

shipping port, at which on many occasions there was a greater number of vessels than at Fremantle. At times it was difficult to find accommodation at the jetty for vessels using the port; therefore, whoever had authorised the expenditure, it was justified by the need for accommodation of the shipping.

HON. J. M. DREW: The Committee should insist on having the required information. There was no wish to block the Bill, which could be put through its remaining stages on Monday.

HON. J. W. HACKETT: Would not the hon. member's object be served by passing the schedule now, and asking for information on the third reading? It was needless to show the importance of improving the harbour at Bunbury, which would soon take its place in the first rank of Australian ports. There was a movement on foot which might revolutionise the whole of the South-West. If present developments continued, the export of wool and lambs would assume gigantic dimensions. Between Fremantle and Albany there must be an anchorage, and none could be found except at Bunbury.

THE COLONIAL SECRETARY: Even Mr. Drew admitted that very full information had been given. Why then postpone the item? As shown on the paper distributed, the total estimated cost of the Bunbury harbour works was £73,619. The authorisation passed was £56,000, and an additional £17,000 must be spent to complete the work. In his Bill we were passing £44,000, the balance being in previous Loan Bills. The money was to pay for the breakwater contract, over £60,000, for the completion of the jetty extension 216 feet, and the breakwater extension 800 feet. As to the trade of the port, he had just obtained some information. Eight years ago the exports of Bunbury were only £11,000; last year they were £500,000, principally timber. The export tonnage was considerably greater than that of Fremantle or any other port in the State. A postponement, however long, could hardly enable him to obtain farther information.

HON. J. M. DREW: If the Bill were passed through Committee, we could not then send a suggestion to another place.

THE COLONIAL SECRETARY: The Bill could be recommitted.

HON. J. M. DREW: That would be a roundabout procedure. Better report progress, and between now and Monday procure the information required.

On motion by the Hon. M. L. Moss, progress reported and leave given to sit again.

BILL—JANDAKOT-ARMADALE RAILWAY.

Received from the Legislative Assembly, and read a first time.

ADJOURNMENT.

The House adjourned at 8-43 o'clock, until the next Monday afternoon.

Legislative Assembly,

Friday, 7th December, 1906.

	PAGE
Questions: Hopetoun Harbour, Wages ...	3571
On a legal point (out of order) ...	3572
Paper: Distinguished Visitors, explanation ...	3572
Leave of Absence ...	3572
Railway Bills (5), the stages concluded—	
Donnybrook-Upper Blackwood ...	3572
Coolgardie-Norseman ...	3573
Greenhills-Quairading ...	3574
Hopetoun-Ravensthorpe ...	3575
Jandakot-Armadale ...	3576
Betterment Principle (see under Donnybrook Bill) ...	3572
Bills: Roads and Streets Closure, 2r. ...	3575
Mines Regulation, Recommittal, reported ...	3589
Municipal Corporations, Council's Amendments, progress ...	3602

THE SPEAKER took the Chair at 3 o'clock p.m.

PRAYERS.

QUESTION—HOPETOON HARBOUR, WAGES.

MR. HUDSON asked the Premier: 1, Has the Minister authorised the reduction of the wages of men working on the jetty at Hopetoun to the rates paid at Fremantle; and if so, why? 2, Did the

Minister take into consideration the extra cost of living at Hopetoun as compared with Fremantle, and the isolation of the port of Hopetoun? 3. Had he regard to the expenses incurred by men going to and from the port of Hopetoun? 4. Will he make provision to prevent the working of cargo by ships' crews at Hopetoun, and grant the men at Hopetoun other advantages enjoyed by men employed in similar occupations at Fremantle; if not, why not?

THE PREMIER replied: 1. The wharfinger has been instructed that the wages are not to be reduced to Fremantle rates, but will be at the rate of 1s. 6d. per hour with 2s. 6d. per hour overtime. 2 and 3, Answered by No. 1. 4. This does not come within the province of the Government, but entirely concerns the shipping companies. They have all the advantages available.

MR. HUDSON: I understand you are putting the rates back to what they were originally, 1s. 6d. and 2s. 6d.; is that right?

THE PREMIER: That is right.

MR. HUDSON: That settles the dispute.

QUESTION ON A LEGAL POINT.

MR. EWING: I gave notice of a question yesterday, which does not appear on the Notice Paper. May I ask the reason?

MR. SPEAKER: In reference to the hon. member's question, I find that, according to the rules, a question must not ask for an expression of opinion on an abstract legal question. That is the reason the member's question does not appear.

PAPER—DISTINGUISHED VISITORS' EXPENSES.

THE TREASURER, in laying on the table a return as moved for, showing the expenses of distinguished visitors, said: There is one item in the return, Miss Peacock, daughter of Sir Alexander Peacock, of Victoria, railway pass £10. I wish to explain that I have had a communication from Sir Alexander Peacock, in which he says he has been accused of franking his daughter over the West Australian lines, and he points out that

he has never been in Western Australia and he has no daughter. After making inquiries, I find that it is an error that has crept into the return supplied by the Railway Department. They jumped to the conclusion that this lady was the daughter of Sir Alexander Peacock, whereas the lady was from England, travelling in the interest of the Girls Friendly Society, and Mr. Rason, at the request of the local W.C.T.U., granted her a railway pass. I wired to Sir Alexander regretting the error, and stating that I would take the first opportunity of rectifying the matter in the House.

LEAVE OF ABSENCE.

On motion by MR. HARDWICK, leave of absence for one fortnight was granted to the member for Kimberley (Mr. A. Male), on the ground of urgent private business.

BILL—DONNYBROOK-UPPER BLACKWOOD (PRESTON VALLEY) RAILWAY.

IN COMMITTEE, ETC.

MR. ILLINGWORTH in the Chair, the PREMIER in charge of the Bill.

Clauses 1 to 7—agreed to.

BETTERMENT PRINCIPLE.

New Clause:

MR. BATH moved that the following be added as Clause 8:—

Within three months after the commencement of this Act, the Minister for Lands by notification in the *Government Gazette*, shall declare the district which in his opinion will be benefited by the construction or use of the said line of railway, and may alter or amend any such notification. Upon the opening of the line to traffic the Railway Commissioner shall, for the year commencing on a day to be fixed by them following the opening of the line to traffic, impose and collect in respect of land within the said district:

- (a.) One penny in the pound on the unimproved value of land within five miles of the line; and
- (b.) One halfpenny in the pound on the unimproved value of land beyond five and within ten miles of the line; and
- (c.) One farthing in the pound on the unimproved value of land beyond ten and within fifteen miles of the line

And for every year thereafter and until the Railway Commissioner certifies that the

receipts for the line during the next preceding year are sufficient to meet the working expenses and interest at the rate of three per centum per annum on the cost of construction of the line, the said Railway Commissioner shall impose and collect a tax in respect of such land at a rate not exceeding that hereinbefore set out.

THE CHAIRMAN: In his opinion it would require a message from the Governor to allow of the consideration of this new clause. Perhaps the hon. member would ask for the opinion of the Speaker. The clause was one imposing taxation, and therefore requiring a message from His Excellency. Accordingly, it must be ruled out of order.

MR. BATH was anxious to ascertain the opinion of the Committee on the clause; and without disrespect to the Chairman's ruling he would be glad to have the opinion of Mr. Speaker on the point, especially in view of the fact that other clauses of the Bill, notably Clause 6, involved charges on the revenues of the State. He therefore formally moved:

That the Committee dissent from the Chairman's ruling.

THE CHAIRMAN: Although the Committee had money powers, it could not possibly increase taxation.

HOUSE RESUMED.

THE CHAIRMAN having stated the question on which appeal was made—

MR. SPEAKER said: I must uphold the opinion of the Chairman of Committees. This new clause involves a question of taxation, and under our Standing Orders must therefore necessarily be preceded by a message from His Excellency the Governor, obtained either by the mover or by a member of the Ministry.

IN COMMITTEE, ETC.

Schedule:

MR. BATH: In connection with the schedule, he believed the ruling of the Chairman and of the Speaker to be right. He desired to point out to the Premier, however, that the matter was one of considerable importance, and had much bearing on the probability of the Committee's authorising the construction of many lines of railway contemplated but not included in the Government programme. Would the Premier afford, in connection with another railway Bill, an

opportunity for discussion of the proposal?

THE CHAIRMAN: In order to discuss this question, the hon. member would have to move for suspension of the consideration of the Bill.

MR. BATH: Could the Premier not have a chance to reply?

THE CHAIRMAN: The Premier was not bound to reply.

MR. BATH merely asked him to do so.

THE PREMIER: Only since he came into the Chamber had he seen the amendment, and, as members were aware, it opened out an entirely new principle as far as Western Australia was concerned. At this juncture he was not prepared to take the only step which he understood from the Chairman we could take, and that would be to bring a message down from his Excellency.

MR. BOLTON: It would give the Government some very necessary funds.

MR. BATH: The Premier had no opportunity of blaming him for the fact that he was not in possession of the amendment, or that there was a lack of opportunity for discussing this very important proposal. The whole of the blame was due to the Premier and his colleagues for the very late stage at which the railway proposals were brought down. Had the railway proposals been brought down earlier, a very important principle like this, which every State in the Commonwealth had been compelled to adopt, could have been discussed; but although the railways were mentioned in the Governor's Speech, the Bills were introduced at the tail-end of the session and the question was practically jammed out of discussion. He had prepared the amendment and had it typed, but could not get it printed. He made it available at the earliest time.

Schedule put and passed.

Title—agreed to.

Bill reported without amendment; the report adopted.

Bill read a third time, and transmitted to the Legislative Council.

BILL—COOLGARDIE-NORSEMAN RAILWAY.

IN COMMITTEE, ETC.

MR. ILLINGWORTH in the Chair, the PREMIER in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Clause 4—Power to Governor to compulsorily purchase land within fifteen miles of railway:

MR. H. BROWN: What amount had been allocated for resumption of land through which the line would pass?

THE PREMIER had not the Loan Estimates here, but if the hon. member would refer to them he would find there was a sum considerably in excess of £10,000 provided for land resumption. He was not quite sure what the sum was.

MR. HEITMANN wished to know whether the Government would follow the same principle in disposing of this land later on as that adopted in connection with other estates which they had resumed. For instance, there was the Stirling estate. The Government resumed a large acreage of land, and afterwards disposed of it to people at a price really beyond its value. The Government should not follow the policy of trying to make money out of resumption of land the same as they did in regard to that estate. [Member: Probably people put their own price.] Perhaps so. Probably there was an upset price. Still, it was known that people paid a price for that land far above its real value. The Government should not buy up estates and try to make money out of the settlers who desired the land.

THE PREMIER: There had been no estates resumed up to date under the provisions of this measure. But in regard to ordinary repurchased estates, after allowing for the original cost, the cost of survey, and any improvements effected, 10 per cent. was added to the amount. That was the only profit that was made out of it.

MR. H. BROWN: The particulars as to cost of land resumption should appear in the information given regarding the railways; the amount should be a charge against the lines. The cost of the railways would be far in excess of the estimates before members.

Clause put and passed.

Clauses to end, Schedule, Title—agreed to.

Bill reported without amendment; the report adopted.

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

BILL—GREENHILLS-QUAIRADING RAILWAY.

IN COMMITTEE, ETC.

MR. ILLINGWORTH in the Chair, the PREMIER in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Purchase money to be determined under Public Works Act 1902:

MR. BATH: The clause would prevent landholders along the route from securing the unearned increment, and was a modified application of the betterment principle. Though he had been unable to move an amendment, he would impress on the Government the need for adopting some such principle. None would object to State assistance to those engaged in certain industries; but to secure such assistance other people should not be penalised. In private life we did not rob Peter to pay Paul, and one class of producers should not be assisted by a tax on other classes. Landholders along the route should be prepared to pay something for the advantages conferred on them by the line, and to lighten the burden its construction imposed on the general taxpayer. There should be a betterment tax on the unimproved value of the land, according to distance from the line, graduated by the Minister at, say, 1d. in the pound within five miles of the line; $\frac{1}{2}$ d. within 10 miles; $\frac{1}{4}$ d. outside 10 and within 15 miles. Landowners who used their property and thus provided traffic for the railway, enabling it at least to pay working expenses, should be entitled to a refund according to the amount contributed. Owners would then utilise their land to the best advantage, and the railway would soon become profitable. The tax would not entail any hardship.

THE CHAIRMAN: The hon. member must not discuss a proposed tax.

MR. BATH: The clause involved the principle. The tax would prevent landowners from agitating for wildcat railways. Not many losses on new railways would be needed to land us in financial difficulties more serious than we now experienced. The late introduction of the Railway Bills had prevented his moving an amendment; and as Government business had precedence, he could not make a specific motion. The Government should either impose a betterment tax, or secure guarantees from

landowners to be benefited by the construction of the railway.

Clause put and passed.

Clauses to end, Schedule, Title—agreed to.

Bill reported without amendment; the report adopted.

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

BILL—HOPETOUN-RAVENSTHORPE RAILWAY.

IN COMMITTEE, ETC.

Bill passed through Committee without debate, reported without amendment, the report adopted.

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

BILL—ROADS AND STREETS CLOSURE.

SECOND READING.

THE PREMIER (Hon. N. J. Moore) in moving the second reading said: This is a measure usually brought down towards the close of the session, providing for the closing of certain roads and streets in various roads districts and municipalities throughout the different parts of the State. It may be seen on reference to the schedule that the districts affected number five, being Beverley, Broome, Guildford, Leonora, and Southern Cross. The Bill provides that "all rights-of-way on and over such portions of roads and streets as are described in the schedule to this Act shall cease from the passing of this Act, and His Majesty may deal with such portions as if the same had never been portions of public roads or streets, or subject to such rights." It is necessary to get the consent of the local authorities, and in each case so far as these streets are concerned, consent has been obtained. The first street dealt with is in Beverley. The municipal council purchased lots 18 and 20, and were granted lot 17. They wish to acquire Moore Street. The Government land agent at Beverley states that there is no objection, provided it is done with the concurrence of the Central Board of Health. The latter body state that there

is no danger to public health in the proposal, as the water from the pool abutting on the street is entirely used for cattle, and that if there is much drainage in winter, it could be easily intercepted by a drain which would protect the pool, if necessary. The street is really a short blind street, 413 links long, running at right angles to Bartram Street in a northerly direction to Beverley Pool. The second street mentioned in this Bill is in Broome, where the municipal council desire to obtain portion of Mary Street for the purpose of extending their recreation ground. Mary Street at this point is of very little importance, and the proposal will not in any way affect the traffic. The owners of the lot opposite the proposed closure have granted permission on the understanding that Mary Street is left one chain in width at this point. That has been agreed to. The street at the present time is two chains wide. The next street is in Guildford. It is proposed to close portions of Johnson and James Streets. These portions have already been fenced in in the railway reserve, and the municipal council have no objection. The area is very small indeed. The fourth street mentioned is in Leonora. Twenty-five links of Loring Street were closed last year, but on a survey it was found that the width did not include, as was originally intended, the well which was used by Mr. Bowden in connection with his water right. The council have approved of 25 links being enclosed, leaving Loring Street one chain wide. The last closure is in Southern Cross. The department when surveying lots in Arcturus Street, failed to allow for a reserve allotted to the Railway Department; and as that department was not aware of the error, improvements were made on land which now transpires to be part of the street. Owing to some of the lots on the other side of the street having been disposed of, compensation would be claimed if the street was deviated in any other way, and the Railway Department has made a compromise by accepting this strip of 33 feet to include these improvements. The municipal council of Southern Cross has approved of this action. I beg to move that the Bill be read a second time.

Question put and passed.

Bill read a second time.

BILL—JANDAKOT-ARMADALE RAILWAY.

SECOND READING, ETC.

