

useful legislation bearing on that subject. I think that some of the provisions in the Bill are worthy of every commendation, and it is the effort on the part of the Government to improve the arbitration legislation in that respect that makes me willing to overlook the defects in the Bill. Whilst endeavouring to amend the Bill on the points I have mentioned, I shall do my very best to see that the Bill does not suffer in regard to the principles in which we cannot give way.

On motion by Hon. R. G. Ardagh, debate adjourned.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

Assembly's Message—In Committee.

Consideration resumed, from the previous day, of Assembly's reasons for disagreeing with two amendments made by the Council.

Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

No. 2—Clause 9, Subclause 2—Strike out the word "Justice" in lines 1 and 4, and insert "magistrate":

The COLONIAL SECRETARY moved—

That the amendment be not insisted upon.

Hon. J. F. CULLEN: The Committee would be inclined to give way for the sake of the Bill, but there would still be risks. He did not believe in that portion of the Message which said that the power of the justices was sufficiently guarded. It was still open to anybody to swear an information, and that might be done sometimes in spite of or without proper consideration of the seriousness of the action. Still he recognised that there might be a difficulty in getting a magistrate in many parts of the State.

Question passed; the amendment not insisted upon.

No. 4—Clause 16—Strike out Subclause 4:

On motion by the COLONIAL SECRETARY, amendment not insisted upon.

Resolutions reported, and the report adopted.

ADJOURNMENT—SPECIAL.

On motion by the COLONIAL SECRETARY, resolved, That the House at its rising adjourn until Tuesday next.

House adjourned at 8.29 p.m.

Legislative Assembly,

Wednesday, 25th September, 1912.

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Bills: University Lands, 3s.	1954
Public Service Act Amendment, 2s., Com.	1954
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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

BILL—UNIVERSITY LANDS.

Read a third time and transmitted to the Legislative Council.

BILL—PUBLIC SERVICE ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

Hon. FRANK WILSON (Sussex): I have looked into this small amending measure introduced by the Premier yesterday, and it seems to me there can be no objection taken to it. I agree with him that the temporary officers of the civil service are entitled to consideration and that many hardships have resulted through our present legislation. I know that temporary officers have felt it very hard—having served for many years and some, I know, have been engaged in the

service for eight or ten years—that their services should at a moment's notice be dispensed with. They have no security so far as their positions are concerned, and I am also aware of the fact that the heads of departments have felt it very irksome when, having a temporary officer possessing ability to do his work and becoming accustomed to the work of the department, they have found it necessary to dispense with his services in order that somebody else might receive the permanent appointment. Very often, too, a temporary officer has been replaced by a permanent officer who was not quite so capable of filling the position. Taking everything into consideration I think we may pass this measure, and extend the right to appoint temporary officers to permanent posts. I have not heard any objections raised against this measure outside, and I therefore presume the service are in favour of it. At any rate it seems to me to be an equitable provision and one which will give many good officers a chance of securing permanent posts in our service. I therefore do not propose to object to the passing of the Bill.

Mr. TAYLOR (Mount Margaret): As the Premier pointed out in introducing this measure, the object is to amend a portion of the Public Service Act to enable temporary hands to join the permanent staff irrespective of their ages. That is all very well, and I am in favour of that being done. I am sorry, however, that the Act was not amended in this direction earlier. I am sure positions have become vacant which needed to be filled by capable officers like many of those who are employed as temporary hands. Indeed I think if the appointments had been made by examination and the temporary officers had been permitted to compete, many of those who to-day are filling positions as temporary hands would be occupying permanent positions. I am sorry the Government have not seen fit to go further towards amending the Public Service Act in view of the fact that the appeal board has been sitting recently, and also because of the strictures of Mr. Justice Burnside as president of that board. His Honour made some very severe comments during the hearing

of some of the appeal cases in connection with the views held by the Acting Commissioner, which he said were supported by a Minister, and His Honour told the public service of this State that the Act was a whited sepulchre and a fraud. The Act has been in operation for many years, and if there are flaws in it which prevent its smooth working, it is necessary that the objections which exist should be removed, and if Mr. Justice Burnside's views go for anything the Government should go further than the amending Bill before us proposes to do. I admit this Bill is absolutely necessary, and I am in accord with it, but in view of the judge's comments on the recent appeal cases something further should be done. These are the remarks which Mr. Justice Burnside made, and which appeared in the *West Australian*—

