole place was on fire, and scarcely half an acre was left. But no one saw the spark fall, and how could you bring it home to any particular person? As I have said, I have been burnt out every year for the last seven years, and other people are constantly complaining about the loss and trouble they are put to from the same cause. The Government have granted very valuable concessions to the owners of these private lines, and the Government themselves take people's land without compensation, and I think the least they can all do is to take every precaution against causing people further damage. I do not see that it is the duty of the farmers to burn their land; it is the duty of those who are the offenders, and who cause these fires. I do not expect, even if the Bill goes to a select committee, that it will be perfect, and that it will prevent all fires in future; but it may be a great assistance in preventing them. I think, if we compel the railway companies to burn the land along their lines, we should require them to give notice beforehand to the owners of adjoining property, so that they may be on their guard to prevent the fire from escaping beyond control. I hope that the result of referring the Bill to a select committee will be that we shall have a measure added to the Statute-book that will do some good, at any rate. As to spark arresters, I think the only efficient spark arrester would be a policeman, and I am afraid some other remedy will have to be found.

Motion put and passed.

Bill read a second time.

MR. PIESSE moved that the Bill be referred to a select committee.

Agreed to.

A ballot having been taken, the following members, in addition to the mover, were appointed to serve upon the committee:—Mr. Paterson, Mr. Phillips, Mr. Hassell, and Mr. Burt.

POST AND TELEGRAPH BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt): I have to move a second time the reading of "a Bill to consolidate and amend the law relating to Posts and Telegraphs and Telephones." I do not

think I need explain much in asking members to agree to the second reading of this Bill, because the subject of posts and telegraphs is not a new subject; it is a subject on which there has always been legislation on the Statute-book. But our law for the administration of this department is of very ancient date, and it is a law that is spread over about thirteen statutes—members will see a list of them on page 42 of this Bill. Nearly all of these little Acts and Ordinances consist of only one or two sections, the whole making up the sum of the legislation that has taken place since 1850, which, I need hardly say, is very much behind the mark and the requirements of the present day. Lately, the House will know, several Conferences have taken place in these colonies between representatives of the Postal and Telegraph Departments, and the result of these Conferences has been to draw the colonies more together on the subject of legislation upon this matter; and this Bill takes in all the most recent suggestions of these Conferences, and, I think, puts our post and telegraph law on a footing with the best of the other colonies'. I say I think this Bill will be as good a one as exists, for the reason that it will bring our law up to date, and it will avoid the imperfections of the Acts already in existence in the other colonies which have been discovered by the Conference of postmasters that recently sat at Brisbane. Therefore, we have a very good opportunity of making our Bill one of the best Bills, by avoiding the imperfections discovered in the existing Acts of our neighbours, and supplying the omissions in those Acts. This Bill, then, ought to be a very good Bill. It is called a Bill to amend the law relating, not only to posts and telegraphs, but also to telephones. Under this Act the word "telegraph" includes the telephone, and a telegraphic message includes a message by telephone. A part of the Bill provides that the Government, or the Postmaster General, shall have the sole privilege of working all telegraphs and telephones and receiving messages; so that, in future—I don't know that it is not so at the present time—all telegraph and telephone services in the colony will be under the exclusive control of the Government unless the Postmaster General enters into an agreement with private persons for the erection and working of private lines.