THE PREMIER (HON. N. J. MOORE) in moving the second reading said: I am referring to a matter which is not by any means novel as far as the Legislative Assembly is concerned. The question of building a railway from Fremantle to connect with the South-Western Railway has been the subject of great controversy. The battle raged principally as to whether the line should be built to Armadale or Mundijong. A Bill to enable the construction of a line from what is known as Owen's Anchorage to Jandakot was introduced into the Legislative Assembly in 1903 by the then Minister for Works, Mr. Rason. In the course of the debate he stated the ultimate objective of the line would be either Armadale or Mundijong, and in introducing the measure the Minister stated that he considered it advisable to construct the line only to Jandakot owing to the fact that the Government were desirous of ascertaining what development had taken place in the way of timber traffic before deciding to push the line right through. He desired to point out that whatever point the junction ultimately would be, whether Jandakot or Mundijong, the route as far as Jandakot was common to both, so that to build the line to Jandakot was a step in the right direction. Accordingly this line was built for nine miles, at a cost of something like £31,000, or an average of £3,400 per mile. It has been recognised by everyone who has taken any interest in the subject, that without extending the line from Jandakot the present line is practically a white elephant, and it is absolutely necessary in order to make it a payable proposition that it should be connected with the South-Western Railway system. I may incidentally remark that in my opinion, knowing there was every possibility of the line being extended, it was a very bad policy indeed to duplicate the line between Armadale and East Perth, because it simply means that at the present time we have three sets of rails while two were quite ample for the traffic we have to take over that line. The question of which route should be adopted has been reported on by the officers of the department, and I cannot do better than quote

the comparative details which have been supplied in regard to this extension. In following the two lines it will be found the length of the line to Armadale is 10 miles 27 chains, whilst the length to Mundijong is 14 miles 39 chains 20 links, the distance to Fremantle being 29 miles as against 23 by the Mundijong route. The gauge, as will be seen from the statement before members, is the common one, three feet six inches, while the ruling gradient is 1 in 80, the sharpest curve being of 20 chains radius. There are to be 58lb. rails, as against 45lb. rails put down on all the other railway proposals we have been discussing this session. It is essential that a railway that eventually must carry a very heavy traffic should be built on the standard lines, with heavier railway material than the lighter agricultural lines. The estimated cost of the Armadale line is £22,600 as against £33,900 for the Mundijong line, while the interest and sinking fund on the former proposition will be £1,130 per annum as against £1,695 per annum for the Mundijong route. The maintenance on the shorter line will be £700 as against £960 for the Mundijong line. In regard to the grades it is found that the steepest grade is 1 in 80 against the load from Fremantle, for a distance of 60 chains, as against 1 in 80 against the load of 98 chains on the Mundijong route. Within three miles of either side of the line are some hundred resident occupiers of freehold on the Armadale route as compared with 81 on the Mundijong route, while of resident occupiers on allotments not freehold there are 122 along the Armadale route as against 97 near the Mundijong route. The total acreage held on the Armadale route is 12,479 acres, as against 9,205 acres for the Mundijong route. The Crown land reserves amount to 2,052 acres, comprised in 11 reserves within the scope of the Armadale line, as against 1,246 acres contained in nine reserves in the vicinity of the Mundijong route. It is estimated the shortest line will serve 27,426 acres as against 41,476 acres on the Mundijong line. The Engineer-in-Chief, in referring to this question, states that the Armadale line will start from the section so far completed to Forrest Hill, a distance approximately of nine miles from Fremantle. This exten-

sion will run in an easterly direction from Armadale, passing through various small holdings comprising portion of the Jandakot Area and junction at the South-Western line at Armadale. As I pointed out, the length would be 10 miles 57 chains. In regard to earthworks, with the exception of one or two banks and cuttings at the commencement of the proposed line, of a maximum depth of eight feet and 18 feet respectively, the earthworks will average two feet in depth, and the bridges, culverts and fences, etcetera, will be of a similar nature to those on the first section of the line; that is to say the bridges would be up to the ordinary standard type; a fair type of sleeper-culverts; post wire and dropper fence; 58lb. permanent way material; sleepers (jarrah) 7ft. x 9in. x 4½in.; bottom ballast sand, and top ballast broken limestone. Mr. Surveyor Babington, reporting on this line, states that the country through which the proposed extension would pass is principally sandy country, timbered with banksia, swamp jarrah, blackbutt, and scrub, while there are patches of very good black soil in many of the swamps in the vicinity. Practically the whole of the Jandakot Area, consisting of something like 37,000 acres, has been taken up by settlers, and the statement which I have recently quoted is the result of an investigation made by Mr. Babington of the lands which would be served by the proposed extension, assuming a three-mile limit on each side of the line from the present terminus at Forrest Hall, to within two miles of the proposed junction with the South-Western Railway. As to the proposed Mundijong route, I have pointed out that it is some four miles longer, 14 miles in all, and that the estimated cost of construction is £33,900. The country is practically the same as that on the other route, with the exception of the last four or five miles in the neighbourhood of Mundijong, where it alters considerably from sandy soil to soil of a more clayey nature. The only means of ascertaining what is likely to be the probable traffic on the line is to take the returns we have at the present time of the traffic from Fremantle to all parts of the South-Western Railway south of Armadale. So far as traffic from the settlers in the vicinity of the line is concerned, these returns lead me to think

that it will be comparatively small and unimportant, but considerable development of traffic may take place in the shape of supplies of firewood, road metal, ironstone, gravel, bricks, and so forth from Armadale, or possibly from lower down the line. As regards the traffic which I have mentioned as likely to be diverted from the line running through Perth, it is estimated that for the year ended on 30th June, 1905, 36,000 tons of goods and live stock have passed inwards to Fremantle, and 10,600 tons outwards. Of the 36,000 tons of inward goods for that year, Millars' Karri and Jarrah Company is responsible for 15,646 tons of timber. Now briefly to sum up comparison of the routes, I give the words of the Engineer-in-Chief commenting on the Jandakot-Mundijong line:—

By adoption of the Jandakot-Mundijong line, there would be:—

(a.) A saving of six miles in freight distance to Fremantle as against the Armadale proposal (23½ miles as against 29½ miles).

(b.) An estimated saving to the public of £2,000 per annum in freight owing to (a.).

(c.) A saving of a greater acreage of land (41,476 as against 27,246), though about 50 per cent. of this acreage is held in two large blocks.

Referring to the Jandakot-Armadale line, Mr. Thompson states:—

I would point out that by the adoption of the Jandakot-Armadale route—(a.) There would be four miles saving in construction work. (b.) There would consequently be a saving of £11,300 in capital cost, representing a saving in interest and sinking fund at 5 per cent. of £565 per annum. (c.) There would be a saving in maintenance of four miles of line, estimated at £260 per annum. (d.) A greater number of small holdings on the Jandakot area would be served. (e.) There would be an estimated gross revenue of £2,000 per annum in excess of that on the Mundijong route (owing to six miles extra traffic haul to Fremantle by this route, 29½ miles approximately).

This calculation assumes mileage rates, and not zone rates.

(f.) Should an extension of the proposed line from the South-Western Railway towards the Great Southern or Collie-Narrogin Railways be at any time undertaken, then from careful investigation made by the Inspector of Engineering Surveys, whose report is attached (Appendix "E" and Plan P.W.D.W.A. 12046), it will be noted that the most favourable route is that which, starting from Armadale, follows the valley of the Wongong and joins the Collie-Narrogin Railway at

Williams, making a total distance from Fremantle of 104 miles.

In conclusion Mr. Thompson states:—

From the foregoing facts, therefore, it appears that the advantages are in favour of the construction of the Jandakot-Armadale extension, more particularly if the question of departmental gain or loss is to decide the route, as the saving in length to be constructed, capital cost, and maintenance, with greater distance of haul for traffic purposes makes this the more payable proposition. On the other hand if the saving in freight and traffic distance to the general public is to govern the situation, then of course the Jandakot-Mundijong route should be adopted; but personally I cannot recommend this course.

Some seven months ago it was decided by Cabinet that a decision must be arrived at in regard to this proposal, which thereupon was submitted to the Commissioner of Railways, the Engineer-in-Chief, and the Surveyor General. Those gentlemen were supplied with the whole of the information and the files bearing on the subject, and they reported as follows:—

The Government having decided that the Jandakot Railway shall be extended to junction with the South-Western Railway, and as in our opinion a railway along either route must be an unpayable one, we have come to the conclusion that in order to save capital cost, lessen interest and upkeep, the Armadale route should be adopted.

Having received this report, Cabinet decided that it would be advisable to adopt the shorter line. Consequently, instructions were given for a permanent survey to be undertaken without loss of time. I have only to say, in conclusion, that while one cannot look to this line to bring in any great increase of revenue because the traffic over it, instead of going through Perth as now, will proceed more directly to Fremantle, yet looking ahead to the future when Fremantle must be the port of export for all the fruit and other products of the South-Western districts, I certainly think that, having built the line as far as Jandakot, it is absolutely essential, unless we are prepared to accept it as a white elephant, that this line should be completed and the two systems connected. Bearing that in mind, I have pleasure in recommending this measure to the favourable consideration of the House.

Mr. T. H. BATH (Brown Hill): I desire briefly to say that I approve of

the decision of the Government to make the connection with the South-Western Railway at Armadale. I recognise that in some respects, especially in certain particulars quoted by the Premier, the preference might appear to lie with Mundijong; but, recognising that the Armadale route will serve a considerable number of small settlers, while the other route is bordered by land which is alienated and as to its greater portion not utilised, I think the claims of those who have taken up Government land and are utilising it to some advantage should receive more consideration than the claims of the other class. I am glad also to hear the expression of opinion by the Engineer-in-Chief regarding the possibility of an extension, later, from Armadale to country lying to the westward of the Great Southern Railway. I have long held the opinion that that country is deserving of consideration, and that it could best be served by a line running from some point on the South-Western Railway. I should certainly, however, have hesitated to express an opinion in that direction. Not possessing an intimate knowledge of the district, I could not, of course, have said with any measure of authority that it was better to start from Armadale than from a point somewhat farther down the Great Southern Railway. I have pointed out previously in the House that there is a belt of country to the west of the Great Southern Railway which in the matter of spur lines was deserving of more consideration, far more consideration than some of the districts favoured by the proposals of the Government. I need only appeal to the member for Beverley (Mr. H. Smith), who knows the district, and I am sure he will confirm what I have said. It appears to me much better for the district, and also much better for the State generally, that this country to the West of the Great Southern Railway should have practically direct connection with Perth and Fremantle, than that the settlers should be compelled by the construction of a spur line to the Great Southern Railway to send their goods right round, so to speak, incurring extra railway carriage, I understand, to the extent of 60 miles. This extra 60 miles is saved by the direct route. I trust that in the future, when

the finances of the State will permit, these people will be given the consideration which they merit. I believe, therefore, that the construction of the line to Armadale will justify itself. I consider it essential to make the already existing line to Jandakot a complete proposition, and I hope we shall yet see the day when an extension of the line from Armadale through the valley mentioned in the report of the Engineer-in-Chief will be required in order to provide facilities for a large number of settlers established on a fine class of land to the westward of the Great Southern Railway.

MR. J. P. McLARTY (Murray): I am anxious to see the Jandakot Railway junctioned with the South-Western line, because I fully recognise that unless such junction takes place the Jandakot Railway must be, in the Premier's words, a white elephant for many years to come. At the same time, I regret that the Premier has seen fit to fix on Armadale as the point of junction, because I am convinced this is not in the best interests of the State, looking at the South-Western district railways for all time. Farther, I know that this junction is opposed to the wishes of those who will provide traffic for the line. I am informed that I cannot move an amendment; otherwise I should move that Armadale be struck out and Mundijong inserted. The only course open to me, I understand, is to oppose the second reading; and I suppose I must take that course in the interests of my constituents. The business people of Fremantle are naturally interested in the line, and I may say that nine-tenths of the business people of Fremantle are in favour of a junction at Mundijong. [MR. BOLTON: Nothing of the sort.] I make that assertion because I have letters to that effect.

MR. BOLTON: Have you letters from nine-tenths of the residents of Fremantle?

MR. McLARTY: The question was fully discussed at a meeting of the Fremantle Chamber of Commerce, and a motion was passed by that body. The members of the Chamber were practically unanimous, the only dissentient voice on the occasion being that of the late Mr. Diamond. On the 2nd October last

year I introduced a deputation to the Minister for Railways, a large, influential, and representative deputation, comprising representatives of the mercantile classes of Fremantle, members of the Fremantle Harbour Trust and Chamber of Commerce, Mr. Teesdale Smith and Mr. Alexander Munro as representatives of the Timber Combine, the chairmen of the Jarrahdale and Serpentine Roads Boards, representatives of the Mundijong orchardists, and also representatives of the business people of Mundijong. On that occasion our views were laid fully before the Minister for Railways, who seemed much impressed by them, and, without however committing himself in any way, said he would decide on the route which was in the best interests of the State. The deputation left satisfied that the hon. gentleman was altogether in favour of the junction at Mundijong. Of course, such an impression is nothing unusual: we know that people who interview Ministers generally depart satisfied. At this deputation it was pointed out by Mr. Teesdale Smith and others that there was 350,000 acres of timber country still untouched in the South-West, and estimating that country at the low average of three loads to the acre—and it is a low average indeed—it followed that fully a million loads of timber would be carried over this line. Farther, it was pointed out that if the line went round to Armadale, to say nothing of the steeper grades—

MR. GULL: You know those grades, of course?

MR. McLARTY: Yes.

MR. GULL: And so do I.

MR. McLARTY: It would mean a difference of six miles, and taking the rate at $\frac{1}{2}$ d. it would be £26,250 extra freight; but if the Marradong line is carried out, as we hope it will be some day, probably half that timber will go to Bunbury and that will still leave 525,000 tons of timber to go elsewhere, and still placing the yield at the low average of three loads to the acre it would mean an additional freight of £13,125 they would have to pay. That is more than sufficient to construct the railway. At the last election this question was made very prominent at Fremantle and I understand the hon. member was in favour of Mundijong.

MR. BOLTON: No; that is not so.

MR. McLARTY: The member for East Fremantle was in favour of Mundijong, and I understand that at the last election the member for South Fremantle was also in favour of Mundijong. The constituency I have the honour to represent is the one adjoining South Fremantle. I had opposition in a candidate at the last election, and the only difference of opinion between us was that I favoured Mundijong and he favoured Armadale. At a meeting at Mundijong at which the Minister for Lands, our present Premier, was present, I stated distinctly that I favoured Mundijong. On polling day, which was shortly afterwards, 98 votes were recorded at Jandakot and I received 64, whilst the Armadale candidate only received 34. I think that showed pretty well their views on that occasion. I may say farther that the Fremantle, East Fremantle, South Fremantle, and the Williams electorates favoured Mundijong. This question has been before the country for many years. I can go back as far as the time of Sir John Forrest. Two years ago I went out with Sir John to the Jandakot show, in a motor car, and on the way I asked him, without disclosing my own opinion, which route he favoured, Armadale or Mundijong, as the point of junction, and he scouted the idea of making it Armadale.

MR. ANGWIN: He knew whom he was talking to.

MR. McLARTY: Mr. Walter James was strong on the subject. He went and looked at the country, and a special grant of £1,000 a year was allowed for a main road from Jandakot to Armadale. You may be sure that Mr. James would not make a road parallel to a railway he was going to build. The present member for Guildford told a deputation that if they got a railway through Armadale he would see that they would not get £1,000 a year for the road. He said he could understand feeders being made to a railway, but he could not understand a road running parallel to it.

MR. JOHNSON: The present Government reverse that.

MR. McLARTY: I have always heard that you cannot eat your cake and have it too. It seems that Armadale has had a big slice of cake in the form of special

grants for a road, and they want a railway. One fact which I may mention and which has been kept in the background by supporters of Armadale is that when Mr. James brought in a Bill for the Jandakot-Armadale Railway he inserted a clause that the Government should have power to resume the land for four miles on each side of the railway at its then unimproved value. Whether the land increases in value by having a railway or anything else the Government have the right to resume the land at its then unimproved value. When Mr. Daglish was in office it was not much talked about; they were only talking about the first section. I understood from Mr. Daglish in a conversation with me that he would favour Armadale, but he said he had formed no decided opinion on the subject. I think I am correct in saying that Mr. Rason was entirely in favour of Mundijong. There have been resolutions passed by the Jarrahdale roads board, the Serpentine roads board, the Murray roads board, and the Rockingham roads board in favour of Mundijong. Armadale has nothing to complain of; it is a highly favoured locality. There is a duplicate line already from Armadale to Perth. They happen to be in the metropolitan-suburban area. There is nothing to come from Armadale. One train would bring all the produce of the place, if we were going to send it to Fremantle, but I suppose the markets are all the other way; whereas at Mundijong there is all the timber. In October last I saw 106 trucks. There was a congestion of traffic at Mundijong, and if you had two railways at Armadale they would not relieve the congestion at Mundijong.