The construction I put on the wording of the Public Service Act seems to me to be workable and logical, but the construction which the Public Service Commissioner and a Minister of the Crown put on the Act renders it a whited sepulchre and a fraud. A civil servant thinks he has an Act under which he can get something, until he gets the Act construed, and finds that he has got nothing.

It is in the opinion of the learned judge that the civil servant thinks he has some right to appeal to the board on the reclassification or to appeal to that board to hear any complaint which the board is set up to hear, but the judge says that the civil servant has nothing, and that the Act is a fraud. Considering the administration of the Public Service Act is of such importance to Western Australia, I am sorry that the Government have not gone somewhat further than they propose to do in the amending Bill.

Hon. Frank Wilson: Does the learned judge point out where it ought to be amended?

Mr. TAYLOR: It was with reference to the view held by the Acting Commissioner, and reading the evidence, I am led to believe that the Acting Commissioner set forth that he was supported in his contention by a Minister of the Crown, and that was the reason why His Honour

coupled the Minister's name with that of the Commissioner. Evidently the views of the Acting Commissioner, who I believe is a legal gentleman—

Hon. Frank Wilson: No.

Mr. TAYLOR: And the views of the Minister are not the views held by Mr. Justice Burnside, and if the appeal board is not capable of dealing with the matters that it was believed it should have the power to deal with, we should amend the Act.

The Minister for Mines: In what way would you suggest it should be amended?

Mr. TAYLOR: I am merely referring to the strictures passed on the Act by the judge, who pointed out that civil servants had really nothing under it, and that while we were amending the Bill we should have tried in some way to make it as workable as possible. I have much pleasure in supporting the second reading of the Bill.

The PREMIER (in reply): I have no desire to detain the House by replying to the remarks of the member for Mount Margaret; in fact, I do not think the House need waste its time over such a question at this stage. In the first place the hon. member who introduced the subject does not seem to know the purport of the strictures by the president of that appeal court, and thus he is attempting to criticise something that he does not know the meaning of. Until such time as he makes himself acquainted with the strictures delivered by the president of the court, it is unwise for us to give any further consideration to the subject.

Mr. Taylor: I was quoting from the printed report.

The PREMIER: The hon. member before introducing a subject of that nature might prepare himself to give us some idea of what he was referring to. I do not propose to reply to the remarks made by His Honour on that occasion because the case is now under consideration by a higher tribunal, and when that tribunal has dealt with the matter it will be for Parliament to consider what action should be taken. For the time

being we are endeavouring to improve the present state of affairs in the interests of the Public Service, the commissioner, and the taxpayers as a whole. Let me say at once, in answer to some of the criticisms which have been levelled against the Public Service Act, that I know of no body of workers in the State who have the same privileges and opportunity for advancement as has the public servant. He has a security of employment that is not given in any other direction. It is the most difficult thing in the world to displace a public servant. Before that can be done, a charge has to be laid against him so serious that it would prohibit him obtaining employment from any other employer in the State. That is a safeguard that no other class of worker has.

Mr. Monger: What did you promise them a year ago?

