

Question thus passed ; Bill read a first time.

ADJOURNMENT.

The House adjourned at 10 minutes past 1 o'clock a.m. (Wednesday), until the afternoon.

Legislative Council,

Wednesday, 28th August, 1907

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

MOTION—PAYMENT OF MEMBERS, TO REDUCE.

Hon. J. T. GLOWREY (South) moved—

That in the opinion of this House it is desirable that legislation should be introduced during the present session to reduce salaries paid to members of Parliament to a sum not exceeding £100 per annum, and that such reduction should take place from the commencement of the next Parliament.

He said : I should like it to be distinctly understood that I have only one motive in moving in this direction, that is a sincere desire to do what I think is right in the best interests of the State. The system of the payment of members has had a fair trial, and I must say in my opinion it has failed miserably. If we go back to the time when our Legislature adopted

the principle of payment of members and consider what was in the minds of members at the time, I believe it will be possible to come to one or two conclusions. In the first place payment of members was granted so as to allow those who had not an income to come into Parliament ; another reason was that at that time the election expenses of members were in many cases very high ; and still another reason was to recoup members for their ordinary expenses. In a great measure the necessity for this has been done away with, because our Legislature has already said that a member of the Legislative Assembly is not allowed to spend more than £100 in an election contest, and that a member of the Legislative Council is not allowed to spend more than £500 in an election contest. In addition to that the country has now been opened up by railways, and we all know the cost of travelling is not nearly so expensive as it was some eight or ten years ago ; also a member of Parliament is provided with a free railway pass, and has all the advantages of railway travelling. I cannot see any reason why it should be necessary to pay members of Parliament in Western Australia more than £100 per annum, unless it be that a member desires to enter Parliament as a means of earning a livelihood. Of course, if that be the case we are bound to look at the matter in a different manner. The system of payment of members has become somewhat universal throughout Australia, and in fact in many parts of the world ; but I contend there is at least a disposition among the people to revert to the old order of things. It cannot be denied that before payment of members was adopted in Australia we certainly had a much better class of legislation, more particularly I think in Victoria and South Australia ; legislation in those States was much better before the system of payment of members was adopted. It is needless to repeat that a member of the Legislative Assembly in Western Australia is not allowed to spend more than £100 on an election, and as he generally has at least three years' parliamentary experience he cannot have a legitimate claim for extra

payment on the score of election expenses, the amount over and above the £100 being quite sufficient to pay all incidental expenses. In Tasmania members of Parliament are paid only £100 per annum. I think that Tasmania, though perhaps a much smaller State, certainly is as flourishing as we are, and I do not know how we can afford to be more extravagant than Tasmania is. In Australia we have four millions of people and seven Parliaments. The various members of the Federal and State Parliaments, including Ministers, draw salaries amounting to £208,140. I would like to impress this fact on members, because it appears to me that is a state of affairs that cannot go on very much longer. Our system is far and away too expensive, with Ministers and members of Parliament in Australia drawing salaries amounting to £208,140. [*Hon. J. W. Langford*: Not equally distributed.] I will give the hon. member some information I have taken from the *Melbourne Age*; I have no doubt it is correct. However, it is my authority. The Commonwealth Ministers draw £12,000, the Victoria State Ministers £8,400, the New South Wales State Ministers £10,490, the Queensland State Ministers £6,300, the South Australian State Ministers £4,000, the West Australian State Ministers £6,200 and the Tasmanian State Ministers £2,550. The salaries of members of the Commonwealth Parliament amounted to £42,400, but I am sorry to say we shall have to add another £20,000 to that, making £62,400 paid to members of the Commonwealth Parliament. Among State Parliaments the following salaries are paid to members:—Victoria £18,000, New South Wales £24,300, Queensland £21,600, South Australia £10,600, Western Australia £16,000, and Tasmania £5,300. The cost of Parliament in Western Australia is set down at £52,000, and in Tasmania £17,300 odd. I have lots of figures in connection with the expense of carrying on government in the various States; they satisfied me and I hope they will have at least the effect to cause other members to consider the matter carefully, to see whether the expense of our government is not far

and away too great. I think we should be sufficiently patriotic amongst ourselves to at least show a good example and economise. Though the amount may be small it might very well be saved. The London County Council with a population of 14,000,000 of people—

Hon. J. W. Hackett: Not 14,000,000; it is not quite 4,000,000. The suburbs of London have their own county councils.

Hon. J. T. GLOWREY: I am open to correction. I have taken the figures from some record, and the figures I got were certainly 14,000,000. Whether I am right or wrong the fact remains that not one member of the London County Council draws a shilling in salary. In coming to the House of Commons we are looking up to an institution of course very much higher than our own, but still it is wise sometimes to look around for a good example, and I think we have it in the House of Commons, because the members of the House of Commons are not paid and yet there is no lack of good men in that House on account of means. It cannot be said that the mere lack of payment of members has prevented good men entering the House of Commons. The numbers of working men in the House are increasing, and from what I can learn we have specialists there and the very best class of members. Even from many parts of Great Britain I am told, where there are no labour organisations whatsoever, good labour members find their way into the House of Commons, so it cannot be said that the fact of no payment would debar the workers from having representation in Parliament. I am inclined to think very much that payment of members has encouraged the professional class of politician, and I think most members will admit with me that this is not a desirable class to have. Ministers of the Crown of course have to give up most of their time to their duties and it is only fair that they should be paid. I say payment of members of Parliament is an unnecessary tax upon us and we should as far as possible reduce the amount. The tone of the British House of Commons is superior to that of other Parliaments we know of,

and I attribute that in a great measure to the fact that members there are not paid.

Hon. M. L. Moss : A great many are paid though.

Hon. J. T. GLOWREY : The hon. member interjects that a good many are paid. Perhaps that is quite right ; but they are not paid by the Government. In Victoria before payment of members became an established fact members were not allowed to travel in their constituencies and pay their expenses ; it was paid for them ; and then there was a better class of men than the members we find in Parliament to-day. Members were not so grasping as many are now. We have representatives in the Federal Parliament elected it is true by constituencies, but after all they are not bound to their constituents but to a congress. The best evidence of that fact is that after they are elected if they commit any breach of the rules of congress and go back to their constituents they have no earthly hope of being re-elected. I am sorry to say as far as the Federal Parliament is concerned we have a shocking abuse of payment of members. I do not like to say much about that question because if I did I should be inclined to say some very strong things, and I think the Government would be justified in going to extreme steps to avoid the payment of our mite, however small it may be. It is a disgrace.

Hon. J. W. Langsford : Raid the customs.

Hon. J. T. GLOWREY : I think the Government would be justified in taking steps when this gang of people come to Western Australia, to protect Western Australia from them. I said when I began I was moving this motion in the best interests of the State and I do not wish to be misunderstood. I do not wish this motion to be taken as a retrograde step at all. I feel it is a motion that I can fairly claim should receive a considerable amount of support, because as I have already stated our expenses of government are more than this State will be able to bear. I am moving the motion with the best of motives. I did not know before I came into the House that I

should have to get a seconder for my motion. I believe an attempt is to be made in another place to ask our Legislature to increase the payment of members to £300 a year. I hope members will express their opinions freely on this matter ; and as far as I am concerned I shall press the motion to a division if I get a seconder.

Hon. S. J. HAYNES (South-East) : I have indeed very great pleasure in seconding the motion. As far as I am personally concerned I have ever opposed payment of members. When legislation was introduced into this House for the payment of members I had before me the experience of other States, and so far as I could judge then the payment of members in Victoria and South Australia had produced a worse class of members than before. There is no comparison. Before payment of members better work was done, and less time was wasted than has been the case since. So far as Western Australia is concerned the motion before the House is not the abolition of payment. If it was I should gladly like to see it brought about not only in Western Australia but throughout the Commonwealth. One of the curses to Australia has been the payment to members. When payment was first introduced the idea was that certain persons in the State eminently suited and adapted to represent constituencies in the Assembly or the Parliament could not by reason of their lack of means be elected. That seemed to be a fair proposition to consider. No doubt there were and are deserving persons. When the Bill was brought in I opposed it and I still oppose payment of members. I feel sure each member expected that payment would attract, certainly no worse a type of member than before, and if possible it would attract a better type. It was alleged that some good men were kept out of Parliament and could not get in by reason of their impecuniosity. All I can say is that from my experience since we have adopted payment of members we have not as a whole got as good a class of men as we had before. I do not think that can be gainsaid. I am speaking particularly as regards another

place and I do not care what is thought of it. If we compare the type of men in the old Assembly before payment of members and the type of men in Parliament now the comparison is greatly to the credit of the old members.

Hon. M. L. Moss : You cannot make these comparisons.