MR. GULL: Why?

MR. McLARTY: If the congestion is at Mundijong a railway at Armadale would not relieve it. Of course there are a few more miles to construct, but Mundijong provides easier grades for all the heavier traffic, saves 17 miles on all trade to and from the south as against 11 miles by Armadale, and avoids the heavy grades on the Perth to Mundijong route, thus creating more economical railway traffic. Mundijong possesses a townsite partially unsold, with other Government lands surrounding it, whilst Armadale and all the land surrounding

it has been private property from the early days of the State. As to the character of the country, the better land is on the Mundijong route.

MR. ANGWIN: Why have they not used it?

MR. McLARTY: If the Government wish to resume it they can do so on its unimproved value. Armadale seems to be very unfortunate in its arguments. As to materials for roads and streets, I think some members have been to Mundijong and seen the roads, and surely there are as good roads as you can possibly see. Again, reference is made to the orchard land at Armadale, but the orchards in that locality are not to be compared with Mundijong, as will be admitted by anyone who has been to Mundijong and has seen the orchards of Mr. Absolon, Messrs. Watkins and Norrie, Mr. Atkins Whitby, and Mr. Cowan. Mr. Cowan went recently to Harvey and won all the prizes there, he did so at Pinjarrah, and then went to Armadale and swept the board. In regard to the carrying of timber to Rockingham, at present the harbour trust only allow ships of light draft to come to Rockingham, and it is a very rare thing to see a vessel in the Rockingham harbour. Any shipping done is done by lighter. If this line be completed it will take the whole of the timber trade, which will not go to Rockingham at all. The Timber Combine prefer Mundijong. When I say Mundijong I do not mean that we should go into the town of Mundijong. If we go farther south it will be better. Mundijong is a junction and there is a considerable amount of traffic, whereas there is scarcely any at Armadale. I certainly must compliment the advocates of the Armadale railway on the energy and persistence they have shown in this matter. If you go into the Lobby of the House M.P.s buttonhole you; if you go into the Corridor you bump against the chairman of the Fremantle Railway League, or the chairman of the Kelmscott Board, and if you go to the pigeonholes you get letters in favour of Armadale, but not strong enough to convert me.

MR. BATH: You must be a heathen on the question.

MR. McLARTY: As far as Mundijong is concerned it has been well to be like Brer Rabbit, to "lie low and say

nuffin." The Minister for Works was in favour of Armadale as the line would go to Midland Junction, and we should have a round route, and then we are told there is to be a railway from Armadale to Williams, but only a man in an asylum would talk about a line from Armadale to Williams. It is exceedingly rough country and you go no distance before you drop into the Jarrahdale concession which is already cut out. (Interjection.) I believe the engineers have reported in favour of Armadale, and of course they know the present portion of the line is a white elephant, and they want a continuation as quickly as possible. I say nothing about the Engineer-in-Chief. I have no doubt he reports what he considers is right. The Surveyor General probably did not care either way. The third was the Commissioner of Railways. In private conversations and at public meetings I have heard him frequently speak most emphatically in favour of Mundijong. In reporting this year Mr. George writes as follows:—

The question of route was referred by the Government to a committee, consisting of the Engineer-in-Chief, the Surveyor General, and myself for report. The committee reported, on the 10th August, 1906, that the line having apparently been decided upon, the best route would be the one involving the least capital cost and interest, and therefore on that account the Armadale route should be adopted. That is Mr. George in 1906; but in his 1905 report he gives the following opinion:—

From Owen's Anchorage towards Jandakot, approximately six miles, this line, I understand, is designed to eventually connect with the South-Western Railway, and thus provide an alternative route from that district to Fremantle. The junction should be at Mundijong.

That is Mr. George in 1905. We are frequently told by the Armadale people that the late Mr. C. Y. O'Connor reported in favour of Armadale as the point of junction. Well, I have the highest respect for anything Mr. O'Connor may have said; but I have been at considerable trouble to find out what he actually did say about Armadale; and I know he was a man who, when he once formed an opinion, voiced it with no uncertain sound. All he is reported to have said is this:

The Engineer-in-Chief expresses his opinion that so far as his information goes the Armadale route is the best.

"So far as his information goes." He makes no positive assertion at all. And after all, engineers are not infallible. Some years ago we imported Sir John Coode, an eminent English engineer, to advise as to the Fremantle harbour, and he recommended a harbour out in the bay; nevertheless we have constructed a commodious harbour in the river, which he condemned. Again, some of the most eminent English engineers condemned the cutting of the Suez Canal; it was on the advice of French engineers that the canal was cut, and the work has been a great success. So even if the late Engineer-in-Chief gave his opinion in favour of Armadale, I am not inclined to be guided by that opinion. I want to know why, when every past Premier of the State has favoured Mundijong, when it is favoured by the Fremantle Chamber of Commerce and the whole of the people in the Murray district and others down South, the Government are prepared to set at naught all those people interested, and to treat with contempt the Timber Combine, who will find all the traffic for the line. If so, it is their funeral, and on the heads of the Government be it. Some time ago a deputation was introduced to the Premier by the member for North Fremantle (Mr. Bolton); but the deputationists were neutral in their views, were careful to say they were anxious the Jandakot line should be extended, but did not ask for any particular point of junction.

MR. BOLTON: The most influential deputation that ever waited on the Premier.

MR. McLARTY: There are wheels within wheels. A gentleman who held a high position in the Public Works Department, took up his residence at Armadale, and since then has been a consistent advocate of Armadale as the point of junction. He is still a high Government official, though not in the Works Department; and he still lives at Armadale. I recognise the trail of that official over the whole business. With the member for North Fremantle and the member for Guildford (Mr. Johnson) when the latter was Minister for Works or acting Premier, I went to Armadale, and a few minutes after we arrived at Armadale the Minister was made a hero of. I have no pecuniary interest in either route,

and where the line goes does not make a difference of a penny to me. There is nothing selfish in my advocacy of Mundijong. The great Napoleon said, "All mankind are actuated by two motives: fear and interest." Well, we respect men, and communities for that matter, who look after their own interest; but where one descends to selfishness, that is not quite so estimable. As Bobby Burns says:—

But och, mankind are unco' weak
And little to be trusted.
If self the wavering balance shake,
It's rarely right adjusted.

The point lies in a nutshell. Are we to give the railway to Armadale, when we can stand on the back verandah of Parliament House and count all the houses in the township? Is the whole trade of the South-West to go *via* Armadale, at an acute angle with Fremantle? If we give the railway to Mundijong, we are only doing justice to Fremantle and benefiting the whole of the South-West. If we give it to Armadale, we are doing a wrong, for no earthly reason that I can see but to save a few pounds in construction. I hope members will put on one side that consideration. I have no alternatives but to object to the second reading or to ask for a select committee. It is too late in the session for the latter. This Armadale Railway project has been flitting up and down the Notice Paper like a will-o'-the-wisp. For weeks I should never have come near the House had it not been for this project. I do not mean to say the Government have nobbled my supporters, such as the member for Williams (Mr. Cowcher), the member for Roebourne (Dr. Hicks), and many others. It is useless to mention their names. They would have supported my amendment, but they are now absent. Government supporters are constantly taunted by the Opposition with carrying out a policy contrary to that advocated during their election campaign. Well, without admitting that, I must say I am considerably tangled up in politics, and that anyone would be justified in saying of me, "He don't know where he are." I am certain that I was returned to support a Premier who favoured Mundijong and not Armadale. For some time past my health has been indifferent; and I refer to this fact only to

express my regret that on this occasion I am not able to put the claims of my constituents more vigorously before the House, and to support the Mundijong route as it deserves to be supported. I hope the common sense of the House will prevail.

THE MINISTER FOR WORKS (Hon. J. Price): I am sure we all congratulate the last speaker on the manful style in which he has fought the battle for Mundijong; but I trust when I have finished he will recognise that in this matter, at all events, the Government have not pulled the strings in favour of either route. I have felt considerable sympathy for the proposition made within the last day or two by the Leader of the Opposition, that in all cases it is desirable railway routes should be settled by some board of inquiry. Where there is a strong local difference of opinion as to which route should be followed, then I certainly think it is desirable to submit the question to a board. As a matter of fact, the hon. member is mistaken in thinking that I was returned for Fremantle as a supporter of the Mundijong route. I recognised it was greatly in the interests of the town of Fremantle and of the port generally that some connection should be made between Jandakot and the South-Western Railway. For months and even years a determined battle had been raging between the supporters of one or other point of junction, and it was apparent that neither argument nor persuasion would bring those people on to common ground. To my mind the only means of settling the question was by saying "Leave your differences to an absolutely impartial tribunal. Let it decide which is the better point of junction." This has been the state of mind of the Fremantle people for the last twelve months. I know that men who have been determined advocates of one or other route have sunk their differences and have said, "If the Government will approach this matter fairly and impartially, will appoint a board above suspicion to consider the question, we shall be satisfied with the board's decision, whatever route may be selected." This was done. I recognise that much may be said in favour of either route. As a matter of

fact, most of my political friends in Fremantle believe that Mundijong is the better point of junction. But they, or the bulk of them, agreed to the proposition I put forward that the matter should be left to a perfectly impartial tribunal.

MR. H. BROWN: You accept such decisions only when they suit you.

THE MINISTER FOR WORKS: It is possible the hon. member may be measuring my corn by his bushel.

MR. H. BROWN: What about the Katanning railway? As to that you would not take the advice of experts.

THE MINISTER FOR WORKS: I do not know to what the hon. member is referring. I am speaking of what happened since I became a member of the Government. It must be obvious to everyone that this connection is absolutely needed. The merchants of Fremantle suffer great disabilities by having to send the whole of their consignments to the South-Western line through Perth. One of the advantages of having Government railways is now apparent. In the old country big centres of population are served by round-about routes in order to increase the profits of private railway companies. But having Government railways we are able not only to look at railway problems from a pounds, shillings and pence point of view, as far as routes are concerned, but we can take a wider view, and look at the increased convenience which can sometimes be secured to the public by a slight sacrifice of revenue in the construction of a railway. It has been pointed out by the Premier that 40,000 to 50,000 tons of goods go yearly one way or other between Fremantle and the South-Western Railway, and that these goods will be saved a distance of 15 or 16 miles in transit. The convenience of the public has been studied, and I am glad the Government have decided to continue the line to the South-Western Railway. I regret that the member for Murray thinks that in any way the committee which was appointed, like good boys as he put it, did as they were told. The instructions to that committee went through my hands, and I give the hon. member my word of honour that so far as the Government were concerned there was not the slightest pressure brought to bear on the committee to decide one way or the other.

The member for Murray, like the member for Swan, has had a fair deal. The Government submitted this question to a committee of experts, who decided in favour of the Armadale route. The district which I represent will be saved a long distance between the South-Western Railway and the port. Something like a day will be saved in transit to Fremantle as against taking the goods round by way of Perth. I trust the House will pass the Bill.

MR. A. C. GULL (Swan): No doubt members will give me credit for being disinterested in my advocacy, as they gave the member for Murray for his advocacy of the junction of the line at Mundijong. I recognise this as being one of those battle-of-route questions which has hung up the issue for three or four years. I think that the facts as given by the Premier on the second reading seemed apart entirely from the view taken by the member for the district. With regard to the Armadale route having an advantage over the other route, there will be a saving in the cost of construction, a saving in the upkeep, and generally speaking it is a cheaper proposition, which is to convert a manifestly bad bargain into the best possible bargain that can be made in the circumstances. Every member of the House has realised that a mistake was made in the first instance either in the duplication of the line to Armadale or having built the railway at all. When the railway was built to a point six miles in the bush, and allowed to remain there year after year, never earning, I understand, more than £20 in one month—

MR. BOLTON: How long has the line been built? Only one year.

MR. GULL: It was in contemplation for years—naturally the line must be continued to make anything out of it. Every member seems to be agreed on that. As to the question of grades there is practically no difference whatever. The big grade always objected to between Armadale and Mundijong I have travelled over, and I find it was 1 in 80 or 1 in 90. That is the grade to which so much objection is taken, and it is unquestionably a grade that exists on scores of sections of our railways throughout the country—a grade

that is not prohibitive by any means. This matter has been in abeyance so long, and after the question of the routes was taken up by the Government and decided to be handed over to an absolutely impartial tribunal, as far as my constituents and the constituents of the member for Murray are concerned it seems that we should be satisfied. Had this decision gone against Armadale we should have done what we expect the other side to do, bow to the decision of the board.

MR. McLARTY: No; protest.

MR. GULL: Apart from anything else I realise it would be absolutely waste of time either for me or the member for Murray to protest in the circumstances. I would like to see the decision accepted in a sportsmanlike way. Fight all you can to get your point while you are fighting, but as soon as the decision is given against you accept the inevitable and bow to the decision of the tribunal. Accept it in a sportsmanlike manner.

MR. A. J. WILSON: It is all very well for the man who succeeds to talk like that.

MR. GULL: It is a question that has to be looked at in that light and in no other. According to the evidence of the Engineer-in-Chief there is no doubt he would not arrive at a decision unless he was satisfied with the information. And the Engineer-in-Chief said according to the evidence he had before him undoubtedly Armadale was the better junction.

MR. McLARTY: As far as he knew.

MR. GULL: I maintain that the man who gave that opinion would not have given it unless he was satisfied with the information he had before him. I do not want to labour the question. I am glad that finality has been reached if only to save ourselves a needless amount of interviewing, the introduction of deputations, and the placing of the best light one could on the case. I am glad that the question has passed now out of the range of disturbance, and that the railway will be built at once.

MR. A. E. DAVIES (South Fremantle): I rise to support this measure. In doing so I congratulate the Government on their determination to complete the construction of the present Jandakot line so that it will junc-

tion with the South-Western line. To my mind the railway connection of Fremantle with the South-Western line is more than amply justified by the heavy traffic in the South-Western district to the chief port of export. The whole of the traffic at the present time has to go in an indirect way or a round-about way, from Perth to Fremantle. I regret the Government have not seen their way to carry the construction of the line in the direction of Mundijong instead of to Armadale. On the other hand to a certain extent I am satisfied that the question of routes Armadale *versus* Mundijong has been thoroughly threshed out, not only by members of the House, but by the Press and the State, and the settlers who are interested in a continuation to the present Jandakot Railway. In my opinion arguments have been put forward at different times during the past three or four years in support of the construction of the railway to connect Fremantle with the South-Western line. These arguments were decidedly in favour of the Mundijong route. However the Government, with the advice of the engineers, and no doubt with a desire to do that which is best in the interests of the people of the State, both from a financial and engineering point of view, have decided to construct a line in the direction of Armadale, being convinced as I am that if the present Jandakot line is allowed to remain at the present terminus at Jandakot Hall, it will be an eyesore to everyone in the State, and will be a financial loss to the people of the State. The interest on the capital invested, and the annual upkeep, will be great if it is a non-paying line. I am positive the earnings of the present line have not been sufficient to pay the cost of the wages of the few men employed along that line. I am also sure that unless the line is extended so that it will junction with the South-Western line it will never have a possibility of paying as an agricultural line or a timber line. I shall reluctantly support the second reading of the Bill for the construction of the railway to Armadale.

