

Amendment put and passed,

HON. R. S. HAYNES moved that the following be added to the clause: "provided that nothing in this section contained shall apply to a union of workers unconnected with an industrial association."

Amendment put and passed, and the new clause as amended agreed to.

New Clause:

HON. J. W. HACKETT moved that the following be added to the Bill:—

Notwithstanding any of the foregoing provisions, it shall be lawful for the parties to any industrial dispute to refer such dispute to the Court in the first instance, provided both parties to the dispute assent to such reference. The object was simply, if both parties were willing, to enable the intermediate stage of the conciliation board to be avoided, and the parties to proceed direct to the court of arbitration. He took it that in 99 cases out of 100 the parties would first meet and try to come to an agreement, and that it would be useless to go to the board of conciliation if an agreement had not been arrived at.

HON. R. S. HAYNES: The clause seemed to be a good one, which would be of great service.

Clause put and passed.

New Clause:

THE COLONIAL SECRETARY moved that the following be added to the Bill:—

The Court shall have power, by order, at any time during the currency of the award, to amend the provisions of the award for the purpose of remedying any defect therein or of giving fuller effect thereto.

He had submitted this to the Crown Law Department, who considered it a desirable provision.

Clause put and passed.

New Clauses:

THE COLONIAL SECRETARY moved that the following be added to the Bill:

In any proceedings before the Court the Minister may be represented by any officer of the department whom he appoints in that behalf.

All expenses incurred and moneys payable by the Minister under this Act shall be payable out of moneys to be appropriated by Parliament for the purpose.

Clauses (2) put and passed.

Preamble and title—agreed to.

Bill reported with amendments, and the report adopted.

#### REPORT OF SELECT COMMITTEE.

On motion by the COLONIAL SECRETARY, the order for considering the report of the select committee (already dealt with incidentally) discharged from the Notice Paper.

#### ADJOURNMENT.

The House adjourned at 9-55 o'clock until the next day.

### Legislative Assembly,

Wednesday, 21st November, 1900.

Petition: Theatrical Performances on Sunday—Post Office Savings Bank Amendment Bill, first reading—Remedies of Creditors Act Amendment Bill, first reading—Paper presented—Question: Railway Rates, Fremantle to Cue—Perth Public Hospital Inquiry, Select Committee's report—Lunatic Asylums Inquiry, Select Committee's report—Annual Estimates, Ways and Means—Appropriation Bill, first reading—Loan Estimates (resumed), Railways Vote to end, reported—Hampton Plains Railway Bill (private), in Committee, reported—Kalgoorlie Roads Board Tramways Bill, Select Committee's report adopted; Bill in Committee, reported—Adjournment.

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

#### PRAYERS.

#### PETITION—THEATRICAL PERFORMANCES ON SUNDAY.

HON. B. C. WOOD presented a petition from the W.A. Anglican Synod, praying that the law be enforced to prevent theatrical performances on Sunday (with charges for admission).

Petition received and read.

#### POST OFFICE SAVINGS BANK AMENDMENT BILL.

Introduced by the PREMIER, and read a first time.

# REMEDIES OF CREDITORS ACT AMENDMENT BILL.

Introduced by the PREMIER, and read a first time.

## PAPER PRESENTED.

By the COMMISSIONER OF RAILWAYS: Rolling-stock on Railways, return showing amount, etc.

Ordered to lie on the table.

## QUESTION—RAILWAY RATES, FREMANTLE TO CUE.

MR. HUTCHINSON asked the Commissioner of Railways: 1, (a) What was the total railrage charged by the Railway Department on five tons imported agricultural produce railed from Fremantle to Cue, booked at owner's risk, and cheapest rate available? (b) How much of such charge was paid by the Railway Department to the Midland Railway Company for railrage from Midland Junction to Walkaway? 2, What was the total railrage charged on five tons imported agricultural produce railed from Geraldton to Cue at owner's risk, cheapest rate available? 3, What was the total cost to the Railway Department (including the Midland Railway Co.'s charge) of railing five tons imported agricultural produce from Fremantle to Cue? 4, What was the total cost to the Railway Department (including the Midland Railway Co.'s charge) of railing five tons imported agricultural produce from Fremantle to Geraldton? 5, What was the total cost to the Railway Department of railing five tons imported agricultural produce from Geraldton to Cue? 6, What was the cost to the Railway Department of railing five tons of imported agricultural produce from the 98-mile peg between Pindar and Wurruga (on the Geraldton-Cue line) to Cue? 7, How was the cost referred to in the foregoing questions made up?

THE COMMISSIONER OF RAILWAYS replied:—1, (a) £7 15s. 5d. (b) £3 16s. 2d. 2, £5 5s. 3 to 7, There are no records kept which will enable this information to be accurately given.

## PERTH PUBLIC HOSPITAL INQUIRY.

MR. HALL brought up the report of the Select Committee which had inquired

into the management of the Perth Public Hospital.

Report received, read, and ordered to be printed.

## LUNATIC ASYLUMS INQUIRY.

### SELECT COMMITTEE'S REPORT.

MR. VOSPER brought up the report of the Select Committee which had inquired into the working of the Fremantle and Whitby Falls Lunatic Asylums.

Report received, read, and ordered to be printed.

## ANNUAL ESTIMATES.

Resolutions passed in Committee of Supply having been reported, the report was adopted.

### IN COMMITTEE OF WAYS AND MEANS.

Resolution formally passed, giving effect to the votes of supply already agreed to, by granting the amount required out of the Consolidated Revenue Fund.

Resolution reported, and the report adopted.

## APPROPRIATION BILL.

Appropriation Bill (for giving statutory effect to resolutions on Estimates in Committee) introduced by the PREMIER, and read a first time.

## LOAN ESTIMATES.

### IN COMMITTEE OF SUPPLY.

Resumed from 13th November.

Vote—*Railways and Tramways*, £506,876 5s. 9d.:

MR. WILSON: It was gratifying to find, from remarks made on the previous evening, that hon. members on the Government side of the House, after persistently supporting the Forrest Ministry, were beginning to exercise the right of criticising the actions and doings of the Government; and especially was this so with regard to the Nannine railway, now before the Committee. The member for East Coolgardie (Mr. Moran) was to be commended for demanding the fullest information with regard to this proposed extension of the Cue railway. Without desiring to have it inferred that his (Mr. Wilson's) sympathies were not in favour of the work being carried on, he must remind the Committee that four or five

years ago a mandate was given by this House for the construction of that work, and the mandate had been during all that time persistently ignored by the Government. The member for North Murchison (Mr. Moorhead) was right in stating that his district had been badly treated, inasmuch as no explanation had been given by the Premier why this work had not been carried out at an earlier period.

THE PREMIER: No explanation?

MR. WILSON: No valid explanation had been given, further than that the money was required for other works.

THE PREMIER: No, no.

MR. WILSON: The right hon. gentleman had stated that the position of the Murchison goldfields was better now than when the work was authorised; that there was a larger population and an increased output of gold; and yet this work had been delayed several years, and the greater portion of the money had been appropriated for other purposes.

THE PREMIER: Appropriated?

MR. WILSON: £80,000 was available for this work on the loan schedule passed years ago, and £40,000 of that amount had been expended on other works.

THE PREMIER: The hon. member knew he was not speaking accurately. His leader knew better, at any rate. The money was spent in improving the Murchison goldfields railway, raising it up, and doing other works.

MR. MOORHEAD: A large part of it was then liable to be flooded.

MR. WILSON: It did not matter how much had been spent. A Bill was passed years ago to construct a railway to Nannine; yet no action had been taken on that mandate, and no satisfactory explanation had been given. He wanted the position of the Opposition to be clearly understood in regard to this and other loan works. Their position was that they were absolutely opposed to new works being undertaken which would necessitate further loans; that they did not believe in further authorisations at the present time, as the Government had their hands full, and the Premier in the next Parliament, whoever he might be, would have all he could do to complete the authorisations already passed by Parliament. The Government would have to raise four or five million pounds before all the works authorised could be completed;

and it was idle for anybody on the Government side to say that if the Opposition allowed this sum of money to pass, they would be getting away from the principle they had been contending for. If members on the Opposition side voted for this item, as he thought they would, they would not be going back from the principle that the loan policy of the Forrest Ministry must cease, at any rate for this session of Parliament. What members did complain of in regard to these important works was the fast-and-loose policy of the Premier and his colleagues; that works which had been sanctioned by Parliament had been systematically ignored, to the loss of the country. This could be said with regard to the Locomotive Workshops (Midland Junction), with regard to the dry dock (Fremantle), with regard to the Nannine Railway now under discussion; and members on the Opposition side protested against that. When once this House passed legislation authorising a particular work, the Ministry should not delay the work, or if they did they should give good reasons for delaying it. With regard to the creation of a Public Works Board or a standing Works Committee, the remarks of the member for East Coolgardie (Mr. Moran) on the previous evening showed clearly the necessity for some change of this kind. In no case had the Government placed before members sufficient data, when asking for the authorisation of an important work. In the case of the railway to Norseman, for instance, which fortunately was defeated by an overwhelming majority—

THE PREMIER: Was that an overwhelming majority? He was glad to hear it.