Hon. S. J. HAYNES : After this House became an elective House there were six years before payment of members came into vogue, and that also was the case with another place. I do not think members can contradict the fact that we have not a better type of men and that we had not got better legislation. If we could attract a better type of men to the Legislative halls for nothing, why should not the country have the benefit of it ? So far as my observations are concerned I think the country was much better served when men came here and served for the honour of the thing than they do for £200 a year. I have much pleasure in supporting the motion although I do not think it will go through; but if I had my way not only would the motion be passed but payment would be abolished, and I am sure if it were abolished we would have better legislation. We should not have the waste of time, the unseemly wrangles and the unseemly rush to put one man out and to put another man in that we have at the present time. I am speaking more of those elected for a term of three years. There is an Upper House and a Lower House and we have a right to look at both aspects of the case. I am perfectly satisfied the abolition of payment from my point of view would be beneficial to the State. If payment is not abolished in the Lower House it would be to the interest of the State and add to the dignity of this House if payment were abolished here. But that is not the intention of the motion before the House which has for its object the reduction of payment to members. At this time when every one is advocating economy in all departments, I think the mover of the motion is to be congratulated for bringing this matter forward and I have much pleasure in seconding the motion.

On motion by the *Hon. J. W. Langsford*, debate adjourned.

MOTION—AGRICULTURAL RAILWAYS, INQUIRY BY COMMISSION.

Amendment, to Inquire Generally.

Debate resumed from the previous day, on the motion by the *Hon. J. W. Wright*, for a Royal Commission to inquire into the construction of the Goomalling-Dowerin, Wagin-Dumbleyung, and Katanning-Kojonup railways; also on the amendment by the *Hon. R. W. Pennefather*, to inquire into the working of the railway system generally.

Hon. W. MALEY (South-East) : There have been some excellent speeches delivered on the motion by Mr. Wright and on the amendment by Mr. Pennefather. I must say that when I spoke on the Address-in-Reply I had no expectation this matter would be taken up with the force that it has been, or that the extension of my suggestion would reach the limits that have been reached by the debate on the motion and the amendment. My contention was that a certain line of railway had been taken by a wrong route and an extra mileage thereby created, and that the railway referred to had not been constructed in the best interests of the State. I think if members go over that line they will say that I was perfectly justified in the remarks I made and the conclusions I arrived at from my observations and from the information I received. They will say I was justified in the statements I made to the House. In view of the fact that last session a motion in reference to this matter came from another place, it was only reasonable that I should conclude that the mover of that motion would again proceed on the same lines in favour of a Commission during the present session; and I thought it advisable that as I was not the first to bring the matter before this Chamber, as it was first introduced by Mr. Sholl, it was not within my province personally to move in the matter, although Mr. Langsford challenged me to go farther than I had then gone.

But there is an old saying, "Fools rush in where angels fear to tread." [*Hon. J. W. Langsford* : There was no challenge.] On this occasion I decided to stand off the grass, and leave other gentlemen to move in a matter which was so evidently of public importance. Mr. Wright's motion embraced merely an inquiry into the construction of the spur railways; and if the comments of the Press and the criticisms levelled in this Chamber at those works are well founded, and I think they are, there is every reason for agreeing to the substantive motion if not to Mr. Pennefather's amendment. However, I shall be pleased to support the amendment. I do so because I have for many years noticed a gradual falling-off in our railway revenue. Some six years ago one of the first duties that fell to me in the old Legislative Council was to draw attention to the declining revenue from the railways, and to point out that they were not paying interest, that they had not been paying, nor was the management such as commended itself to my mind. That has been impressed on me for years; and outside this Chamber, particularly when the first land tax proposals were mooted in the Katanning district, I at a public meeting put my finger on the Railway Department as one of several in which savings could be effected. In view of the explanation of the Leader of the House I think the Government will be prepared to elucidate as far as possible the mystery surrounding the Railway Department. It is time light was let in on its management; and I am satisfied that if the Leader of the House were free he would be voting for the amendment. I am satisfied, too, that the Government themselves would be glad to be clear of the whole trouble, and to know precisely on what lines to move. The Leader of the Government says a free hand is to be given to Mr. Short to manage the railways. Mr. Short has been long and honourably connected with the department, and while he is an estimable gentleman and a capable traffic manager, I contend that in view of the retrenchment recently effected something more than his appointment is needed. The subordinates dismissed are probably innocent men who

have had nothing to do with the general management, and by whom the loss of their billets will be severely felt. Who is responsible? Surely a gentleman who has for so many years filled the office of Chief Traffic Manager must have been aware by comparison of our railways with those of other States and by his observations in his own department, that something was wrong, and notwithstanding he had a superior officer in Mr. George, I think it only reasonable to assume that Mr. Short has not during the past few years proved himself competent to make necessary retrenchments. In my opinion a gentleman who during the whole of the period under review has occupied so high a position in the railway service is not the man who should be given a free hand to effect reforms. Someone outside, who has not been responsible, and to whom blame cannot be attached for the faults of the department, should be appointed either as a commission or to advise a commission on this subject; and if the commission results in a satisfactory determination of what is wrong, should afterwards be placed in charge with a view to remedying defects. Mr. Moss is opposed to Royal Commissions. I am sorry he should have at this moment raised the objection that he is pledged to oppose their appointment.

Hon. J. W. Hackett : Of what use are they?

Hon. W. MALEY : If this one will only disclose the extra cost of our stationery and advertising as compared with the like expenditure in the other States, it will do some good.

Hon. J. W. Hackett : You can get that information without a Commission.

Hon. W. MALEY : And I hope we shall get the truth at once, before the cancer now existing in the State grows bigger. No political boss will ever prevent my denouncing anything that I consider wrong in the Railway Department or elsewhere. The first weapon of the people, and it seems to me the last weapon available in this emergency, is a Royal Commission. Sometimes, unlike Mr. Moss, members of Parliament elected for safe seats forget their pledges; and I honour those who stand to their pledges.

But I say, never in the history of this State have there been such good grounds for the appointment of a Royal Commission: and never was there such an opportunity for a Royal Commission to prove its usefulness or the usefulness of Royal Commissions in general. I know that some Royal Commissions have not been appointed for good reasons. Some have been appointed for the aggrandisement of one person who wanted to parade the country; but I have not been a party to anything of that kind. This is a critical moment. We are faced with land taxation, and moreover, we are threatened from without, from the Commonwealth Government, with more taxation; and surely at this moment everything possible should be done to economise—not necessarily to retrench; I do not like the word “retrenchment” but to economise—to work on better lines, and to place the country on a proper footing. If we proceed as in the past every member must admit we shall drift on to the rocks, and with such an opportunity before us I hope the House will vote unanimously for a commission to inquire into the whole working of the railways, as well as the construction of new lines. I do not believe that a land tax is a sovereign remedy for wastefulness and extravagance in our Railway Department, nor that the tax will prove a panacea for the ills of Western Australia. I say the proposed commission would clear the atmosphere, and should be welcomed by the Government. The present Minister for Railways (Hon. H. Gregory) has been a member of many Governments, and when he assumed the responsibility of his present office he surely ought to have passed before taking that responsibility, notwithstanding that he was sheltered—I do not say he sheltered himself—sheltered by Parliament behind Mr. George. I hope the House will by a majority pass the amendment. [*Hon. J. W. Hackett*: What of the cost of the commission?] I do not care whether it costs £15,000 or £20,000; we are entitled to it if by its means we can save £200,000. It is only at the point of the bayonet that any economy has been effected; and it is not effected with the assistance of

the Press. Every time we have the Press in league with the Government in power. We get no assistance from the Press; the only weapon now left to the people is a Royal Commission; and I hope every gentleman in the Chamber who has received any benefit whatever from the Railway Department will not vote on the question.

Hon. J. W. Hackett: If you refer to me, I have received nothing but injury.

Hon. R. F. SHOLL (North): While I am prepared to vote for the motion, I do not feel disposed to support the amendment. Last session, when I called for some papers relating to the construction of agricultural railways, I did so to obtain certain information. The papers were supplied, and their contents convinced me that a select committee or a commission should inquire into the matter. A select committee was moved for in another place, but the Government shirked the responsibility. A long time elapsed before the motion was moved, because it was always kept at the foot of the Notice Paper, and when a committee was granted it was too late in the session for anything to be done. The mover for the select committee then applied to the Government to appoint a Royal Commission without pay. This the Government refused to do. I am still satisfied there is something behind the construction of one if not more of these agricultural railways, something that will not stand scrutiny. When Mr. Wright moved this motion I intended to support it for these reasons; but now when we are blaming the Government for not retrenching and working the railways and other departments on economical lines, I think it comes with bad grace from us to say that a Royal Commission must be appointed which will involve the the engagement of imported railway experts whose work will be interminable and very costly. Moreover, I do not know that the Government had during the last five years any power to interfere with the work of the Commissioner of Railways. The Government have not renewed that gentleman's term of office; they are now taking the department into their own hands, and are trying to cut down expenses, and

to run the railways, I will not say economically, but less expensively than in the past. The amendment would perhaps come with better grace and more effect if it were held over until next session. By appointing a Royal Commission now it would interfere with the work of those who are in charge of the railways, and whom Parliament anticipate will manage the railways in a proper and financial manner. For that reason, and owing to the great cost of bringing experts from the Eastern States, as would be necessary to deal with the question of the traffic and other branches of the service, I intend to vote against the amendment. It would be unwise for us, and inconsistent also, to ask the Government to commit the country to so large an expenditure this year. The reports of a Royal Commission and their printing cost a very great deal of money. While prepared to support the motion, I intend to vote against the amendment.