The PREMIER: I promised them, and I gave them what they are entitled to, and that is a decent pension, and the taxpayers have to find it. I want to be fair to the civil servants, but when members say that the civil service is not properly treated, I want them to consider whether the taxpayer also should not be considered. The leader of the Opposition made the statement that the temporary employees had no security of employment. I admit that, and I fully concede the value of the service which some of the temporary employees have rendered, and our object in introducing this Bill is to give the Public Service Commissioner the opportunity of showing his appreciation by entering those men into the service in permanent positions so long as they possess the qualifications which the Act stipulates. I would like to point out, however, that it has occurred more than once that an officer occupying a permanent position in the service has left that position in order to take a temporary position in another branch of the service because of the inducement of a higher salary. That was due to the unsatisfactory conditions obtaining regarding temporary employment. It was left to the will of a Minister to engage a temporary officer and

pay him whatever he chose, with the result that there are in the service temporary officers receiving a higher rate of wages than permanent officers in higher positions. To-day some of the temporary officers are complaining because they are overlooked when permanent positions are being filled. Personally I do not hold too strongly with those officers. When they have permanent positions and the same opportunities as other members of the service to rise to higher salaries, and then leave their permanent positions in order to take temporary ones because of the gain for the time being in salary, they must not expect the Government to come to their assistance later on and take them back at a higher salary. Those men are just making the public service a convenience without considering in any way the interests of the country.

Hon. Frank Wilson: I think those men are very few.

The PREMIER: They are few, but they generally make themselves heard the loudest. One instance has occurred where an officer was dismissed for some action which was not in the interests of the service, and he was immediately taken back in another department as a temporary officer at a higher salary. That shows a very loose method, but we have now placed the temporary officers under the Public Service Commissioner in the same way as the permanent officers. When the appointment of a temporary officer is desired, a request has to be made to the commissioner, who has to satisfy himself that the temporary officer is required, and then the request is forwarded to the Minister for approval. After that the head of the department and the Public Service Commissioner choose a temporary officer for the position. We are also taking the precaution not to appoint temporary officers at a higher salary than the permanent officers. That practice in the past has created a considerable amount of discontent, and as I have already said, has caused permanent officers to leave their positions in order to take up temporary work. We want to alter that. We want

to get good men in the service, and make them satisfied by paying them good salaries, and working them under reasonable conditions, and not, by paying a higher rate to the man who comes in temporarily, cause discontent amongst the men who have grown up in the service.

Mr. A. A. Wilson: Will the acting Public Service Commissioner be permanent under this Bill?

The PREMIER: Certainly not; there is no vacancy. The position of the Public Service Commissioner is already filled, and the gentleman now temporarily controlling the service is Acting Deputy Commissioner.

Mr. A. A. Wilson: He was assistant commissioner before.

The PREMIER: No, he was only a member of the reclassification board. I have given the House the reasons why we have introduced this measure, and have explained that our desire is to improve the conditions prevailing at the present time as they effect every officer in the service.

Question put and passed.

Bill read a second time.

In Committee.

Mr. McDowall in the Chair; the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 34:

Mr. E. B. JOHNSTON: It was to be regretted that the Premier could not see his way clear to accept the suggestion of the member for Mount Margaret, that opportunity should be taken in this Bill to further amend the Public Service Act.

The Premier: There is no suggestion. The appeal board is fulfilling all the functions that Parliament ever intended.

Mr. E. B. JOHNSTON: The officers of the public service were of opinion that the Act passed last year gave the appeal board power to grade the State employees. By adding a few words to the Bill it could be made clear that the appeal board had that power, but it would be useless to move the amendment if the Government were against it.

Mr. Monger: You have to do as you are told.

Mr. E. B. JOHNSTON: That was not so. The Government should keep faith with the civil service. There were men who had been in the service for ten years, and if they were entitled to anything at all, they should be on more than the minimum at which their positions were classified. Last year in the Arbitration Bill an endeavour was made to give the court power to grade manual labourers, and seeing that the appeal board was presided over by the president of the Arbitration Court, that tribunal should be given the opportunity of grading civil servants.