MR. WILSON: A majority of 19 to 14, which on a question of Government policy would have turned any other Government out of power; but of course nothing would turn the right hon. gentleman out of office. In reference to that work, the Premier did not bring any information to this House as to the probable revenue, nor as to the population to be served, nor as to the importance of the several districts through which the railway was to pass. The member for East Coolgardie put a good case before the House for the establishment of a Works Committee, for the purpose of fully

inquiring into any proposed public work, and obtaining all available information before the work should be recommended to the House for construction. As to the remarks which had been made on the principle of day labour as compared with contract work, he did not believe in day labour for Government undertakings, but held the opinion that all such work should be done by contract, as this principle was the most beneficial and economical for the country. He believed the ex-Commissioner of Railways (Mr. Piesse) supported that view; and if this work were passed, the Government should stop the day-labour system, as the country was losing by it. Regarding the Premier's remark that the success of future loans depended, not on the security but on the state of the money market, he joined issue. True, the raising of public loans largely depended on the condition of the market, but there was a limit to national as to individual credit; and if a private person projected schemes which could be proved to be profitable, still, unless he had security, he would have great difficulty in raising funds. In borrowing, the population of the country was the first consideration; and with our population of 180,000, we had borrowed fourteen or fifteen millions of money.

THE PREMIER: Not yet.

MR. WILSON: But we should have done so when the authorisations were exhausted.

THE PREMIER: The population would then be greater.

MR. MOORHEAD: What were the assets?

MR. WILSON: The whole country was of little value without the population.

THE PREMIER: Much depended on the character of the population. Was the hon. member speaking of Chinamen?

MR. WILSON: No; the influx of Chinese was restricted. The vast majority of the people agreed that the affairs of the colony must be handled very cautiously during the next three or four years. Gigantic works had been projected which must be completed before embarking on fresh enterprises necessitating further borrowing.

THE PREMIER: There had been due caution in the past.

MR. WILSON: No. Had not the Premier been projecting fresh works and authorisations? Had he not said the safe limit of our borrowings was one million per annum, and was there not a sum in these Estimates of £1,748,000?

THE PREMIER: Of that, there was £900,000 in hand.

MR. WILSON: The Premier advanced the principle that it was safe to spend from loans one million per annum, and yet had projected a railway to Norseman at a cost of one and a half millions. The next Premier would have to face the position seriously.

MR. ILLINGWORTH: The Premier cared little for the fate of his successor.

MR. WILSON: However, the particulars given by the member for this district (Mr. Moorhead) would doubtless be satisfactory. Personally, if the money in the hands of the Treasurer would complete this line to any given point—say from Cue to Tuckanarra, about 25 miles—he (Mr. Wilson) would let the item pass. But if it were intended to carry the railway into the wilderness and not to a given mining centre, thus committing the next Parliament to further borrowing for completing the line, the item should be struck out.

MR. MOORHEAD: Surely the line would ultimately be carried to Nannine?

MR. WILSON: That could be considered when the time arrived. If he thought this item would commit the next Parliament to carry it to Nannine, he would vote to strike it out.

THE PREMIER: The Government had not been guilty of any breach of faith in not constructing this line sooner, for ever since 1896 hon. members had been fully aware of the position, and the late member for the district (Mr. Kenny) had recognised that the Government were blameless, for he had never submitted a motion that the work be proceeded with. On the 30th June, 1898, the then Commissioner of Railways (Mr. Piesse), in answer to a number of questions from that member, had said in reply to the last question, "The Government do not propose to proceed with the construction of the railway for the present, for the reason that the present population and development have not given sufficient grounds to believe that the railway will pay." At that time there had been a

depression, which had since disappeared, and now the Government considered the time had arrived for proceeding with the work; but the House had never complained of delay.

MR. ILLINGWORTH: There had been complaint at the Government stealing the rails.

THE PREMIER: There had been no appropriation of rails, because the rails had not been charged against this vote; and the Government had promised that no part of the money available for the Murchison railway should be taken from that district, and it was only at the request of the members for the district that £15,000 was subsequently reappropriated for the purposes of roads, water supply, and other works. Many improvements to the existing railway had been required, especially at the Island and other places near Mount Magnet, where the line had to be ballasted. For this, some of the money had been appropriated; and if the line were not soon carried out, the whole of the £42,000 in hand would be frittered away. There was no intention of placing obligation on the future Parliament to spend more, for it was certain this £42,000 would not all be spent by the 30th June next year. The hon. member (Mr. Wilson) seemed to think the colony could carry on without spending money from loan.

MR. WILSON: No.

THE PREMIER: If the hon. member ever took office he would sing a different tune, and would be advocating Loan Bills in the House if he desired the colony to progress. If the country were to stagnate or go back, loan moneys could be dispensed with; but if railways were to be extended and harbours and other necessary works built, there must be loan funds, no matter what Government held office. Such works could not be done out of revenue, and the alternative to borrowing was to do nothing. Some day, it was to be hoped, our buildings and some other works would be constructed from revenue; but not to borrow any more money must mean the stoppage of public works.

MR. WILSON: No one suggested that. The Opposition had said, borrow no more this session.

THE PREMIER: Those hon. members had gone further. No one proposed to borrow more this session, as the

authorisations were complete; but the hon. member (Mr. Wilson) had said, if he thought that by voting for this item he was incurring the liability to extend the line to Nannine, he would vote against it.

MR. WILSON said he did not say so.

THE PREMIER: The hon. member did. The line could not be extended to Nannine unless the Treasurer borrowed money. This Parliament would not commit the next Parliament, but the next Parliament would have to get loan money if it intended to do anything.

MR. ILLINGWORTH: That was the business of the next Parliament and not our business.

THE PREMIER: Even if we went further than next session without borrowing, the public works of the country would be at a standstill.

MR. WILSON: We would have to borrow to finish the works at present undertaken.

THE PREMIER: There were the Fremantle harbour works.

MR. WILSON: We recognised that.

THE PREMIER: Then it was to be hoped we should not hear about people not being in favour of increasing the public debt, because that would mean there would be no more public works. As to careful management, he agreed it was required, and he supposed there was no country which did not require it. In pretty nearly all countries the Government spent all the money they required, and some of them overstepped the mark. If a Government had a large amount of revenue the Government spent it, and we should be unwise in a country like this if we did not spend it. We required to be careful in the future, as he submitted we had been in the past. We certainly might be said to have "plunged" a little in 1896 with regard to loan matters.

MR. ILLINGWORTH: £7,000,000 in one year.

THE PREMIER: More than that: £8,100,000. Since then we had been very cautious, and the small amounts authorised year by year had only been those absolutely necessary. We desired to keep them as low as possible, and for some years we should have to go on in the same way, borrowing small amounts annually. This country had to finish its public works yet, and there would always

be very pressing public works, especially the extension of our railway system; and if the country went ahead, as he believed it would, no one would desire we should not extend our railways so as to increase development. He hoped this vote would pass, and in fact there seemed to be no opposition. Members opposite had simply given us a little advice, which he supposed was required. There was nothing wrong about good advice, although it might not often be acceptable.

MR. KINGSMILL: The Government took no notice of it.

THE PREMIER: The Government would listen to it, and the advice would probably assist them in knowing what other people thought. He was obliged to hon. members for the way in which they had viewed this matter. There was nothing to be afraid of in regard to the financial position of the colony, which never was so good as at the present time.

MR. HUTCHINSON: If we extended the line in question 36 miles beyond Cue, any agricultural produce that might be railed from Fremantle, whether imported or local, would be landed at that point at exactly the same price as that at which it was now landed at Cue. He was a firm believer in this line, and thought it would be a good paying one, if a proper system of classification of rates for goods were adopted. Our State railways were losing at the rate of 5s. per ton on every ton of agricultural produce railed from Fremantle to Cue, instead of from Geraldton, and if we extended the line 36 miles beyond Cue, we should be carrying 5-ton trucks of flour and wheat, and 2½-ton lots of chaff, potatoes, pumpkins, and all that sort of thing at an absolute loss. We were not justified in carrying goods at existing low rates over our present lines, and still less should we be justified in applying the system to the new line.

THE PREMIER: One supposed the miners would get the advantage.

MR. HUTCHINSON: Yes; but we were not justified in giving an advantage of this kind either to miners, farmers, or anyone else.

MR. PIESSE: It was Geraldton *versus* other parts of the colony.

MR. HUTCHINSON: Geraldton, in this case, was the starting point of the Northern railways of Western Australia.

The member for the Williams (Mr. Piesse) referred to Geraldton as though one wanted to advocate that part of the country more than any other. He (Mr. Hutchinson) was not doing that; but was simply asking that the merchants of Geraldton should have equal rights with the merchants in other parts of the colony.