Hon. W. KINGSMILL (Metropolitan-Suburban): Peculiar things have happened in the course of this debate, inasmuch as the innocent little motion which started it has been altogether overshadowed and out-weighted by the bomb which has been cast into the Chamber by Mr. Pennefather. Speaking firstly with regard to the original motion, I feel I should be sadly lacking in my duty to the House and to myself if I did not support any motion which will give the fullest inquiry into these railways. I remember the morning and afternoon that were perhaps the most strenuous periods of my political career, when I saw these Bills through the House; and as I have already said I have gone metaphorically n sackcloth and ashes ever since. [*Hon. J. W. Hackett*: You should be ashamed to refer to it.] I am not ashamed to refer to it, but I would like to take means to see if I should be ashamed of it in the future. It is my intention to support the original motion. As to the amendment I think everyone will admit that one of the first things mentioned in almost every speech made in both branches of the Legislature when discussing the Address-in-Reply was the

necessity for immediate and urgent reform in the railways. I saw in the policy speech—although I have heard members say you cannot pay too much attention to policy speeches—and I have heard in speeches made subsequently by Ministers in various parts of the country, references made to it, and it was that the Government would, at the earliest date, appoint an expert Commissioner of Railways; the best that money could procure from outside, so that the present state of affairs in the railways should be brought to an end. I think the Commission which should inquire into the railway system generally is undoubtedly one consisting of one or three Commissioners appointed by the Government; but what do we find. From what I can gather the Government are taking no steps in the direction of appointing Commissioners. After all it is practically no use, if you want to reform a system, to employ as reformers those who have been for many years part of the system. I said, on the Address-in-Reply, that in some instances the lack of knowledge of local conditions is also accompanied by lack of local restrictions, and it is much more likely that a competent railway man coming here from outside of the State, who would be unfettered by West Australian prejudices and the huge system that has been built up here during the course of many years, would do better work than anyone at present in the system. In saying this I do not wish to decry those who have for so many years conducted the railways, and conducted them under difficulties which, at all events some years ago, were absolutely gigantic. The Government are taking no steps in the direction they indicated before the session began. That being so the only remedy I can see is to appoint a Royal Commission, and for that reason, and as a protest against what I can only describe as the inaction of the Government to grapple with this extremely urgent question, I intend to vote for the amendment.

Hon. W. T. LOTON (East): I regret I am not conversant with the details of this debate, having only last night taken my seat in the House, but the motion is

one of a comprehensive and very important nature. With regard to the original motion as to inquiring into certain railways I think I may safely say that these were the Bills which were rushed through the House at a very late stage of the session. [*Hon. W. Kingsmill* : They took a lot of rushing.] However they were passed, and I do not know if much good will result, at the present stage, from an inquiry in connection with them ; but at all events it may throw light on the subject, and allow the public mind to be satisfied to some extent. The most important part of this motion is contained in the amendment of Mr. Pennefather, and except for that I should not have taken up a moment of the House in discussing the question. My intention is to support the amendment. The question is this. Are the Government satisfied with the working of the railways during the last five years under a Commissioner ? Has it been what might have been expected, and has it been satisfactory to the country ? Are the Government satisfied that the management has been fairly good, and that there is not much room for improvement ? If that is so I can understand them sitting quietly by and saying they need no farther inquiry. If the Government appoint a Royal Commission they surely must appoint one composed of men who will be competent to undertake the work, and give us light on this question. I do not know whether the Government intend to oppose the motion, but if they do it seems to me they will be contending that the railways are being worked satisfactorily, and that there is no room for improvement. I am fond of figures occasionally, and although I will not trouble members with many of them, I intend to quote a few in order to show the exact position of affairs in regard to the railways of this State as compared with those of South Australia and Queensland. I am sure that the figures which I give will convince anyone, and convince the Government themselves, that there is a necessity for inquiry and very close inquiry, and that there is room for considerable saving in connection with the Railway Department. As to the past year, 1905-6, the gross earnings of the Western Australian rail-

ways were £1,634,000, while the working expenses were £1,202,000, leaving a surplus of £432,000. I will compare these figures with those of Queensland and South Australia. In the former case they have the same gauge as we have here, while a considerable quantity of the South Australian railway lines is also of that gauge. As a considerable difference in this respect exists in New South Wales and Victoria, I will not touch upon the figures for those States. In Queensland for the same period the gross earnings were £1,546,000, or practically £100,000 less than the gross earnings for this State. [*Hon. M. L. Moss* : We had all those figures yesterday.] You cannot have these plain stubborn facts rammed into your head often. The hon. member is a member of the legal profession, and if he wants to convince a jury he keeps on hammering at the same thing. I want the Government to take particular notice of these figures, and I do not care whether the hon. member does so or not, for he is now going to support the motion although he has done all he could to speak in favor of both the motion and the amendment. The gross earnings of Queensland, as I have said, are practically £100,000 less than those in Western Australia, but the working expenses are only £863,000, leaving a balance of £682,000, so that the surplus is practically 50 per cent. more than the surplus in Western Australia for the same year. Will the Government take notice of this and try to improve the position. In South Australia the gross earnings for the same year were £1,300,000 and the working expenses were £764,000, leaving a surplus of £536,000 or one practically of over 30 per cent. more than that of Western Australia. Surely there must be something wrong somewhere. Again during the past five years, during the period of the control of the Commissioner for Railways—I am not going into details as to the merits of the Commissioner, the Traffic Manager, or anybody else, for I only want to draw the attention of hon. members to the practical results of operations during the period—the percentage of working expenses of Western Australia in comparison to the gross earnings was as follows:

1901-2, \$2.1, 1902-3, 80, 1903-4, 74, 1904-5, 78, and 1905-6, 74. I do not desire to quote many figures on this question, but merely to compare them with the working expenses of those other States to which I have referred. Last year the percentage was the lowest we have had except in the year 1903-4, when it was slightly less. In Queensland, with lines on a similar gauge to ours, the working expenses are 55.84 per cent., or 30 per cent. less than ours; in South Australia, 56 per cent.; in Victoria 52 per cent.; and in New South Wales 54 per cent. Thus we are the highest in the list, from 30 to 50 per cent. worse than any other State in the proportion of working expenses to earnings. This should convince members that there is room for saving and for improvement—I do not pretend to say in what branch. I understand it has been urged that the time is not opportune for an inquiry of this kind; but to my mind this of all times is the most opportune. We have now had five years' experience of the working of the railway system under one commissioner, and that commissioner was dismissed practically without any warning, and dismissed in a manner I think not creditable to the Government. Having had the five years' experience, it is now I suppose an open question whether we are to have only one commissioner in the future or whether two or three commissioners are to be appointed. Surely then this is the time to make the fullest inquiry into the working of the railways of this State, in order that we may learn whether they can be worked on better lines and with reduced expenditure as compared with the past. I say that this is the time for inquiry. I therefore support the appointment of a Royal Commission to inquire specially into the general working of the railways; and I would have that inquiry made right away. I would appoint the commission at once, and give its members at the utmost three months in which to present their report, so that it might be considered before the end of the present session. If the figures I have given be not convincing, I think nothing will convince members that inquiry into this question is required.

Hon. G. BELLINGHAM (South): I am sorry that the amendment has been moved on the original motion, because I consider there is sufficient subject matter here to show the necessity for two royal commissions. As the Leader of the House has said, a commission to inquire into the working of the Railway Department would necessitate the appointment of gentlemen with expert railway knowledge; and I agree with the Minister that it would be difficult to obtain men with that qualification in this State. It would undoubtedly be necessary to send to the other States or outside Australia; because a commission into the working of the railways would require to be composed of gentlemen thoroughly trained and with expert knowledge of the subject. To adopt the amendment, with the original motion absorbed therein, would involve an inquiry extending over a considerable period, and the effect of the motion for inquiring into the construction of light railways would be entirely wiped out by the larger inquiry into the working of railways generally. The mover of the original motion made out an undoubtedly good case for a commission of inquiry into the construction of light railways; but the Leader of the House made out a considerably better case. This is a matter of departmental or day labour as against the contract system in the construction of agricultural railways. It is not a matter of inquiring into the workings of the Government, or anything of that sort. Undoubtedly, light railways are the best means of opening up the country; and if only for the information of the Government and of everybody concerned, it is requisite that inquiry be made to see whether it is cheaper to build railways under the old system of contract or the new system of day-labour. I consider the Government should support an inquiry of this nature for their own protection, and for the protection of the State. We all know that where a man has to do the work and supervise it himself, and give his own certificate afterwards, there is always a liability of the work not being carried out in such a complete and satisfactory manner as in the case where an outside man is em-

ployed to supervise. An admission has been made that in the construction of these railways the specifications were not followed in their entirety, that alterations were made, though those alterations were to the benefit of the State. But I consider that the engineer when making those alterations gave themselves the benefit of the full value of the alterations by taking full credit for reducing the cost of construction, as pointed out by the Minister. I am sorry the amendment has been moved as an addition to the motion; but in the circumstances I feel justified in supporting the question now before the House.

