

MR. THOMAS: As would be seen in *Hansard*, the member for Mount Margaret, on the previous occasion, objected to charges for hire of two aborigines appearing amongst items of flour and kerosene, as this showed that aborigines were treated as merchandise. He (Mr. Thomas) had produced bills in which the time of white men was charged for together with lead and cotton-waste, thus showing the absurdity of the hon. member's contention.

MR. TAYLOR rose to continue the discussion.

On motion by the COLONIAL SECRETARY, progress reported and leave given to sit again.

#### ADJOURNMENT.

The House adjourned at 11-20 o'clock, until the next day.

### Legislative Council,

Thursday, 4th December, 1902.

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THE PRESIDENT took the Chair at 4-30 o'clock, p.m.

#### PRAYERS.

#### PETITION—CHINESE AND FACTORIES BILL.

HON. A. G. JENKINS presented a petition from Chinese merchants and

residents against Clause 74 of the Factories and Shops Bill.

Petition received, read, and ordered to be considered in connection with the Bill when in Committee.

#### QUESTION—KIMBERLEY RESERVE, REMOUNTS.

HON. W. MALEY asked the Minister for Lands: 1, Have the Government decided to offer for pastoral lease Temporary Reserve 8215, Kimberley (at present reserved for breeding remounts). 2, In view of the large area and magnificent position of the reserve, do the Government propose advertising the land before receiving applications. 3, How many remounts have been bred on the one million acres in the reserve. 4, Do the Government propose breeding remounts in any other portion of the State. 5, Has any other land been set apart for the purpose.

THE MINISTER FOR LANDS replied: 1, Yes. 2, Yes. 3, None. 4, No. 5, No.

#### QUESTION—ESPERANCE HARBOUR, REPORT.

HON. A. G. JENKINS asked the Minister for Lands: Will the Government consider the advisability of obtaining an independent expert report on the suitability of the port of Esperance as a harbour?

THE MINISTER FOR LANDS replied: It is not customary to call for independent expert opinion until the usual advisers on the question have first reported.

#### QUESTION—PARKER'S RANGE DAM.

HON. T. F. O. BRIMAGE asked the Minister for Lands: 1, Is it the intention of the Government to repair the Parker's Range dam. 2, Are the Government aware that the dam was full this winter. 3, Are they aware that the dam leaks, and that all the water is lost. 4, Do they intend to take action and make the dam watertight. 5, What would be the cost of asphaltting the dam. 6, Has anyone reported on the dam since its construction.

THE MINISTER FOR LANDS replied: 1, The tank does not need repairs, it never having been lined, and the question of rendering it watertight by means

of some description of lining has been considered more than once, but owing to the fact that the population in the vicinity is too small to justify the comparatively large expenditure that would be necessary, it was decided to defer the work. 2, Yes. 3, The tank is not in natural holding ground, and, in the absence of lining, the water rapidly leaks away. 4, See answer to No. 1. 5, £4,400 for the excavated portion, containing two and a half million gallons, as it is necessary, owing to the isolated nature of the place, not only to provide asphalt, but also other works in order to insure success; but if a certain amount of risk is taken of possible damage, sufficient work could be done to make certain of retaining one million gallons for the sum of £2,000. 6, Yes; reports have been received from time to time, and the condition of the tank is known.

#### MOTION—ESPERANCE RAILWAY, TO CONSTRUCT.

HON. J. D. CONNOLLY (North-East) had given notice of the following motion:—

That, in the opinion of this House, the immediate construction of a railway connecting Esperance Bay with the Eastern Goldfields would be of great benefit to the State.

THE PRESIDENT: Does the hon. member intend to go on with the motion?

HON. J. D. CONNOLLY: Yes.

THE PRESIDENT: I think it my duty to inform the hon. member that the motion will stop in this House.

HON. J. D. CONNOLLY: But can it not be transmitted?

THE PRESIDENT: Another place has already dealt with the question.

HON. J. D. CONNOLLY: We have not received any notification.

THE PRESIDENT: No; but if it were sent from here, I think the hon. member would find the motion would be ruled out of order.

HON. J. D. CONNOLLY: In moving the motion standing in my name, I do so with considerable diffidence, as a member rather young in this House and inexperienced in handling a question of this kind. I will give reasons that induced me to bring this motion forward at the present time. As members are well aware, the Eastern Goldfields are placed at a very big disadvantage, inasmuch as

they are caused to come 170 miles farther to a port than they should be. They are obliged by the present railway system of this State to come to Fremantle, that being the only port available—a distance of 300 or 400 miles. The natural harbour for the Eastern Goldfields, as every member of the House is aware, is Esperance, which is situated only some 220 miles from the Eastern Goldfields. I also propose to show that a railway from Esperance will tend to cheapen the cost of living on the Eastern Goldfields, and by cheapening the cost of living it will be a very great gain to the State as a whole, because every mine that is opened up, and every miner employed means a fresh market for our agricultural produce in this State. Therefore every development which takes place in the mining industry is to the interest of the whole State. A sum of about £30,000 is being sent away every month through the post office. Why is that sum being sent away? Because the cost of living on the Eastern Goldfields is so high that miners cannot afford to keep their families there. If we cheapen the cost of living and so enable the miners to maintain their families here, that sum of £30,000 which we now lose monthly through the post office alone—the total loss from this cause must be much greater—will be retained here to the great benefit of the State. Another reason why the construction of the line is urgently needed is found in the necessity for supplying the mines with timber and firewood. The mines on the Hannans Belt are now in great need of fresh sources of supply. A few days ago permits which had been granted private people for the construction of new lines of tramway on the Eastern Goldfields were laid on the table. The money from that enterprise will go into the pockets of private people, whereas the cost of the Esperance line might be largely met by haulage of timber over it. In this connection I must point out that the line will pass through about 140 miles of the best timber country on the Eastern Goldfields. Hon. members know that a few weeks back a petition, which now lies on the table, was addressed to this House by no less than 35 public bodies on the Eastern Goldfields. That fact in itself affords a sufficient argument for the immediate construction of the line. A

question which naturally presents itself to the minds of business people is, will the line pay? I say, undoubtedly it will. The total length of railway would be something like 220 miles, the estimated cost of which, including rolling stock, at the rate of £8,000 per mile is £660,000. I know I shall be met with the argument that there is also a harbour to be made at Esperance. If members will refer to the map published by the British Admiralty they will see, however, that Esperance Bay affords an excellent harbour, which is naturally almost land-locked and has a fine depth of water. At small cost Esperance could be provided with a thoroughly safe harbour—quite as safe as the Fremantle harbour, on which so very much money has been spent. The cost of the harbour improvements required at Esperance is estimated at £50,000, but I shall allow half as much again and set it down at £75,000. The total cost of railway and harbour would thus amount to £735,000, interest on which at  $3\frac{1}{2}$  per cent. would amount to roughly £26,000 a year. From last month's railway returns it appears that working expenses amount to about 75 per cent. of gross earnings: thus 25 per cent. of gross earnings remain over and above working expenses to meet interest and sinking fund. As I have already said, a vast belt of timber exists along the route of the proposed line, and from the haulage of that timber alone the Government might derive a large revenue, even while the line is in course of construction. At present, the mines on the Hannans belt consume about 1,500 tons of firewood per day. Taking the lowest rate, namely  $\frac{1}{2}$ d. per ton per mile, and allowing that the wood will be conveyed on an average half the total distance of 140 miles over which the belt extends, that is to say 70 miles, 1,500 tons of wood per day would mean a revenue of £225 per day, or an annual revenue of £68,000. I may remark here that 70 miles' haulage is not out of the question for firewood, since at the present time fuel is being hauled as much as 80 miles. The returns from firewood alone, therefore, will amount to more than half the total earnings needed to make the line pay. To turn now to another aspect of the question—what effect will the con-

struction of the Esperance line have on the Eastern Goldfields railway? I shall allow that the former will take from the latter one-fourth of its present traffic. According to last year's returns the gross earnings of the Eastern Goldfields railway amounted to £657,000. Allowing that a fourth of the traffic, equal to £160,000, would be diverted to the Esperance railway, the proposed line according to the returns would show an annual profit of £40,000.

HON. M. L. MOSS: But how about the loss of traffic to the Eastern Goldfields line, which is capable of carrying all the traffic?

HON. J. D. CONNOLLY: I shall come to that presently, but I may tell the hon. member for his information that when the lines now under consideration to Leonora and Mount Malcolm have passed from the control of the Construction Branch to that of the Railway Department, the Eastern Goldfields line will not be capable of coping with the traffic. The methods of the Construction Branch are unbusinesslike and expensive, and consignments are naturally being held back to be carried by the Railway Department. Moreover, when the railway reaches Mount Morgans and Laverton, the present line, even with the Esperance line in existence, will have all the traffic which it can possibly cope with. Indeed, it cannot cope with present traffic requirements. No end of trouble and delay are caused through the permanent block on the line. With another 200 miles of railway opened into new districts, the traffic would go ahead by leaps and bounds. Mine owners, knowing that they are bound to have a railway in the near future, are not likely to pay heavy rates for cartage when there is a prospect of getting their goods conveyed at 75 per cent. less cost by rail. I am quite safe in saying, therefore, that the Eastern Goldfields line will not be able to cope with the goldfields traffic when the additional mileage has been opened. Indeed, the traffic on the eastern line has nothing to fear, because at the end of the period required for the construction of the Esperance line the Mount Morgans railway and other railways will have been built, and the general advance of the fields will have been such that the Esperance railway will merely be carrying a part of the increase which will accrue to the eastern line. The question is likely to

be asked, what about vested interests? Vested interests, of course, must be considered; but they must be equally considered everywhere. What about the vested interests of Esperance? Were not the Esperance people led by Sir John Forrest to believe that the line would be built?