MR. PIESSE: They had them.

MR. HUTCHINSON: One could get a 5-ton truck of flour or wheat sent from Katanning for a little more than from Geraldton. He did not ask for anything different for Geraldton from that enjoyed by other places. All the people in the North asked for was equal treatment.

MR. GEORGE: Were we content to indorse a policy which, under the guise of assisting the farmers—

MR. HUTCHINSON said he referred to imported stuff, and not that belonging to farmers.

MR. GEORGE: One was not troubled about whether it was imported or what it was; he was referring to the matter of principle. Special rates for agricultural produce had been revised, and the revision had brought our greatest earning department in the colony into the position of having to carry goods at a loss. It was almost criminal foolishness to allow the Government railways to be run principally on political lines. We had to carry agricultural produce (after a certain distance) for practically 1s. a ton for 100 miles, and then on long journeys there was no back traffic, so that it really meant that we were getting simply 6d. per ton for 100 miles. A train could not be run 100 miles profitably for that amount of remuneration. The sum would scarcely find fuel, and then the question of water was a big one, and there were other matters as well, including wages and maintenance. When these rates were in force, how could we wonder that some parts of the railway were placarded as not paying? The doctrine preached from the Treasury bench throughout the last 10 years had been that if it could be shown a railway would pay, that railway would be built, and if it would not pay it would not be built; but that policy had not really been pursued. Political pressure had been brought to bear, and the department had not been run on commercial principles. Even if there were a little loss, that loss

was more than counterbalanced by the good done to the country as a whole; but the House had been misled, and the country had not been fairly treated. As to the question whether merchants at Geraldton were placed at a disadvantage as compared with merchants at Fremantle, that was a minor question; for really the great issue was whether we in this House had any right to criticise the railways as to whether they paid or did not pay, when we had an assurance that these differential rates were applied in opposition to the express views of those responsible for the working of the railways.

MR. PIESSE: That was not so. These rates had all been approved by the General Manager of Railways.

MR. GEORGE: The principle laid down in regard to our Loan Acts was that the railways authorised in them were to be made to pay; and having laid down that principle in our Loan Acts, we should not start any principle the results of which were that the railways were worked in such a manner and at such rates as made them non-payable. What he objected to was that we should be asked to vote loan moneys for the construction of railways on one principle, and that when the railways were built they were run on another principle not in harmony with the first principle. These long-distance rates showed that the Government were carrying one ton of stuff 100 miles for 1s.; and taking a train load of eighteen trucks, the stuff was carried 100 miles for £4 10s. for that train, and the train had to be brought back empty. It was impossible for any manager to make a railway pay on that principle.

MR. ILLINGWORTH: Having called attention to this point in previous years, he would now simply express his conviction that special attention would have to be given to it. This question did at one time become so serious in Victoria that practically the Railway Department was brought to its knees; and if the idea in this colony was to carry produce at a loss, that produce was really being carried at the expense of the whole country. [Conversation proceeding amongst several members.] Seeing that so many members were desirous of speaking, he would sit down.

MR. HUTCHINSON: Go on.

MR. ILLINGWORTH: No.

MR. MORAN: We should not do anything to affect our own railways adversely; and in carrying produce over the Midland Railway to the Murchison goldfields, the Government were really allowing the Midland Company to have the "fat end of the candle." We were in fact giving to the Midland Company an undue proportion of the freight for the whole mileage, in carrying stuff to the northern seat of consumption.

MR. PIESSE: We paid the Midland Railway on the mileage basis.

MR. MORAN: Yes; but the Midland Railway Company, starting from the base, got the higher rate charged for the first part of the whole distance.

MR. PIESSE: No.

MR. MORAN: Did the hon. member mean that the whole length of the mileage was divided, and that the Midland Company were paid an equal proportion on the whole mileage?

MR. PIESSE: Yes.

MR. MORAN: Then the State was carrying stuff and losing 5s. a ton by it. We should consider this, however, that by constructing this railway thirty miles further we should be opening up additional mines, and the produce carried to those mines would pay best at the "butt-end of the candle" again. In this case we were building a trunk railway, and we had the money to do it; therefore that was the whole justification for the work. With reference to the duplication of the Boulder Railway and the additional construction provided for in item 203, this House had yet to consider the Kalgoorlie Tramways Bill; and if that Bill were passed, it would be well to consider whether some of the elaborate stations which were proposed for the present railway line would be equally necessary after that tramway drew away some traffic which might otherwise go to those stations. This was especially the case with reference to the first station from Hannan street, Kalgoorlie, known as the "Queen of the West."

THE PREMIER: Yes; attention would be given to that matter.

MR. ILLINGWORTH, referring to item 208, "Railway Workshops, £35,000," asked whether the Government intended

to go to work at once at the Midland Junction?

THE PREMIER: Certainly.

Vote put and passed.

*Harbour and River Improvements, £223,602 4s. 7d.*

MR. A. FORREST, referring to item 231, "Derby Harbour Works, £2,000," asked for an assurance that these works would be put in hand at once, so as to be in readiness for next year's shipping of cattle for the local markets.

THE PREMIER said he could give the assurance that the works would be gone on with at once.

Vote put and passed.

*Water Supply and Sewerage for Towns, £22,000—agreed to.*

*Coolgardie Water Supply, £850,000:*

MR. MORAN: There was considerable feeling about Kalgoorlie and Coolgardie that some of the local service works in connection with this goldfields water supply might be started as soon as possible, so as to relieve the labour market in those districts. There seemed to be always a large surplus of labour there, though he was glad to say this was not so in Perth. If the sites for the service reservoirs had been decided upon, there might be no objection to start those works at an early date.

THE PREMIER said he believed the department was about ready to commence these works now.

MR. MORAN, referring to the proposed reticulation service for goldfields towns, said he supposed the only available information so far was in reference to the main service reservoir.

THE PREMIER: Yes; and for the reticulation an Act of Parliament would be necessary.

Vote put and passed.

*Development of Goldfields and Mineral Resources, £49,734 18s. 6d.—agreed to.*

*Roads and Bridges, £1,225 5s. 6d.—agreed to.*

*Development of Agriculture, £8,000—agreed to.*

*Immigration, £1,713 1s. 2d.—agreed to.*

*Miscellaneous (including charges and expenses of raising loans), £37,613 14s. 9d.—agreed to.*

This concluded the Loan Estimates.

Resolutions reported, and the report adopted.

# HAMPTON PLAINS RAILWAY BILL (PRIVATE).

## IN COMMITTEE.

Clause 1—Interpretation:

MR. GREGORY: As one opposed to private railways, he would take the sense of the House as to whether the Bill should be passed.

THE PREMIER: That should have been done on the second reading.

MR. GREGORY: On that occasion there were few members present.

MR. GEORGE moved that progress be reported.

Motion put and negatived.

MR. GREGORY: From the fact that hon. members had not made themselves acquainted with the locality plan, it was clear they were not familiar with the Bill. Evidently some persons were trying to get a good concession; and the Bill, after the second reading, would doubtless have gone through the House had he not protested. Of course it was hard to prohibit all private lines; nevertheless such railways were objectionable, and though the Bill as amended by the select committee was a vast improvement on the original draft, still there apparently had been a desire to mislead the House, because it was not mentioned in the Bill that the line would go to Red Hill, and it was only on looking at the plan last night that he had discovered that fact.

MR. MORAN: There was nothing extraordinary in looking at a plan to find the destination of a railway.

MR. GREGORY: To test the feeling of the House, he moved that the Chairman do leave the Chair.

Motion put and negatived, and the clause passed.

Clauses 3 and 4—agreed to.

Clause 5—Exercise of powers of the Railway Act:

MR. WILSON: Had the Government any control over rates to be charged?

MR. MOORHEAD: Those were subject to the Commissioner's sanction.

MR. WILSON: The rates should be submitted to the Governor-in-Council.

MR. MOORHEAD: Then insert "Governor-in-Council" instead of "Commissioner."

MR. WILSON: The rates ought to be the same as on the Government railways; or, if higher, should be subject to the approval of the Governor.

**THE PREMIER:** Quite right.

**MR. WILSON:** Otherwise there would be trouble.

**MR. WALLACE:** No better example than that of the line controlled by the hon. member (Mr. Wilson) could be adduced to show the necessity of the Government taking all precaution to protect people in every way with regard to rates.

Clause put and passed.

Clauses 6 and 7—agreed to.

Clause 8—Company may take Crown lands required for railway:

**MR. GEORGE:** Were the rights of the Government properly preserved under the provisions of this clause? Apparently the clause was very elastic. This railway would be a great convenience to people, and would probably do much good to the district, but unless the company were prepared to bring a large amount of rolling-stock—which he much doubted—they would be practically using the rolling-stock belonging to the Government, whilst we ourselves had not sufficient for our own lines.