Hon. G. RANDELL (Metropolitan): I have listened with great pleasure to the debate as it has proceeded, both on the original motion and the amendment. The last speaker expressed the opinion that it would have been an advantage were the subject divided into two, and have two commissions appointed to inquire into the questions dealt with. In my opinion, the inquiry into the construction of the three lines, referred to in the original motion, could have been made with great expedition and very little expense by a select committee of the House.

Hon. G. Bellingham: A select committee could not get the necessary evidence.

Hon. G. RANDELL: I do not think a select committee has ever experienced difficulty in obtaining evidence; in most cases we have been able to get all the evidence required. There might, however, be a difficulty in getting on to the committee persons with the necessary expert knowledge to inquire into the construction and working of the lines, and into the farther question whether the lines are likely to prove profitable to the country. That is a very important matter, on which the Government must be desirous of obtaining opinions outside those of their departmental officers, seeing that it is their intention to go in for a rather comprehensive scheme of extending spur lines into different parts of the country. Some inquiry is desirable to ascertain whether such lines will answer the purpose for which they

are intended, and whether their construction is good enough to carry the anticipated traffic. I shall vote for the original motion; and I agree with other members that it is desirable there should be an inquiry into the working of our railway system. In the excellent, I might almost say scathing, speech delivered by Mr. Moss on this subject, he gave particulars of the working of our railways in comparison with railways in other parts of the Commonwealth; and these comparisons indicate the desirability of as early an inquiry as is possible into the methods adopted in the working of our railways, and the reason for the enormous expense incurred by comparison with those of other States. I remember a former Engineer-in-Chief of this State, who was then charged also with the control of the railway system, coming to me on one occasion and showing how in many particulars the expenditure in the railways was mounting up. I believe that when the control of the railways was taken out of his hands, the expenses were about 50 per cent. of the earnings. Since then the expenses have gone on increasing, until they now stand practically at 75 per cent. That I think at once shows the necessity for full inquiry into this matter. Whether that inquiry would be best conducted by a competent and trustworthy commissioner, by the official head of the Railway Department, or by an independent commission, I do not say. I am rather inclined to think, as Mr. Kingsmill has suggested, that it would be best to wait until one commissioner, or three commissioners (as may be decided), is appointed to carry on the railways. Personally I am in favour of the single commissioner system, but would certainly retain Ministerial control. I do not think Ministers should evade the responsibility that rests on them of accounting to Parliament for the working of our railway system. Any Minister should be willing to take it on himself to resist political pressure, or any other pressure that may be brought to bear on him, with regard to the running of the railways. I thoroughly believe a commission of inquiry is necessary; and although I am aware that commissions

are expensive, and this would be a particularly expensive one, yet I am inclined to think it would be in the interests of the country to undertake that expense. There is another side to this question, and I believe a very important one. It would probably be elicited by the evidence placed before the commission that our railways are at the present moment in a much better condition in every respect than they were five years ago. I do not profess to be acquainted with the details of railway management, but from what I have seen and heard I understand there has been practically a reconstruction of our railway lines during the last five years. Members sometimes complain, and certainly bitter complaints have been made in another place, that deviations and alterations in the construction of lines were made without the sanction of Parliament. I believe it would be found on inquiry that one result of Mr. George's connection with the railways has been to place them in a far better condition than they were in when he took office. I think it only right that this should be stated publicly. At the same time I believe the expense of running the railways is too great by a very large amount; and in view of the expressed intention of the Government to introduce a land tax—a species of taxation to which I think this House is almost unanimously opposed—I think it desirable that there should be the fullest inquiry into what appears on the face of it to be gross extravagance and waste of money in many directions. I agree to a large extent with what Mr. Moss said on this subject last night: and in this regard I regret that the public has not been placed in possession of all the facts and statements he then made. I think it was incumbent on those who cater for providing the public with information to have furnished a full report of that excellent speech delivered by Mr. Moss last night in this House: and I hope justice will be done through the Press to the speakers to-day. In an important subject such as this, I think that speeches touching on the subject and which contain matter that will enlighten the public should in every case be given to the public. While I re-

gret that we should have to spend money on a commission, still I feel compelled to vote for the motion as now before the House.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): While desirous of supporting the motion of Mr. Wright, I cannot see my way to support the amendment. The motion certainly introduces the question of the construction of these light spur lines and as that was an experiment of the country as opposed to the old original method of working, and in view of the statements made from time to time from various sources, I think an investigation into the construction of these railways is earnestly to be desired. The enlarged question submitted by the amendment of Mr. Pennefather I think should be dealt with under a new Commissioner. The fact of a Royal Commission being appointed will have the effect of delaying, I should think, the appointment of any person to the position of Commissioner of Railways. I think the better way of getting at the correct idea of the state of our railways would be to appoint a new Commissioner and allow him to undertake a thorough reorganisation of the system. While opposing the amendment, I shall support the motion.

Hon. J. W. WRIGHT (in reply as mover): It is not my intention to take up the time of the House at length because, as one member said, that innocent little motion of mine has caused a lot of talk, some of the speeches being at great length, and because it was brought forward a lot of information I did not think could be got together in the time, information that will be welcomed by the general public. It is said that the time is inopportune for an inquiry into the Railway Department. I think the opportunity is when there is a change about to be made. It is only through this constant agitation that has been going on in the Press and through my bringing forward this motion that these reductions have been brought. The Minister spoke of a saving of £30,000 to £40,000. That is a considerable saving in

itself, but I know of four officers whose services have been dispensed with, their salaries being £900, £700, £500, and £450. Now if we take the 333 members discharged and average them at £3 a week, which is very low considering these big men whose services they have been dispensing with, it makes a saving of £1,000 per week, that is £52,000 per year; and I believe the department contemplate farther reductions. If they can make these reductions within a month or two, what can they do in 12 months? We have been told that there is no one in the State qualified to sit on a Royal Commission to inquire into the working of the railways; but I think members will agree with me that there has been ample evidence given that we have a man in this State who can bring forward figures and criticise the work of the department, a man whose criticisms have not been contradicted by the Government or any of their officials. If we have one man who can go to the trouble and expense of doing that, I think we can find others; and I claim that I had some experience in railway work before I came to this colony, and think there are very few here that can tell me more than I know about construction work. I think I am fully qualified myself to sit on a Commission to inquire into the construction of any railways in this State at any rate. A good deal has been said about the cost of a Royal Commission, but I am given to understand there is a special fund for Royal Commissions; that the money does not come out of a special vote. No doubt it comes out of our pockets in the long run. The Minister said that I had not given sufficient reasons for asking for this Commission; but I think that his remarks alone showed the necessity for it. The Minister admits that the sleepers and such like things are not up to specification. It was not to find fault that I asked for this Commission. It was to see whether departmental labour was cheaper than contract work. That was my main object, and I thought in moving in that direction that if departmental labour was proved to be a saving to the country it would assist the Government in these other railways that are contem-

plated. But it appears to me from the Minister's remarks that he does not want an inquiry; why, I do not know. There must be something behind it. When I visited these railways under construction, though it has been altered since, the work was not completed, the banks and cuttings were not trimmed up and the sides were cut away nearer the foot than the bank, and that sort of thing. All these things have been remedied, and after the criticisms we have had in the papers I think the opportunity should be given to see whether the department have done the work according to the specifications on which the tenders were called for. The Minister also said that the sleepers were not infested or eaten by white ants. I do not think anybody suggested such a thing. The newspapers said that some of the sleepers were eaten and that the ants would soon spread. The matter of the number of sleepers put into the mile was never questioned. I do not think the general public would trouble their heads about whether there were 200 or 300 more to the mile or not. That does not affect the matter. It is the packing of the sleepers that affects the road, and it is the sleeper that affects the life of the rail. If a sleeper jumps loose, the engine going over it knocks the road about. I intend to vote for the amendment because I think it is time an inquiry should be made into the railways and that it would pay the country more than tenfold.

The COLONIAL SECRETARY (in explanation): When the motion was moved by Mr. Wright I replied immediately. Later, Mr. Pennefather spoke and added these few words by way of amendment, which entirely changed the motion. I replied to Mr. Pennefather immediately because the amendment was about to be put, and apparently there was to be no discussion; and I gave an explanation in answer to the criticisms advanced by Mr. Pennefather. I desire now to explain this, to put myself right with certain members who were not in the Chamber at the time, but who have spoken since, because the public might suppose I had not answered the criticisms at all.