This is what is done elsewhere. The Government everywhere claims the monopoly, not only of the post office service, but also of the telegraph and telephone service; and it is so provided in this Bill, and that is the only feature, perhaps, which is of interest for members to know at the present moment. All private telephone lines now in existence, if there are any, will have to come under the administration of the Postmaster General, unless they like to pay a small license fee. Of course the license can be obtained almost by asking for it, and the payment of a small fee, as is done elsewhere. A great deal of the administration of the post office and telegraph service will be conducted, as it is at present, everywhere, by regulations; and, in a part of this Bill, it will be seen that we have given very large powers to the Governor-in-Council for making these regulations. The regulations, as will be seen on reference to Clause 66, apply to a large number of subjects. If you take the Post Office Guide, of any country, you will at once recognise that the department is conducted almost entirely under regulations, and they necessarily must be voluminous. I think it will be found that there are 35 subjects in this Bill of ours on which regulations may be made, altered, or revoked by the Governor-in-Council. It has been ascertained from experience, in some of the other colonies, and particularly in Queensland, that their Post Office Act contains too much detail; and the administration of the department is in this way hampered, because an Act of Parliament cannot be altered in any particular without the consent of Parliament; and it is not always convenient to obtain the consent of Parliament. The Queensland authorities now regret very much that their Act deals so much with details, for in many instances they find it would have been much better to have left these matters to be dealt with by regulations. That is one of the imperfections we have to avoid here, by omitting these details that are included in the Queensland Act, and leaving them to be dealt with under regulations, which may be made or altered as the necessity arises. For instance, the rates of postage: in the Queensland Act the rates are fixed by the Act itself; and it would be much more advisable, I think, that the

postage rates be fixed by the Executive Government than by an Act of Parliament, as you may have occasion to alter the rates; and it would be very inconvenient to have to wait until you got the Act amended by Parliament before you could make any alteration in the rates; and, perhaps you have no sooner got the consent of Parliament than the necessity arises for altering the rates again. Therefore we propose to leave that and other details to be dealt with by regulations, to be made or altered by the Governor in Council, which I think is a far better way than to have them fixed by the Act. The Bill also provides for the issue and use of post cards, money orders, postal notes, and matters of that nature, which are already carried out by the Post Office here, but under no law whatever. The department is kept going, and keeps itself up as far as possible, by the existing postal arrangements, but the Postmaster General finds that he has no legal authority for doing many things that he is called upon to do in the administration of his department; and I think this Bill will put the department on a very good footing indeed, and give the Postmaster General such authority as is necessary to work it. I trust that the Bill will commend itself to the approval of the House, and, if passed, I believe Western Australia will have as good an Act as any country.

MR. CANNING: I do not intend to oppose the second reading of the Bill, nor do I propose to remark at any great length upon its provisions, but shall confine myself to expressing a hope that, under it, some regulations will be made for the convenience of the public. At present, I regret to say, the public convenience does not seem to be consulted very much by the Post Office, more especially in the matter of the despatch of mails. It frequently happens that the usual hour at which a mail closes, or is announced to close, is departed from, and we only find it out when our letters are sent to the post, and it is then too late. Only within the last 48 hours there was an instance of this disregard of the public convenience. There was a notice that the mail by the *Albany* for the Northern ports would close at 6:30 yesterday morning—why that early hour should have been fixed upon, I don't know—

THE PREMIER (Hon. Sir J. Forrest): In order to catch the first train to Fremantle, I suppose.

MR. CANNING: At any rate, the vessel, I believe, only left Fremantle late the same evening, so that many persons who were desirous of writing by that opportunity lost it, the mails having closed at half-past six in the morning.

THE PREMIER (Hon. Sir J. Forrest): If the steamer didn't get away at her advertised time, that was no fault of the Post Office people.

MR. CANNING: Surely they might have very well informed themselves of the hour of the departure of the steamer, and a mail notice published. There is a feeling that the public convenience is not sufficiently consulted in these matters. The officers of the department generally are very efficient, and, I believe, anxious to meet the public convenience; but I think the mail arrangements might be improved.

MR. PIESSE: I think the Government deserve very great credit for bringing in a consolidated Post Office Bill, and supplying a want that has been long felt, by placing the law in regard to the Post and Telegraph Department in a more concise form. There is only one thing I should like to point out—and possibly that may be remedied in committee—and that is with regard to making revenue and postage stamps interchangeable. The report of the Postmaster General, some two years ago, I am aware, appeared to be against the introduction of this reform, but, no doubt, it would be a great convenience to people in the country, and, I dare say, as great to those in towns; and I hope when the Bill goes into committee something will be done to provide this convenience. Although condemned by the Postmaster General, and not altogether approved in some of the Eastern colonies, still it is the custom there, and also in England, and I hope the same system will be introduced here.