MR. H. E. BOLTON (North Fremantle): I should not have risen to have added my weight to the Armadale route only it would be unfair if I did not take

this opportunity of congratulating the Government because I so seldom get an opportunity of congratulating the Government on anything. I want therefore to show my fairness when I do get a chance of congratulating or complimenting them on anything to show them that I am not afraid to do so. I think the Government have taken the right step and adopted the right route. The only matter I wish to refer to is the deputation that the member for Murray mentioned as waiting on the Premier. It was the last deputation that waited on the Government in regard to this railway. That deputation was representative of all the bodies that the member for Murray mentioned. There were representatives of the Chamber of Commerce, the Citizens' League, and all the other bodies in Fremantle, and it was recommended by the whole of the members of another place representing the West Province. I understand at that deputation it was put very plainly before the Premier. The deputation certainly did urge not one route as against another, but that the Government this session if possible should introduce a Bill to connect the Jandakot Railway with the South-Western system. When the deputation had laid their views before the Premier he gave as his answer that now that the battle of routes had been decided—he did not say, although perhaps he might have done, that the Armadale people had won—now that the battle of routes had been decided, the Government this session would introduce a Bill to provide for the junctioning of the line with the South-Western Railway. I therefore compliment the Government on their action. Not that I doubted the hon. gentleman's word, but as the session was drawing to a close I began to feel anxious. I candidly admit that I have been a strong advocate for some years of the Armadale route. I am still consistent in that, and, if it were possible, I am even still more disinterested than the members for Murray (Mr. McLarty) and Swan (Mr. Gull) since this railway will not affect my district an iota. It matters nothing to my district whether the junction takes place at Mundijong or Armadale. I have, however, been an advocate of the Armadale route, and I believe the Government have taken the

right stand in deciding to link up this railway at that point. The member for Murray said that he had seen a congestion of traffic at Mundijong, and therefore claimed that it would have been well to link up the system at Mundijong rather than at Armadale. But any such congestion as that at Mundijong, described by the hon. member, can be dealt with very effectively even if this railway connects at Armadale. From Armadale to Mundijong is $9\frac{1}{2}$ miles on the present main South-Western line, and from Armadale onward, without the duplication, the traffic can be handled easily, and to relieve any congestion at Mundijong it would only be necessary to run over that single line from Armadale to Mundijong. This journey takes trains only 30 minutes, even at slow-goods running. Therefore, from that aspect, the Mundijong people can have no cause for complaint. I understand, however, and most members of this House understand, the position of the hon. member for Murray. As the hon. member put it fairly and squarely, he was elected to advocate the Mundijong route. Although the question did not affect my election or my electorate, I have advocated the Armadale route in public and on the hustings. I am satisfied that the hon. member, who in his concluding remarks regretted that he had not put his case as forcibly as he should have liked to do, put forward the best possible case; and I, at least, compliment the hon. member on the way he laid his arguments before the House. I say it is a matter for regret to this House that the hon. member does not take part in debates more frequently, and does not put his views before the House oftener. We know that he is under certain disabilities, but I am sure that if every member who speaks in this Chamber were listened to as attentively as the member for Murray there would be general satisfaction. It is a distinct loss to the Chamber that the hon. member does not speak oftener, and on more subjects. The argument he has put forward must be entirely satisfactory to his electors; but he, like hon. members generally, must recognise that the battle of the routes is now decided. I hope, therefore, that hon. members will combine to pass the Bill without delay, and that the Government will make commencement

of the work one of their very first thoughts; because this subject has been talked of for such a long time. If any other argument were needed to hurry on the construction, then the argument which has been advanced by every speaker up to the present, although I do not agree with it, should bring the matter to a head immediately. The argument is that up to the present the Jandakot Railway has been a white elephant; and, surely, if there is justification for making the elephant another colour, then it should be done as quickly as possible by linking this line with the South-Western Railway. There is justification for the Government to make this work one of their earliest undertakings. I trust the Government will take action, and, if they see their way clear, they may commence from either Jandakot or the other end. It is not a lengthy work and the Government will probably be well satisfied with the traffic over the line, and will recognise that it is a payable proposition. I have the greatest pleasure in supporting the second reading

MR. A. J. WILSON (Forrest): I do not wish to delay the discussion on this matter, but as regards the reports of the engineers in this connection I wish to point out that it is quite natural their recommendation should go in favour of Armadale, for the principal object to be catered for here is not so much the need of the people in the immediate environment of Armadale, nor those of the people who are settled along the immediate route of line between Armadale and Forrest Hall; nor is it mainly, on the other hand, the requirements of people resident at Mundijong nor yet those of the people who are even now located in the district or who may in the future be located in the opening up of territory following the construction of a railway. The people who are mainly entitled to consideration, I say, are those engaged in the great producing industries of the South-Western district, right away as far south as there are producers. Those are the people whose interests ought to be served in this particular connection. I can quite understand that, at all events, the gentlemen responsible for submitting the report and for giving advice to the Government in regard to this Bill from the financial aspect of the case would naturally

ally express a preference for Armadale over Mundijong. But the question arises, whether or not this would be adverse to the main interests of the bulk of the people who have a right to be catered for in this connection. As the bulk of the traffic likely to be carried over this railway will come from points a long way south of either Armadale or Mundijong, it necessarily follows that whether the junction be Mundijong or Armadale or Kelmiscott or Cannington, all the timber and tonnage that come over the line from points south of Mundijong will necessarily have to travel over that railway and pay extra freight. Consequently, the position of the Government, or rather the position of the Commissioner of Railways himself must be that bigger revenue is derived from the longer distance than from the shorter distance. That, of course, is plain. One bears in mind that a slight difference in the initial cost of construction would be involved if the line were built to Mundijong instead of to the terminus proposed in the Bill now before the House; but I ask what will be the position if the great producing interests of the South-Western districts are to be laid on one side merely because of the interest called for by the additional capital cost involved in the additional four miles to this proposed railway? We are about to deny to the great producing interests of the South-Western district the right, which is their due, to save a penny, or twopence, or even threepence per ton, as the case may be, on the whole of the tonnage to the port of Fremantle; merely because those interests would in any case have to pay the increased cost, merely to enable the Commissioner of Railways to reduce his interest bill by the charge on a paltry £4,000. That is clearly the position. We are about to sacrifice the interests of the whole of the South-Western producers merely because the Commissioner of Railways refuses to agree to an extension of the line by another four miles, on the ground that his would raise the capital cost by £4,000. The Commissioner refuses to accept that increased expenditure, and on that account proposes to sacrifice the whole of the people of the South-Western district. Another circumstance to be borne in mind is that at the very farthest here is no settler between the two points

of Armadale and Forrest Hall who will be more than five miles removed from railway communication. We have been told that very fair, and even generous, provision has been made in that particular connection, but that, on the other hand, we have an area of country which will be tapped and opened up between two points, Mundijong and Forrest Hall. That route will make available a very large area of country, which could be resumed or repurchased under Clause 5 of the Bill at a very low price.

MR. ANGLIN: Very low indeed.

MR. A. J. WILSON: With the opening up of that tract of country by direct communication between Mundijong and Forrest Hall that land will be made available; and, although its quality may not be as good as that of some of the finer reaches back in the Darling Ranges and east of the Darling Ranges, yet we have to bear in mind the fact that the land is very close to the metropolis of the State and that the tendency nowadays is for concentration, intense culture, and that with the application of phosphates and artificial manures adapted to that particular class of soil, undoubtedly with its admirable rainfall that country, barren as it may be at the present time, could be converted into one of the finest producing fields in the whole of the State of Western Australia. The great advantage would lie in the circumstance that the people would be so close to the natural markets as to be able to eke out an existence on a much lower grade of production than is possible in places farther removed from centres of population. Having regard to that circumstance, having regard to the interests of the great producing population of the South-Western District, having regard to yet another very important circumstance, that sooner or later we shall have to provide a direct line of communication as short as possible between Fremantle and the great wheat districts along the Great Southern Railway, we have to provide for that in view of the probability of our overtaking at an early period the local demand for foodstuffs. We must set before ourselves the possibility of having to establish a considerable export trade with the markets of the world. The object must be to place the producers in the Great Southern District and those

on the east of the Darling Range on the closest and shortest line of communication with the port of Fremantle. Now, what takes place? We find that all the produce, wheat and other agricultural produce, has to come around to Spencer's Brook and down over the Darling Range; and the result is that all the tonnage say from York to Beverley has to traverse an increased distance amounting to something between 90 and 100 miles; and the farther result, naturally, is that in any export trade which may arise in the future of Western Australia, all those producers will be taxed to that increased extent of railage, which may mean their absolute annihilation, because of the small margin of profit available in the markets of the world in competition with other parts of the world. Keeping that object in mind, one has only to cast one's eye on the map of the South-Western portion of the State to recognise that the junction at Armadale is in no sense direct communication.

MR. ANGWIN: What do the engineers say?

MR. A. J. WILSON: I do not know what the engineers say. Whilst I am prepared to yield all due deference to expressions of opinion by engineers on engineering topics, I do not give place to any engineer on a question of vision, a question of simple sight. I think anybody who sees must recognise that as the crow flies Armadale is in not in the direct line of communication for the public on whose behalf I am speaking at the present moment. Moreover, another circumstance has to be borne in mind. The fact that Mundijong is more directly in line with the possible development and opening up of the Great Southern country is another circumstance calling for consideration. There is a large timber concession of 250,000 acres, the greater portion of which has already been denuded of marketable timber, and there can be no question about the possibilities of opening up an important fruit-growing industry along the Darling Range. The establishment of such an industry would, of course, involve sooner or later resumption of the area of country held by Millars before the expiration of their tenancy, or else the country would, in the ordinary course of events, fall in at the expiration of the lease, reverting to

the Crown in the ordinary way. But this will involve a delay of 18 or 20 years. Whether it is a practicable proposition to present to consider the possibility of buying out Millars is a matter not immediately our concern. We have however, to look beyond the immediate surrounding necessities to the possibility of the future. If we look at it from that standpoint, what is the position? We have already starting from Mundijong, a line of railway built for 25 miles which has overcome the engineering difficulty of negotiating the Darling Ranges, which has not been done at Armadale. This line could be secured and purchased in 18 years time at a much lower rate than at present. We have it available practically little or no cost, whereas on the other hand we have a very expensive engineering feat to undertake in negotiating the opening up from Armadale of the back country behind the Darling Range. When one looks at it from that aspect of the case, the possibilities of the future let alone the immediate necessities of the great producing districts in the South-West and the Great Southern districts, one cannot conceive a proposition by which, for the sake of economy, to a small degree on the capital cost of an extension to Armadale, it is intended to sacrifice the future interests of the producers in the South-Western district—merely for the sake of the interest of £4,000.

THE PREMIER: It would be £11,000.

MR. A. J. WILSON: I am advising that the increase in the distance between the two termini is four miles. It is difficult to believe that the extension from Forrest Hall to Mundijong would cost £11,000 more than building the line to Armadale.

THE PREMIER: It costs almost £3,000 a mile. They are 60lb. rails, and it is a heavier line altogether than the others.

MR. A. J. WILSON: I believe that lines have been constructed in much more difficult country at a much lower cost.

THE PREMIER: But this has steep grades.

MR. A. J. WILSON: Even if the Premier's statement is correct, are we perpetually increase the burden on the people in the whole of the South-West and Great Southern districts merely by

cause it involves a little extra cost? If we set off the high cost of negotiating the Darling Range behind Armadale to open up the back country, I think the difference is infinitesimal; and when we weigh them in the balance the interests of Armadale will be found wanting as compared with the interests of the producers in our Great Southern districts.

MR. W. C. ANGWIN (East Fremantle): I must congratulate the Government on the action they have taken in regard to this railway. I certainly think that referring such propositions as these to an independent board of inquiry is the best way of deciding any difficulty that may occur in regard to different routes. I must also congratulate the member for Murray for the manner in which he has put forward the present requirements of the district he represents, and I must congratulate the member for Forrest for the way he has put forward future requirements. It appears from the member for Forrest that by the construction of this railway to Armadale the whole future prospects of a large area of country towards the Williams are to be damaged, because they would have an extra four miles of railway which they would not have if the line was constructed to Mundijong. If this four miles of extra railage will damage the prospects of that country for wheat growing, in my opinion the district is not going to produce a quantity of wheat for which it would pay us to put down a line. The engineers have said distinctly that by making the junction to Armadale, the best route could be taken towards the Williams. No doubt the engineers look at it from an engineering point of view, and regard it as cheaper to build the railway through Armadale towards the Great Southern district, so that subsequently we may be able to carry goods over the line at a cheaper rate. It is not necessary to say much in regard to this railway. The matter has been settled by an independent board, and a large number of people who are at variance in regard to routes have been quite willing to set aside their personal opinions to allow the independent board to decide the question. This was done; the Government have followed out the advice of

the experts; therefore I consider the Bill should pass its second reading.

[THE SPEAKER resumed the Chair.]

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

Ayes	...	...	...	23
Noes	...	...	...	9

Majority against ... 14

AYES.	NOES.
Mr. Angwin	Mr. Davies
Mr. Barnett	Mr. Eddy
Mr. Bath	Mr. Hardwick
Mr. Bolton	Mr. Horan
Mr. Butcher	Mr. McFarty
Mr. Daglish	Mr. Smith
Mr. Ewing	Mr. Stone
Mr. Gregory	Mr. A. J. Wilson
Mr. Gull	Mr. Heitmann (Teller).
Mr. Hayward	
Mr. Illingworth	
Mr. Keenan	
Mr. Mitchell	
Mr. Monger	
Mr. N. J. Moore	
Mr. S. F. Moore	
Mr. Price	
Mr. Troy	
Mr. Underwood	
Mr. Vervard	
Mr. Ware	
Mr. F. Wilson	
Mr. Layman (Teller).	

Question thus passed.

Bill read a second time.

Bill passed through Committee without debate, reported without amendment, the report adopted.

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

MINES REGULATION BILL.

RECOMMITTAL.

MR. ILLINGWORTH in the Chair, the MINISTER FOR MINES in charge of the Bill.

Clause 1—Short Title:

THE MINISTER moved an amendment that the following words be added—"and shall come into operation on a day to be fixed by proclamation." There was no intention to delay the proclamation of the measure, but it would be unwise to have the Bill brought into force without the regulations. Members had seen a copy of the regulations, which he understood had to a great extent met with the approval of the body of workers on the fields.

MR. BATH had not seen them; he must have been away.

THE MINISTER: The goldfields people had not had time to go through

them in a comprehensive manner, but they seemed to consider them very well framed. They had been given to the member for Ivanhoe.

MR. BATH: How long did the Minister estimate it would be before the regulations would be ready?

THE MINISTER did not think it would be more than a month.

Amendment put and passed.

Clause 3—Interpretation:

THE MINISTER moved an amendment—

That after the word "means" (in the definition of "Manager") the following be inserted: "the person having immediate charge and direction of the mining operations on any mine, and includes."

By a subsequent clause we only insisted on a manager being appointed in a mine where a certain number of persons were employed and where the inspector directed. In other mines he wished there to be some person on whom we could fix the responsibility of working.

Amendment put and passed.

Clause 16—Inspection of mine by workmen:

THE MINISTER moved an amendment that the whole clause be struck out and the following substituted in lieu thereof:—

The persons employed in a mine may from time to time appoint two of their number, or any two persons, not being mining engineers, who are practical working miners, to inspect the mine at their own cost, and the persons so appointed shall be allowed once at least in every month, accompanied, if the owner, agent, or manager of the mine thinks fit, by himself or one or more officers of the mine to go to every part of the mine and to inspect the shafts, levels, planes, working places, return air-ways, ventilating apparatus, old workings, and machinery. Every facility shall be afforded by the owner, agent, or manager and all persons in the mine for the purpose of inspection, and the persons appointed shall forthwith make a true report of the result of the inspection, and that report shall be recorded in the record book and shall be signed by the persons who make the inspection, and if the report states the existence or apprehended existence of any danger they shall forthwith cause a true copy of the report to be sent to the Inspector.

Members would remember the long discussion we had in connection with the appointment of check inspectors, which was dealt with very exhaustively. This

new clause had been taken from our Coal Mines Act, and he believed it was almost a *fac simile* of the present legislation in New South Wales, and it had been found to work very well. This would enable all the persons in a mining district to give consideration to the appointment of such people as they chose for the purpose of enabling them to inspect a mine, and he thought it would give more satisfaction even than the clause originally drafted by him.