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

Ayes	7
Noes	6

Majority for .. 1

AYES.	NOES.
Hon. W. Kingsmill	Hon. J. D. Connolly
Hon. W. T. Lotou	Hon. J. W. Hackett
Hon. W. Oats	Hon. S. J. Haynes
Hon. R. W. Pennefather	Hon. J. W. Langsford
Hon. G. Randall	Hon. R. F. Sholl
Hon. J. W. Wright	Hon. J. T. Glowrey
Hon. W. Muley (Teller).	(Teller).

Amendment thus passed.

Question as amended put and passed.

FEDERAL TARIFF, ASSEMBLY'S RESOLUTIONS OF REMONSTRANCE.

Message from the Legislative Assembly received and read, requesting the concurrence of the Council in resolutions passed by the Legislative Assembly as follow :—

- (1.) That in the opinion of this House the proposed Federal Tariff would most injuriously affect the primary industries of Western Australia, and would subject the State to a period of depression fraught with the gravest danger to her existence.
- (2.) That a joint committee of both Houses be appointed to draw up a remonstrance on behalf of the State against the imposition of the proposed Federal Tariff, and with power to forward same to the Federal Government.

On motion by the *Colonial Secretary*, resolved that the message be now taken into consideration.

The **COLONIAL SECRETARY** (Hon. J. D. Connolly), in moving that the Council do concur in the Assembly's resolutions, said: In considering this message from the Legislative Assembly, I think it desirable that the subject should be dealt with at once, because it is felt that to take this action promptly by concurring in a resolution of remonstrance and forwarding the same to the Federal

Government will have the more effect if done speedily while this question is before the public. I do not think it necessary for me to say much on the question, for I believe we in this House are all agreed that the new Federal tariff will certainly be very injurious in its operation on the interests and the industries of Western Australia; therefore seeing that we are agreed on this view of the question I do not think it is necessary for me to delay hon. members with lengthy remarks, nor do I think members desire that course. Although something has been said this afternoon in regard to the action of the public Press at times, yet I think great credit and the thanks of the country are due to the daily Press of this State for its action on this question, at any rate for the prominence given to so important a subject. In this morning's Press, if members have had time to read it, they will have seen sufficient evidence to justify a resolution of this kind being passed in this House. I refer to the report of the public meeting held in the Town Hall last night, and also to the lengthy debate which took place in the Legislative Assembly and was concluded at one o'clock this morning. I also refer particularly to the very able report made by the Government Actuary, Mr. Owen, which was published almost in full in this morning's daily Press. The new tariff, as has been shown by the criticisms already passed on it, will have the effect of bolstering up the industries of the Eastern States at the expense of Western Australia. I think we ought to consider the question, not from the standpoint whether we believe in free-trade or protection, but from the West Australian point of view. We all agree to a certain extent as Australians, that protection ought to be afforded to Australian industries: and we delight to see industries springing up in the State: but certainly not at the expense of one particular State, and certainly not to the injury and at the expense of our own State. The new tariff will undoubtedly have also the effect of increasing the cost of living in this State, as I will show presently. But the more important point is that it will have the

effect of decreasing our revenue—that is to say, the import duties are now made so high that instead of goods coming into this State from Great Britain and the outside world as they have done hitherto, such goods will come into this State from the Eastern States, and there will consequently be no customs duty to collect on the goods imported because, as members will know, it is provided in the Federal Constitution that there shall be inter-colonial free-trade throughout Australia. I do not wish the House to take this motion in any way as one against Federation. We are not dealing at the moment with the question whether Federation as such is good for Western Australia or otherwise. This is not a secession motion, or anything of the kind, but is simply a protest against the new high tariff which will operate so injuriously against this State. In saying this is not a secession motion, I do not think it would be wise for us to enter into a movement of that kind, just now at any rate, because I do not think there is a reasonable prospect of success, and it would be rather foolish to enter on a campaign or enter into a battle with no prospect of winning. If we went in for something smaller, that is an alteration of the Federal Constitution so as to give to this State the control of its customs duties for 10 or 15 years and without breaking up the Federation, I think we would achieve the same object as far as Western Australia is concerned. This might be obtained, and is worth fighting for; but I am afraid the other thing is an impossible proposition. Hon. members will notice, if they have read the able report prepared by the Government Actuary, that the new tariff has increased more particularly the every-day articles of life, that the increase is particularly marked on that class of goods: whilst if we turn to other goods which may be classed as luxuries, such as spirits, wines, and so on, there is no increase on them whatever. The following figures which are brought out in the first schedule attached to Mr. Owen's report—

Hon. W. T. Loton: It would be well, I think, to avoid the details on this occasion.

Hon. G. Randell: That is so.

The COLONIAL SECRETARY: I take it then that hon. members are well acquainted with the subject matter, that they have read and studied the report prepared by the Government Actuary, which sets out the case very clearly, and shows conclusively that no good can be expected from this tariff in its operation on the interests and industries of Western Australia. I take it that if that is the opinion of hon. members, it is not necessary for me to go farther. Therefore I now move—

That this House concurs in the resolutions received from the Legislative Assembly.

Hon. W. MALEY (South-East): I do not intend to vote for the motion, because I was an advocate for Federation, and we had certain facts put before us at that time, and I have in my hand the proposed Federal tariff which was published just prior to our entering Federation. I trust every member of this Chamber has had the same opportunity as I have of perusing the prints that were in circulation when this State went into Federation, and recognises that in entering into Federation we did so with our eyes open, and that those who voted for it knew at the time that attempts would be made by the protectionists to put on a high protectionist tariff. They also knew that in view of the fact that the mother colony of New South Wales was practically free-trade at the time, there would be strong opposition to anything of so prohibitive a character as the duties which were then suggested, and which were printed as being supplied by Dr. Wollaston, the permanent head of the Customs Department in Victoria. We had that bogey put before us: and in view of the fact that the matter is now being dealt with by the Federal Parliament, I believe the new tariff when passed will be much more moderate than the form in which it was introduced by Sir William Lyne. I believe the Acting Prime Minister of the Commonwealth is the only man in the Cabinet, and perhaps the only man representing New South Wales, who could be

put forward at the present time to move such a prohibitive tariff as he has placed before the Federal Parliament; and I do not think that when the House of Representatives and the Senate have dealt with the measure, it will be nearly as strongly protective in its character as that which is now put before the public, and which unfortunately the public have to pay for. My sympathies are entirely with the public in this matter. Although I am a protectionist, I believe in moderate protection, and have no sympathy with the extreme methods of the party who are supporting the new tariff. But when we had the control of the customs revenue in this State, little or no attempt was made by means of a protectionist policy to build up our local industries. According to the new tariff, articles on which they are now placing something like 25 per cent. increase, such as blankets, which were formerly brought into this State free of duty, will bear some protection as woollen products; for Western Australia can do her share in producing articles from wool, though it has not even occurred to our present Government to realise the possibilities of the woollen industry and the manufactures which may be made from wool. As I understand a division is to be taken on this motion, I have given my reasons for not voting on either side.

Hon. G. RANDELL: I move that the question be now put.

Motion passed, and the question put.

Question (the Colonial Secretary's motion) put, and passed without a dissenting voice.

The COLONIAL SECRETARY further moved that a committee of five members of this House be appointed to draw up a resolution jointly with the committee of the Legislative Assembly; the committee to consist of Mr. Moss, Mr. Randell, Mr. Pennefather, and the mover.

Question passed.

The PRESIDENT: A message will be returned to the Legislative Assembly, acquainting it that this House has agreed to the resolutions.

At 6.17. the President left the Chair.

At 7.30. Chair resumed.

BILL—PUBLIC HEALTH (CONSOLIDATION).

Second Reading

Debate resumed from the 22nd August.

Hon. W. KINGSMILL (Metropolitan-Suburban): I regretted at the last meeting of the House that I had to ask for a postponement of this Order of the Day, and I regretted it the more because the postponement might easily have been obviated. Members who have read the Bill will notice that in contradistinction to Bills brought down in former sessions, this measure is absolutely without marginal references to the source or origin of the various clauses of which it is composed. Especially in a Bill like this, which consolidates and amends no less than five Acts, and which consists of 303 clauses, I think it is too much for the Government to ask any private member that he should go to the trouble necessary to compare the Bill with the Acts which it not only consolidates but amends. Personally I must confess that even now, though I have given the Bill considerable attention, I have gone only part of the way through it, and the lack of marginal notes has been the principal reason for my slow progress. I hope the Leader of the House will see that this does not happen again. I would point out that there is no expense to be saved by omitting marginal notes, for to supply them one need only write a few figures when drafting the Bill. When introducing the measure the Colonial Secretary said he would lay before us as far as possible the new points of the Bill; but having partly studied the Bill I am sorry to say I find the hon. member has not completely carried out that promise.