HON. J. W. HACKETT: Sir John Forrest has never said that.

HON. M. L. MOSS: A line was merely to have been started from the north.

HON. A. G. JENKINS: Sir John Forrest, according to Mr. Hassell, made the promise in 1896.

HON. J. D. CONNOLLY: I did not for a moment expect that any member would deny that Sir John Forrest has pledged himself to the line; otherwise, I should have brought abundant proof of the fact.

MEMBER: Sir John Forrest at no time favoured running the line through. He has explained that.

HON. J. D. CONNOLLY: Members know very well that Sir John Forrest in proposing the construction of a line from Coolgardie or Kalgoorlie to Norseman was proposing the construction of the first section of the Esperance railway. [SEVERAL MEMBERS: No.] Are hon. members aware that there was at one time a population of nearly 2,000 people in Esperance? Have those 2,000 people no rights?

HON. R. G. BURGESS: They have all left.

HON. J. D. CONNOLLY: Perth and Fremantle have vested rights, but other places also have vested rights.

HON. M. L. MOSS: What is the population of Esperance now?

HON. J. D. CONNOLLY: The hon. member ought to be ashamed to ask the question. Any member for a Fremantle constituency should be ashamed to reflect that Esperance had at one time 2,000 people, whom the Government by erecting public buildings of stone, constructing jetties, and so forth induced to believe that the line would be built.

HON. A. G. JENKINS: Ask the Minister what the population of Fremantle will be when the harbour works stop and the railway workshops are removed!

HON. J. D. CONNOLLY: I have to mention another industry which will be benefited by the construction of the Esperance railway.

HON. M. L. MOSS: Is that the salt industry?

HON. J. D. CONNOLLY: The construction of the line will develop a new industry, of which I have no expert knowledge, and as to the possibilities of which I therefore express no opinion. Undoubtedly, however, the construction of the Esperance railway will create a salt industry.

HON. J. W. HACKETT: At what distance from the port is the salt?

HON. J. D. CONNOLLY: The salt is close to the port, at Pink Lake; an inexhaustible supply exists there.

HON. J. W. HACKETT: Yes; I have seen it. The salt is splendid, and it is close to the port.

HON. J. D. CONNOLLY: The Government Analyst's report on samples of the salt submitted to him is as follows:—

These samples contain only from 10 to 12 per cent. of mineral impurity, and are, therefore, equal to the very best brands of salt made in Europe.

Therefore, no doubt can exist as to the quality of the salt. Another argument in favour of the line is that the excellent field of Norseman is languishing—it has almost died—owing to the very heavy cartage rates which have to be paid on machinery, and also owing to the heavy cost of labour, which in turn is due to the high cost of living. Not only in my opinion, but in that of men known as highly qualified mining engineers, Norseman would flourish if the cost of mining could be reduced even slightly. The field has now attained almost a paying basis, and a slight reduction in the cost of mining will mean dividends to the investor. Another phase of the question, which has not been considered by Mr. Burgess, who is so very fond of interjecting, is that between Norseman and Esperance a large area of good agricultural land and hundreds of thousands of acres of good pastoral land are found. The country is blessed with a good rainfall, quite as good as that of the Eastern and other highly lauded agricultural districts. The rainfall for 1900 was as follows: Norseman 12.53 inches, Grass Patch 19.12 inches, Swan Lagoon 20.03 inches, 30-mile 20.18 inches, Esperance 29.30 inches, Park Farm 26.67 inches, Fanny's Cove 28 inches; average, 24 inches of rain. I think that is a good rainfall.

The average, excepting Norseman, which was not marked at that time, for the last 17 years was 24 inches. I will read an extract from a report of Mr. White, Chief Rabbit Inspector. He was asked by the Government to give a report, and he did so on the 17th of last March. In that report he speaks highly of the land, and recommends that 10,000 acres be thrown open for selection in the Grass Patch and Salmon Gums districts alone. At Grass Patch there are 3,583 acres taken up, of which 800 acres are under cultivation. Wheat and hay have been grown for five successive years without a failure, the average being 20 cwt. to the acre. I think members will admit it is well up to the average of the crops throughout Western Australia. Mr. White states: "There is sufficient agricultural land in this area, and adjoining, not only to grow all the wheat for flour and all the hay required at Norseman; but also to supply the goldfields further North." The average crop of hay for the whole of the agricultural districts of Western Australia has been as follows:—1897, 73 tons per acre; 1898, 93 tons per acre; 1899, 98 tons per acre; 1900, 89 tons per acre; 1901, 1 ton per acre; 1902, 98 tons per acre; so you will see that the average crop at Grass Patch is better than the average for the country. I think the mere fact of 800 acres being under cultivation speaks volumes. It shows that people recognise what very excellent land there is there.

HON. J. W. HACKETT: Does it say under crop, or merely under cultivation?

HON. J. D. CONNOLLY: Eight hundred acres under cultivation.

HON. J. W. HACKETT: Not crop?

HON. J. D. CONNOLLY: I do not know the difference between being under crop and under cultivation. The report was handed in by Mr. White on the 17th March. I simply quote that because he is an unbiased person who had to give a report.

MEMBER: He has some land there to sell.

HON. J. D. CONNOLLY: It is easy for members to make those assertions. I do not wish to go into the thing exhaustively and tire members. That the line will pay there is not a shadow of doubt. I have put forward as good a case, and probably a better case than is generally

put forward for the building of any new line. If you are going to put down a new line, how can you say what will be on that line? Another phase of the question is this. I think every port ought to have that trade which its geographical position entitles it to. To my mind, it is a great mistake to suppose that you can have one port and make it anything better than you would have if you left the trade in its natural way. I will just read a few words of what the Treasurer, the man who guards the finance of this State, says on this particular question:—

It is possible to carry the policy of centralisation to the breaking point.

HON. M. L. MOSS: When was that?

HON. J. D. CONNOLLY: That was said by Mr. Gardiner, the member for Albany, when speaking in the Legislative Assembly last year. He is the man who looks after the finances, and I think you can trust the words he utters:—

Therefore especially in this country ought we to give to every port its geographical trade as far as possible, and assist it to benefit by carrying on that geographical trade. We must not lose sight of the fact that we have practically one-third of the continent, and every natural mouth should be open to enable us to feed the various portions of it, instead of pursuing the policy which has hitherto been pursued of trying to feed through one mouth.

That is the Treasurer's opinion about it. I do not think there was much thought about vested interests when they diverted the line so as to take it from Geraldton to Fremantle, or when they took the mail steamers from Albany and almost ruined the place, and brought them to Fremantle. Vested interests were not considered much then. As far as the policy of centralisation is concerned, I refer now more particularly to the Geraldton district and the way they have extended these lines North to Menzies, forcing all the trade to come from Fremantle, instead of running a line from Mullewa.—I think that is the name of the place—down to East Murchison. As a matter of fact, East Murchison is about 160 miles from Geraldton. People from that particular place are forced to travel something like 700 miles. This centralisation policy is not pursued to the same extent as it is in Western Australia in any other country I know of. Take the case of South Africa. They do not divert all their lines to one port. Take a case

nearer home. Take the State of Queensland, where I lived for a good many years. They have, I think, four or five distinct lines of railway. There is the Western Railway, that runs to Brisbane. Then you go farther North and get to Rockhampton. You have a big line extending about 700 miles, with spur lines, which brings the whole of that central trade to Rockhampton.

HON. M. L. MOSS: There is a good distance to open up.

HON. J. D. CONNOLLY: Then you go farther North to Camberwell. It is the same thing there. There is no connection with the capital. Cooktown, the same thing. Then you go to Normanton and to Croydon. Looking at the centres of these different places, I notice this, that the population of Perth and Fremantle—I am putting the two towns together—as compared with that of the State as a whole is about 30 per cent. The population of Brisbane—and I am simply giving the city—is a little over 29 per cent. of the total population of Queensland. That shows, to my mind, that there is nothing in the centralisation policy as regards the capital. It also shows that, if the line is built, it will not have the effect upon Perth and Fremantle which a lot of members think. What effect have the five different lines on Brisbane? Not a bit. Brisbane has almost the same population, compared with the whole of the State, as Fremantle and Perth have, as compared with the whole population in Western Australia. I would ask members to think of this question in a reasonable frame of mind. I know they are rather inclined to laugh at the thing and scoff at it. Have members ever given the matter serious consideration? It is fashionable here, and in Fremantle, to laugh at things, the same as it is fashionable to bring in certain legislation, and those men who bring it in probably do not know what it is. Have members ever thought of this question in a calm way? I would only ask members to give the thing fair consideration, and ask them if they can honestly say that those people who want a line built from Esperance to the Eastern Goldfields are not entitled to do their business by the nearest channel. I think nine-tenths of the prosperity of Perth and Fremantle and

of Western Australia is due to the gold-fields interest. Surely, after doing all that for the country, the people on the Eastern Goldfields ought, at least in a matter of getting a railway line, to have common justice. I also appeal to the members from those provinces around Albany and Geraldton to remember their own case; and we are in exactly the same position. Have they been dealt with fairly? It is a question of the decentralisation principle against centralisation. On that ground alone the subject is well worthy of consideration. I beg to move the motion standing in my name.