MR. BATH: Apparently the substitution of this clause for the original Clause 16 would not meet the objection raised by members on the Opposition side of the House. The whole objection to the clause was that the appointment of two persons by those employed in a particular mine would mean practically that those persons would probably be unable to obtain employment, and the advocacy by Opposition members of check inspectors either to be paid by the State or partially paid by the miners' organisation and partially by the Government was with a view to obviate that particular difficulty. Throughout the goldfields there have been many instances of persons being victimised. Practically the only difference between this clause and the originally in the Bill was that all reference to any industrial union in the district was struck out, and the appointment was left to persons working in the particular mine. He failed to see the advantage either of the original clause or the new one.

MR. TROY: The chief objection raised by members on the Opposition side to the original clause was that it would not prevent a mine workman from being dismissed or blackballed by his employer if he made any observation in regard to the mine, or condemned any portion of it as unsafe for working. The other objection was that before the workers could take any action at all 24 hours' notice of the meeting must be given, and by the expiration of that time any defect which existed might be rectified. There were many managers who would scorn to dismiss their employees because those employees stood up for what they considered to be their right, but on the other hand there were others who would take the earliest opportunity to get rid of any employee

whom they considered detrimental to their interest so far as the working of the mine was concerned. This particularly obtained on the very large mines, because the very large mines were those where the employment was most dangerous, the defects mostly obtained, and all these precautions were necessary. He failed to see that we were going to derive any benefit from this new clause unless we made the employee independent of the manager. The secretary of the union should be engaged, half the amount allowed him being paid by the Government and half by the organisation, and he could carry out reasonably and well the work of check inspector. An inspection should be allowed to be made once every month. There was no reason why these inspections should not take place often. Miners would have to sacrifice their employment in order to undertake the duties of check-inspectorship. Inspections should be made without prior notice.

THE MINISTER: The Bill did not say that notice must be given.

MR. TROY: No; but in order to obtain the facilities referred to in the Bill the inspectors must give notice.

THE MINISTER FOR MINES: An hour's notice would suffice. An inspector, if he were reasonable, would not propose to inspect at midnight.

MR. TROY: The inspector should visit the mine at midnight, or at any other suitable time, when the management was not expecting a visit. The difficulty of obtaining check-inspectors might be overcome by making the districts big—for instance, making one district of the whole of the Murchison fields—and having the check-inspector aided partly by the Government and partly by the men.

THE MINISTER: At present one man is in charge of check-inspection for the whole of the Collie field.

MR. TROY: The conditions of employment on gold mines differed widely from those on coal mines, the latter being the less dangerous. The clause would not work well, because the check-inspectors must be made independent and they could not be made independent of this provision.

MR. HEITMANN: The Minister was well commended for his desire to safe-

guard the lives of miners as far as possible. The desirableness of farther protection had been forcibly brought to notice by two serious accidents which occurred recently in the Day Dawn mine, emphasising the necessity for an independent check-inspector. In the Day Dawn case the inspector had tried to shelter the mining company as far as possible, and of course in doing so to shelter himself. This clause gave no guarantee against the victimising of inspectors for making reports distasteful to mining companies. Where the lives of miners were concerned, a few pounds of expense ought not to be considered. Even if the Government paid an independent man his full salary the payment would be thoroughly warranted. Union secretaries ought not to be appointed to check-inspectorships, which should, however, be filled by men nominated by the unions and paid by the Government. He hoped the Minister would forget any animosity between himself and the unions, which had, perhaps, harassed the hon. gentleman at times. This measure ought to recognise unions in the same way as the Trades Union and Industrial Arbitration Acts recognised them. The provision in the original Bill was really better than this amended provision.

MR. HORAN agreed with what had been said on the Opposition side of the House. On the last occasion that this question was discussed, he had read from the New South Wales Act the clause now appearing in this Bill. The provision had worked well in New South Wales. He desired to move a slight amendment to the effect that a check-inspector was not to suffer at the hands of a mining company for any report he might make. This would overcome the difficulty.

MR. BATH: But the companies always stated, in the case of such a dismissal, that the man had been discharged for some other reason.

MR. WARE: Yes; or else gave no reason at all.

MR. HORAN: That was true. In New South Wales, however, no obstacle was ever thrown in the way of check-inspectors. The measure provided that two copies of every report made by a check inspector should be forwarded immediately to the Government inspector

of the district. Would it be a breach carrying a penalty if two copies were not supplied as directed?

THE MINISTER FOR MINES could hardly agree to any amendment unless it were submitted to him in writing, so that its effect might be fully considered. At present he did not think any harm would result from the amendment suggested by the hon. member (Mr. Horan); but at the same time, as pointed out by the Leader of the Opposition, it would have no effect. This clause had been working for a long time in New South Wales, and also on the Collie fields, and it had given satisfaction; therefore it should be tried in connection with this measure. The rock we were splitting on was that members opposite desired that the miners should have power to appoint inspectors of mines. The check-inspectors, of course, would be to all intents and purposes inspectors of mines; and in each district there would be a check-inspector paid partly by the Crown and partly by the employees. The Government should occupy an entirely independent position.

MR. HEITMANN: Not where the lives of workmen were concerned.

THE MINISTER: If the workmen had the right to appoint inspectors, why not, on the other hand, the employers? The Government alone ought to appoint inspectors. If the inspection at the present time were not sufficient, or if the method of inspection were bad, then let us provide more inspectors and endeavour to secure more efficient inspection. Only a few days ago he had received a recommendation for the temporary appointment of an inspector of mines, but he had declined to make an appointment until a set of regulations had been prepared and an opportunity had been afforded, by advertisement, of obtaining good men.

MR. WARE: How long would that take?

THE MINISTER: A month or six weeks. Meantime the present inspectors would be retained. We wanted good, smart, young men, capable of honest and efficient work. If for the purpose of this clause we were to make it read, "If a majority of persons employed in a mine agree" to the appointments, the trouble so far as the Kalgoorlie belt was got over

from the hon. member's standpoint. The member for Cue was under the impression that he (the Minister) was antagonistic to unions. He was not. If he were a worker he would be a member of a union, because unions had done a marvellous amount of good. He objected to preference to unionists, because the unions, by moral influence and by showing the good work they did, should induce others to join their ranks. He had no desire to harass unionists. The point was that the House had already decided that it was the duty of the Government to appoint inspectors. If it was the opinion of workers in a district that some of the mines were not properly worked and that an inspector's work was being neglected, according to the proposal before the House they would have an inspection by two practical workmen and the report would be sent to the department; and if he, as Minister, received a couple of reports showing that the inspector was not carefully carrying out his duties, he would soon have a watch set upon the inspector's work and would send the inspector out of the service if it was within his power to do so. The whole Bill bristled with restrictions to protect the life of the worker. Members should accept the proposed clause. The department hoped to do a great deal more by regulations to protect the workers, and if it was found that care and consideration was not given, it would be necessary to try harder to get better inspectors and to appoint more of them though he believed we had some very good men indeed as inspectors.

MR. BATH: The desire for the appointment of check inspectors was not with any idea of aggrandising the union or giving them a prominent position, but it was for the protection of the life of the miner. Since the beginning of the year in gold-mining in Western Australia there was one long record of calamity and disaster. The list of deaths was appalling. That was why the unions asked for a provision to obviate these accidents in the future. In Newcastle, New South Wales, over 90 per cent. of the miners were in the Colliery Employees' Federation, and in some of the mines they were all unionists. The result was that unionists there were able to provide greater protection for themselves than could be

done in our gold mines where there was a smaller proportion of unionists employed. At Newcastle the check inspectors appointed were paid by the men themselves and were there for the protection of the interests of the men. The acquiescence of the employers in that arrangement showed that it did not work any hardship to them, so that the proposal was worthy of our commendation and acceptance.

MR. UNDERWOOD: The Minister must be given credit for having a fair and open mind in reference to unions; but not having been a member of a union, the Minister could scarcely appreciate what the unions were endeavouring to aim at, and in a matter of this kind should depend on the advice of mining representatives on the Opposition side of the House. The Government should spare no pains to make the Bill as perfect as possible to protect the lives and limbs of miners. Many accidents could be prevented by proper inspection. Though it was a reasonable contention that the Government should act independently between mine owners and the workmen and should appoint their own inspectors, unless the Government were prepared to appoint inspectors for every little mining centre it was impossible to have the thorough inspection necessary on mines, and it would be well to allow some check on the inspection of the Government inspectors. The inspector could not visit Peak Hill except at long intervals. Accidents occurred at Peak Hill when the inspector was at Yalgoo at the other end of his big district, and often it was over a week before he could reach Peak Hill after a fatal accident occurred. In such circumstances the inspector could not do his work as it should be done. At least one accident occurred at Peak Hill that could have been prevented by a system of check inspectors had it been in force at the time. The men working in the mine knew the danger and avoided it, but a lad who was trucking on the surface was sent down and fell off the landing at the dangerous spot. That was six years ago and the lad has not yet recovered from the accident. It was necessary to have check inspectors who would be uninfluenced by any concern for their wages or living. It was a serious thing for many men, especially those with wives and families working in the

back portions of the State, to be thrown out of employment, because it meant travelling hundreds of miles before getting employment again. A man was therefore somewhat cautious before giving a report that would be likely to occasion the loss of his job. The belief that a manager of a mine would discharge any employee who reported unfavourably on the mine did not apply to the majority of mine owners, but it most emphatically applied to some of them. These were the men against whom we wished to protect employees. As to the suggestion of the member for Yilgarn that a clause should be inserted providing that the manager should not be prejudiced against any man for any report he might issue, that would be altogether inoperative. It was a standing rule that they did not give any explanation when they put a man off. The suggestion by the member for Mount Magnet that the secretary of the union should be appointed was a fairly good one, because as a rule in fairly large centres the secretary of the union had some income from his position, and therefore was rendered independent. Some of the Government inspectors were not as efficient as they should be, and he thought it had been stated in the House before that they were likely to be prejudiced in favour of the mine owners. To a great extent they associated with the managers; one was often in company with mine owners or managers, and was likely to be prejudiced in their favour. That being so we should have one who would be in sympathy with the miner and would be somewhat prejudiced in favour of the workman. Between the two we should have justice to all.

MR. HOLMAN: This new clause was taken mainly from a provision relating to men working in coal mines; but coal miners worked on a very different system from those engaged in gold mines. The general rule in coal mines was that the oldest miners stayed longer than others, when their work was satisfactory. Some time ago he asked to be allowed to see a full report of the inquest on the miner who was killed on the Salisbury mine at Cue. Had he obtained that evidence, he would have been able to state more fully the danger of working in mines. He did not know what reason the Minister had for refusing him a copy. Moreover, had

he had sufficient funds to go to the warden and pay 4d. a folio, he could have obtained a copy. A member should be entitled to a copy free of charge so that he might be able to bring forward something to prevent such a thing happening in the future. Had we had check inspectors in all probability a better state of affairs would have existed. The jury added a rider that the scene of the occurrence had been interfered with by or with the consent of the manager, between the time of the occurrence and the time the place was inspected by the juryman. They also stated that an accident should be reported as soon after it occurred as possible. Up to the present no action had been taken by the Mines Department to inquire into that. In his (Mr. Holman's) opinion, the inspector did not carry out his duty in not taking action in regard to the rider. He believed that nearly 24 hours elapsed before this accident was reported to the warden. Had a system of check inspectors been in vogue, immediately the accident occurred persons could have proceeded to the scene of the accident and made full inquiries. As to this new clause, if a workman in a mine made a report to the manager, detrimental to the mine, his time on the mine would be very short, and some managers would be unscrupulous enough to see that the workman did not get a billet near that mine for some time to come. A check inspector ought to be independent of the mining companies. Up to the present there had been nearly a thousand accidents in Western Australia, and when we considered that there were only 15,000 or 16,000 working miners in the whole of the mines in this State, we recognised that something ought to be done immediately to prevent so many accidents. The only way to do that was to introduce a strict inspection of the whole of the mining properties. This could not be done by the amendment now proposed. He would like to know what was meant by "practical working miners." If the provision would prevent any practical miner who was not actually working in a mine, from inspecting the mine, it was useless. The amendment moved by the member for Ivanhoe would, in his opinion, have met the case.

At 6-30, the CHAIRMAN left the Chair.

At 7-30, Chair resumed.

MR. HOLMAN (continuing): An explanation was desired from the Minister for Mines whether inspectors under this proposed amendment were to be empowered to direct mining companies to make their workings safe. This question was important in view of the recent inquest at Cue, in connection with which he had asked the Minister for certain papers. At that inquest, he was informed, it had been stated, although the statement had not appeared in the published evidence, that while the present Act provided that mining companies must supply ladders in shafts, no provision was made that the ladders must be kept safe. If that was the state of the law a proper amendment should be made immediately. The powers it was proposed to give to the check inspectors were merely powers to inspect shafts and other workings, and to report on the conditions. If the check inspector reported any danger he must send a copy of his report immediately to the inspector for the district. The person reporting ought, however, to have power to protect life and limb. One feared that in the absence of proper protection the number of accidents would continue to grow as it had grown recently. The gold-mining accidents last year were 304, and for the first seven or eight months this year over 700; and, moreover, there had been several fatal accidents since the return was laid on the table. The Minister's amendments did did not go nearly far enough. The Opposition had no desire to delay the measure, particularly in view of the absurdity of keeping back the consideration of so important a Bill by another place to so late a stage of the session. Say an inspector were instructed to report as to the safety of a mine at Day Dawn; he might be at Wiluna, 200 miles away, and to reach Day Dawn would take a fortnight. Meantime the miners must continue working under dangerous conditions. It was greatly to be regretted that the Minister had not brought in a Bill more in accordance with the desires of the Opposition. Any action tending to minimise danger to the worker was surely right.

THE MINISTER FOR MINES: One question raised on this clause was worthy

of some little comment; the time which had elapsed since this Bill passed through Committee. It would be remembered, however, he had promised that the regulations should be laid on the table, in order that hon. members might either approve or criticise them before they were gazetted. Although the regulations were here, no comment, either hostile or favourable, had been made by any member. The amendments suggested by him (the Minister) in the Bill, had been on the Notice Paper for some time; but in regard to them no one had any alteration to suggest. The member for Ivanhoe (Mr. Scaddan) had indeed expressed his general concurrence in the amendments, though not of course in this one. That hon. member had described the amendments as a generous effort on the part of the Minister to perform the promise given in Committee. As to the safety of ladderways, the member who had raised the question would see the rules provided that this matter must be attended to. Complaint had been made concerning his refusal to submit to members of Parliament statements collected by inspectors of mines when examining persons possessed of information regarding an accident.

MR. HOLMAN had not asked for a copy of the inspector's report, but of the evidence given at a public inquest.

THE MINISTER: The department had only statements received from inspectors. Anything arising out of the inquest was a matter for the Crown Law Department and not for the Mines. Coroners were not compelled to, nor did they ever, furnish the Mines Department with reports of the evidence taken at inquests. It would be remembered that in Committee members opposite had complained that miners' statements collected by the inspector had been made public, and he (the Minister) had given a general promise that such information would not be made available except to interested persons, which term did not include members of Parliament.

MR. HOLMAN: Not in connection with a matter such as this?

THE MINISTER: No. Such information would not be made available when litigation was pending. The Leader of the Opposition had drawn attention to the necessity for protecting workmen

who gave information to inspectors. Regarding the expression "practical working miner," which had been commented on, he would take this to mean a man who had had practical working experience as a miner, not necessarily a man actually working as a miner. He would be content to accept the words "practical miner" in place of "practical working miner." At Collie the check inspector was Mr. Wilson, not a working miner, but an old practical working miner. Many men did not go underground, but called themselves practical miners. That was why the word "working" was inserted. This was not a clause of his drafting. It had stood the test of time, so that care should be taken before we altered it; but an amendment would be accepted in this direction, as also in the direction of inserting the words "majority of" before "persons employed on a mine."

Amendment (to strike out the clause) passed.

THE MINISTER moved to insert the new clause in lieu.

On motion by MR. BATH, the words "majority of" were inserted before "persons employed," at the beginning of the clause.