**MR. MORAN:** We must have timber.

**MR. GEORGE:** If we got firewood from a different place from that where it was at present obtained we simply robbed some other portion of the Government railway, which would have to bear the same cost as now.

**MR. WILSON:** The strip of land taken from the Crown ought to be specified.

**MR. MOORHEAD:** It was specified in Clause 2.

**MR. WILSON:** What about stations? The company could take any quantity of land. That ought to be limited.

**THE PREMIER:** "For the purposes of the railway."

**MR. GEORGE:** The company might want to build a couple of hundred houses for the employees, and they could take the land.

**MR. A. Y. HASSELL:** This clause appeared to be very elastic.

**THE MINISTER OF MINES:** The length of this line was 27 miles, and about 20 miles of it would be on the company's own private land. The line would run only for eight or nine miles on Government land.

**MR. GEORGE:** Clause 2 contained the words "or for erections and build-

ings." There was practically no limitation whatever.

**THE PREMIER** moved that after the word "subject," in line 1, the words "to the approval of the Governor and" be inserted?

Amendment put and passed, and the clause as amended agreed to.

Clause 9—agreed to.

Clause 10—Commissioner to have running power:

**THE PREMIER** moved that the word "mails" be inserted after the word "parcels," in line 3, and also in line 6.

Put and passed, and the clause as amended, agreed to.

Clause 11—Company may agree with the Commissioner to work the railway:

**MR. GEORGE:** Was not this Bill practically carrying out, under the veil of a private Bill, a railway which had been rejected by the House?

**MR. PIESSE:** No.

**MR. GEORGE:** This clause was about one of the most pernicious in the Bill. It practically meant that a private company could build the railway, and that the Government, who were at present starved for want of rolling-stock, were going to work it. There had been too much of this blind business in the House for the last six years.

**MR. PIESSE:** The clause was not likely to be made use of.

**MR. GEORGE:** The best thing we could do was to rely on good old dog "holdfast," and let those who were looking too far ahead clear out. It would be far better to reject the Bill than to pass this clause in its present form. The Bill said the Commissioner should have the same control over the railway as if it were vested in him. If that was to be the case, and the charges were to be settled between the Commissioner and the company, it simply meant that the railway was going to be built by the company, and we did not know whether the company would bring the rails here for the work, or whether they would buy some old rails. We knew, so far as the goldfields railway was concerned, that the Government were removing 45lb. rails and substituting 60lb. rails. He suggested that the clause be struck out.

At 6:30, the **CHAIRMAN** left the Chair.

At 7:30. Chair resumed.

**THE PREMIER:** This clause being entirely permissive, he did not see any objection to it. If the Government and the company came to an agreement under the clause, they would be only doing what they might do without the clause, as they could still make an agreement if this clause were not in the Bill.

**MR. GEORGE:** That was an airy way of dealing with the matter, which might be appropriate to the close of the session. He was aware the same thing might be done if the clause were knocked out; but this Bill was a thinly-disguised way of making a railway, nominally by a company, but really to be worked by the Government under agreement with the company. This line was going a certain distance towards Norseman, and so on to Esperance at some future time, although this House had said a railway to Norseman should not be built. It had even been said that the other Bill brought in by the Government for authorising the construction of a railway to Norseman was only a "flash in the pan," and that this was the real Bill by which the Government were to carry out their object; for they had a large number of rails and sleepers which they could use by agreement with the company, and this Bill would authorise the Government to practically take over this railway after the company had built it, and the Government might run it the same as they would run a State railway. The company were not required under the terms of this Bill to provide their own rolling-stock, but the Government might provide the rolling-stock by agreement with the company. This railway was not going to create traffic, but would merely transfer traffic from one portion of a district to another; and it would be better for the Government to build their own railway, rather than make some agreement under this clause, whereby the company was to build the line and the Government was to run it. He would not allow concessions of this kind to go through without stating how the thing struck him.

**MR. WILSON:** It was not correct to say this House had distinctly affirmed that a railway should not be constructed to Norseman from Coolgardie. What the House affirmed was that the Govern-

ment should not construct the line. If this clause were struck out of the Bill, the Commissioner of Railways might agree with the company all the same; and he could work the railway by arrangement for carrying the Government traffic over the line. One did not see any provision in the Bill by which rails and sleepers and rolling-stock were to be provided by the Government; but the clause simply provided that the Commissioner might agree with the company to run the Government rolling-stock over the line. There ought to be extended power put in the Bill, so that the Government should be able to take possession of the railway and run the traffic, in the event of the company failing to do so.

**MR. GEORGE:** It would not be necessary to provide that, because the Government would run the traffic in any case.

**MR. WILSON:** The Government should have full power to protect the interests of the public, by providing that the traffic should be run; and if the company failed to run the traffic, the Government should be in a position to do it. The clause, however, might well pass as it stood.

**MR. GEORGE** said his point was gained, and he would not press his objection further.

**MR. VOSPER:** Apparently the hon. member's (Mr. George's) objection to the clause was that this private railway was a State railway in disguise. That was an argument in favour of the Bill, and surely no private Bill had ever more effectually safeguarded public rights. The company owned all the land over which the line would run, with the exception of nine miles of Crown land, and for that short distance the Government would have a line built free of charge, which would serve an important goldfield, and of which the Commissioner could assume control. Provided Clause 11 were retained, he would vote for the Bill.

**MR. D. FORREST** protested against the company being allowed to carry the railway over Crown lands. The colony had had enough of private railways, had paid "through the nose" for the Great Southern line, and would have to buy the Midland Railway. If this work would pay the company, it would pay the Government.

MR. A. Y. HASSELL: The purchase of the Great Southern Railway had been one of the best acts of the present Government; and had it not been for the settlement resulting from that purchase, Albany would now be in a much worse position than it was.

Clause put and passed.

Clause 12—agreed to.

Clause 13—Line to be opened. Company not to show partiality to any person or kind of traffic:

MR. WILSON: Full power should be given the Government to enter upon this land, take possession of the line, and work the traffic in case of the company's failure to carry on the railway.

MR. PIESSE: In the event of the company not complying with the provisions of the Bill, a penalty not exceeding £50 a week was provided.

MR. WILSON: That would be useless. A large population might spring up which, by the stoppage of traffic, would be seriously injured. The Government should have power to take possession on notice given.

MR. PIESSE: Clause 58 of the Midland Company's contract stated that if the company failed to run the trains, it should be lawful for the Government to enter upon and seize the engines and plant of the contractor and appropriate the proceeds. The Bill, however, dealt with a line passing through the company's own land.

MR. WILSON: If the company were insolvent, the fine might not be recoverable. The Government should also have control over the speed of the trains.

MR. JAMES: The Attorney General should give attention to Clause 13, which empowered the Government to see that the concession was not abused. Regarding the penalty, if debenture-holders were in possession of the property, the fine would be payable, not by such mortgagees, but by the bankrupt company. The penalties should be a first charge on the property.

THE PREMIER: A similar clause to that mentioned by the member for the Williams (Mr. Piesse) would be inserted on recommittal, and the penalties made a first charge. He moved that, in paragraph 2, all the words after "traffic," in line 5, be struck out.

Amendment put and passed, and the clause as amended agreed to.

Clause 14—agreed to.

Clause 15—Government may purchase the railway:

THE ATTORNEY GENERAL: It was proposed to give a right to purchase at any time on giving twelve calendar months' notice in writing, and with that object in view he moved that the words "on behalf of the Government" be struck out, and "with the approval of the Governor" inserted in lieu; that was the usual phraseology.

Put and passed.

THE ATTORNEY GENERAL further moved that the words "the expiration of 21 years from," after the word "after," in line 2, be struck out. Also that the word "by," in line 3, be struck out, and "upon giving the company twelve calendar months" inserted in lieu.

Put and passed.

MR. WILSON: The clause said the Government had the right of purchase, and the value of the railway should not be taken to be more than one and one-tenth of the actual cost of construction, and of such additions as should be approved by the Commissioner to the railway. That was to be certified to by the Commissioner on the completion of the railway. There should be a limit of so much per mile.

MR. GEORGE: Three years ago, when there was a proposition to make a railway in the South-Western District, the people were willing to agree that the railway should be built on plans and specifications and schedule prepared by the Engineer-in-Chief, and that the cost should be laid down to his satisfaction. That provision was not in this Bill, and it would be wise to insert it. Another point was that whoever made the railway would get this bit of Crown land for nothing, and when the Government came to take over the railway what price would be paid for the private land of the company? Some provision should be made in that regard. Although there was a provision as to the cost of the railway, nothing was stated as to what should be paid for the land. Under Clause 2 the company were able to take only three chains in making the railway, but they could go to unlimited extent for the purpose of buildings and other things, and if these were to be taken

over what would the Government pay? The absence of a provision on that point might prove a stumbling-block when the time came to take over the railway.

MR. PIESSE: No additions were to be made without the approval of the Commissioner.

MR. WILSON: Seeing the company were to have Crown land free, the company should, when selling the railway to the Government, give up their land.