HON. J. T. GLOWREY (South): I rise with a great deal of pleasure to second the motion proposed by Mr. Connolly. In doing so I do not propose to take up the time of the House very long. In the first place, I should like to say I differ somewhat from my friend Mr. Connolly. I do not anticipate that hostility which he said he expected when he was introducing this motion. I feel sure that the members of this House are prepared to deal with the question in a broad and liberal manner, as they have done when it has been previously before them. The movement for the Esperance railway is by no means a new one. It has engaged the attention of various Parliaments for some years past. The question has cropped up, indeed, in every session of Parliament, and I believe that some four years ago a Bill was introduced in another place for the construction of a portion of this railway, and that it was defeated by a majority of one. It was very evident then that there was necessity for this railway, and if, four or five years ago, there was necessity for the construction of the line, surely the necessity is more apparent to-day, because our goldmining industry has since improved. The last month's record of gold from the Norseman goldfield was the highest there has been. Members should bear this fact in mind, and seriously consider it. I repeat that the necessity for the line was recognised four years ago, and if it was necessary then, it is far more so to-day, because the stability of our mining industry is now proved beyond doubt. Not only is the permanence of Norseman assured, but also that of Kalgoorlie and other goldfields. [MEMBER: What about

Coolgardie ?] It is true that Coolgardie is not doing much just now. During last year the value of gold produced by this one State was seven and a half millions sterling. A great portion of a railway from the Eastern Goldfields to Esperance Bay would pass through highly auriferous country. The Norseman field, notwithstanding the many disadvantages it has to contend with, has maintained its gold production: last month's return showed the second highest yield on record.

HON. M. L. MOSS: The annual Norseman yield has never exceeded 40,000ozs.

HON. J. T. GLOWREY: Hon. members must bear in mind it is the duty of all of us to do what we can to encourage the mining industry. Undoubtedly, every 100 men engaged in the mining industry means the employment of 500 or 600 men in other occupations. That ratio holds throughout the fields: for every 100 gold miners one finds 500 or 600 men of other occupations. Therefore the duty of the House and of the Government is to assist the mining industry in every possible way. If that industry goes down, the agricultural industry must go down also. What was the agricultural industry before mining flourished? In the days before gold-mining we had nothing like the present quantity of produce grown and nothing like the present number of stock raised. The total cost of constructing the Esperance railway is estimated at something between half a million and three-quarters of a million sterling—I suppose I had better allow a good margin. Presumably, the man sent out by the British Admiralty to examine Esperance harbour was the best expert obtainable, and that man pronounced the harbour an excellent one. Opponents of the line have said that a large sum of money will be required to make the harbour available for large ships, but we have no evidence to bear out that contention. On the contrary, the best evidence obtainable states that the harbour is a good one, and in every respect equal to the chief harbour of this State, Fremantle. I am sure we all admire the efforts of the Minister for Lands to settle the people on the soil. If the hon. gentleman will but encourage settlement on the goldfields, he will have no trouble with land settlement, since the

one class of settlement is a natural and inevitable consequence of the other. Again, the greater the facilities afforded for travelling, the more people will travel. A line from Esperance Bay to the goldfields would undoubtedly increase the population of these metropolitan districts. The principle is long established and well recognised: the better the facilities for travelling, the greater number of travellers attracted. The question of timber supplies has been referred to by Mr. Connolly, and I need not dwell on it. The mines are now burning wood hauled over a distance of 80 miles, and there is no question that the Esperance railway will pass through some of the best timber country to be found in the neighbourhood of the Eastern goldfields. I can personally vouch for the correctness of that statement; having travelled through the district, I am in a position to say that on the whole of the Eastern Goldfields there is no better belt of timber than that which the Esperance railway will tap. If another reason were needed in support of the construction of the railway, it is to be found in the fact that private companies are willing to build the line on the best possible terms and hand it over to the Government free of charge in 12 or 15 years. I know positively that a responsible offer to that effect was made some time ago, and the fact seems to me conclusive argument in favour of the construction of the line. I have no desire to enter into the figures which have been repeatedly adduced in connection with this subject; moreover, Mr. Connolly has dealt fully with the financial aspect. I feel sure that members of this House will regard the question broadly and liberally, and by no means from a parochial standpoint. I believe this House will consider the question of the construction of the Esperance line solely on its merits, and I feel convinced that the matter will receive fair consideration. As various other members intend to speak to the motion, I shall not detain the House longer.

On motion by HON. A. G. JENKINS, debate adjourned until the next Wednesday.

#### LAND ACT AMENDMENT BILL.

Read a third time, and returned to the Assembly with amendments.

## BROOME TRAMWAY BILL.

## THIRD READING.

HON. M. L. MOSS moved that the Bill be now read a third time. Having inquired of the Minister for Works and Railways, he was in a position to state that the Broome Tramway Bill, the Derby Tramway Bill, and the Ashburton Tramway Bill were mere ratifying measures, the lines having been constructed many years ago. Under the Railways Act of 1878, lines over which the Government carried goods and passengers must be authorised by special Acts, and must be certified by the Commissioner of Railways as fit for traffic. In view of these facts, the present Bills had been introduced to supply deficiencies which had apparently been overlooked for years. No new expenditure was involved.

Question put and passed.

Bill read a third time, and *passed*.

## LEONORA TRAMWAY BILL.

Read a third time, and *passed*.

## DROVING BILL.

## ASSEMBLY'S FARTHER AMENDMENT.

Resumed from the previous day, in Committee.

SIR E. H. WITTENOOM asked the Chairman to explain the position in which the question now stood.

THE CHAIRMAN: So far as his memory went, a motion was made last night that the Assembly's amendment be not agreed to; the motion was put and carried. The minutes, however, did not show the motion as having been put to the Committee. On the motion of Mr. Moss, progress was then reported and leave given to sit again.

HON. J. W. HACKETT: Was that the position of the matter?

THE CHAIRMAN: The minutes did not record the motion as having been put to the Committee; but, so far as his memory served him, the fact was otherwise. According to the minutes, the position was that the motion was put, and progress was reported without any decision being come to; therefore any member could now make a motion with regard to the Assembly's message. Mr. Moss had moved that progress be reported.

HON. J. W. HACKETT: Whose duty was it to sign the minutes and vouch that they were correct?

THE CHAIRMAN said he was informed that the President and the Clerk signed the minutes.

HON. J. W. HACKETT: Then the proper course was to ask the President whether, to the best of his belief, that minute was correct.

THE PRESIDENT said he did not hear that the amendment was put. He knew there was a great deal of confusion, and he understood that progress was reported to get over the difficulty.

HON. W. T. LOTON: The Chairman had stated he was under the impression that the motion, that the Committee disagree to the amendment of the Legislative Council, was passed. Whoever was responsible for the correctness of the minutes had made an error on this occasion.

THE CHAIRMAN said he was the servant of the Committee, and was willing to receive any advice in the matter, if there was a mistake. He thought it his duty to adhere to the minutes as the permanent record.

THE PRESIDENT: Standing Order 356 showed that if an error was made, it could be rectified immediately the President was in the Chair and progress was reported.

HON. M. L. MOSS said he was in a muddle as to the exact position of affairs. We were all in a great hurry to get away, but he thought that, in the absence of a motion directing attention to the fact that the minute was inaccurate, we should stick to the minutes signed by the President.

HON. J. W. HACKETT: It was not fair to the common sense and memories of members to have it stated that, owing to there being confusion, the Clerk had not kept a proper minute of these invaluable proceedings, the proceedings of Parliament, and had apparently presented an incorrect set of minutes to the President. The question was put that the amendment of the Legislative Assembly be disagreed to, and that was carried. Then debate ensued, and Mr. Moss, in order to give time for a committee to be appointed to draw up reasons for disagreeing, moved that progress be reported. His memory was absolutely distinct on the matter, and



he challenged any member of the House to say that his memory ran to the contrary. He now moved that the matter be reported to the President, and the President be asked to give a ruling whether the minute was correct or not; and, if not correct, whether the House should be given an opportunity of setting it right.

Motion passed.

THE CHAIRMAN reported to the President that, in the opinion of several members and his own, there was an error in the minutes, and the Committee wished the President to give his opinion.

THE PRESIDENT: Evidently, from the debate which had taken place, there had been an error in the minutes; but there was a good deal of confusion last night as to the way in which the question was put. He must own that he did not know the exact position, and he thought it was difficult for anybody to understand. In his opinion, if Mr. Hackett now moved that the minutes be corrected, that would meet the case. There was a similar case some time before, and that was the way in which the difficulty was surmounted.

HON. J. W. HACKETT moved that the minutes be corrected.

Motion passed, and the minutes corrected.