MR. HOLMAN: The person appointed to make an inspection should have practical working experience as a miner, but the wording of the Minister's proposed clause might prevent a man not actually working at the time from inspecting the mine. He moved an amendment to the clause—

That in the words "who are practical working miners," the words "practical working" be struck out, and that the words "with practical working experience" be inserted after "miners."

Amendment put and passed.

MR. HOLMAN: Could an amendment be inserted to throw the responsibility on a manager if check inspectors served a notice on him that a spot was dangerous, the responsibility to lie on the manager until the visit of the inspector of mines?

THE MINISTER: It must be apparent that if an accident occurred at a spot where check inspectors had pointed out a dangerous element it would certainly be strong evidence of manslaughter. Regulations must be provided for carrying out this clause and provision would probably be made so that if there was any urgent

matter noticed by the check inspectors a wire could be sent to the Mines Department. Any provision must be comprehensive and elastic. If placed in the Act it might be found unworkable, but could not be altered.

MR. HOLMAN: One would be satisfied if the Minister intended to make regulations that in the event of a dangerous spot being discovered check inspectors would have power to telegraph to the Minister.

MR. HEITMANN: How would the Minister provide for the appointment of inspectors, and who was to say whether the appointments were made by a majority of the miners working in a mine?

THE MINISTER: That was purely a matter for regulations. An inspection of this sort would only take place when there was urgent need for it, and if occasion arose for an inspection he would see that there was a vigilant inspection made by the departmental officer.

MR. SCADDAN: The clause provided that inspections could only take place once a month.

THE MINISTER: That could be amended.

MR. SCADDAN: It would be advisable to say that the majority of persons working in a mine could by ballot elect some persons from amongst themselves or other practical miners who could at least once a month inspect any part of a mine and make a record in the record book. It was regrettable the appointments could not be permanent.

THE MINISTER: They could be made for a period.

MR. SCADDAN: The Minister could provide by regulation as he (Mr. Scaddan) had indicated.

Amendment (to insert clause as amended in lieu) passed.

Clause 28—Examination and inquiry as to cause of accident:

THE MINISTER moved an amendment in Subclause 1:—

After "interested," insert the words "except when dying depositions are being taken from the person injured."

The Crown Law Department had asked him to make this slight amendment. They thought it would be unfair to debar a person who might be charged with

manslaughter from being present when dying depositions were taken. He thought the Leader of the Opposition would agree with him. He believed that, under the law, when dying depositions were taken, every effort was made to try and have the person charged present.

MR. HUDSON: If there was a possibility of a charge against an individual.

THE MINISTER: If there was a probability of a charge of manslaughter being taken against a manager, it was only right he should be allowed to be present when the depositions were taken.

MR. HEITMANN was pleased to see that this clause would allow a representative of each side to be present.

Amendment put and passed.

Clause 33—Subclause 3, Explosives:

THE MINISTER moved an amendment that paragraph (r) be deleted, and the following inserted in lieu:—

When using explosives in any mine, the men charging and firing the explosives shall be jointly and severally responsible for the proper handling and firing thereof, and when relieved from duty shall forthwith report the position of any charged holes and misfires to the men relieving them, or to the shift-boss or manager. When holes are known to have missed fire, a barricade or other obstruction shall be placed so as to notify the fact of such misfire.

The words spoke for themselves, and they would, he thought, meet with much approval from his friends opposite.

MR. SCADDAN was absolutely in accord with the amendment, which met the position exactly as they desired it should when the Bill was previously before the Committee; in fact, he thought it was a little better than the amendment then proposed.

Amendment put and passed.

THE MINISTER moved an amendment that the following new subclause be added after (r):—

When more than three charges of explosives are being fired at one time in any working face in a mine, the person firing shall have the assistance of another man, but when both men cannot retire together from the firing point without impeding one another, the second man shall retire to a safe position immediately before the fuses are lighted, but shall not leave the vicinity until he knows if the firer has reached a place of safety.

By this we did not prevent one man from working on a mine, but we insisted that

when more than three charges were being fired at one time, assistance should be given to that person.

Amendment put and passed.

Subclause 9—Drive and excavation to be protected—amended by inserting the words “winze, rise, stope,” after “drive.”

Subclause 28—shafts with ladders to have platforms:

THE MINISTER moved an amendment:—

“That the words “sunk after the passing of this Act” be struck out, that after the word “ladder” in line five “in any shaft or part of a shaft sunk after the passing of this Act,” be inserted, and that the following be added at the end of the subclause: “in every shaft or part of a shaft sunk before the passing of this Act in which the ladders do not comply with the foregoing part of this rule, any parts of the ladderway which are repaired shall be altered so as to comply therewith.”

If shafts were timbered down to a certain depth, we did not want to insist on the ladders being pulled up, but in future all ladders put down in a shaft would have to be put down according to the requirements of the measure. If the ladders got out of repair, they must, whilst being repaired, be replaced.

MR. HOLMAN: The present Act compelled the mine owners to place ladderways in a certain class of mine, but no provision was made to compel mine owners to keep those ladders in a safe working condition. The present Bill did not provide definitely that the ladders should be kept in a safe condition. In a case at Cue it was found that a rung of a ladder was missing. He had been informed that the inspector of mines in the Murchison district stated that although the Act made provision that ladderways should be placed in a mine, there was no provision to compel those ladders to be kept in safe condition after they were placed there.

THE MINISTER: That was not so.

MR. HOLMAN: The person killed had nothing to do with the travelling way, but they made an inspection in the shaft and found this rung missing. He suggested that the following words be added to those proposed by the Minister: “Every ladderway in any part of the mine that may be used as a travelling way shall be made and kept safe.”

THE MINISTER: If the words he had proposed were inserted, the hon. member could move that farther words be added. He moved the addition of the words:—“And all such ladderways shall be kept in a safe condition.”

Amendment as altered put and passed.

Subclause 42—Ropes to be tested:

THE MINISTER moved an amendment that the following be added to paragraph (b):—

When new, and at no time shall a rope whose ordinary working load is more than one-sixth of its breaking strain at the time of use be used for raising or lowering men, or working over men employed in the shaft.

Ropes might have a greater strength when new, and he wished to make provision in regard to a rope when it was getting old. Under present conditions all a person need say was that when he bought a rope its load was only one-eighth of its breaking strain.

Amendment put and passed.

THE MINISTER FOR MINES moved an amendment—

That in Subclause 44 the words “suitable receiver and” be struck out.

These words were added in Committee, but after obtaining information from engineers he had concluded it was impracticable to instal a receiver in every case. The member for Ivanhoe agreed that the provision could be applicable to only a few mines.

MR. SCADDAN: After considering the question he had concluded, like the Minister, that it was not desirable to make a hard-and-fast rule that every winch underground should have a receiver. Something, however, was necessary to minimise the risk through disconnection. An inspector who knew his duty would, however, insist on provision being made for a suitable receiver when a shaft was being sunk.

Amendment passed.

THE MINISTER moved an amendment that Subclause 44 be struck out and the following inserted in lieu:—

When any shaft is being sunk below levels therefrom which are being worked, it shall be protected below such levels by a securely constructed pent-house to the satisfaction of the inspector, and when considered necessary by the inspector further pent-houses shall be

constructed in such shaft, and pent-houses shall forthwith be constructed in any shaft after he has given instructions to that effect.

He understood this amendment did not fully satisfy the member for Ivanhoe, who preferred to follow the lines of Eastern States legislation. The report of the State Mining Engineer on this matter was as follows:—

Re Mr. Scaddan's note herewith, sent on by the Minister, the fact that the provision is badly worded in the Victorian and Tasmanian Acts does not make it necessary for us to follow them. If the winding compartments have penthouses in them, the winding below the penthouse must be done in what is the ladder compartment at higher levels. In sinking deep shafts, however, it is often necessary to wind dirt from the bottom right through to surface, and then one of the winding compartments must be kept open, the rest of the shaft being covered by a penthouse. This is prevented by the wording of the Victorian Act, which seems to contemplate only the case of sinking a shaft while ordinary work is proceeding in all the winding compartments at the higher levels. I have previously drawn attention to the bad wording of the clause as inserted in Committee of Parliament, and proposed amendment thereof, in my notes of 6/11/06.

Under the amendment, the penthouse must be such as to meet with the satisfaction of the inspector.

MR. SCADDAN: As stated by the Minister, he disagreed with this amendment. It was desirable for the safety of men working in shafts that penthouses should be put in as provided by the clause in the Bill, which was preferable to the amendment. By accepting the amendment we should be placing too much responsibility on the shoulders of the inspector, in this case as in many others. In the case of a shaft being sunk from the surface and no men working below, a penthouse was not required by the Bill. Moreover, the suggested new clause did not appear to him to effect what the Minister desired, and therefore he hoped the Committee would adhere to the clause as printed. The system had worked well in Victoria, and had caused no hardship; and the experience of Tasmania was similar. The only complaint he had heard concerning the Eastern States clause was that of the State Mining Engineer, whose own clause was so obscurely worded as to be unintelligible.

THE MINISTER said he intended to move later that after "securely constructed penthouse" there be inserted "as provided by regulation and." Then he would be able to give by regulation fuller details of the class of penthouse to be constructed. He did not want to depart entirely from the advice of the officers of his department in such a matter, as the hon. member would understand. To define by regulation the class of penthouse would meet the case.

Amendment (to strike out subclause) passed; the new subclause amended verbally and inserted in lieu.

Subclause 49—Boxes in rises:

THE MINISTER moved that the subclause be struck out and the following inserted in lieu.—

In all vertical rises and rises at not more than an angle of thirty degrees from the vertical intended to be more than fifty feet in height from the floor of the level, the box method of rising shall be adopted, and no such rise shall be constructed to a greater height except by such system.

The subclause proposed to be struck out was inserted in the Bill on the motion by the member for Ivanhoe, and provided that all rises exceeding 20 feet above the recognised back must be divided into three compartments by means of a securely constructed box, but he (the Minister) had promised to bring in an amendment on recommitment. This subclause provided that the height could be 50 feet from the bottom of the level. That might be only 40 feet from the top of the level.

MR. HEITMANN: A man would fall the 50 feet all the same.

THE MINISTER: This was a question of ventilation. We should stop rising as much as possible, but there were many poorer shows where fixing the height at 20 feet might prove a heavy tax.

MR. BATH failed to recognise any compromise in this proposal. The matter had already been thrashed out very fully.

THE MINISTER: The member for Ivanhoe fully understood that it was intended to farther amend the subclause.

MR. BATH: The point raised by the Minister on the previous occasion the matter was discussed, was in reference to boxes in rises on the underlay, and that it might not be advisable on that account to accept the amendment moved by the

member for Ivanhoe which now stood in the Bill. The Committee, however, decided that the proposal made by the member for Ivanhoe should be inserted in the Bill, and now the Minister wished to alter it. Though the Minister contended that these boxes were put in for ventilation purposes, almost equal importance must be attached to them for the safe working of rises.

THE MINISTER: Fewer accidents occurred in rises than in any other part of a mine.

MR. BATH: Many accidents occurred in rises, and many miners' constitutions were ruined through working in rises. The Minister made a bogey of the question of expense. It was remarkable that the protest in that direction to a great extent came from the rich mines, to whom the expense would be a mere bagatelle. In the Eastern States, where poor working parties were to be found working mines, the box system of rises was in force almost everywhere, because it gave greater facilities to the workmen, and gave them an opportunity of doing more work and more satisfactory work. The system would prove cheaper in the long run. However, the main point was that the matter had already been thrashed out and it was not a fair thing, when there was to a certain extent a lack of interest in the Bill, to try to bring about an alteration.

THE MINISTER: The member for Ivanhoe would be able to explain the agreement in regard to this matter.

MR. SCADDAN: *Hansard* put it very clearly. We thrashed out the question of the box system in rises with the result that the Committee agreed that boxes should be placed in rises exceeding 20 feet above the recognised back. After the division was taken the Minister said that presumably he (Mr. Scaddan) would have no objection to the Bill being recommended for discussing whether these boxes were absolutely necessary in underlay rises, and he (Mr. Scaddan) had stated that it could be done straight away. There was however no mention of altering the height.

THE MINISTER: The hon. member knew that it was proposed to amend the height, but the amendment could not come before the Committee at that time.

MR. SCADDAN: Rises were always measured from the top of the stope or level as the case might be. He could not agree to any alteration to the height unless on division. If the Minister's proposal were accepted a manager would not put in boxes until the full height of 50 feet was reached, and probably would not then do so until his attention was drawn to their absence by the inspector of mines, and would plead ignorance of the fact that the height had been exceeded.

THE MINISTER: The same remarks applied to 20 feet.

MR. SCADDAN: It was unsafe to proceed to the top of a rise without having anything by which to climb in decent time. Miners complained bitterly against the methods of rising now carried on at Kalgoorlie. There was no objection to the Minister's proposal relating to underlay rises, but the Minister should not seek to strike out the subclause now in the Bill; he should rather add to that subclause a proviso dealing with underlay shafts.

MR. HOLMAN: It appeared advisable to do away as far as possible with rising at all in mines. The matter had been taken seriously into consideration in Victoria, especially in Bendigo. Almost on every occasion the work that was desired to be done by rising could be done by means of a winze. We should compel companies who desired to work their mines by a system of rising to make the rises as safe and well ventilated as possible. No hardship would be inflicted on the mine owners if we inserted the amendment moved by the member for Ivanhoe when we dealt with the matter previously, and the proposal of the Minister except as to the 50 feet. We should leave the number of feet as at present. The only protest made against the amendment had been made by the big mines on the Kalgoorlie belt.

THE MINISTER: wished to meet the member for Ivanhoe as far as possible. Would he accept an alteration making it 40 feet instead of 50, if it was worked from the floor of the level?

MR. SCADDAN: It was not practicable. It might start 100 feet above the level.

MR. HEITMANN: Let it be 30 feet from the brow of the rise?

THE MINISTER: Would the hon member (Mr. Scaddan) agree to that?

MR. SCADDAN: Yes.

Amendment altered by striking out the word "fifty" and inserting "thirty," also by striking out "from the floor of the level" and inserting "above the recognised back."

Amendment as altered passed.

Clause 37—Inspector may give notice of dangerous or defective matters not provided for:

THE MINISTER moved an amendment—

That after "the," in line 2 of Subclause 1, the words "owner, agent, or" be inserted.

We wanted to have full power to throw the responsibility on the three persons. We desired to put the responsibility where the officer thought it should lie. In some instances the manager might get instructions from the owners to do certain work, and in the opinion of the department the responsibility for not carrying out the provisions of the Act might lie more on the owner than the manager, in which case we should have power to prosecute the owner rather than the manager.

Amendment put and passed.

Clause 39—Persons in charge of machinery not to be employed for more than eight consecutive hours:

THE MINISTER moved an amendment—

That the following words be added: The eight hours shall be exclusive of meal times, and of any time occupied in raising or exhausting steam or drawing fires in connection with the machinery in his charge.

In many mines it was essential for the driver to do this. Engine-drivers came under the scope of the Arbitration Act, and they would have their award.

Amendment put and passed.

Clause 41—No person to be employed for more than thirteen days in a fortnight:

THE MINISTER moved an amendment—

That the word "person" be struck out and "workman" substituted.

If the amendment were passed the provision would apply to the wages men in the mine and not to the general staff.

For instance, it would not apply to the manager or underground boss or probably the metallurgist. These people he believed got their holidays at the end of the year. Many of these people might be compelled to work for a short time every day.

Amendment put and passed.

THE MINISTER moved a farther amendment—

That after "to," in Subclause 3, the words "foremen, shift-bosses, grooms," be inserted.

MR. SCADDAN wished the Minister to give some reason why shift-bosses and foremen should be inserted. They were only workmen in the ordinary sense.

THE MINISTER: A foreman might necessarily be compelled to be employed continuously. These men got special pay and usually special holidays. He did not think there would be the slightest objection by the men themselves to the inclusion of these words. A cable had been sent from London from the Council of Mine Owners protesting strongly against this clause, and they thought it would do a lot of injury. On the other hand members knew that he approached the managers and asked them if they could give him any proposal by which if men worked the seven days they would allow them extra payment or make special provision for paid holidays. No such provision was made, and we were now going to insist that at least once in 14 days they should give the workmen a day off. He hoped it would not be long before they would find means of working these plants without men having to work more than six days continuously. He was almost afraid of the clause himself, yet he thought we were justified. In his opinion we were justified in putting mine owners to some expense with a view of letting men get one day off once a fortnight. As to the foremen he did not think there was any objection made. The amendment had been on the Notice Paper a long time and he had heard of no objection. In the case of the foremen it was essential that their services should be available if necessary.