MR. SIMPSON: I have very much pleasure in supporting the suggestion that has emanated from the hon. member for the Williams. I do not suppose one would call it a matter of national policy exactly, this question of making postage and revenue stamps interchangeable, but I know it would be a great convenience to country settlers. I have had lots of

complaints about the inconvenience of the present system from all parts of the colony, and I am perfectly satisfied that the Treasury loses a considerable amount of revenue through receipts being given without being stamped, simply because people have no revenue stamps in the house, and because postage stamps are not available for the purpose. With regard to the Post Office, I am glad to say that my experience as regards that department has not been exactly parallel with that of the hon. member for East Perth (Mr. Canning). So far as my experience goes, I think the Post Office makes every effort to meet the convenience of country settlers; they have availed themselves of every opportunity they had, and made use of every advantage that was within their power to try to meet the requirements of country settlers. As an illustration, I might point out the efforts made to meet the convenience of our goldfields population,—rather a difficult matter; but, so far as I know of the administration of the Post Office, it has desired in every way to keep itself abreast of the requirements of the people in the country parts of the colony. To my mind the only fault to be found with the administration of this important department is that it is being administered too economically; that is, it is expected to secure the best services for the smallest remuneration. I do not think you can do so, myself. I think you are more likely to secure the best services by paying a high wage, and the same principle applies to mail contracts. If a man is induced to take a contract at a price so low that he is bound to lose by it, it deters another man from tendering. As to the closing of mails before the departure of steamers, I know I have suffered considerable inconvenience personally, as a passenger, through boats leaving Fremantle hours—almost days—after they are advertised to leave; and I fail to see how anyone can justly blame the Post Office Department because a steamer advertised to leave in the morning does not do so until the afternoon. It is not the fault of the department, but the irregularity of the steamship companies, in not compelling shippers to have their stuff ready at the advertised hour. My experience of the Post Office is entirely opposite to that of the hon. member for East Perth.

MR. CANNING: One word in explanation; I have not condemned the officers of the Post Office, as suggested by the hon. member, and I strongly object to his distorting my observations. I said I thought the officers were most anxious to meet the convenience of the public, and that they were very efficient in every way; but I complained that those who direct the affairs of the Post Office are not sufficiently consulted in regard to the depature of mails.

Motion agreed to.

Bill read a second time.

At 6:30 the SPEAKER left the chair for an hour.

The House resumed at 7:30 p.m.

POST OFFICE SAVINGS BANK CONSOLIDATION BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest), in moving the second reading, said: The law as it stands at present is contained in four Acts, which have been consolidated and embodied, with certain additions, in the Bill now before the House. There are no very great alterations in the law, by which I mean that most of the provisions in the old Acts are to be found in this Bill. But there are some additions. For a long time past it has been found desirable that some change should be made in the Post Office Savings Bank in regard to the amount that depositors might place in the bank. The work of the Post Office Savings Bank is carried on by various postmasters and postmistresses throughout the colony, with the addition of a few officers in Perth. Notwithstanding the limited scope allowed by the present law, the Post Office Savings Bank has been most useful, affording, as it does, a facility for persons having small savings to make deposits, knowing that they have the Consolidated Revenue of the colony as security. On the 30th of June last the total deposits in the bank amounted to £73,764 17s. 6d., of which sum £16,939 17s. 6d. was at the bank available if required, whilst there was invested in loans on mortgage,