THE PRESIDENT: If there were any further amendments desired, the difficulty could be got over by means of Standing Order 356.

THE CHAIRMAN subsequently reported that the Committee had disagreed to the amendment made by the Legislative Assembly.

SIR E. H. WITTENOOM moved that the report be adopted.

Question put and passed.

A committee, consisting of Sir E. H. Wittenoom, Hon. R. G. Burges, and Hon. W. T. Loton, drew up reasons for disagreeing with the Assembly's amendment, as follow:—

That if a distance less than forty miles were specified, the necessity for branding the stock and providing waybills would cause unnecessary inconvenience to persons forwarding small consignments of fat sheep or lambs to market.

Reasons adopted, and a message accordingly returned to the Assembly.

# STANDING ORDERS SUSPENSION.

HON. M. L. MOSS (Minister) moved that the Standing Orders be suspended to allow of the Derby Tramway Bill and the Ashburton Tramway Bill being passed through the remaining stages to-day. This motion was moved in view of the lateness of the session.

Question passed, and the Standing Orders suspended.

## TRAMWAY BILLS (2).

On motions by the Hon. M. L. Moss, the Derby Tramway Bill and the Ashburton Tramway Bill passed the remaining stages without debate.

## DIVIDEND DUTIES BILL.

### SECOND READING (MOVED).

THE MINISTER FOR LANDS (Hon. A. Jameson) said: In moving the second reading of this Bill, I would like to point out that the measure is brought forward to supersede the Companies Duty Act of 1899. That Act naturally comes to an end on the 31st December, 1902, and it is proposed that this Bill shall take the place of that Act. There is no very great difference between this Bill and the Act now on the statute book, farther than that mining companies are to be taxed upon their dividends, instead of upon their profits. This is supposed to be a concession to the mining companies in this State, and in some measure it is so, although so large have been the allowances made by the Government in the way of costs of development and so on to the mining companies in the past that their profits have not appeared very large. But it really will mean a loss to the revenue of perhaps 20 or 30 per cent. Then there is also an alteration in so far as the insurance companies are to be taxed upon their gross, in place of their net, premiums. This will mean an increase of cost to those companies, but not such a loss as one would suppose. I shall give a few figures presently when I come to that point. Members will find from the interpretation clause that "company" includes every incorporated company or association, and that excluded from it are the friendly societies, the life assurance companies, and any brewery or other company paying duties of excise. "Dividend" includes every dividend,

profit, advantage, or gain intended to be paid or credited to or distributed among any members of any company. With regard to "life assurance company," I propose to make a slight amendment there, when this Bill is in Committee, by striking out the words "but divides or pays no dividend nor any part of its profits to share or stock-holders," with a view of making it so that there will be no duty payable by companies which are proprietary companies. It seems an unreasonable thing that a proprietary company which perhaps is more careful of the interests of the public even than a mutual company should be made to pay upon their dividends when a mutual company is not, and by striking out these words there will be no duty levied upon any fire or marine insurance companies. Clauses 3 and 4 are new clauses in the Bill, providing for greater secrecy, and undoubtedly they are very desirable indeed. In Clauses 6, 7, and 8, there are three distinct principles. Clause 6 provides that within seven days from the time any dividend is declared by a company carrying on business in Western Australia, and not elsewhere, such company shall forward to the Minister a return in the prescribed form containing the prescribed particulars, verified by a statutory declaration, and such company will pay one shilling for every 20 shillings of the amount of the value of such dividend. That is a most important clause, I think, in this measure. It is clearly and distinctly provided that companies, particularly mining companies, are to pay upon their dividends when they are trading purely and entirely in this State. Clause 6 provides that. They pay upon their dividend when carrying on business in Western Australia and not elsewhere. I think it right in dealing with these clauses that I should point out to members how this is similarly dealt with in the Eastern States. In Queensland there is a very great concession allowed to mining companies, in this respect, that all working expenses, the actual expense of developing the mine, and three-fourths of the cost of the machinery for that development, are first charged to dividends before any duty can be levied upon those dividends. Supposing it should cost, we will say, £100,000 to develop the mines, to make the shaft, and say

another £100,000 for machinery, £175,000 would then have to be found in the dividend of that particular mine before any charge would be made upon that dividend. That is the law, as it is in Queensland, and, to my mind, it seems a very reasonable one indeed. Also in Victoria and New South Wales this revenue is raised by means of an income tax. It is entirely an income tax which covers the whole of this revenue at the present time. In New Zealand a compromise has been come to, namely, that the duty is paid not upon the whole of the dividend, but half the dividend, and then that enables the other half of the dividend to be put to very much the same purpose as in Queensland. It is quite reasonable there should be such concession given, for, after all, one has to remember that the life of a mine cannot go on for ever. It is not like another industry, where you have your stock and capital. The life of a mine is limited. Therefore, it should be provided that when a dividend duty is charged upon it, there should, at all events, be some provision that the shareholders are to see they are going to get their capital back.

HON. J. W. HACKETT: Surely you should extend that to other companies. Why make an exception?

THE MINISTER FOR LANDS: I do not think perhaps there is the same reason for extending it to other companies. In all other industrial companies there is perpetual capital. One is not exhausting it.

HON. J. W. HACKETT: That is not the case at all. The machinery is used up.

THE MINISTER FOR LANDS: That is merely a matter of maintenance. So much is struck off every year, and that is always allowed before the dividend is struck. So much is set aside in all companies for the purpose of meeting the loss and repair of machinery. For my part, I see a very great difference between mining companies and ordinary industrial concerns. Members will find Clause 7 contains the words, "on or before the 1st day of April, One thousand nine hundred and three, every company carrying on business in Western Australia and elsewhere." That is an important word there. Clause 6 relates to companies carrying on business in Western Australia.

lia, and not elsewhere, and Clause 7 to companies carrying on business in Western Australia and elsewhere. It is proposed that those companies carrying on business in Western Australia and elsewhere shall pay upon their profits, and not pay upon their dividends. The reason of that is at once clear if you look into it, for it would not be right or reasonable that we should charge a duty upon a dividend which arises from the success of such business in some other country. That would be unreasonable. It would also be unreasonable that we should lose our duty upon a dividend that disappears owing to a loss in another country. It is very clear why one should charge upon profits in the case of a company trading elsewhere than in Western Australia. I hope members are following me in that, because it seems to me an important point. It would be an unjust and unreasonable thing that this State should lose its duty through no dividend being declared owing to a loss in another country, when there was a large profit here. On the other hand, it would be unreasonable that we should receive a duty at all if there has been a large profit in another country, and a loss in this one; and, therefore, there is no other course than to draw upon profits in the case of a company carrying on business in Western Australia and elsewhere.

HON. J. W. HACKETT : Are you inclined to make the same concessions to those companies?

THE MINISTER FOR LANDS : Which ones?

HON. J. W. HACKETT : Those you were speaking about.

THE MINISTER FOR LANDS : How could one do so? Those are all different industries. I do not see how one could give any concessions of that kind to such companies. It does not seem to be practicable. However, I shall be prepared to discuss that matter with the hon. member when the question gets into Committee. These are two of the principles I have pointed out. In the first place, we are going to tax on the dividends of companies trading in this State only, and we are going to charge on the profits of companies trading outside Western Australia, and the duty to be charged is put at five per cent. in both cases. Clause 8 contains a provision with regard to returns by

insurance companies, and duty payable. It is provided that a charge shall be made upon the gross premiums in place of the net premiums in the case of fire and marine insurance companies. The tax in these cases is to be a sum equal to 20 shillings for every £100; that is to say, a one per cent. tax; and I have some figures here showing exactly how that will apply, and how it will affect these companies. I understand the question has been raised that it acts harshly upon these companies to deal with them in this way—that is to say, the insurance companies.

HON. W. T. LOTON : Why is the taxation on the gross premiums, instead of on the net premiums? All expenses have to come out.

THE MINISTER FOR LANDS : I propose to explain the reason, if the hon. member will allow me. The reason is simply this. We have found that several companies have been charging their losses against the premiums. Then, when you take the net premiums, and put against them all the losses which that company has sustained, the premiums are, in some cases, so very small that practically you cannot collect anything on them at all. It is not right that the losses should be charged against the premiums in such a case. The only way to get at it is by getting the gross premiums. How would it affect the companies? I will state exactly how it will affect them in this State. The proportion of cost to the actual amount earned on these gross premiums is from 26 to 33 per cent. The difference between taxing on the gross and on the net comes in one year in this State to about £270. The way in which it will actually affect companies here is this: One large company in this State will have to pay £95 approximately, another £45 a year, and 35 other companies which exist here will have to pay £2 10s. a year. Hon. members will see, therefore, that at present the tax will not be heavy, although in time, as population increases and business expands, it may become heavier. I draw attention to the circumstance to show how small is the return to the Government. During the currency of the last three years the Government have spent in the maintenance of fire brigades a sum of £27,000. Actually, during the same three years the State has received in

duty only £2,115, to set against an expenditure of £7,000 on fire brigades. I hold, therefore, that the duty is thoroughly reasonable, and do not think there should be any outcry against it. Certainly, the duty should be levied until the time arrives for the imposition of an income tax. I have now stated the three main principles of the Bill. The remaining clauses are mere machinery clauses. By Clause 17 the Minister is given the right to inspect books. Farther, various penalties are imposed by Clauses 18, 19, and 20. The only other clause of importance is the last, Clause 31, by which the operation of the Companies Duty Act, 1899, is continued until the 31st December, 1903. The reason is clearly explained in the subclauses, which provide "for the recovery of duties accrued due thereunder at the commencement of this Act; and in relation to dividends declared before the commencement of this Act, and for the recovery of the duties thereon; and for the recovery of penalties in connection therewith." The object is merely to insure that the conditions of the Act which has existed for the last three years shall be fully carried out, and that all companies shall be treated alike, and that time may be allowed for the investigation of proceedings which have taken place under this Act. All companies ought to be on exactly the same footing, and all ought to pay on their dividends or profits up to the time stated; and therefore Clause 31 provides they shall remain under the operation of the Act and pay duty as heretofore. I commend the Bill to hon. members as a reasonable measure designed to provide revenue which the State absolutely needs. The probabilities are that in time to come an income tax will take the place of these duties, and then this measure will, of course, be repealed. In the mean time, the Bill will prove useful, and I have much pleasure in moving its second reading.