The Colonial Secretary: To which clause do you refer?

Hon. W. KINGSMILL: To several clauses.

The Colonial Secretary: There may be small omissions.

Hon. W. KINGSMILL: They are very far from small. In the first place, the interpretation clause contains one extremely important alteration to which the Minister did not allude at all. The interpretation of "house" is greatly ex-

tended. In contradistinction to the Act of 1898 and to the amending Act of 1900, which deals partly with the subject but does not go nearly so far as this interpretation clause, the word "house," in addition to its usual meaning is also invested with the meaning of "any vessel lying in any river, harbour, or other water within the territorial waters of Western Australia other than a vessel which is under the command or charge of any officer bearing His Majesty's commission, or which belongs to the Government of any foreign State."

The Colonial Secretary: That is in the Act of 1898, or one of the amending Acts. There are certain new words in the interpretation, but not in the part you quote.

Hon. W. KINGSMILL: I know the Minister is mistaken as to the Act of 1898; and as to the amending Act of 1900, a section therein renders it compulsory on the captain or other officer in charge, not being the pilot, of any vessel in Western Australian waters, to do one thing: to report the existence of any infectious or dangerous disease on his vessel. The section does not go farther; but members will now see that a very large additional power is conferred on the Central Board and local boards of health, inasmuch as wherever the word "house" occurs in the Bill it has not only the usual meaning but also the meaning conferred upon it by this interpretation. That, I think, is a fairly large order, one to which I do not altogether object; but I would ask the Minister whether the department has carefully considered the bearing this interpretation may have on the operation of the Federal Quarantine Bill now passing through the Commonwealth Parliament. I think he will agree this is a point which should be considered, and a point on which the legislation of this State and the legislation of the Commonwealth are extremely likely to clash. The next clause the Minister dealt with is No. 8, which confers the power of suspending by proclamation any of the provisions of the Act in any district or part thereof for any period—a power which, as the Minister pointed out, is highly necessary. Then he went on to Clause 38. [*Hon. J.*

W. Wright: What of Clause 10? I was about to say that the Minister omitted to notice the very important and drastic alterations which are to be made, not only in the constitution but in the number of members of the central board. If there is one body which is of importance in health matters it is the central board, and its constitution and number are matters not likely to be lightly passed over. If members will compare the clauses relating to the central board with the sections in the Act of 1898—and in this connection the amending Acts do not touch the central board—they will find some important differences and discrepancies. For instance, Subclause 1 of Clause 11 provides that the central board shall consist of six members. At present, under Section 4 of the Health Act, 1898, the members of the central board are five. No reason has been given for the alteration.

The Colonial Secretary: I think I mentioned the object was to have the Government Analyst on the board.

Hon. W. KINGSMILL: Subclause 2 provides that the Principal Medical Officer of the State and the Government Analyst shall by virtue of their respective offices be members of the board. That again is another and a radical alteration of the present Act, which provides that one member of the board shall be a medical practitioner, and he shall be the president of the board. Of course it is not for me to say much as to civil servants; but I cannot help regretting what I must always regard as an administrative blunder made when the Government lost the services of a gentleman whom I at all events consider as by far the ablest man of his class in Australia. I refer to Dr. Black. Personally I am not prepared to agree that this subclause shall stand unaltered. First, I do not see why the principal medical officer of the State should be President of the Central Board of Health; and secondly I do not see why the Government Analyst should be a member of the board. The Government Analyst, of course, is always at hand and ought to be at hand to act, not as a member of the central board, but—using the term without any offensive meaning whatever—as one of the most

effective tools that the central board can use. But let me point out that if the president of the central board is to be a qualified medical practitioner, the answers to those questions on which the advice of the Government Analyst will be asked should be at the finger-tips of the president. The next alteration is in Clause 15, which is not very important, but which I think should be noticed. The clause provides that three members of the central board shall constitute a quorum. That is the present allowance; but seeing that the number of members has been raised, I think the least that might have been done was to constitute four a quorum. There is what I consider a serious omission from the constitution of the central board of health. Members will find in Section 4 of the Act of 1898 these words:—

“For the purpose of carrying out the provisions of this Act the Governor may appoint a central board of health consisting of five members, one of whom shall be a legally qualified medical practitioner and shall be appointed as the president, and another shall be a civil engineer, and another a practical builder.”

The two last-mentioned professions I think loudly demand representation on this body which is to control health matters in the State, and I am extremely sorry to find there is no restriction whatever to be placed on the professions of the members who are to occupy seats on the board. Personally I think it my duty to protest against local authorities having any representation thereon; because it is principally to deal with local authorities that the central board exists.

The Colonial Secretary: You appointed a member of a local authority at Kalgoorlie a member of the central board. I refer to Mr. Marshall.

Hon. W. KINGSMILL: He was not appointed as a member of any board, but simply as a representative of the goldfields.

Hon. J. W. Wright: He was chairman of the roads board.

Hon. W. KINGSMILL: I must plead ignorance if Mr. Marshall was a member

of the roads board when I appointed him. The fact escaped my observation.

The Colonial Secretary: He was chairman of the local board. He was never chairman of the roads board.

Hon. W. KINGSMILL: It is plain how I appointed him when I reiterate that he was appointed as a representative of the goldfields, and I think he proved a very good representative too.

The Colonial Secretary: I do not deny that.

Hon. W. KINGSMILL: And whatever office he held in any local authority on the goldfields had absolutely nothing to do with his appointment. Clause 17 might have been printed in erased type, as it seems to be sailing extremely close to the constitutional wind. The next differences I find are in that part of the Bill dealing with local authorities; and in this connection let me say at once that one reason for my disappointment with the Bill is that in my opinion it does not go nearly far enough towards curbing the power of the local boards of health. The Leader of the House, having occupied his present position as Colonial Secretary, in which he has had the administration of this Act for some eighteen months or so, must have seen what an absolute and hopeless failure is health administration by local boards. [*The Colonial Secretary:* Not in every case.] No, not in every case; but taken on the whole, I think the Minister must admit it has proved to be an absolute and entire failure. When introducing the Bill, the Minister said he considered the time for adopting the New South Wales system or the New Zealand system was not ripe. The New Zealand system goes farther than ours, because the district boards in that country have control not only of health affairs but of hospitals. Perhaps the time is not ripe for us to go so far; but I had hoped that when the Health Bill came in it would have contained provisions whereby a Department of Health might have been created to administer health affairs at all places on the railway lines of this State or within twenty miles of a railway. That might have been a little more costly, and I doubt whether it would have been much

more costly. At all events, the efficiency of the service would easily make up for the extra cost. And in saying this I do not mean that local authorities should be entirely abolished. Most certainly I do say the work of inspection should be done by a Health Department. The Minister must know it is in the matter of inspection that the local authorities break down. He has instanced Clause 38 as going some way at all events towards protecting the status of the inspectors under local boards. I would point out that although he said Clause 38 was a new one, it occurs in the present Act as Section 20. It is word for word the same, except with this slight difference, which after all is no difference at all, that instead of the central board acting the Government acts: that is practically the same thing. I maintain that this Bill, in view of the happenings of the past, in view of the thousands of instructions from the central board which have been absolutely disregarded by local boards, and in view of the fact that it does not go in any way far enough to provide a remedy whereby the directions and mandates of the central board should be carried out by the local boards, is not altogether satisfactory. The clauses dealing with the relations between the central board and the local authorities want very radical and serious alterations. Members will find in Clause 42 exactly the same provision as now exists in Section 12 of our 1898 Act, which is the old system of requiring the central board to obtain a writ of mandamus from the Supreme Court before the local authority can be compelled to carry out their instructions. Therefore this old system is being perpetuated. Speaking from an experience of nearly four years of this department, I can tell members that one of the principal deterrents against having the mandates of the central board carried out was the expensive and tedious legal process necessary before the local authorities could be brought to their hearings. I am sure the Hon. Mr. Wright will bear me out in this. There are some good clauses in this provision. For instance there is the appeal from the orders and decisions of local authorities. That is

a very good thing. I remember one case which occurred in Fremantle some years ago, whereby a most vexatious task was imposed on the trustees of a certain public building, one used for the purposes of religion, and from the way the Act was constituted neither the central board nor the Minister was able to remedy that condition. This task which was imposed had to be fulfilled, simply because, so far as that was concerned, the local authority had the key to the position. I am very glad to see the appeal clause appearing in the Bill. On the other hand I would have expected some little alteration in Clause 47 of the Act, which defines the powers of a Minister. This corresponds with Section 25 of the 1898 Act, and instead of going farther and giving the Minister power not only to supersede any act, direction, or notice of the central board, there should have been an addition, and I expected to find one, providing that those same powers should be granted in regard to local boards. That is a serious omission and must have taken place by inadvertence and not by design. I have looked through the Bill and cannot find where the Minister has the authority except in the case of an appeal. He has no initiative. The Minister is in precisely the same ridiculous position as to local boards as he is at present. However he may disagree with what those local boards do or say, he has no power to supersede their acts or deeds, although he has in relation to what should be a far stronger body, namely the central board. In dealing with the administrative part of the Act, which in my opinion contains the kernel of the whole Bill, I have expressed to the House the view which I have held for years past, and that is that there should be created in this State a Health Department. This Health Department could I think be established without any farther expense to the State, and it would supervise effectively the surroundings and the conditions relating to sanitary matters of at least 80 per cent. of the population. This local board system is to be perpetuated, and I suppose it is necessary that it should be in some cases