£40,260, and invested in Treasury bills, £16,565. These figures will show that the Post Office Savings Bank is doing good work throughout the colony, and by the present Bill we propose to make it still more useful. It is intended by the Bill to raise the limit of the amount which any person may deposit in one year. Clause 5 provides that the moneys received by the Postmaster General and his officers must be placed in the custody of the Colonial Treasurer. Clause 6 allows any depositor to deposit sums amounting to a total of £150 per annum, as against the limit of £30 in one year under the present law. And, under the present law, any depositor is allowed to deposit £150 altogether; but it is a strange provision at present, that if a depositor's total reaches £200, he ceases to draw interest altogether upon the limit of £150, as well as on the amount over that limit. I may add that very few persons have ever done such a foolish thing as to deposit above the limit on which interest is allowed. Under the Bill now before the House, the maximum amount which may be deposited at interest is increased to £600, which total may be deposited in sums not exceeding £150 per annum in any one year. The interest fixed in the Bill as payable on deposits is $3\frac{3}{4}$ per cent. per annum, the same as at present, which is considered to be a fair interest for the Post Office Savings Bank to pay; but the total amount to the credit of any one depositor, on which interest is to be payable, is fixed in the Bill at £300. Before making withdrawals of sums under £50, one month's notice has to be given, or may be required, and for sums over £50 three months' notice has to be given; but the Bill makes it optional with the Postmaster General to issue warrants at once, without requiring the notice. This requirement of notice is a precaution, which I hope and believe it will not be found necessary to have recourse to. Clauses 9 to 13 deal with deposits left by deceased persons. Clause 14 deals with the deposits of minors, and these provisions in the Bill are exactly the same as in the existing law. Clause 16 relates to deposits by trustees. Clause 17, which is a new one, deals with deposits by friendly societies, and gives power to the Treasurer or other proper officer to deal with the amounts deposited by friendly

societies. I think this will be found a useful clause, as it provides several means of investment for the funds of these societies. Clause 19 is one of the most important, because it makes the Consolidated Revenue of the colony responsible for the payment of the principal and interest of depositors. Clause 20 deals with the investment of funds. Hon. members will notice that by Clause 21 the control of the funds deposited under this Bill is placed in the hands of the Governor, acting with the advice of the Executive Council. The funds of depositors, under this Bill, may be invested in the following ways:—they may be deposited in any Bank of the colony; they may be invested in Government securities, including Government debentures, Treasury bills, or any other security for which the Consolidated Revenue of the colony is responsible; they can also be invested in landed securities, on first mortgages of lands in the colony, provided that not more than £3,000 shall be lent on any one property, and that not more than one-third of the whole funds of the Savings Bank shall be invested in this class of security. Clause 22 provides that the surplus or profit, after allowing for all the expenses of working the Act, shall be carried to the credit of the Consolidated Revenue Fund; and this seems to me to be a reasonable provision, because as that fund is made responsible for the payment of the principal and interest of all deposits, there can be no reason why any profit that is made on the business should not be carried at once to that fund. Clause 24 provides for power to make regulations; and this is an important clause, necessary in statutes of this sort, for the making of regulations to carry out the objects of the Bill. Clause 25 provides that the annual accounts shall be laid before Parliament; and clause 26 provides for the auditing of the accounts. These are the principal provisions of the Bill, which I believe will be found a most useful one, and they consolidate in one Act the provisions of four statutes. The Bill will provide a safe and certain way of lodging the deposits of persons of small means, and an investment for those who have small sums to deposit at interest; and I think altogether it will encourage thrift and economy in the community. I move the second reading of the Bill.

Question put and passed.
Bill read a second time.

ADJOURNMENT.

The House adjourned at 7-48 p.m.

Legislative Assembly,

Monday, 17th July, 1893.

Message from the Governor: Treasury Bonds—Message from the Governor: Supply Bill—Appointment of Boiler Inspector—Public Selection of Land upon Jarrahdale Timber Company's Concession—Report *re* Water Supply upon Yilgarn Goldfields—Prevention of IncurSION of Rabbits from South Australia—Appointment of Commission to Inquire into Working of Civil Service—Return showing Cost of Railway Stations on South-Western Line—Papers *re* Discovery of Murchison Goldfield—Treasury Bills Bill: third reading—Constitution Act Amendment Bill: second reading—Adjournment.

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

PRAYERS.

MESSAGE FROM THE GOVERNOR:
TREASURY BONDS.

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, 1889,' the Governor recommends to the Legislative Assembly that an appropriation be made out of the Consolidated Revenue Fund for the purposes of a Bill to authorise the issue of Treasury Bonds.—Government House, Perth, 17th July, 1893."

MESSAGE FROM THE GOVERNOR:
SUPPLY BILL.

THE PREMIER (Hon. Sir J. Forrest) presented the following Message from His Excellency the Governor:—"In accordance with the provisions of section 67 of 'The Constitution Act, 1889,' the Governor recommends to the Legislative