HON. A. G. JENKINS (North-East): I move the adjournment of the debate. My reason for doing so is that certain amendments have been submitted to the Government and are now receiving consideration. It is advisable that until Ministers have given an expression of opinion on those amendments the House should refrain from discussing the Bill.

THE MINISTER FOR LANDS: I should much prefer that the second reading be proceeded with now. If we continue to put matters off we shall have a congested Notice Paper next week.

HON. J. W. HACKETT: There is nothing on the Notice Paper for next Tuesday.

HON. A. G. JENKINS: I know that the attitude of several members towards the Bill will depend on the attitude of the Government towards the amendments proposed.

SIR E. H. WITTENOOM (North): I have pleasure in supporting Mr. Jenkins's motion because—

THE PRESIDENT: We cannot have speeches on a motion for the adjournment of the debate.

HON. J. W. HACKETT (South-West): In order to allow Sir Edward Wittenoom an opportunity of speaking, I move as an amendment to Mr. Jenkins's motion:

That the Bill be read a second time this day three months.

The only point I make at this juncture is that the Minister, in foreshadowing certain amendments and expressing his willingness to accept them, has offered an invitation for the making of those amendments. I consider that the Minister ought to have stated exactly what difference the adoption of the amendments would make in the Treasurer's estimate of revenue under the Bill. My view is that the whole Bill has become an abortion by reason of the Minister's indication of a readiness to accept amendments.

MEMBER: What revenue will the Bill produce if your motion is carried?

HON. J. W. HACKETT: Just about the same as if the Bill is passed: in either case we shall probably get nothing whatever.

SIR E. H. WITTENOOM: I do not know that I am prepared to go quite the length of Dr. Hackett's amendment.

HON. J. W. HACKETT: I moved the amendment only to give the hon. member an opportunity of speaking. After he has done, I shall ask leave to withdraw the amendment.

SIR E. H. WITTENOOM: Better withdraw it at once.

HON. W. T. LOTON (East): I wish to say a few words on Dr. Hackett's motion, which I gather is not to be taken

quite seriously. An adjournment of the debate is certainly desirable, in order that the views of the Government may be made known before members generally proceed to deal with the measure. From what the House has learned to-day, it appears probable that three-fourths of the duties will go by the board altogether. I am not prepared to enter into detailed calculations on the point, particularly as the exact views of the Government are not known. If Ministers propose, however, to allow mining companies before paying duty on dividends to write off to the extent of £100,000 or £150,000—those amounts were mentioned by the Minister—I do not know what probability exists of the State deriving any revenue under this Bill.

**THE MINISTER FOR LANDS:** Those amounts were given merely by way of example. An amount of £10 would answer equally well.

**HON. W. T. LOTON:** Mining companies, apparently, may write off for an unknown period and to an unlimited extent. At present, mining companies pay duty on profits, an unjust form of taxation of which they ought to be relieved; but when I learn that they may write down dividends interminably I recognise that the State will never derive any duty at all. I cannot proceed to deal with the subject because the Minister has not made himself sufficiently clear. Mr. Jenkins's motion ought to be carried to allow of the amendments which the Government propose to make being placed on the Notice Paper.

**THE MINISTER FOR LANDS** (in explanation): Mr. Loton has misunderstood me somewhat. In introducing a Bill of this kind I make it a practice—as hon. members may have observed—to refer to similar legislation existing in the Eastern States. I have referred to the practice of Queensland, New South Wales, and Victoria; also to that of New Zealand. I have stated also that the Bill seems reasonable: we support our own Bill up to the present time. In introducing the measure, however, I considered it my duty to inform the House exactly of the practice prevailing in the Eastern States.

**HON. J. W. HACKETT:** But you did not mention that the Eastern States had other property taxes, besides this,

**THE MINISTER FOR LANDS:** Quite so, but it seems to me that my duty demands that I should explain the operation of similar measures in the Eastern States. Unfortunately, the hon. member at once takes it for granted that I advise the House to follow the example of the Eastern States.

**HON. W. T. LOTON:** I understood you to express yourself as favouring the Queensland practice.

**THE MINISTER FOR LANDS:** I have always understood that, not being a party House, we are prepared to consider questions broadly, with a view to arriving at legislation most conducive to the interests of the State. Therefore during the whole of the time I have had the honour to lead this House I have endeavoured to submit as plainly as possible my construction of similar measures in the Eastern States. So long as I have the honour to hold my present position, I shall continue to follow that course. I conceive it to be the intention of the Chamber to deal broadly with measures such as this. After all, we are a revising Chamber; we deal with the Bill as it comes before us, and if we know of a course followed elsewhere which would in our opinion be more to the advantage of the country than the course proposed by the Bill, it is our duty to amend the measure accordingly. I offer this short explanation to make it perfectly clear that the Government do not bind themselves to adopt the methods of any eastern State. I have called attention to those methods, and have stated my view that some of them are at all events reasonable. In making that observation I intend merely to convey an assurance that the methods of the Eastern States, if proposed by way of amendment, will receive consideration at the hands of the Government. I discussed the matter this morning with the Treasurer, who has given me the benefit of his views. I have little doubt that the opinion of this Chamber will weigh with Ministers; I wish members generally to understand that. I repeat that my object in drawing attention to methods adopted elsewhere is to let members know that if they pronounce those methods to be the more advisable, that pronouncement will receive every consideration at the hands of the Government.

HON. T. F. O. BRIMAGE (South): I am fully in accord with the opinions expressed by the Minister for Lands relative to mining companies. I wish to mention only one instance, that of a Kalgoorlie mine which has expended £150,000 on machinery worth at the present time not more than £10,000. I think we should do well to insert in this measure a provision to relieve companies from the payment of dividend duties until at any rate portion of the capital put into the mine has been paid back.

SIR E. H. WITTENOOM: I observe that this Bill differentiates between companies carrying on business in Western Australia exclusively, which companies are to pay duty on dividends only, and companies carrying on business in Western Australia and elsewhere, which are to pay duty on profits. The companies carrying on business in this State alone are, I think, comparatively small, whilst those which carry on business here and elsewhere are large companies. The one thing Western Australia needs is the introduction of capital, and the imposition of a tax on profits will therefore react most advantageously on the welfare of the State. Naturally, I am not a Labour member, but I sympathise with Labour to the extent of discouraging the immigration of workers unless the country has the capital necessary to pay their wages. For that reason I consider that every facility and encouragement ought to be offered to people bringing their capital to the State for investment. Clause 7 is absurd in many respects. Under it duty is to be levied on the profits of large companies doing business in many different places. Take the case of a company like Dalgety & Company. I mention that company, not because I am connected with it, but because it offers a typical example. Dalgety & Company frequently make profits through their agencies in Adelaide, Melbourne, Sydney, and Brisbane, which enable the company to make good business deals. Now, how is the proportion of expense incurred by an agency elsewhere to be computed? Without its agencies the company probably would fail to make many of the profits it makes with their aid. To charge on the gross profits, allowing nothing for expenses incurred outside the State, would be most unfair. Take the case of the

shipping companies. The Bill provides that the Minister shall assess the profits made in Western Australia by any company trading in this State and also elsewhere. How is the Minister to assess their profits?

HON. W. T. LORON: There is no appeal from the Minister's assessment, I suppose?

SIR E. H. WITTENOOM: Shipping companies make profits in Western Australia; but they do not buy their coal here, nor do they pay their crews here. These things are done by head offices in other States. None of such charges would show on the books kept in Western Australia, and thus the Minister has the right to treat them as profits and levy duty on them.

THE MINISTER FOR LANDS: But Clause 27 gives a right of appeal to the Supreme Court.

SIR E. H. WITTENOOM: We know all about appeals. The point is that companies ought not to be harassed. Western Australia must be open to people with capital: we do not want those people to be harassed by one tax and another. Let them pay duty on their dividends like everyone else: let duty be levied on any dividend declared. I make these few observations to show the unfairness of Clause 7. I look forward with interest to the farther debate on next Tuesday, when perhaps I shall have a few additional remarks to offer. At present the Government are understood to be considering certain suggested amendments, which no doubt have a bearing on the matters I have mentioned. Just now, I am concerned only to point out the unfairness of the treatment to which companies trading here and elsewhere are to be subjected under the Bill as it stands. How are the profits of such companies to be assessed? Agency charges must be deducted before profits absolutely made in Western Australia can be ascertained.