THE PREMIER: We ought to insert the words "lands and works in connection therewith."

MR. WILSON: What about the money?

MR. JAMES: That might be put in the purchasing section.

MR. WILSON: What about the rolling-stock? Did that go with the railway?

THE PREMIER: It would not be included with the purchase.

MR. WILSON: It ought to be provided that the Government could take it over at a valuation.

THE PREMIER: That had not been done in other cases. It was not done in relation to the Canning timber line.

MR. WILSON: The Hampton Plains Company were going to provide a big traffic there, were they not? They would want a hundred trucks at least.

MR. JAMES: Clause 15 said the Commissioner must give his certificate of cost. Was there any previous clause dealing with that point? Unless provision were made, valid force could not be given to the clause.

MR. GEORGE: The Commissioner would be allowed to inspect the line.

MR. PIESSE: There was no previous clause referring to the certificate. That point only arose in this clause when it came to the question of paying for the line.

MR. JAMES: The matter deserved the consideration of the Attorney General.

MR. ILLINGWORTH: One understood that the Hampton Plains Company had purchased the land at 2s. 6d. an acre, and possibly the company might demand £50,000 for it. They would be compelled to sell the railway at one and one-tenth of the cost; but there was no provision for the land to go with the railway.

THE PREMIER: The Government would make that clear in the interpretation of "railway."

MR. ILLINGWORTH: We wanted provision made that this land should be conveyed to the State.

THE PREMIER: Clause 15 provided that.

MR. ILLINGWORTH: The clause was not sufficiently definite. There was no provision that the company should be compelled to convey the land.

THE PREMIER: Yes.

MR. GEORGE: There was no provision as to the price.

THE PREMIER: Railway meant land and works, too. The matter should be looked into closely before the third reading was passed.

MR. LOCKE: As this railway was going through only nine miles of Crown land, the easiest, simplest, and safest way would be for the Government to resume the strip of land through the Hampton Plains property, and then when we wanted to buy the line, the land would be ours. That might save a great deal of litigation.

MR. JAMES: In that case the company would be building their railway on our land.

MR. MORAN: They were doing so now on nine miles.

THE PREMIER: We were going to give them the land.

MR. WILSON: If the company were to construct the railway on Government land, how could they raise the money? If they had not a title, they would never be able to finance the undertaking.

MR. MORAN said he did not agree with the hon. member on that point.

MR. WILSON: Provision should be made whereby the maximum cost of the whole of the land, railway, and buildings should not exceed a certain amount.

MR. GEORGE: Under this Bill we should give the company a certain amount of land in fee simple. If we took the railway, were we going to pay the company for the land we gave them in fee simple, and if so, what? And what should we give for the land taken from the Hampton Plains Company themselves? Nothing was said in the clause about the land on which the railway was to be built, yet the land was the key of the position. How was the value to be ascer-

tained? Was it to be the value before the railway was built, or when the line was taken over? Ten years hence the land might be worth thousands of pounds per acre, although the company gave only 2s. 6d. an acre for it. To authorise the building of this railway would also seal the question of constructing a railway from Coolgardie to Norseman. As the company would be getting a right to run their railway over nine miles of Crown lands for nothing, so the company should act generously by granting to the State for nothing that portion of the railway land which was within their estate. The importance of settling this question in a right way was that this Bill was the first of a batch of Bills for constructing railways which Parliament would have to deal with during the next few years; therefore we must put the matter on a proper business basis.

MR. MITCHELL suggested that after the word "railway" there should be inserted "and land on which it is constructed."

THE PREMIER: The definition of "railway" in another clause would be altered, so as to include land as part of the railway.

MR. ILLINGWORTH: It would still be necessary to fix the value, and this clause would have to be altered.

MR. PIESSE: Besides providing for including land in the definition of "railway," the value of the railway with the land would still have to be settled. In Clause 15 it would be necessary to provide that the land should be included in the railway, and the price per mile should be fixed.

THE PREMIER: £2,000 per mile should meet the case; and we might put in the words "not exceeding £2,000 per mile."

MR. PIESSE: The cost could not be fixed in that way, because it might not be fair to the company to say that the price should not exceed £2,000 per mile.

MR. GEORGE: The only way would be to provide that the company should give their portion of the land free, so that all the land on which the railway was constructed should belong to the Crown when the Crown took over the railway.

MR. MORAN: Rather than draft a Bill that might not be satisfactory to the

country, he would prefer that the whole matter should stand over until the next session of Parliament. He did not want to see this work delayed, but he did want to see proper provision made for protecting the interests of the State. It would not be any inconvenience to Kalgoorlie or its mines if this railway were not constructed immediately, because there were plenty of means for keeping up a supply of timber, assuming this project was to be delayed seven months.

THE PREMIER: The State would be safe enough under the provisions suggested.

MR. PIESSE: They were all in favour of the State.

MR. MORAN: The company should not get the fee simple of the land, but should be allowed a lease of the land on which the railway was to be constructed.

MR. ILLINGWORTH: The company had the fee simple of a certain portion of the land already, and unless we arranged to get the fee simple of that portion from the company, we could not get the railway from the company under terms of purchase, because the company might charge a very high price for the land. If we granted them power to construct a railway partly over Crown and partly over their land, the power to purchase that railway by the State should include the conveyance of the title in the land to the Crown, either free or at a price to be fixed. This was not a case of constructing a railway over Crown land entirely.

THE PREMIER: We might alter the definition clause to this effect: "The railway authorised by this Act to be constructed, and lands and works in connection therewith;" and we might further provide that the railway might be purchased at any time by the State on giving twelve months' notice, and that under no circumstances should the cost price be more than one and one-tenth of the actual cost of construction. That definition would provide that the railway included the land.

MR. ILLINGWORTH: What was the present value of the land?

THE PREMIER: It did not matter what was the present value; but we ought to fix what was to be the maximum cost of the work.

MR. MORAN: We should make it a condition that the portion of Crown land through which this railway passed should

be conveyed to the company by lease at a peppercorn rent.

THE PREMIER: There would be no advantage to us in that.

MR. MORAN: It was a great question of principle as to the State parting with land instead of granting a lease. The proper policy was to grant a lease on terms, and any violation of the terms should involve forfeiture of the lease.

MR. GEORGE: There was nothing in the Bill to prevent the company from selling this railway when constructed, and in doing so they might get a price from the buyers, and that price might fix the value which the Government would have to pay for the land when taking over the railway. The Government could not expect to get the land at a less price, if such a transaction were gone through by the company. The price of the land should be fixed now. We should not give the land for nothing, and then have to buy it back at any price that might be fixed by the company.

MR. MORAN: The land was worthless without the railway, at present.

MR. GEORGE asked the Attorney General whether there was anything in the Bill to prevent the company from selling the railway to another company, the price of that land being afterwards treated as the price which the Government should pay for the land when taking over the railway?

THE ATTORNEY GENERAL: There was nothing in the Bill to prevent the company from selling, after the Act was passed; but whoever bought the property would buy it subject to the conditions in the Act.

MR. WILSON: The cost of construction could be expanded almost indefinitely, and we should put in a limit.

THE PREMIER: £2,000 a mile.

MR. WILSON: It would be better if the company arranged with the Government beforehand as to the maximum price.

MR. PIESSE: If the price were fixed at £2,000 a mile as the maximum, and we gave notice to the company a year hence that we should exercise the power of purchase, would it be fair to buy that property back for £2,000 a mile which might have cost £3,000 to the company?

MR. WILSON: In the case of the Canning Jarrah Company's railway, the price was fixed at £1,000 a mile.

MR. PIESSE: Yes; but that was to be after ten years.

MR. WILSON: That line had been just worked up to a valuable asset.

THE PREMIER: It was "up" very much the other day [alluding to the failure to bring back passengers from the Gooseberry Hill excursion].

MR. PIESSE: In the case of the Canning Jarrah Company, it was assumed that the owners would have had sufficient time at the end of ten years to make up the difference between the actual cost, and the £1,000 per mile at which the Government might then take over that line. In the present case, if we were to give notice to this company at the end of a year, we might call on them to sell to us at £2,000 a mile a railway that might have cost them £3,000 per mile to construct.

MR. WILSON: The Government might negotiate with the company as to the cost.

THE PREMIER: We might provide that they should have a certain number of years before the power of purchase was exercised.

MR. PIESSE: Give them five years, and say, "not exceeding £2,000 a mile."

THE PREMIER: We might put in "not exceeding £2,000 a mile."

MR. MORAN: It did not seem right to rush this Bill through at the close of the session.

MR. GEORGE: In present circumstances, £2,000 per mile would be a fair amount, and several contractors whom he knew would build a railway at that price if given the same concessions as the promoters were to receive.

THE PREMIER: Let it be £2,000 per mile.

MR. ILLINGWORTH: And insert "inclusive of the land."

THE PREMIER: Yes. He moved that "inclusive of the land" be inserted after "railway" in line 8; and that "two thousand pounds per mile" be inserted after "than," in line 10.