MR. SCADDAN: After the explanation by the Minister he was not going to oppose the inclusion of "foremen, grooms," but shift-bosses should have a day off.

THE MINISTER consented to strike out "shift-bosses."

Amendment as altered agreed to.

Clause 42—Hours of employment below ground:

MR. HOLMAN moved an amendment—

That the word "exclusive" in subclause 1 be struck out, and "inclusive" inserted in lieu.

This was in accordance with the whole of the arbitration awards. The words in the clause were an innovation on the previous legislation in this direction, and there was no necessity for it. If inserted, it might be the means of altering the whole system of working which obtained in the mines at present. Under the clause persons working underground and who had half-an-hour or an hour for crib time could be compelled to work the full eight hours underground, this necessitating their being underground perhaps $8\frac{1}{2}$ or 9 hours. A similar provision existed when he was working in the mines in Victoria over 18 years ago. About that time an alteration was made so as to prevent the employment of any person underground for more than eight hours inclusive of meal time. In every award provision was made that all underground workers should only work 47 hours a week, inclusive of crib time. If we allowed the word "exclusive" to remain, men would have to work 48 hours a week underground.

THE MINISTER: We should not interfere with the working of the Arbitration Act. These words had been in previous statutes, and were therefore inserted in this Bill.

MR. HOLMAN: This was a new provision.

THE MINISTER would agree to strike out the words "exclusive of meal times."

MR. HEITMANN: Suppose a manager knocked a man off for half an hour, he could then say the man was not employed during that time.

THE MINISTER: The maximum was mentioned in the Bill. It was provided that no matter what the court might say, there were certain things it could not do. It would be impossible for the Arbitration Court to say that a man should work nine hours underground; but the court

could reduce the number of hours as it thought fit.

MR. HEITMANN: It was left open for the employer to give an employee certain time off, and during that time the man would not be working.

MR. HOLMAN: The amendment would meet the case. It was laid down in every award of the Arbitration Court that men should not be employed for more than 48 hours underground, but the provision in the Bill allowed 48 hours to be worked. The only men who were allowed to work 48 hours a week inclusive of crib time were those who worked above ground.

MR. BATH: Not only was it the universal custom in Western Australia to work the time specified weekly, crib time being included in the eight hours, but it was the universal custom throughout Australia for miners working underground. The law should conform to the recognised custom, for there might be a time during which an award was not in existence, or there might be a district not covered by an award, and the result might be that if the provision was allowed to stand, some mineowners might say this was justification for departing from what was the recognised custom. Seeing that no hardship could be inflicted by the amendment, there was no valid reason against adopting it.

THE MINISTER: There was no objection to the words "exclusive of meal times" being removed. If a man had his crib down below the time went on, and he could not be kept down below more than eight hours.

MR. HEITMANN: Suppose he was sent up for one hour.

THE MINISTER: In prospecting shows a man might work for four hours below and come to the surface for one hour for his meal. That hour could not be reckoned portion of the working hours of the day. In many of our mines if a man worked 44 hours a week below ground he did a good week's work.

MR. HOLMAN: Trouble had occurred in isolated cases where there was no award. Under the existing law there was no provision dealing with meal times. If we inserted the words "inclusive of meal times," it would be in accordance with the practice now in existence.

Amendment put and passed.

THE MINISTER moved an amendment—

That in Subclause 1 the words "exclusive of meal times" be struck out.

MR. HOLMAN hoped the Minister would not persist in the amendment. The Arbitration Court could not make an award contrary to existing legislation, and excision of these words would create a difficulty. In little shows, he might explain to the Minister, the men were better treated than in big shows. Indeed in the little shows of the North-West, and also at Meekatharra and other parts of the Murchison, the men worked only 44 hours per week.

MR. BATH hoped the Minister would accept the amendment of the member for Murchison (Mr. Holman) in its entirety. We should conform to established customs. At the Augusta mine, owned by a party of workers in the Laverton district, the miners were brought on at 8 o'clock and knocked off at 4, and were allowed an hour for dinner. On the small mines no attempt was made to curtail the rights of miners. To conform to custom was just as desirable as to conform to arbitration awards.

THE MINISTER did not desire to depart from the ordinary custom, but these words were well out of the clause. We had no right to encroach on the functions of the Arbitration Court.

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

Ayes	...	...	...	18
Noes	...	...	...	10

Majority for ... 8

AYES.
Mr. Barnett
Mr. Brown
Mr. Cowcher
Mr. Davies
Mr. Eddy
Mr. Ewing
Mr. Gordon
Mr. Gregory
Mr. Hayward
Mr. Keenan
Mr. McLarty
Mr. N. J. Moore
Mr. S. F. Moore
Mr. Price
Mr. Smith
Mr. Stone
Mr. Veryard
Mr. Layman (Teller).

NOES.
Mr. Angwin
Mr. Bath
Mr. Bolton
Mr. Collier
Mr. Daglish
Mr. Holman
Mr. Horan
Mr. Scaddan
Mr. Underwood
Mr. Heitmann (Teller).

Amendment thus passed.

In Subclause 1, the words "without an interval and between any two periods of working there shall be an interval of

at least four hours," were struck out consecutively, and the words "on any day" inserted in lieu.

Clause 52—Protection of abandoned shafts:

THE MINISTER moved an amendment—

That the words "or who removes any part of the mound or dump at the mouth of any such shaft so as to lessen or destroy its usefulness in protecting persons and animals from falling into such shaft," be inserted after "same," in line 5, and that "mound or dump," be inserted after "platform," in line 9.

Members would recognise the danger of removing the material placed for protection over the mouth of an abandoned shaft.

MR. BATH: Would the passing of this amendment make it penal to remove payable dirt from the mouth of an abandoned shaft?

THE MINISTER: No.

MR. HOLMAN: In such a case the people who remove the payable dirt ought to make the shaft safe again.

Amendment passed; the clause as amended agreed to.

MR. SCADDAN: Had regulations been framed in accordance with promise providing penalties for negligence on the part of mine-owners or managers? He (Mr. Scaddan) had had an amendment to that effect on the Notice Paper, and had withdrawn it on being promised by the Minister that a provision for that purpose would be included in the Bill.

THE MINISTER: The matter had been overlooked, and he had done nothing in regard to it. Should the member desire a farther amendment, it might be inserted in another place. If the hon. member would confer with him, an amendment could be provided for insertion in the other House.

Bill reported with farther amendments

MR. HOLMAN: Would the Minister table the Regulations?

THE MINISTER: The hon. member would receive a copy on Monday.

Report adopted.

BILL—MUNICIPAL CORPORATIONS.

COUNCIL'S AMENDMENTS.

Schedule of 128 amendments made by the Legislative Council now considered

in Committee; MR. DAGLISH in the Chair, THE ATTORNEY GENERAL in charge of the Bill.

No. 1—Clause 6, line 5, strike out the words “ewes, wethers, rams:”

THE ATTORNEY GENERAL: By far the larger number of these amendments were made at the suggestion of the Parliamentary Draftsman, who had altered the language to make the meaning clearer and more definite. This amendment would improve the interpretation of “cattle.” He moved that the amendment be agreed to.

Question passed, the Council's amendment agreed to.

No. 2.—Clause 6, strike out in the definition of occupier all words after “thereof”:

THE ATTORNEY GENERAL moved that the amendment be agreed to. This would make no difference to the definition, which would include any person holding leasehold or freehold property, or holding under an agreement for a lease.

Question passed, the Council's amendment agreed to.

No. 3.—Clause 6, in the definition of “road district,” after “district” insert “under the local government of a roads board”:

THE ATTORNEY GENERAL moved that the amendment be agreed to. The insertion made no difference in the meaning.

MR. BATH: The Attorney General's attitude was peculiar. If the amendment made no difference, why add useless words? These amendments, he was informed, were made at the wish of the Government. It was a reflection on the Assembly, perhaps undeserved, that after the Bill passed here so many amendments, most of them technical, should be found necessary in another place. The Parliamentary Draftsman should in future make such amendments and put the Bills in proper form before submitting them to his House.

Question passed, the Council's amendment agreed to.

No. 4.—Clause 8, after this clause insert new clause to stand as No. 9: “Nothing in this Act shall be deemed to confer any power on the council to control or manage any park or reserve committed by the

Governor to a board of parks and reserves appointed under “The Parks and Reserves Act, 1895”:

THE ATTORNEY GENERAL: As the Bill left this House, Clause 9 was portion of Clause 245; but the draftsman considered that an earlier part of the Bill was the proper place for the provision. He moved that the amendment be agreed to.

MR. ANGIN: Would not the provision be clearer in Clause 245?

THE ATTORNEY GENERAL: No.

Question passed, the Council's amendment agreed to.

No. 5.—Clause 20, strike out all words after “the,” in line 9, to the end of the clause, and insert the following:—
— day appointed for the annual election next after such order takes effect.

(2) In case such order affects the councillors for one or more wards, but not for the whole municipal district, then all the councillors for the ward or wards affected shall go out of office on such day, but the election of councillors shall not be otherwise affected. In every other case in this section mentioned all the councillors shall go out of office on such day.

THE ATTORNEY GENERAL moved that the amendment be agreed to. It meant that when an order was made whereby a municipality was subdivided or re-divided into wards, the next ensuing election should not be affected by such order, nor should the order affect the filling up of extraordinary vacancies, until the day appointed for the annual election after such order took effect. The sub-clause provided for the possibility of the order affecting councillors for more than one ward, but not the councillors for all the wards.

Question passed, the Council's amendment agreed to.

No. 6.—Clause 24, paragraph (e) amended verbally—agreed to.

No. 7.—Clause 43, amended to make it clear that in the case of each municipality one councillor must go out of office each year, the first to retire on the 30th November in the year next following the first election—agreed to.

No. 8—agreed to.

No. 9.—Clause 47, paragraph (b), after the word “district” insert “in respect of which all rates made for the current

financial year, including health rates, are paid not later than the first day of October next following”:

THE ATTORNEY GENERAL moved that the amendment be agreed to. In the Bill as passed by the Assembly, Clause 81 provided that any person whose name appeared on the roll should not be entitled to vote unless all sums due for rates were paid by the 31st of October, but by Clause 53 it was necessary to hold a revision court between the 10th and 20th October inclusive in order that rolls might be prepared for the elections. There was thus a clashing between the two clauses. If those who were to enjoy the franchise were not compelled to pay rates before some date which allowed a reasonable time to prepare a list for submission to the revision court it would be impossible to complete the list in time.

MR. BATH: Could not a small supplementary list be prepared?

THE ATTORNEY GENERAL: That would require an enormous amount of work. The amendment provided that rates must be paid not later than the 1st day of October to secure a vote for the ensuing annual elections. That would enable the staff of the municipality to prepare a list in time for submission to the revision court, and after the court was held there would be reasonable time to prepare rolls for the ensuing annual elections. In this respect the Bill as it passed the Assembly was not workable, and would cause an outcry and demand for amendment if lists were circulated containing names of persons not entitled to vote. The amendment was moved in the Council by the Colonial Secretary at the request of municipal officers.

MR. ANGIN: Contrary to the wishes of the councils.

MR. BOLTON: Provision should be made so that a ratepayer would be entitled to vote on showing the returning officer a receipt for rates paid before the 1st November. Apparently the only reason for this amendment was to give the councils' staffs time to prepare lists, but if we made a provision such as he suggested it would not interfere with those officers. Surely a man was entitled to vote if he paid his rates? An opportunity now presented itself for making that provision in the Bill. Certainly if a man paid his rates after

the revision court sat his name would not appear on the lists, but that should not prevent him from producing to the returning officer a receipt from the town clerk, and so getting a vote. Pay day was usually the first of the month, and it often happened that a man had to wait until after pay day to pay his rates; but seeing that the opportunity of getting a vote was gone, the man might be careless about paying the rates at all until he was compelled to do so. If that man could get a vote on the day of the election it would be an incentive to him to pay his rates.

THE ATTORNEY GENERAL: The rates were for the year gone by, and should be paid half in June and the second half soon after notice was sent out by the town clerk. Ratepayer twelve months in arrear were not deserving of great sympathy. It was a fact that some neglected to pay their rates who were often best able to pay them, and left the burden of municipal expense on those to whom sometimes it was a matter of anxiety to raise the money to pay the rates. His experience was that the greatest trouble in securing rates was in the case of those who could pay, but traded on the indulgence of the municipality in allowing the rates to stand over. If the hon. member's suggestion were carried out a person not on the roll would be entitled to vote. Then the candidate would not know that he was entitled to vote.

MR. BOLTON: All the better.

THE ATTORNEY GENERAL: We were bound to furnish the candidates with information as to who the electors were. That was the object of having municipal rolls. The same applied to parliamentary elections. It was the duty of the State in one case, and of the municipality in the other, to furnish accurate information to those who came forward as candidates in order that they might know who were entitled to vote. The proposal now made would introduce an unknown element in regard to those who might be qualified to vote or might not be. There would be a public outcry. He regretted that he could not accept it.

MR. H. BROWN: Speaking for Perth he knew it took the town clerk and his

officials all their time to get the rolls ready now.

MR. BOLTON: There was a provision that one should pay his rates up to October, and yet we asked the town clerk to prepare a list prior to the 20th September.

THE ATTORNEY GENERAL: The revision court settled that afterwards.

MR. BOLTON: Then they could have a list typed with the words "subject to the payment of rates." In North Fremantle and other places terraces of houses were held by landlords responsible for paying the rates and the tenants were denied the right of voting. In many cases the rates were purposely paid the last day on which they could be, and none of the tenants were put on the roll. If we allowed the tenant to produce the receipt from the town clerk he would have an opportunity of paying the rates when he found that the landlord had deceived him. If we allowed tenants to pay the rates the municipality would have no difficulty because probably over 90 per cent. would pay their rates prior to the election.

MR. ANGWIN: The only way to get over the difficulty as far as the hon. member (Mr. Bolton) was concerned, was to entitle persons to exercise their vote whether the rates were paid or not. It seemed strange to him that the officers should in an indirect way use the powers of the Government to make an alteration which the representatives of the people had blotted out at the request of those who carried on our municipal work. In New South Wales and in South Australia what was now suggested was carried into effect, and if it could be managed in those places we ought to be able to manage it here. The Attorney General made a very good suggestion with regard to the revision court for extending the time by a month, but the revision court might as well be held in the last part of October as the first.

THE ATTORNEY GENERAL: How should we get the rolls?

MR. ANGWIN: What suited cities in the other States ought to suit us. People could be sued for their rates, and why should they be deprived of their rights in regard to electing representatives to serve on the council?

MR. STONE: Seeing that the properties could at any time be sold to raise the amount of the rates and that if the rates could not be conveniently paid ten per cent. could be charged as interest, he did not see why a person should be disqualified through not having paid his rates by a certain day. He was in favour of allowing either the owner or the occupier to vote.

MR. BATH: Too much of a bogey was made of the work that would be imposed on the officers in the preparation of the lists. He had known of instances in the other States in connection with other kinds of elections where the lists containing a much greater number of voters were got out in very quick time, within a day or two of the elections; printed and everything else. If, as the member for North Fremantle suggested, a sort of supplementary list were prepared of persons who would be eligible to vote subject to the payment of rates, that would assist candidates spoken of by the Attorney General. Knowing that these people were entitled to vote one could go round and perhaps place them in possession of the true facts of the case, and induce them to secure their vote either by bringing pressure to bear on the landlord or stopping the rate out of the rent which would otherwise be due. There was no difficulty in the preparation of a supplementary list of those who paid their rates after the dates specified. He opposed the amendment.