HON. J. W. HACKETT: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Motion (adjournment) put and passed, and the debate adjourned accordingly.

At 6:30 the PRESIDENT left the Chair.

At 7:35, Chair resumed.

RABBIT PEST BILL.  
SECOND READING.

Resumed from the previous day.

HON. T. F. O. BRIMAGE (South): With reference to this Bill, I am pleased that such a measure has been introduced, and I congratulate the Government on taking in hand any measure that will prevent the invasion of this pest, we may call it. In the State from which I came, South Australia, farmers have been ruined, and selectors have been eaten out of house and home. In one portion of that country, the South-East, near Mt. Gambier, the measures taken for the suppression of the pest have been by means of poisoned food. I have no doubt the Minister had all that information laid in front of him before he introduced this Bill. There is one clause that strikes me with regard to the fencing. I notice that farmers and selectors have 20 years in which to pay for wire obtained from the Government. I certainly think that time somewhat long. We know that the life of iron, when exposed to the atmosphere and the weather, is not of very long duration, and consequently I think that the Committee, when we get to that stage, could well reduce the period, if not to 10 years, say to 12 or 15. I am quite in accord with measures for assisting farmers, and I look upon the farming industry as one of great value to the State; in fact, the second interest to the mining. Of course, I shall always believe the mining industry is paramount in Western Australia. I have much pleasure in supporting the second reading, and in rendering assistance.

HON. W. MALEY (South-East): We have had a good many Bills brought before us this session, and I think this is the first fighting Bill, as the Minister called it, which we have had introduced. We have an army of rabbits approaching here, and it is our duty to fight them if we can. A barrier has been erected, or is about to be erected, and money has been voted and preparations are being made for it. I take it from the fact that provision has been introduced here to deal with settled districts the Government have no faith in the efficacy of that barrier to keep back the rabbits. But still they are going to expend the money. It is a peculiar position for the Government to place themselves in; to

go and expend public funds in erecting a barrier, and to bring in a Bill at the same time to deal with the pest as has been done in New South Wales with regard to settled districts.

MEMBER: The Government are carrying out the recommendation of the commission.

HON. W. MALEY: The Government are taking the responsibility. There is no doubt that some day a Bill like this will be necessary in the settled districts. We who have studied the question have always contended that the barrier will not be effectual in keeping back the rabbits, in the isolated place in which it is to be put at the present time. I think, however, that with a barrier erected where the present one is being erected, and another on the border of the settled districts, some good would be done. Until the Government themselves take the matter in hand, and do the fighting for the country with the revenue that is derived generally from the State, and succeed or fail, they have no right to demand any assistance whatever from people who have taken up their land, and are doing their best under great difficulties to make homes there. I have always held that the Government should induce settlers to construct fencing and to erect rabbit-proof fencing, seeing that the pest is in the State; but, while I am in favour of inducements being offered, I am not in favour at the present time of any compulsory method being adopted. That the Bill is very crude is evident from the fact that in one clause here, Clause 30, the Government have given great powers to an inspector. The clause contains the words "notwithstanding anything in any Act contained, burn or ignite any straw, stubble, grass, herbage, scrub, wood, or other inflammable material on his land, subject only to conditions to be imposed by the inspector." I really do not know whether an inspector knows more about the Bush Fires Act than the Ministry who introduced into this House a Bill, and then themselves moved that it be taken off the Notice Paper; it being practically laughed out of the House. If an inspector is armed with these powers, he may go into any district and do more damage in five minutes than he would be able to redress in five years. Here is a clause which at once overrides the Bush

Fires Act entirely, and places the settler in a danger much greater than he stands in with regard to the rabbits. Mr. Burges has dwelt at some considerable length with the Bill. I do not propose to waste any more time in the discussion of the measure on the second reading; but I shall have an opportunity of speaking to it in Committee.

Question put and passed.

Bill read a second time.

#### IN COMMITTEE.

Clauses 1, 2—agreed to.

Clause 3—Interpretation :

HON. R. G. BURGESS: Would the Government under this definition of Crown lands keep all Crown lands, including waste lands, clear of rabbits in the same way as private owners were to be compelled to do?

THE MINISTER FOR LANDS: This clause merely gave a definition of Crown lands. The Government were undoubtedly spending a great deal of money to protect Crown lands.

HON. R. G. BURGESS: Would the Government evade their duties under this definition? If so, the measure was useless.

THE MINISTER FOR LANDS: The hon. member's question would be answered when a clause dealing with Crown lands was reached.

HON. R. G. BURGESS: Evidently the Minister did not wish to see the point of the question.

Clause passed.

Clauses 4 to 8, inclusive—agreed to.

Clause 9—The Minister may erect fences :

HON. R. G. BURGESS: Would the Minister evade the question any longer? This clause said the Minister "may" erect fences, but such a provision was useless. The Government, it appeared, were to have an option, whilst all private land owners were to be under compulsion. The greater part of this State was Crown property, and likely to remain so for some time.

THE MINISTER FOR LANDS: If the hon. member desired the striking out of "may" and the substitution of "shall" in this clause, no objection would be raised by the Government; but such an amendment would make no difference. The Minister could do nothing until

moneys had been voted by Parliament; once voted, of course, such moneys would have to be spent in the erection, maintenance, and repair of rabbit-proof fences.

HON. G. RANDELL: Did Mr. Burges propose to move as an amendment that "may" be struck out and "shall" inserted in lieu?

HON. R. G. BURGESS: No.

HON. G. RANDELL: The only objectionable words in the clause were "he may think fit," in lines 2 and 3, and he moved that these words be struck out and "as may be necessary" inserted in lieu.

HON. W. T. LOTON: Who was to decide as to the necessity? This amendment would not improve the clause.

THE MINISTER FOR LANDS: This was scarcely an amendment to be referred to another place.

Amendment by leave withdrawn.

HON. R. G. BURGESS: Earlier in the session he had submitted a motion in favour of the appointment of rabbit boards, and at the request of various members he had consented to withdraw that motion. He still held, however, that boards ought to be appointed, and that the Minister must not be left to ride hobbies in connection with this measure. The Bill ought to be reconstructed, so as to provide for the appointment of even paid boards. The Minister should not be allowed uncontrolled power in connection with the enormous expenditure proposed.

THE MINISTER FOR LANDS: Experts were consulted in the first instance, either by a board or by the Minister. If every statute was to be administered by a board, our whole system of Government would have to be remodelled. Boards, while cumbrous and expensive, were responsible to no one.

HON. R. G. BURGESS: A Rabbit Department under the Minister existed already. Was not the hon. gentleman aware that in connection with the Coolgardie Water Scheme a board was to be appointed? Why could not the same course be adopted in this case? A nephew of Mr. Dempster had this evening informed him (Mr. Burges) that the rabbits were at Esperance Bay, at Fraser's Range, and in fact all over the neighbouring districts. To attempt to persuade the Minister was useless, since he would



have his own way, right or wrong. A strong advisory board was required.

Clause passed.

Clauses 10, 11, 12—agreed to.

Clause 13—Selectors may be required to contribute:

HON. R. G. BURGESS: This clause would work hardship. The fence being for the advantage of the general public, its cost should be borne by the general public; and certainly the holder of abutting lands ought not to be called on to pay half as his fair share of the cost of a fence erected for the benefit of the whole country. It was unreasonable that a man should have to pay up to half the cost of the fence when the fence was for the good of the general public.

HON. E. M. CLARKE: This rabbit-proof fence was a national affair. It was not meant for only two or three individuals who happened to be alongside the fence; but for the whole of the State. If we had been something like seven or eight years talking about the fence, how long would it take us to finish it? There were certain favoured localities which game frequented. The very man who happened to be on the boundary might be living in a place which nearly all the rabbits would avoid, whilst a man a few miles back might be where the rabbits congregated, and it would be unjust that the former should be made to pay and the latter not. We had no guarantee that the fence was going to be any good at all. A few years ago the fence was to be placed to the eastward of the present position, and it was an acknowledged fact that there were rabbits on the west side of that. He moved that the clause be struck out.

HON. G. RANDELL: If the clause bore the meaning which had been attributed to it, there was a great deal of force in the argument that it was unjust to the man whose land happened to come up to the boundary fence.

HON. W. MALEY: In the Canning district there were fences which had cost £30 or £40 a mile. They were exceptions, but still they cost that amount. On the average the cost was £18 or £20 a mile. Supposing a fence had been erected by an owner of land, and the Government said, "We want a rabbit-proof fence along there, and you have to pay half," would it be fair, if the fence

were swept away and the Government fence put in its place, or if the Government fence were put alongside it, for the unfortunate holder of the land to have to pay half the cost of the rabbit-proof fence, which would be for the benefit of all the people around him? The clause should be struck out.