where the districts are long distances off; but if a Health Department were created, the local authority would only apply to 20 per cent. of the population. I think I am well within the mark in saying that. By a proper system of inspection, so far as 80 per cent. of the population is concerned, by a Health Department the health affairs could be very much better administered than they are at present. Many members know, and the fact has been published in the Press many times, of the disgraceful state our capital city and some of our towns have got into through the fault of the local boards. Members will have fresh in their memory the case of the regrettable outbreak of bubonic plague at Geraldton. The Colonial Secretary will agree with me in this; but if he does not do so at present he will do so I am sure if he looks at the file. I am going to make a statement in this connection, well knowing what it means, and that is that if the mandate of the central board of health had been carried out, that outbreak of bubonic plague would never have occurred. Nearly 12 months before it did break out the buildings in which it occurred were condemned by the inspector of the central board, and should have been cleaned up, if not demolished. I think I have said enough to indicate the manner in which I consider this Bill should be amended. Unfortunately, owing to the fact that I shall be in the Chair, I shall not be able to take part in the Committee work, but I hope that hon. members will move in the direction I have indicated when the Committee stage comes on. The Leader of the House has said that he wishes the Bill to be referred to a select committee. This is a peculiar thing for the Leader of the House to say, for I look upon it as a reflection upon a Bill when it has to be referred to a select committee. After all it is not the function of this House or of a select committee of this House to draft Bills. I do not know whether when I was Leader of the House I ever had a Bill referred to a select committee. [*The Colonial Secretary*: Yes, you did; for I have been on one of them.] Well if that was

so, I must say it was granted only under protest. If the Government have any policy in connection with the health affairs they should embody that policy in a Bill and bring it down, instead of coming down here and saying, "We do not think much of the Bill; we will give it to a select committee to lick into shape." [*The Colonial Secretary*: That is not so. I said it was a big machinery Bill and would go through better in select committee.] The clauses of the Bill dealing with the relations between the central and the local boards of health certainly form questions of policy. They express the policy of the Government, and there is no machinery about that portion of the Bill. Were we to perpetuate the present system it would be a vast mistake. We should strike out for ourselves, or follow the lead given by New Zealand, in so far as the abolition of the local boards is concerned, and to a somewhat more limited extent the system which prevails in New South Wales. As I have already stated, I do not propose to go through the Bill in detail and compare it with the five Acts with which it is incorporated. This, as anyone will admit, is altogether too great a task for any hon. member. It is not fair to ask hon. members to do it, especially seeing that assistance is not provided in the direction of marginal notes. In so far as I have gone into the remaining portions of the Bill, I have nothing but good to say of them. More particularly is this so with regard to Clause 267, which deals with school hygiene. May I express my regret that, although the system is being carried out in schools at present, the course of lectures, initiated before I left office, to the future teachers of this State in the training college has been discontinued for some time. [*The Colonial Secretary*: There are lectures given.] But none to the training college students. The lectures which are now given are to those who are already teachers and are largely attended, but if you want to get at the teaching staff it must be in the early stages of their education, and undoubtedly the place where the system should be inculcated is the training college. I am sorry it has been

found necessary to discontinue these lectures. I have no fault to find with the rest of the Bill; but with regard to Part II., as to administration, I have the faults to find which I intimated to members and which I hope will be rectified before the Bill passes the Committee stage. With the reservations I have mentioned I beg to support the second reading.

Hon. R. F. SHOLL (North): I do not wish to speak on the Bill, but I desire to protest against the way in which the measure has been introduced. Unless some strong protest is entered now, we will have future Bills brought down without marginal notes, as is the case with the present one. These marginal notes are very useful and necessary as showing which are the new clauses and which clauses are taken from other Acts. It is quite impossible for a layman to follow the Bill unless he sees from the marginal notes which are the new clauses. I would like to see this Bill sent back to be re-printed and to have the marginal notes inserted showing the different clauses taken from the three or four Acts which are incorporated in the measure. If this were done we could pick out the new clauses and see what the proposed amendments are. I hope members will object to pass any Bill in the future which is brought down without marginal notes. I believe this measure will be referred to a select committee and no doubt will be gone into thoroughly. I have no wish to oppose the second reading.

Hon. W. MALEY (South-East): I also would like to join in the protest against the manner in which the Bill has been introduced. There are 303 clauses in the measure, and there are no references whatever as to the clauses which are taken from existing Acts. I can see no reference to any English Acts on which some of these new clauses might have been founded. It is very important in framing legislation that these marginal notes should be inserted. This Bill brings about a change of policy and in consequence is of a very important

nature. I feel seriously hampered by the absence of the notes, and even if the Bill goes to a select committee the members of that committee will suffer owing to the absence of information which should have been supplied. I think it shows carelessness on the part of the draftsman who is responsible for putting in those marginal notes. It would not be a bad idea if the Bill were referred back to him from the House. As to the Bill itself, I may say that I do not approve altogether of the policy running through it, especially those clauses relating to the remote country districts. Clause 48 deals with the power of levying a general health rate, and it provides that such annual rate shall not exceed in districts declared by the Governor 9d. in the £ on the annual assessment; or when the system of valuation on the basis of the unimproved value is adopted, 1½d. in the pound on the capital unimproved value of the land in fee simple. It is also provided by the section that in certain districts there shall be a charge of 6d. in the pound on the annual assessment, or a minimum of 2½ per cent. on any allotment, and they value the allotments at £5 each. These seem to be extraordinary powers. It is difficult now to get four or five per cent. on your money with good security, yet we find a tax up to 9d. in the pound for rates notwithstanding the taxes the roads board may put on the land. I do not know how people are going to live in the country with these heavy taxes all round.

Hon. S. J. HAYNES (South-East): I shall support the second reading, and I agree with what has fallen from previous speakers. It is difficult to go through a Bill like this consolidating other measures, without marginal notes, it is a very laborious process. Mr. Kingsmill has called attention to various alterations in the machinery of the present Act and the political aspect of those alterations, and I think in the circumstances, as no member in the House has had time since the Bill has been circulated to go through it thoroughly through the absence of marginal notes, the suggestion that the Bill be referred

to a select committee is perhaps the only way out of the difficulty. There is no doubt that we require the statutes dealing with the health of the community very carefully considered. There is no more important matter that could be dealt with. I trust the select committee, as I feel sure it will, will look thoroughly into the measure, and when members have the report of that committee before them they will be able to deal with the Bill, after having had the opportunity of going through it in the meantime. Some of the matters to which attention has been called by Mr. Kingsmill, who admits he had a difficulty in dealing with the Bill, and he has been Minister of the Crown who has had previous Bills to deal with, are perhaps undesirable, and should be modified in Committee, and with the light thrown on the measure by the labours of a select committee the work of the House will be minimised. If we pass a Bill like this without being considered by a select committee we may place legislation on the statute-book which may have to be repealed after a session or two. Important Bills like this very often are not considered as carefully as they should be, for there is no opportunity, and the result is that they are on the statute-book only a short time when they have to be repealed and fresh legislation brought in. I support the second reading, reserving to myself the right to make amendments in the interests of the State. The difficulties that present themselves to my mind will be overcome if the Bill is referred to a select committee, and I hope the Minister will see his way to do that.

The COLONIAL SECRETARY (in reply): A few words in reply, but after all there is not much to reply to. I notice with regret what members have taken exception to, that the Bill has been printed without marginal references as to where the clauses are taken from. I cannot at this moment explain the reason why this is so, but members notice that this Bill is not an exception; the same thing has occurred with all the Bills this session. I do not know that there is

any particular reason. When I mentioned the matter to the Parliamentary Draftsman, he said it was not usual to give these references in other countries, and the practice has been dropped here.

Hon. R. F. SHOLL: He wants to save work for himself.

The COLONIAL SECRETARY: I have a note where the particular clauses differ from the present Act, and a reference to any new clauses as to where they are taken from, and I can supply the information to members. The only point I wish to touch upon now is that mentioned by Mr. Kingsmill, who said that I desired to refer the Bill to a select committee. I thought I explained when moving the second reading that the Bill was a large one and that there were no new principles introduced except in regard to a few small matters. The present principles have been amplified, and this being a consolidating and amending Bill and a big machinery measure I thought it better, seeing we have several members here who have occupied the position I now occupy controlling the department of health and one gentleman who is on the Central Board of Health and members who occupy positions on local boards, that it would save the time of the House by sending the Bill to a select committee, not that I wished to remove any responsibility from myself. I have spent months over the Bill, but I thought it would be a simple way to deal with the measure by referring it to a select committee.