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

Ayes	...	...	...	18
Noes	...	...	...	11

Majority against ... 7

AYES.	NOES.
Mr. Barnett	Mr. Angwin
Mr. H. Brown	Mr. Bath
Mr. Cowcher	Mr. Bolton
Mr. Eddy	Mr. Collier
Mr. Ewing	Mr. Davies
Mr. Gordon	Mr. Holman
Mr. Gregory	Mr. Horan
Mr. Hayward	Mr. Scaddan
Mr. Keenan	Mr. Underwood
Mr. McLarty	Mr. Ware
Mr. N. J. Moore	Mr. Heitmann (Teller)
Mr. S. F. Moore	
Mr. Price	
Mr. Smith	
Mr. Verryard	
Mr. Stone	
Mr. A. J. Wilson	
Mr. Layman (Teller).	

Question thus passed, the Council's amendment agreed to.

No. 10—Clause 50, Subclause 1, strike out the subclause and insert:—

(1.) The town clerk shall, on or before the twentieth day of September in every year, cause to be prepared a list of all persons who appear to him to be entitled, subject only to the payment of rates, to be registered as electors on the electoral roll for the municipal district, and if the district is divided into wards, for the several wards. Such list is hereinafter referred to as the electoral list.

THE ATTORNEY GENERAL: This was only an expansion of the clause as printed in the Bill, and pointed out definitely the way in which the lists should be prepared, and if a municipality was divided into wards, there should be lists for each ward. He moved, "That the Council's amendment be amended by striking out the word 'only' between 'subject' and 'to.'"

Amendment passed; the Council's amendment as amended agreed to.

Nos. 11, 12, 13—agreed to.

No. 14—Clause 58, Subclause 8, strike out "in case of death," and insert "under Subsections 6 or 7 of this section;" also strike out the words "in each of the said cases":

THE ATTORNEY GENERAL moved that the amendment be agreed to.

Question passed, the Council's amendment agreed to.

MR. ANGWIN: Was it necessary to send a notice to a person whose name was objected to?

THE CHAIRMAN: The member could not discuss an amendment that had been agreed to, but as a favour he would allow him to ask a question.

MR. ANGWIN: Would it be necessary to have a new clause to provide for sending out notices?

THE ATTORNEY GENERAL: A new subclause had been inserted giving the court power to expunge names on notice given.

No. 14a.—Add a new clause to stand as Clause 66 (clerk to furnish list of municipal electors):

THE ATTORNEY GENERAL: This was a provision similar to that in the Electoral Act. It was compulsory under the Electoral Act for town clerks to give this information to assist the Electoral Department in the preparation of the

rolls for the Upper House. He moved, "That the amendment be agreed to."

MR. BOLTON: This provision was farcical, and was described as farcical by the electoral registrars. Moreover it was absolutely unnecessary. Its only effect was to relieve registrars of responsibility. If a few names were left off the rolls, those persons would find themselves deprived of their votes, even although they had recently voted, or had put in a claim to the town clerk.

MR. ANGWIN: One objection to this amendment was, that the rateable value did not represent the annual value of property, and from this it naturally followed that a number of persons were disfranchised. Town clerks were not neglectful of their duties in supplying every name on their books. Previously, they had received from the Electoral Department some remuneration for the work.

THE ATTORNEY GENERAL: The Electoral Department paid the town clerks nothing.

MR. ANGWIN: As the member for North Fremantle (Mr. Bolton) had said, this was unnecessary work.

THE ATTORNEY GENERAL: Section 34 of the Electoral Act read almost word for word with this amendment.

Question passed, the Council's amendment agreed to.

No. 15—Clause 75, line 43 of page 26, insert after councillors, "or all the councillors in office;" and in line 2, page 27, after "councillors," "or the whole number of councillors, as the case may be":

THE ATTORNEY GENERAL moved that the amendment be agreed to. The object was to provide for the case of two municipalities agreeing to join. A full roster of all the councillors might not exist, and if that contingency were not provided for, difficulty might arise in the interpretation of the clause. He moved an amendment that the words "in office" be struck out.

Amendment as amended agreed to.

No. 16—Clause 77, Subclause (2) amended consequentially.

No. 17—Clause 81, Subclause (1), strike out the second column under the heading "Rateable value of land":

THE ATTORNEY GENERAL moved that the Council's amendment be not agreed to. The second column dealt with capital unimproved value.

Question passed, the Council's amendment not agreed to.

No. 18—Clause 81, Subclause (3) amended consequentially by the Council to the same effect—not agreed to.

No. 19—Clause 81, Subclause (4), strike out this clause:

THE ATTORNEY GENERAL moved that the amendment be agreed to. Originally it had been provided that persons paying rates on or before the 31st October would be entitled to vote. We had now provided that rates must be paid on or before the 1st October. The amendment was therefore consequential.

Question passed, the Council's amendment agreed to.

No. 20—Clause 91, amended verbally—agreed to.

No. 21—Agreed to strike out "any" and insert "the," and strike out "as are."

No. 22—agreed to.

No. 23—Clause 107, strike out the words "candidates than he is entitled, or to give more votes than he is entitled to give," and insert "or less than the number of candidates to be elected":

THE ATTORNEY GENERAL: This would provide that the returning officer might reject any ballot paper containing any writing not justified by the Act, or one in which votes were cast for more or less than the number of candidates to be elected. He moved that the amendment be agreed to.

Question passed, the Council's amendment agreed to.

Nos. 24, 25, 26—agreed to.

No. 27—Clause 126, paragraph (a), strike out "and on the face of the notice the name and address of the person authorising the notice":

THE ATTORNEY GENERAL: The object was to bring the provisions against illegal practices at municipal elections into line with similar provisions in the Electoral Act. He moved that the amendment be agreed to.

Question passed, the Council's amendment agreed to.

No. 28—agreed to.

No. 29—Clause 167, strike out subclause (3):

THE ATTORNEY GENERAL: The subclause provided for the appointment of chairmen of committees, and a new subclause in the next amendment would provide that the mayor should be *ex officio* chairman of each committee, provided that at the first meeting he might decline the chairmanship for the year, in which case, and whenever he was absent, another member should be appointed chairman. He moved that the amendment be agreed to.

MR. ANGWIN opposed the amendment. The municipal conference had agreed to adopt the section in the Act of 1895 whereby a chairman of each committee should be appointed annually, so that he might have all the work of the committee in his hands. In many municipalities the mayor could not be present at every committee meeting, and he should therefore be only an *ex officio* member.

Question passed, the Council's amendment agreed to.

No. 30—agreed to.

No. 31—Clause 176, Subclause 19, strike out paragraphs (b.) and (c.) and insert the following:—

(b.) For the regulation and control of bills, placards, or advertisements attached to or pasted or painted on hoardings, whether the same are erected upon private property or upon any public place;

(c.) For the regulation and control of hoardings erected upon private property, and for the removal by the council, or any person acting under their authority, of any such hoarding, or of any bill, placard, or advertisement attached to or pasted or painted thereon which in the opinion of the council is dangerous or objectionable, and for the recovery of the expenses thereof.

THE ATTORNEY GENERAL: The new paragraphs were more specific, and the second would give power to deal with hoardings on private lands.

MR. ANGWIN: The amendment would considerably increase the powers of councils. Not long ago, the Perth council, actuated by spite, tried to remove a railway hoarding fronting Wellington Street. By the amendment the council could remove hoardings from private property. This was going too far.

THE ATTORNEY GENERAL: This related to boardings simply. In other parts of the world municipalities could prevent the beauty of streets being destroyed by unsightly advertisements.

MR. ANGWIN: Even temporary boardings could be interfered with here.

THE ATTORNEY GENERAL: If temporary, all the more reason for their being under control.

Question passed, the Council's amendment agreed to.

Nos. 32 to 37—agreed to.

No. 38—Clause 176, Subclause 43, insert at the end "which are not ceiled or lined with wood or lath and plaster:"

THE ATTORNEY GENERAL moved that the amendment be agreed to. It was proposed by an architect in another place, and did not seem particularly desirable or objectionable. Buildings not ceiled or lined with wood or lath and plaster were to be subject to another portion of the clause, which provided for coating them with white paint or whitewash.

MR. BATH: Was this not duplicating legislation? We had a similar provision in the Factories Act.

THE ATTORNEY GENERAL: This applied to dwellings as well as to factories.

Question passed, the Council's amendment agreed to.

Nos. 39 to 43—agreed to.

No. 44—Clause 231, before this clause insert the following to stand as Clause 231:—"Subject to the provisions of the Public Works Act 1902, the council of every municipality shall have the care, control, and management of all public places, streets, roads, ways, bridges, culverts, ferries, and jetties within the municipal district":

THE ATTORNEY GENERAL moved that the amendment be agreed to. The object was to preserve the rights vested in the Crown under the Public Works Act, so that the councils could not override them.

MR. BATH: We should not consent to give councils control of roads maintained out of the State exchequer.

THE ATTORNEY GENERAL: Without the amendment the municipality would have complete control of all roads.

The amendment did what the hon. member sought.

Question passed, the Council's amendment agreed to.

Nos. 45 to 49—agreed to.

No. 50—Clause 248, line 1, strike out all the clause after the words "the council," and insert, "shall at all intersections of streets within the municipal district, cause the names of such streets to be legibly indicated, and for that purpose may affix any board or plate, either in wood, iron, or other material, upon any part of any building, fence, or wall, or otherwise, containing such notice as may be necessary for such purpose and conducive to the public convenience."

THE ATTORNEY GENERAL moved that the amendment be agreed to.

MR. ANGWIN: It was provided in the amendment that the councils shall at the intersections of streets cause the names of such streets to be legibly indicated. It should read "may."

MR. H. BROWN: If the word "may" was used it would be a dangerous provision to enforce.

THE ATTORNEY GENERAL: It was an improvement to use the word "shall." It would not be much expense to a municipality to put up these notices.

Question passed, the Council's amendment agreed to.

No. 51—Clause 249, add a subclause as follows:—2. The council may from time to time authorise any person to enter upon any house or premises to which a number has been assigned, for the purpose of removing any number already thereon, and of fixing or painting the number so assigned upon the wall, or a door thereof, or upon any fence or gate:

THE ATTORNEY GENERAL moved that the amendment be agreed to.

MR. BATH: Would councils be empowered to make a charge for fixing numbers on houses?

THE ATTORNEY GENERAL: No power was given to make a charge.

MR. H. BROWN: This was a necessary provision. Power was not given hitherto. No charge was made in Perth for fixing numbers on houses.

Question passed, the Council's amendment agreed to.

No. 52—agreed to.

No. 53—Clause 278, strike out the words "not exceeding one-half," and insert after "thereby" the words "not exceeding one-half if the footway or pathway is nine feet in width or under, or one-third if the footway or pathway exceeds nine feet in width":

THE ATTORNEY GENERAL moved that the amendment be agreed to.

MR. ANGWIN: This was an important amendment, providing that if a footway exceeded 9ft. in width the owner of the property was not compelled to pay more than one-third of the cost of paving the footway. In the majority of our principal streets the footways were more than 9ft. wide, and the paving used on them was more expensive than the paving put down on cross streets. There was no reason why the people adjoining these wider footpaths should not pay half the full cost.

MR. H. BROWN: The provision was very fair. In the outlying portions of Perth footpaths were purposely made 16ft. wide to cover up the sand and to save the expense of constructing a great portion of the road.

Question passed, the Council's amendment agreed to.

No. 54—Clause 279, line 2, after the word "width" insert "and levels":

THE ATTORNEY GENERAL moved that the amendment be agreed to.

MR. BATH: Some amendment was needed. In many cases manifest injustice had been inflicted on people; in Subiaco for instance, owing to the alterations of levels. People who had been resident there a considerable time had been given levels originally, and now the municipality had raised the footpaths and practically obliterated their fences and gates. This proposal would be giving the council altogether too much power. It meant that they would be permitted to depreciate the value of a person's property or his improvements which he himself had effected without giving any redress.

THE ATTORNEY GENERAL: It was a public good to make a street level, and although necessity arose, in carrying out that work, to inflict hardship in some individual cases, he thought the hon. member would not get the House to make provision for compensation. Such a clause would be entirely inoperative.

MR. H. BROWN: The insertion of the words in this amendment would give the power which the member for Brown Hill required. It would call upon the corporation to give the levels, and at present they were not called upon to do that.

MR. BATH: The objection to it was their coming along and making new levels altogether. He moved an amendment that the following be added:—

Provided that compensation is given when injury is inflicted upon any occupier.

THE ATTORNEY GENERAL: Perhaps the hon. member would not persist in that amendment if he looked at the Council's amendment No. 55 which proposed to add to Clause 279 the words "Provided that the council shall, on request of any owner or his agent, furnish a plan of such levels and alignments."

MR. BATH: After levels had been given and improvements made, which might not be purchasable with money, but represented a considerable amount of time and expense in the way of hedges and lawns, the council raised the footpath, practically obliterating the fence and destroying the hedge, and the owner got no compensation.

THE ATTORNEY GENERAL: If after giving levels the council departed from them there would be a claim for compensation.

MR. BATH: They had not been able to secure compensation.

THE ATTORNEY GENERAL: In Harvest Terrace they had.

Amendment (Mr. Bath's) negatived.

Question passed, the Council's amendment agreed to.

No. 55—Clause 279, add at the end the following: "Provided that the council shall, on request of any owner or his agent, furnish a plan of such levels and alignments":

THE ATTORNEY GENERAL moved that the word "plan" be struck out and "particulars" substituted. This would save expense to the parties.

Amendment passed, the Council's amendment agreed to.

No. 56—Clause 283, as to repairing crossing-places, redrafted to make the intention clear—agreed to.

No. 57—After Clause 283, a new part inserted as Part XIII., relating to sewers and drains; this re-enactment being necessary because the Health Bill then before Parliament could not be completed in the session.

Council's amendment agreed to.

No. 58—Clause 286, definition of public buildings, etc., redrafted—agreed to.

No. 59—Clause 286, strike out all the rest of the clause after the word "feet":

Discussion ensued as to amending the Council's amendment relating to the minimum width of streets. Eventually the matter was postponed,

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 11:35 o'clock, until the next Tuesday afternoon.

Legislative Council,

Monday, 10th December, 1906.

	PAGE
Question: Railway Sunday Express to Goldfields	3610
Standing Orders Suspension, to expedite business	3610
Bills: Permanent Reserves Rededication, 3a.	3613
Loan, the First Schedule resumed in Committee, reported	3621
Coolgardie-Norseman Railway, 2a., Com., reported	3634
Land Tax Assessment Bill, Motion to Reinstate (lost)	3613

THE PRESIDENT took the Chair at 3 o'clock p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Annual Report of Board of Governors of the Perth High School.

QUESTION—RAILWAY SUNDAY EXPRESS TO GOLDFIELDS.

HON. T. F. O. BRIMAGE asked the Colonial Secretary: 1, Is the Government aware that repeated applications are still being made for a train to leave for the Eastern Goldfields on Sunday evenings? 2, Will the Government give the proposed alteration a trial for two months during the summer season? 3, Will the Government take steps to have the figures given by the Commissioner of Railways as to the cost of the proposed alteration verified, seeing that they are out of all proportion to the figures given in the return supplied to this House on the 13th November?

THE COLONIAL SECRETARY replied: 1, No. 2, The Commissioner does not recommend such a trial, as there is nothing to warrant it. 3, Farther explanation is necessary before this question can be dealt with. If Mr. Brimage will call at the Railway Offices, every facility will be afforded him.

STANDING ORDERS. SUSPENSION.

THE COLONIAL SECRETARY moved—

That in order to expedite business, the Standing Orders relating to public Bills and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the session, so far as may be necessary to enable Bills to pass through all their stages in one sitting, and Messages to be taken into immediate consideration.

He said this was the usual motion passed at the close of each session in order that we might deal promptly with business and finish up the session. Towards the end of a session messages went backwards and forwards between both Houses frequently, and by passing the motion we would be enabled to deal with them at one sitting. Standing Orders had been suspended a week ago in another place.

HON. R. F. SHOLL: The statement might be perfectly correct; it was occasionally the practice to suspend Standing Orders; but the present business of the House was in such a state, with such important Bills before us and likely to come before us—amongst others the Land Tax Assessment Bill, which was in abeyance—that it would be unwise to do