HON. J. A. THOMSON: This was a work to protect the interests of the squatters only. He had travelled thousands of miles in New South Wales, in the settled parts, and had never seen in those parts a live rabbit. It was only in the parts that were very sparsely settled, that was in the large runs, that there was any danger of rabbits settling, or, if they did get over, any chance of their increasing in numbers. The settlers benefited by this fence should contribute towards the support of it, and not the taxpayers as a whole. There was something in the contention that those who had lands bordering on the rabbit-proof fence should not be the only persons to be called upon to contribute towards the first cost and the upkeep. But all those people who would be benefited should be called upon to pay. He moved as a farther amendment that the word "may," in line 1, be struck out, and "shall" inserted in lieu.

HON. R. G. BURGESS: Could Mr. Thomson tell him (Mr. Burgess) whether between the Coolgardie line of railway and the coast there was a holder of land whose holding was large enough for him to be called a squatter?

MEMBER: No.

HON. J. A. THOMSON: Had the hon. member seen a live rabbit here?

HON. R. G. BURGESS: Yes. He saw live rabbits that were in Coolgardie, and which had been brought down here and sent to the Zoo. Plenty of rabbits had been killed. He denied *in toto* that those interested in squatting were advocating the fence for themselves. Those this side of that part of the fence from the Coolgardie railway line down to the coast were all small holders. The whole of that country was cut up into small allotments, except one or two small areas, and it was the people on those holdings that we wanted to protect against the rabbits. The fence was to be put up for the benefit of the whole of the settled portions of the State. It was unfair to compel

the owner of land to pay half the cost of the fence, and also half the cost of the upkeep, seeing that the fence was for the benefit of the general public. This rabbit-proof fence would cost from £50 to £70 per mile, and the work would hardly be done for that. We did not want people to come here and settle and to be subject to unreasonable and unjust laws.

HON. E. McLARTY: The clause ought to be struck out. To require a selector holding a strip of land a quarter of a mile in width along the proposed line of fence to pay half the cost of the Government fence, while the holder of an area ten miles wide abutting on that selector was called on to pay nothing, would be utterly unfair. All owners and holders of land inside the line of fencing received benefit from it. He felt sorry that Mr. Burges had seen fit to attack the advisory board.

HON. R. G. BURGESS: Any remarks he had made on the advisory clause were made in connection with another clause. Was the hon. member in order in referring to another clause?

THE CHAIRMAN: The House being in Committee, the hon. member (Mr. McLarty) might be permitted to say a few words.

HON. R. G. BURGESS said he must ask for the Chairman's ruling. Certain observations made in connection with Clause 9 were now being replied to. Was the hon. member in order in speaking to a clause which had been passed?

THE CHAIRMAN: To refer to a clause which had been passed was out of order. As a matter of favour, thinking the Committee would like to hear Mr. McLarty's remarks, he had refrained from calling the hon. member to order.

HON. J. W. WRIGHT: Under the clause as it stood, the holder of land abutting on a boundary could be called on to pay half the cost of the fence, whether on this side of the fence or on the other side of it. Surely to charge a man on the eastern side of the fence with its cost would be most unjust, since he would actually be damaged by the fence, which would bank the rabbits back on him. Everybody for two hundred miles within the fence ought to be made to pay towards its cost and upkeep.

HON. C. E. DEMPSTER agreed with Mr. Wright. The boundary fence, bene-

fitting the whole State, must be at the expense of the whole State. Pastoralists to the east of the fence would have the rabbits fenced back on them, and certainly ought not to be called on to contribute towards the cost of something actually to their detriment.

THE MINISTER FOR LANDS hoped that the Committee would support the retention of the clause, for which there was precedent in Section 36 of the Queensland measure of 1896. The section read:—

Owners of runs shall be liable to contribute to the cost of the erection and maintenance of every such fence in manner following, that is to say, one half of the cost of a fence erected upon the boundaries of a run or group of runs or area shall be borne.

The New South Wales Act of 1902 contained a provision precisely similar, except for the circumstance that it was the rabbit boards which had to provide half the cost. The fence would be a Government fence, and a selector taking up land abutting was required to pay not more than one half of the cost of the fence in return for the benefit which he derived. That surely was reasonable. All interested in fighting the rabbit pest must recognise that the clause was most important. There was a limit to the demands which could be made on Parliament for purposes of this kind. If the private owner was to be absolved from all expense and the Government were to do everything, the attainment of the object in view would be hindered.

HON. W. MALEY: The Minister's quotation from the Queensland Act dealt with large runs, and not with small selections. In the case of holders of areas of say 50,000 acres, or even 1,000 square miles, such as were found in Queensland and New South Wales, it was reasonable that, getting the entire benefit of the Government fence, holders should pay half the cost; but the conditions here were entirely different, rather resembling those of the closely settled districts of New South Wales. In that State the boards dealt with these matters satisfactorily, by reason of their knowledge of local circumstances. The Bill was ill-considered, and the Minister appeared unable to discriminate between a large run and a small holding.

HON. E. M. CLARKE: The Minister had raised another issue. Clause 15, apparently, was part and parcel of Clause 13.

THE MINISTER FOR LANDS: No. Clause 15 belonged to another part of the Bill.

HON. E. M. CLARKE: True; but only a few words intervened between the two clauses.

HON. M. L. MOSS: The hon. member's contention was quite wrong.

HON. E. M. CLARKE: Clause 15 appeared to be a continuation of Clause 13.

HON. M. L. MOSS: Clause 15 dealt only with private fences.

HON. E. M. CLARKE: Reading the Bill as a layman, he thought it was open to that construction. If the intention was that the holder should pay for only so much of the fence as he utilised, well and good; but to make a holder pay for a fence about to be erected was wrong.

HON. R. G. BURGESS: The rabbit advisory board could scarcely have considered this matter. A strip of land ought to have been reserved all along the boundary fence. If selection of land right up to the fence were permitted, then boundary riders would be useless. Expenditure on a rabbit-proof fence which was to be used also as a cattle fence would be purposeless.

Amendment ("shall" in lieu of "may") withdrawn.

Question—that the clause proposed to be struck out stand part of the Bill—put, and a division taken with the following result:—

Ayes	...	...	...	6
Noes	...	...	...	13

Majority against	...	7
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AYES.  
Hon. A. Jameson  
Hon. A. G. Jenkins  
Hon. R. Laurie  
Hon. M. L. Moss  
Hon. J. A. Thomson  
Hon. B. C. Wood (Teller).

NOES.  
Hon. G. Bellingham  
Hon. T. F. O. Brimage  
Hon. W. G. Brookman  
Hon. E. M. Clarke  
Hon. C. E. Dempster  
Hon. W. T. Lofton  
Hon. W. Maley  
Hon. E. McLarty  
Hon. B. C. O'Brien  
Hon. G. Randell  
Hon. J. E. Richardson  
Hon. J. W. Wright  
Hon. R. G. Burgess  
(Teller).

Clause 14—Description of rabbit-proof fence:

HON. E. M. CLARKE moved that the clause be struck out. The other clause having been struck out, this one also went.

HON. R. G. BURGESS said he did not see that there was any necessity to strike this clause out.

Amendment by leave withdrawn, and the clause passed.

On motion by HON. B. C. O'BRIEN, progress reported and leave given to sit again.

## FACTORIES AND SHOPS BILL.

### IN COMMITTEE.

THE MINISTER FOR LANDS in charge.

Clause 1—agreed to.

Clause 2—Interpretation:

HON. G. RANDELL moved that all the words after "building," in line 1 of Subclause 1, in the definition of "factory," be struck out, with a view of inserting the following:—"Twenty or more persons, excluding the occupier, who are engaged in the manufacture for sale of clothing or apparel, or of boots and shoes, whether such factory is worked by steam or other power, or by manual labour only."

THE MINISTER FOR LANDS said he sincerely hoped the Committee would not support the amendment. In the English Act dealing with factories we had no definition of the word "factory" at all. A factory was simply any place where work of such a kind as required sanitary inspection was done; but in the Eastern States we had a great deal of information on this matter, and he would like to state the course of evolution this matter had gone through. In South Australia, in 1894, they commenced by defining a factory as a place where six or more persons were employed; in Queensland, they commenced in 1896 with four or more; in New Zealand, in 1901, two persons; in Victoria, in 1890, six persons, and in 1893 four persons. He had looked into this matter, because very much rested upon the definition of factory. In South Australia, whereas they commenced with six in 1894, under the Act of 1900 a place where one owner employed any one person was a factory; in Queensland, two persons, just as here;

Question thus negatived, and the clause struck out.

in New Zealand, two persons; and in Victoria they were about to bring in a new Bill whereby a place in which two were engaged would be a factory. It had been pointed out again and again that these small factories were the very places that became most insanitary, and where we had sweating. They were the very places we wanted to get at to prevent these injuries. [MEMBER: There was no sweating.] There was sweating; as much to-day perhaps as there had ever been. With the intense competition that was arising it was very difficult to overcome it. [HON. R. G. BURGESS: Where?] In all the States, and from his own personal experience he knew of instances even in this State. It had always been found that when the number was put at six or 10—there was no putting it at 10 nowadays—but even putting it at six, the difficulty was this, that a man would work his factory up to six, and would never extend his business, because he did not want to come under the conditions regarding sanitation and safety. The result was that he kept his place in a most insanitary state. That was a reason why change had been made in those States. Those States had had a great deal of experience in this matter, and we could not formulate ideas in our minds and think we were going to be wiser than the whole of the Eastern States. In both Queensland and New Zealand the number had been reduced. After a long experience of a limit of six and four it had been found advisable to reduce the limit to two, because numerous small, insanitary factories had sprung up, becoming centres of infection and of the worst form of sweating. The first object of a Factories Bill was to prevent disease.