Question put and passed.

Bill read a second time.

Bill referred to a select committee, comprising Mr. Kingsmill, Mr. Wright, Mr. Randell, Mr. Langsford, with the mover; to report this day fortnight.

BILL—PORT HEDLAND - MARBLE BAR RAILWAY.

Second Reading.

Debate resumed from the previous day.

Hon. R. F. SHOLL (North): I do not propose to say much with regard to this Bill. This is a matter that I opposed

on a previous occasion because I thought, and I still think, that the railway is starting from the wrong place. I think that by starting farther west the line would open up more mineral land than by starting from Port Hedland. There are difficulties I understand in the way from an engineering point of view, and the cost of the railway will be much greater by starting from Port Hedland than by starting farther west. At the same time I think it would be a wise policy for the Government to build a line through the belt of country extending from West to East which it will open up on either side with the money available and wait for a while to extend the line farther. However, I realise that the mines of that particular district cannot be opened up and made payable and the large mineral area in that belt of country cannot be developed without the services of a railway. Though I cannot get my way by having the railway started from Point Sampson or Balla Balla, I am not going to act the dog-in-the-manger business and oppose the construction of the line from Port Hedland to Marble Bar. I acknowledge that the country is most difficult to build railways in. It will be a system of spur lines which will be very expensive. I am sorry the means at the disposal of the Government at the present time, and the difficulties from an engineering point of view, are such that the Government cannot build the railway either from Point Sampson or from Balla Balla, because I am convinced from all I have heard that the line from such places would open up more mineral country than it will by starting from Port Hedland. It will be a spur line, running at the edge of the mineral belt and running to an objective at Marble Bar. If the line were running farther West it would pass through an immense belt of mineral country, but the Government must take the responsibility of building this line and if they fail, which I hope they will not, then the responsibility will rest on their shoulders. The Minister for Mines who is a practical man and the State Mining Engineer have reported favourably on the mineral belt to be served by this line, or rather the

line will look through the mineral belt instead of going through the middle of it from west to east. I wish to say nothing farther. I am not going to oppose the line, but I would like to say that I hope there will be no interference with the basin known as Port Hedland. There are natural obstructions running across it which it has been suggested might be removed so as to improve the channel. That basin is only a small one and the deep water is practically only in the basin. What I fear is that if the Government in trying to improve the harbour remove the natural obstructions, with the large sand banks outside there is a probability the basin will be filled up in a short time. It will be like pouring water into a bucket with a hole in it. The Government will never be able to dredge the harbour. There is a great scour there and a spring tide running seven or eight knots. From my experience as an old pearler on the coast I know the effect the tide has on this channel. I have gone in there and others have done the same, and I have seen vessels of 60 tons drop their anchor, and when the tide goes out there the anchor is three or four feet clear. The tide comes in and creates a great scour. If the Government without the best advice interfere with the basin, it may have the effect of filling up that basin and they will lose their port and the utility of the railway. Before the Government interfere in any way with the entrance to this harbour they should get the best marine advice available. The Government have asked for a deviation of 20 miles. I think in a case like this they could have asked for farther powers. I am not in favour of giving too great powers of deviation in settled country, but as this line will not serve Wodgina, a district where there are large tin deposits, I think it would have been better had the Government asked for a little more power of deviation; it would have been a wiser policy in a district like that. I trust that the building of this railway will help the mining industry of the Pilbarra district, and that it will tend to open up farther mineral deposits. I shall not oppose the second reading.

Hon. S. J. HAYNES (South-East): I was sorry to hear from Mr. Sholl that this line was in his opinion starting from the wrong port, especially as Mr. Sholl knows the North-West of this State. I do not know it, but I am only too willing and anxious that the North-West should be developed. I think that in the past much money that might have been spent there with advantage has not been spent. So far as this railway is concerned I throw the responsibility on the Government. I have seen articles favourable towards the line and stating that the prospects are undoubted, on the other hand I have seen the proposition condemned, but in reading through the reports the preponderance seems to me to be that the line will be a favourable proposition. In the circumstances I shall support the Bill with a view to developing a very big asset of the State, that is the northern portion of the State. In so doing, however, I trust the Government will satisfy themselves that there will be no difficulties in regard to financing a railway of this sort, and that the construction of the line will not be another drag on the State. The Government are now talking about extra taxation, and if I thought this was to add another burden to the present already heavy burden of taxation we are bearing I would oppose the Bill. However, feeling satisfied that the Government have earnestly considered the starting point and the route of the line, and understanding that one Minister has inspected it and reported favourably, and that the State Mining Engineer's report, though not sanguine, is a favourable one, I support the Bill and trust that if the measure passes the railway will add to the welfare of the State.

Hon. V. HAMERSLEY (East): I have very much pleasure in supporting the second reading of this Bill, but I feel somewhat concerned with the remarks made by Mr. Sholl. I have heard men who are well acquainted with this locality urge that there are objections to Port Hedland as the starting point. However, I take it for granted that the Ministry have made all the inquiries

necessary, and I hope that the Minister will be able to assure us that the Government have other expert opinion beyond that of the State Mining Engineer. I feel that there should at least be some important information from marine surveyors as to the likelihood of the harbour at Port Hedland silting, or as to the great danger from the tides around there, otherwise I do not wish to say anything in regard to the Bill. I am only too pleased to see the Government are giving earnest attention to the North-West portion of the State. Undoubtedly it will be a good work, and will be the means of attracting a lot of good settlement to the district.

Hon. W. MALEY (South-East): With other members who have spoken I am not in a position to judge whether this railway is a pressing necessity or not, or whether the Government have chosen the proper route. There is a confliction of opinion on the subject, and it is difficult for those who have not been in that portion of the territory to give a proper vote in respect to the matter. There are few, if any, members in this Chamber who are acquainted personally with that district; consequently the Government take upon themselves a great responsibility in bringing the Bill before the House at this juncture. I think it very desirable that members of the Legislature should on fitting occasions—and these occasions may be made by the Government—visit the proposed routes for railways so that we would be *au fait* with the whole question; there would then be no difficulty in the way of a member giving his vote for or against a railway. I certainly would not feel justified, if the Bill went to a division, in casting my vote. There are other railways in the policy of the Government which are more pressing. Indeed, judging from the depression existing in the settled parts of the State, I was hoping that other railways would have been given precedence over this, especially in view of the confliction of opinion in regard to certain taxation proposals. I think those who will have the burden of the taxation proposed should be the

first served by a railway. I thought the Albany-Denmark Railway, which is opening up considerable settlement and which will be to the people at Denmark Inlet and to thousands at Albany a great benefit, would have been taken over. The Government have already bought the line, and the consent of Parliament is the only thing wanting. Therefore a Bill with that object could well have been brought into the House before this Bill. I have no reason to doubt the intentions of the Government in regard to this matter, but when my constituents are clamouring I am not in a position at this moment to say what my duty would be in reference to the Port Hedland-Marble Bar Railway if their requests were neglected. I am not going to do as was done last session, when several Bills were bunched together and the strongest opposition was made to the passing of one Bill in preference to another. I am on this matter going to trust the Government and allow them to confirm the compact given to the province I represent by securing the sanction of Parliament at an early date for the purchase of the Denmark Railway, then we would know where we are in regard to that matter. I cannot say I have pleasure in supporting a speculative railway in these times when economies are being effected, and when we have such difficulties ahead; but it is in these times that we need courage, and the Government are perhaps doing a bold and good thing in pushing forward a public work like this. It is a big thing and a momentous thing in the interests of Western Australia. If this one line fails it will be another white elephant to add to the already numerous ones we have in this State.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 8.30 o'clock, until the next day.

Legislative Assembly,

Wednesday, 28th August, 1907.

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The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Premier: Purchase of Motor Launches by Government.

QUESTION — ENGINEER'S QUARTERS, GERALDTON.

Mr. T. L. BROWN asked the Minister for Railways: 1. On whose recommendation has the resident engineer's office and adjoining cottage been made into a residence for the resident engineer at Geraldton? 2. What has been the cost of same, and what amount of rent will the department draw for same? 3. What has been the cost of alteration to cottage fitted up for foreman of way and works in lieu of above cottage taken over for resident engineer, and what rent will the department draw for same? 4. Is it a fact that application has been made for the lease of offices now occupied by Lands Department, also the resident magistrate's room, for the use of the resident engineer? 5. If so, what will be the amount of rent paid for same, and cost of fitting up same, including telephone?

The MINISTER FOR RAILWAYS replied: 1. On the recommendation of the Chief Engineer of Existing Lines, based on the representations of the Resident Engineer. 2. (a) Cost of altera-