Amendments put and passed, and the clause as amended agreed to.

Clause 16—Deposit:

THE PREMIER: What was the amount of deposit?

MR. PIESSE: By the Standing Orders relating to private Bills, it was fixed at £2,500.

**MR. WILSON:** Was there provision for the line to be constructed and maintained under Government supervision?

**MR. PIESSE:** Clause 12 provided that inspection be permitted.

**THE PREMIER:** And Clause 13 for maintenance.

**MR. PIESSE:** "At all reasonable times."

**MR. WILSON:** "Reasonable" should be struck out.

**THE PREMIER:** Clause 12 was sufficient.

**MR. PIESSE:** If the inspector reported adversely, the Commissioner might prohibit traffic, and there was a proviso for forfeiture and seizure.

**MR. GEORGE:** There did not appear to be any deposit as a guarantee that the railway would be carried the full distance.

**MR. MORAN:** It did not matter for how short a distance the line was carried through the company's land.

Clause put and passed.

Clause 17—agreed to.

New Clause:

**THE PREMIER** moved that the following new clause be added to the Bill:

If the company shall fail to comply with any of the provisions of Section 13 hereof, it shall be lawful for the Government to enter upon, seize, and take possession of and use the said line and all the rolling-stock, machinery, engines, and plant of the company, and to use and work the same and appropriate the receipts and profits thereof. And the company shall pay to the Government all expenses incurred for the maintenance and repair of the said line, rolling-stock, machinery, engines, and plant during such time as the Government shall be in possession as aforesaid. And the company shall be subject to and shall pay to the Government a weekly fine of £50 so long as the Government shall continue in possession as aforesaid, and such fine may be recovered in a summary way from time to time before any two justices, and the fines so recovered shall be a first charge on the assets of the company.

Clause put and passed.

Schedule—agreed to.

**MR. JAMES:** In the definition of "company," "assigns" were not included.

**THE ATTORNEY GENERAL:** That should be done on recommitment.

Preamble and title—agreed to.

Bill reported with amendments.

#### RECOMMITTAL.

Bill recommitted for further amendment.

**THE PREMIER** moved that in Clause 1, definition of "company," the words "and its assigns" be inserted after the word "limited"; that in the definition of "railway," after the word "and," in line 2, "all lands and" be inserted; that after the word "works," in line 2, "belonging to or used" be inserted. These last-mentioned words would cover dams and water supply. He also moved that the following be added at the end of Clause 5: "It shall not be lawful for the company to levy any charges for the carriage of goods or passengers in excess of those levied for the time being over similar distances in the Government railways without the approval of the Governor being first obtained."

Amendments put and passed.

Bill reported with further amendments, and the report adopted.

#### KALGOORLIE ROADS BOARD TRAMWAYS BILL.

##### SELECT COMMITTEE'S REPORT.

Order read for consideration of the report.

**MR. PIESSE** in moving that the report be agreed to, said it would be seen from the evidence that the Government were now duplicating the railway between Kalgoorlie and Lakeside, and provision was to be made for the erection of stations at Hannan Street, Golden Gate, Boulder City, and Gnumballa. These points would also be touched by the proposed tramway, and the latter line would therefore materially interfere with the Government traffic. From the evidence taken, it appeared the tramway would traverse the Boulder road, running almost parallel with the Government railway; it would cross the railway at a point known as Golden Gate, and would then traverse the northern side of the railway to the Finister business areas, and would be continued by what was known as the Brown Hill route, touching the Lake View suburban areas, thence back to Hannan street. During the current year provision had been made for the construction of a line of railway by the same route, and a Bill passed for that purpose; funds had been provided on the Loan Estimates; and it was evident that this tramway, if permitted, would seriously interfere with the Government railway. Much adverse com-

ment had been made regarding the traffic on this line, or the manner in which the line had been built by the Government. In consequence of this it was decided some time ago to duplicate the railway, and make provision for modern stations for the purpose of dealing more expeditiously and effectively with the traffic. These stations were in course of erection, and the ultimate cost of construction of the duplicated lines, together with these stations, would be £111,000. All this work would be completed in less than six months, and at the same time we were considering the question of constructing this line of tramway which would most materially interfere with the Government railway. The evidence given by expert railway officials went to show there would be a loss. It had been pointed out by the district superintendent at Kalgoorlie that the loss to the railway would be at least 33 per cent.; and he (Mr. Piessé) thought the officer had rather under-estimated than over-estimated it. Doubtless in a district like Kalgoorlie, with a large population, and the inconveniences of travelling in consequence of the dusty nature of the road and the unpleasant climate, the tramway would be a necessity, and prior to relinquishing office he signed a provisional order for tramways within the townsite of Kalgoorlie. The proposal to construct this line along the Boulder road parallel with the railway came into the office a few days prior to his relinquishing the position, and the matter had not received his consideration up to that time. It was only since the matter had been before the House he had had an opportunity of looking into it. This matter should receive grave consideration before we gave away a portion of the profits from the railways. If not able to stop the construction of the tramway which would come into keen competition with the Government railways, we might minimise the loss. We might stop the construction of some of the stations which had been only just commenced—the stations at Kalaroo and Golden Gate—or we might modify the plans, but that modification would not effect a considerable saving. We might prevent the granting of a concession for the construction of the tramway from the Firmister Business Areas round to Hannan street. The evidence given

before the Select Committee by all the witnesses, both for and against the concession, went to show that as a matter of choice the proposed Brown Hill loopline would be preferable to the proposed Brown Hill tramway. We might satisfy ourselves upon this point by at once agreeing to strike out that portion, and the matter might stand over for a year. From the evidence given, no other conclusion could be arrived at than that which the committee came to. That conclusion had been embodied in the 11th paragraph of the report, which said:

In the opinion of your committee, the evidence points conclusively to the fact that as the Government are in process of providing ample facilities for the present and future passenger traffic, it would be highly injudicious, at least pending the completion of the said improvements, to grant the proposed tramway concession.

He moved that the report be agreed to.

THE COMMISSIONER OF RAILWAYS said he differed somewhat from the conclusion arrived at by the committee, because in his opinion the committee had rather an exaggerated idea of the injury these tramways would cause to the railway service. We must be prepared to make some sacrifice in the interest of the great population living in that neighbourhood. He moved that the following be added to the motion: "But in the opinion of this House the provisional order be confirmed subject to the excision of that portion of the schedule referred to as Route D and alternative Route E, and such consequential amendments as may be necessary." That meant dropping the Brown Hill loopline.

MR. PIESSE: The hon. member could not do that.

MR. MORAN: When the matter came into Committee the schedule could be amended.

THE COMMISSIONER OF RAILWAYS: One was, he believed, following out the Standing Orders of the House. He tried to get what he now proposed inserted as a protest. It was our duty to protect the railway revenue, but whatever the House did in regard to this question, only a short time would elapse before trams would be built. In a very short time such pressure would be brought to bear upon the House that the construc-

tion of these trams would be absolutely necessary. He was prevented from adding these words to the report.

THE SPEAKER said he was given to understand the Commissioner of Railways wished to add some words to the report, as he dissented from it, and he (the Speaker) had informed the chairman of the committee it would be an irregular proceeding, because that could not be done in the case of a report of a select committee. Consequently the hon. member now proposed to add these words to the motion which had been moved.

MR. WILSON said he was in accord with the Commissioner of Railways in regard to this report. The members of the Select Committee had evidently done their work carefully and faithfully. Considering the evidence disclosed that this tramway must of necessity compete with the Government railway in passenger traffic; doubtless they came to a right conclusion from that point of view. All trams were bound to compete with the railways of the country. Take the Perth tramway running between the city and Subiaco: in that instance we had a tramway system in direct competition with the railway system.

MR. PIESSE: The cases were not at all analogous.

MR. WILSON: Absolutely analogous.

MR. MORAN: In the one case it was through traffic, and in the other suburban.

MR. WILSON: What through traffic?

MR. PIESSE: From Boulder to Kalgoorlie.

MR. WILSON: There was through traffic between Perth and a suburb.

MR. MORAN: Would the hon. member give a tramway concession to operate between here and Fremantle?

MR. WILSON: Certainly. People on the goldfields should have the same facilities of transit as people in Perth enjoyed. If the system of State-owned railways in Western Australia was going to prevent people from having tramway facilities, the sooner the railways were handed over to private enterprise the better.

MR. MORAN: The Subiaco people wanted the tramway. The Boulder people did not want this concession granted, while the Kalgoorlie people did.

MR. WILSON: The tramway along the main road was absolutely essential. As to the other two routes, they did not interfere with the railway system very much. The opposition to this concession on the part of the Boulder people was unfair. The tramway should go through Boulder, and if we could insert a clause providing that the tramway should be taken through the Boulder, let us do so. The evidence of Mr. Davies, the head of the railway system, clearly intimated that, whether this tramway was constructed or not, we should still have an enormous traffic over the railways.