HON. G. RANDELL: What was the object of the Health Act?

THE MINISTER FOR LANDS: Having studied the question for years, he could assure the Committee that the first object of this legislation was the prevention of disease. He was not putting imaginary cases, but was quoting the actual experience of the Eastern States.

SIR E. H. WITTENOOM: Western Australia was not one of the Eastern States.

THE MINISTER FOR LANDS: But conditions here were very much the same as those of the Eastern States. [MEMBERS: No.] In his opinion, members

would be committing a blunder in carrying the amendment.

HON. G. RANDELL hoped the Committee would be with him in the amendment, which he knew to be drastic. The general opinion of the country, outside a certain circle, was that the Bill was drastic and premature, and that its tendency would be to limit employment by closing factories and destroying industries. The Minister for Lands, above all men, ought to know that the points to which he had addressed himself were dealt with by other legislation. Sanitation, for example, formed the subject of a very stringent Health Act. Under that Act, inspectors could compel measures to be taken for ventilation, provision to be made for exit, and every other imaginable precaution to be taken. The conditions of this State were utterly different from those prevailing in what we now recognise to be the over-populated, congested cities of the Eastern States; and legislation which had answered there would not necessarily work well here. There was, however, another influence compelling this legislation—an influence quite apart from considerations of tender care for the health of factory operatives and the sanitation of factory buildings. He sincerely believed that no industries existing in this country, with the exception of those which he had named, ought to be compelled to come under a Bill of this description. Even newspaper offices were embraced in the comprehensive definition of "factory" given by this Bill. To show members how ill-considered the measure was, he mentioned that the result would be to prevent men engaged at night in newspaper offices from enjoying a little respite for refreshment, since under the measure as it stood these men would not be able to consume food on the premises but would have to go out into the street. He would say, honestly and openly, that he had proposed the amendment believing that its adoption would be fatal to the Bill.

HON. J. W. WRIGHT: Being fully seized of the absurdity of a definition under which a laundress assisted by her daughter in the evening became a factory he would certainly vote for the amendment. He had intended to move an amendment limiting the application of the Bill to establishments employing ten

persons, but twenty was better. The Health Act afforded employees all necessary protection.

HON. J. D. CONNOLLY: While not agreeing with the clause as it stood, he thought the amendment proposed by Mr. Randell went rather too far, and he would therefore vote against it. Amendments of this nature ought to be placed on the Notice Paper, so that they might be considered.

HON. J. A. THOMSON: Like Mr. Connolly, he could not agree with the clause as it stood, and certainly could not vote for so drastic an alteration as Mr. Randell had proposed. A reasonable minimum would have been six, but to provide that no place employing less than twenty people should be a factory within the meaning of this measure was utterly absurd. If the amendment were carried, the Bill might as well drop. The contention that the measure was not required could not hold, because the Legislative Assembly would not have devoted so much time and attention to an unnecessary Bill. True, this was not a party House, but if we proposed to reject any democratic legislation touching our pockets or the pockets of our friends, we need not be surprised if an agitation for the abolition of this Chamber sprang up.

THE CHAIRMAN: Was the hon. member speaking to the amendment?

HON. J. A. THOMSON said he was endeavouring to confine himself to the clause.

HON. G. RANDELL: The hon. member, if he chose, could move that "ten" be inserted, and not "twenty."

HON. J. A. THOMSON: Entertaining no hope of converting a majority of hon. members to his way of thinking, he considered it useless to speak farther.

HON. M. L. MOSS: It was just as well that members should know what they were voting on. Mr. Randell, with his usual candour, had made no secret of the fact that the carrying of the amendment meant the destruction of the Bill. Hon. members must bear in mind, however, that the Bill would be destroyed not only by the substitution of "twenty" for "two," but by the words restricting its application to clothing and boot factories, which were by no means the only factories intended to come within the scope of the

Bill. Members would do well to have regard to these considerations when the division bell rang.

HON. W. T. LOTON: Believing that factory legislation had not been called for by the country, and that the Bill was too early by a long way, he would vote for the amendment in the hope of killing the measure. The Government would have an opportunity of reintroducing the early closing clauses in another Bill.

HON. B. C. WOOD: Being greatly impressed by what Mr. Moss had said as to the effect of the amendment, he moved, with a view to preventing the measure from being played with, that progress be reported.

Motion (progress) negatived.

HON. B. C. WOOD: Anyone proposing such an amendment as that brought forward by Mr. Randell should certainly be compelled to put it on the Notice Paper.

Question—that the words proposed to be struck out stand part of the Bill—put, and a division taken with the following result:—

Ayes	...	...	...	8
Noes	...	...	...	14
Majority against				6

AYES.		NOES.	
Hon. J. D. Connolly		Hon. G. Bellingham	
Hon. A. Jameson		Hon. T. F. O. Brimige	
Hon. A. G. Jenkins		Hon. R. G. Burges	
Hon. R. Laurie		Hon. E. M. Clarke	
Hon. M. L. Moss		Hon. C. E. Dempster	
Hon. B. C. O'Brien		Hon. J. T. Glowrey	
Hon. J. A. Thomson		Hon. W. T. Loton	
Hon. B. C. Wood		Hon. W. Maley	
(Teller).		Hon. E. McLarty	
		Hon. G. Randell	
		Hon. Sir George Shenton	
		Hon. Sir E. H. Wittenoom	
		Hon. J. W. Wright	
		Hon. J. E. Richardson	
		(Teller).	

Question thus negatived, and the words struck out.

Farther question (to insert words) put and passed.

THE MINISTER FOR LANDS moved that progress be reported and leave asked to sit again.

Put and negatived.

HON. W. MALEY moved that the Chairman do leave the Chair.

HON. J. D. CONNOLLY: Could that question be put within a quarter of an hour?

THE CHAIRMAN: Yes; it was not by the same member.

Question—that the Chairman do leave the Chair—put, and a division taken with the following result:—

Ayes	...	...	12
Noes	...	...	9

Majority for ... 3

Ayes.	Noes.
Hon. G. Bellingham	Hon. J. D. Connolly
Hon. R. G. Burges	Hon. A. Jameson
Hon. C. E. Dempster	Hon. A. G. Jenkins
Hon. J. T. Glowrey	Hon. R. Laurie
Hon. W. T. Loton	Hon. M. L. Moss
Hon. W. Maley	Hon. J. A. Thomson
Hon. E. McLarty	Hon. B. C. Wood
Hon. G. Randell	Hon. J. W. Wright
Hon. J. E. Richardson	Hon. B. C. O'Brien
Hon. Sir George Shenton	(Teller).
Hon. Sir E. H. Witte- neom	
Hon. T. F. O. Brimage (Teller).	

Question thus passed.

The Chairman accordingly left the Chair, and the Bill lapsed.

#### ADJOURNMENT.

The House adjourned at 9-10 o'clock, until the next Tuesday.

## Legislative Assembly,

Thursday, 4th December, 1902.

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THE DEPUTY SPEAKER took the Chair at 2-30 o'clock, p.m.

#### PRAYERS.

#### QUESTION—LABOUR MARKET AND UNEMPLOYED.

MR. DAGLISH asked the Premier (without notice): Whether in view of the present condition of the labour market,

and the likelihood that a number of men employed on the Fremantle Harbour Works and the Coolgardie Water Supply Scheme will shortly be dispensed with, he will inform the other Australian Governments that Western Australia is at present unable to absorb any surplus labour from outside, and ask them to make the fact known through their respective States.

THE PREMIER replied: I could not on behalf of the Government, undertake to intimate, as suggested by the question to the Eastern States the fact that in this State there is no employment for those who are seeking it. I do not deny that we have in our midst, both on the gold fields and in Perth, a certain number of unemployed; but I am glad to think that the great bulk of that body are those not keenly anxious to obtain work. On the other hand, those few who are desirous of obtaining work deserve the sympathy of the House and the Government. I intimated to a deputation some few days ago that I was entirely opposed to any system of relief works; on the other hand, by pushing on the works on the Estimates bona fide works which I believe will commend themselves to Parliament in order to be constructed, this will relieve the temporary distress, more particularly amongst those few deserving consideration. The Government could not take steps to notify to the Eastern States that Western Australia has reached the full limit of development and that there is not still room for men able and willing to work. Although we have temporarily received a larger number of people than we can assimilate within the next few months, I am glad to see that this country is so strong and buoyant that although we may have a few months of temporary depression, there is ample room still for men to come to the State and find employment.

#### QUESTION—ESPERANCE RAILWAY AND SHIPPING COMPANIES.

MR. HOPKINS asked the Premier: 1. If the intercolonial shipping companies have offered any bonus or subsidy to the Government of this State at any time as an inducement to construct the Esperance Railway. 2. The cost per annum of mail services along the Esperance-to-Goldfield road.