MR. MORAN: An enormous loss.

MR. PIESSE: Mr. Davies said that if he was to deal with the passenger traffic, he must have facilities.

MR. WILSON: Question 149 was as follows:

Providing these facilities are furnished by the company, do you consider it advisable for the Government to continue the erection of the stations which are proposed?

The answer was:

For the Government I contend it is necessary, because in addition to the tramway traffic, there should be a fairly large passenger traffic on the railways.

The General Manager thought there would still be a large traffic.

MR. MORAN: The General Manager did not. The hon. member would find there was very conflicting evidence.

MR. WILSON: Question 150 read thus:

Presuming a very large proportion of the passenger traffic is taken away by the trams are you of opinion that it is judicious to build those stations on the same lines as those now proposed?

The reply was "Certainly." Did that show any fear of a loss that would cripple this line? The evidence of the General Manager of Railways appeared to show that he did not fear the competition of the tramway system, while he did recognise that it would take away some of the passenger traffic from the railway.

THE PREMIER: People travelled more when there were more facilities.

MR. WILSON: Yes; many people who used a tramway in Perth, for instance, would take it for a short distance but would not think of using the railway for a short distance. If we wanted to make the country progress and make places more attractive, we must allow

these facilities to be provided, and we must incur the risk of a little damage to the revenue of the State railway.

**THE PREMIER:** There was the old ring about that.

**MR. WILSON** said he did not know about the "ring," but if Mr. Rogers and those who were associated with him in the Perth tramways were going to provide facilities for Kalgoorlie and the Boulder districts equal to those provided for Perth, the people there should be congratulated on this enterprise.

**MR. PIESSE:** The report of the select committee helped them, though under different conditions.

**MR. MORAN:** It was only fair we should acknowledge that the Government were willing to sacrifice the principle of State-owned railways or tramways, in order that Kalgoorlie and Boulder might have tramway facilities provided to a greater extent; and the Government were quite willing to make this concession against the expressed wish of three-fourths of the people in and around the Boulder municipality. Underlying it all, the Government might see there was a good deal of public feeling one way, and private wishing another way; in other words, that public bodies would say one thing at a meeting, and individual members afterwards might say a different thing. We had seen that. If additional facilities were offered to people, they were usually willing to take them without regard to any injury that might be done to the State railway; and why should the people of Boulder and the roads board district refuse to grant a tramway concession, on the ground that it would be competing against the State-owned railway? With regard to the interpretation which the member for the Canning had put on the evidence of the General Manager of Railways, he (Mr. Moran) must say, as a member of the Select Committee, that this interpretation was not correct. The evidence of Mr. Davies was somewhat conflicting, but on the whole it was not to the effect stated by the member for the Canning. There was no conflict whatever in the evidence of Mr. Short, nor in the evidence of Mr. Niel Douglas, who had been managing the traffic on the spot for some years. Mr. Davies, in reply to a number of questions, did admit distinctly that the

effect would be to interfere with the revenue of the railway. He also said that to construct a tramway between the two racecourses would have the effect of dividing the traffic between the tramway and the railway. He also admitted, and could not fail to admit, that the increased accommodation which was being provided on the railway for the passenger traffic would be more than ample for the present, and in fact be sufficient for three times the population, and therefore be more than sufficient for any number of people who were likely to be there for many years to come. This House had affirmed that the interests of the people must be paramount, and the House was also willing to sacrifice some portion of the railway returns in order that people might have greater facilities of transit, in the form of tramways that would compete to some extent with the railway. We all knew the great blessing of tramway convenience in a place like Perth. Speaking as member for the district affected by this Bill, he had not sought to push this tramway concession one way or the other, but had endeavoured throughout the inquiry, as a member of the select committee, to elicit all the evidence he could on the question. In regard to the three railway experts, there was a marked difference in their evidence as between Mr. Short and Mr. Neil Douglas on the one hand and the General Manager of Railways on the other. Mr. Davies's evidence was lengthy and rather mixed; Mr. Short's evidence was not lengthy, but was decisive and to the point. He said the traffic was not really paying at present, owing in a large degree to the lack of those additional conveniences which were now being provided on the railway. With these conveniences he believed the revenue would increase, and that the expenditure would proportionately decrease. As to competing, he admitted that the tramways proposed in this Bill would compete against the railway to a considerable extent; and he said we would have to put up with a considerable loss. Mr. Douglas, who spoke with the experience of one who had been managing the traffic on the spot for many years, confirmed Mr. Short's evidence. The Commissioner of Railways (Hon. B. C. Wood) was taking a creditable stand over this matter, and it would be a debt of gratitude due from Kalgoorlie to the

Government that Ministers were willing to grant these facilities for tramways in the Kalgoorlie and Boulder districts. The Government in this case, as in others, had shown they were the best friends of the people on the goldfields; for practically it was the Government who were granting this concession, and in this action members on all sides of the House were supporting the Government. The people at Boulder wished to municipalise the public traffic conveniences, or wished that the Government should construct the lines in preference to private ownership. Speaking for himself as a large owner of property at Boulder, he questioned the advisability of undertaking so large an expenditure in providing all these facilities, some of them competing as they must do, and doing this for what might prove to be a comparatively short time. With regard to the terms made by the company with the roads board, it was a marvellous concession, for the company granted £2,000 cash, and undertook to pay 3 per cent. of the gross takings for the benefit of the roads board district, besides other small concessions. His own opinion was that if this Bill were passed by Parliament, the people in the Boulder district would at once see that it would be to their advantage to have this tramway constructed through the municipality as well as going to the boundary, and this House would not be doing its duty unless it put a provision in the Bill requiring that the company should construct the tramway inside the municipality whenever called upon to do so. If the present position as to the extension of this tramway through the municipality were found to be untenable at a later date, the people there should not suffer on that account, and the company should be required to extend the tramway when called upon to do so. As member for the district affected by this work, he regretted there had not been unanimity amongst the people in regard to it; and this consideration placed their member in an invidious position, for when a constituency was equally divided upon a question of this kind, what could the member do. He had made up his mind to extract all the evidence that was likely to be useful in the inquiry, and he now asked the

Government to consider the question of putting in a compulsory clause, requiring the company to construct the tramway inside the municipality whenever called upon to do so. If the Bill passed, and the tramway were constructed in the roads board district, he thought nine tenths of the people would soon desire that it should also be extended into the municipality.

MR. PIESSE: As to the necessity for providing travelling facilities on the goldfields, the case of Subiaco, as a suburb of Perth, was certainly different from the case of Kalgoorlie in regard to this roads board tramway. While he was Commissioner of Railways he had done what he could to assist in providing these conveniences by agreeing to grant the provisional order; and he recognised that the Kalgoorlie tramway would act as a feeder to the railway, by bringing people to the two principal stations in Kalgoorlie. This roads board tramway, however, was a scheme for running a tramway parallel with the Government railway; and that put it in a different position from other tramway schemes. He believed this scheme was going to interfere materially with the revenue of the railway, and the select committee had done some good by inquiring fully into the matter, and thus providing evidence and allowing time for the House to come to a safe conclusion on the whole question. If it were the desire of the House to grant this concession with the proposed section (between the two racecourses) eliminated, then probably the wishes of the people would be met to a certain extent, and the convenience of the public would be served. The people of Perth were not using the suburban railway to Fremantle to the extent to which people at the Boulder were now using the railway to Kalgoorlie. Between the centres of Kalgoorlie and Boulder there was a large traffic. This tramway would materially interfere with the railway system, and had the scheme been proposed a year ago, he, as Commissioner of Railways, would then have felt it his duty to refrain from recommending such extensive improvements on the Kalgoorlie-Boulder railway.

MR. KINGSMILL supported the adoption of the report. The attitude of the Government was incomprehensible and their generosity carried them too far

This was a question of the convenience of Kalgoorlie and Boulder residents, as against the interests of the public represented by the Railway Department. Apparently the country was to suffer. The requirements of Kalgoorlie and Boulder would be met when the proposed railway improvements had been effected; therefore, as it was a Government maxim not to interfere with private enterprise, private enterprise should not be allowed to interfere with the Government. From the evidence of the district superintendent it was clear that, through the trams, the Kalgoorlie-Boulder railway revenue would suffer a diminution of 33 per cent. The members of the Select Committee had learned with surprise that this railway was being worked at a loss in respect of passenger traffic; and any diminution of such traffic must cause still further loss. A witness who had appeared on behalf of the promoters, when asked whether the tramways would seriously compete with the Government railway, had answered in the innocence of his heart: "It is not a matter I have much considered; because, as soon as the Government gave us the provisional order, I presumed they had thoroughly looked into that, and were satisfied it would not interfere."

**MR. MORAN:** A clean "give away."

**MR. KINGSMILL:** In the circumstances, the committee could not do otherwise than frame the report presented.

**THE PREMIER:** The welfare of the country would be promoted by giving as many facilities and conveniences as possible to the people of Kalgoorlie and Boulder. The question should not be looked at merely from a railway point of view. Our first duty was to the people of the district. Why had the construction of tramways been allowed anywhere in crowded centres? In Sydney and Melbourne, trams ran alongside the railways.

**MR. PIESSE:** The Sydney trams were Government property.

**THE PREMIER:** The member for Pilbarra (Mr. Kingsmill) had said the railway did not make much out of passenger traffic on the Kalgoorlie-Boulder line. That was true, for the expenses were enormous, water alone costing an immense sum. Therefore, until a

cheaper water supply was available, the line would not be so profitable as some imagined. He agreed with the remarks of the member for the Canning (Mr. Wilson), who, on this occasion, had spoken as a citizen and a colonist. The Government had no interest in the Bill, and did not know either the promoters or their agents; but it must be to the interest of the district to have increased travelling facilities, which were richly deserved in view of the adverse conditions of dust and heat by which it was hampered. He (the Premier) would favour private tramways even from Perth to Fremantle. For long distances, people would still travel by railway for the sake of speed. The Melbourne suburban railway stations, such as Richmond and South Yarra, were crowded with passengers, notwithstanding the tramway competition, because of the superior speed of trains. That would be the case at Kalgoorlie. The railway would continue to carry heavy traffic, and probably the tramways would bring passenger traffic to the railways.

**MR. MORAN:** That was not the opinion of railway experts.

**THE PREMIER:** People sometimes adopted narrow views. He supported the Bill with pleasure.

Amendment put and passed, and the motion as amended agreed to.

The House resolved into Committee to consider the Bill.

#### IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Confirmation of Provisional Order:

**MR. WILSON:** This referred to the provisional order given on 17th October, 1900.

**THE COMMISSIONER OF RAILWAYS:** The necessary amendment would be made in the schedule.

**SIR JAMES G. LEE STEERE:** Strike out the words "and set forth," and insert "as amended in the schedule."

**THE COMMISSIONER OF RAILWAYS** moved that the words "and set forth," in lines 2 and 3, be struck out, and "as amended," inserted in lieu.

Amendment put and passed, and the clause as amended agreed to.

Clauses 4 and 5—agreed to.

Clause 6—Power for local authorities to connect with and acquire running powers over the tramway:

MR. MORAN: Was this clause in other Tramway Bills? If not, how had it been inserted here? It was evidently begotten of the action he had taken on the select committee.

THE COMMISSIONER OF RAILWAYS: No.

THE PREMIER: The Kalgoorlie Bill contained the same clause.

MR. ILLINGWORTH: It was not in the Fremantle Bill.

THE COMMISSIONER OF RAILWAYS: It was in the Kalgoorlie Bill.

MR. MORAN: We wanted to provide that the trams should run through the Boulder municipality on routes to be agreed upon by the municipality and the promoter, and that any dispute should be settled by arbitration. Would it not be wiser to adopt the suggestion of the Premier, and leave the matter to be dealt with on recomittal?

THE PREMIER: Very well.

Clause put and passed.

New Clause:

THE COMMISSIONER OF RAILWAYS moved that the following be added as Clause 7:—

Protection of Telephone Service from injury by Tramways. — Whenever any telephone service is erected prior to the construction of the tramways, and is prejudicially affected by the construction or working of the tramways, the Postmaster General may, at the cost of the promoter and his assigns, do all such things as may be necessary to protect the telephone service from being so affected, either by placing the same on a metallic circuit system or otherwise.

This was exactly the same as the clause inserted in the Fremantle Bill the other day.

Clause put and passed, and added to the Bill.

Schedule:

THE COMMISSIONER OF RAILWAYS moved that the words "each of two bridges, one over the Boulder Railway and one over the Brown Hill loop line," in paragraph (c) of Clause 7, be struck out, and the words "a bridge over the Boulder railway" be inserted in lieu.

Put and passed.

THE COMMISSIONER OF RAILWAYS further moved that the words after "journey," in line 7 of Clause 13, to "journey" in line 15, be struck out.

MR. GREGORY: One would like to be sure this was only a consequential amendment, and that we were not striking out the agreement in regard to fares from Kalgoorlie to Brown Hill. Would this affect the general agreement?

THE COMMISSIONER OF RAILWAYS: No.

MR. MORAN: The people were getting very good terms as regarded fares.

Amendment put and passed.

THE COMMISSIONER OF RAILWAYS moved that the words "and twelve trams per diem on route D," in line 8 of Clause 19, be struck out, and that "8," in line 11, be struck out and "13" inserted in lieu.

Put and passed.

MR. MORAN: Between the two municipalities there was a strip of roads board territory which was constantly being encroached on by the municipalities. It was laid down in the agreement that three per cent. of the gross takings of the tramways should be given to the roads board; yet in less than 12 months, probably, there would be not an inch of roads board territory on the route, as the roads board territory and the municipal council's territory were rapidly becoming one municipality. One did not wish to give up the concession of three per cent., but let it be divided equally between the three governing bodies; and when Kalgoorlie and the Boulder were the only two bodies remaining, let the sum be divided between those municipalities.

MR. ILLINGWORTH: The Bill had nothing to do with the agreement existing between the Boulder and this particular company.

MR. MORAN: Yes; Clause 24 confirmed the agreement.

MR. ILLINGWORTH: If the agreement was confirmed by the Bill, the Committee could deal with it. Apparently in a few months this strip of land over which this tramway would run would cease to be the property of the roads board, and would be put in the two municipalities. Then the two municipalities would be contributing to the roads board, if we confirmed the agreement.

THE ATTORNEY GENERAL: This did not confirm the agreement. The agreement stood on its own bottom.

MR. ILLINGWORTH: If we were confirming the agreement, we should have

control over that. He saw nothing in this Bill which gave that control. If we confirmed the agreement, Hannans Roads Board would be entitled to 3 per cent.; subsequently the territory would cease to belong to the Hannans Roads Board; then where did we come in? It was a question of what was in the agreement between the parties, and in taking upon ourselves to confirm that agreement, we ought to know what was in it. The company were to give 3 per cent. of the gross earnings to the Hannans Roads Board, and there was no limit as to time. Supposing the territory over which the tramway would run should cease to properly belong to the roads board, what then? It appeared that then the Kalgoorlie and Boulder municipalities would be contributing 3 per cent. to Hannans Roads Board. If this House meant that to be so, well and good.

**THE PREMIER:** What right had the roads board to get the £2,000? It ought to go into the general revenue of the country.

**Mr. MORAN:** They thought it was worth that for the concession.

**Mr. WILSON:** The agreement ought to be before us, so that we might satisfy ourselves that it was equitable as between the parties.

**Mr. ILLINGWORTH:** It should go in the schedule of the Bill.

**THE COMMISSIONER OF RAILWAYS** moved several amendments, which were agreed to as follow:—(1) in clause 2, line 4, insert the words "except so far as it relates to a proposed route *d* and;" also in line 5, after "and," insert "save as aforesaid;" also strike out the paragraphs headed "Route *d*" and "Alternative route *e*."

Schedule as amended agreed to.

Title—agreed to.

Bill reported with amendments, and the report adopted.

#### ADJOURNMENT.

The House adjourned at 10:28 o'clock until the next day.

## Legislative Council,

Thursday, 22nd November, 1900.

Question: Sixpenny Telegrams, to inquire—Question: Burning off and Bush Fires—Industrial Conciliation and Arbitration Bill, third reading—Patent Acts Amendment Bill, second reading (resumed), adjourned—Appropriation Bill, first reading—Post Office Savings Bank Amendment Bill, first reading—Remedies of Creditors Act Amendment Bill, first reading—Adjournment.

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

#### PRAYERS.

#### QUESTION—SIXPENNY TELEGRAMS, TO INQUIRE.

**HON. J. M. DREW** asked the Colonial Secretary:—1, If the Government is aware that in New Zealand the system of sixpenny telegrams is described as being a magnificent success. 2, If the Government is aware that a similar reform is being introduced in New South Wales, or is being advocated by the Postmaster General of that colony. 3, If the Government is aware that the Postmaster General of New Zealand states that on the introduction of the sixpenny telegram system the number of messages increased by about 60 per cent., and the revenue by 25 per cent. 4, If the Government will institute inquiries into the success attendant on the introduction of this system into New Zealand, with a view to the introduction of similar systems in this colony should the result of the inquiries prove favourable.

**THE COLONIAL SECRETARY** replied:—1, The Government has no special information. 2, The only information possessed by the Government is from telegrams in the newspapers. 3, No such statement has reached the Department. 4, Inquiries will be at once made, and, if favourable replies are received, the subject will have the consideration of the Government.

#### QUESTION—BURNING OFF AND BUSH FIRES.

4. **HON. W. MALEY** asked the Colonial Secretary: 1, Was the permission given last year to light bush fires in the month of February, along the Great Southern railway, merely an experiment. 2, If the Government is aware that great loss was sustained by settlers in that