The PREMIER: There was no intention of making any such provision in this Bill; in fact, he was not of opinion that Parliament ever intended to grant that power to the appeal board. If that had been the intention, it would be necessary to appoint six more judges who would be occupied for the whole year in doing nothing else but grading public servants. Hon. members apparently misunderstood what was meant by reclassification and grading, so far as the public service was concerned. Reclassification was for the purpose of classifying the offices that different individuals would fill, and a board was appointed to do that. They made their report, which was accepted by the Governor-in-Council, and any officer who was dissatisfied with the classification of his position could appeal to an independent court presided over by the president of the Arbitration Court, and having as members a representative of the classification board and a representative of the civil servants. If the appeal court was to decide whether Jim Jones, who was filling a position the classification of which did not satisfy him, should get something between the minimum and the maximum, then the classification board should be dispensed with and a special court appointed to do nothing else but deal with this question, because that court would have to go through the claims of the whole of the 6,000 public servants in the State. The court would have to sit every time any additional work of the slightest nature was placed on any officer, otherwise how could they

decide what he was worth? The appeal court dealt with the classification of the offices. Suppose a classification board, after giving the matter thorough consideration, decided that a certain office of clerk was worth £142 to £240 per annum. When the person entered that office in the first instance he obtained £142, and the Public Service Act provided that, subject to good conduct and efficiency and the favourable report of his permanent head, he should rise by annual increments to £240. When he reached the maximum, or in the meantime if he showed himself efficient and qualified for promotion, he might be transferred to a higher grade. How was it possible for the judge of the appeal court, who knew nothing about the work the civil servant did, to judge whether the man was worth the minimum or the maximum?

Mr. E. B. Johnston: If the Arbitration Court can do it, why cannot they?

The PREMIER: The Arbitration Court did not do it, it was impossible for them.

Mr. Dooley: They do.

The PREMIER: They did not. Take the position of the tramway service. The men asked that they should be graded, that was to grade the work performed by the different men in the service. In the railway service there were different grades, there were first-class guards, second-class guards, and third-class guards; there were first-class shunters and junior shunters, and so on, but if the Arbitration Court was to do what the hon. member suggested, it would mean that the Arbitration Court would have to say that a certain man was worth 12s. 6d. a day, another 12s. 5d. a day, another 12s. 4d. and so on. Did the member for Geraldton ask that such a thing should be done?

Mr. Dooley: No.

The PREMIER: The same would apply to the mining industry. In that industry there were truckers, mullockers, platmen, and so on, the whole of the mining industry was graded, but the hon. member (Mr. E. B. Johnston) wanted something different, he wanted the court to say what each individual should get on the classification, and he (the Premier) desired to

show the impossibility of an amendment of that kind.

The CHAIRMAN: The hon. member was out of order in pursuing his argument, it had nothing whatever to do with the clause.

The PREMIER: If the Government accepted an amendment such as the member for Williams-Narrogin desired, it would land the Government in absolute chaos. They would be unable to control the service, and he was not going to lose further control than the Government had at the present time.

Mr. TAYLOR: The remarks of the judge in the appeal court were in reference to the appeal board under the existing Act. The judge pointed out that in his opinion the appeal board had a certain power.

The CHAIRMAN: That had absolutely nothing to do with the clause.

Mr. TAYLOR: But the Premier had argued the point.

The CHAIRMAN: The Premier had been stopped.

Mr. TAYLOR: But after the Premier had made his remarks. He (Mr. Taylor) thought he was justified in pointing out that the Premier had said he did not care what the judge or anyone else had said, as the Public Service Act never intended that this grading should take place. The judge of the Supreme Court held a contrary view to that of the Premier.

The CHAIRMAN: The hon. member was out of order, his argument was absolutely foreign to the clause before the Committee.

Mr. S. STUBBS: One of the officers who appealed against the classification was the Government Analyst. He (Mr. Stubbs) would like the Premier to tell the Committee whether the appeal court was not competent to express the opinion that the classification of the Government Analyst was too low.

The Premier: We do not take up that attitude at all.

The CHAIRMAN: The hon. member was out of order, the clause before the Committee dealt with the age of the officer in the service.

Mr. S. STUBBS: But the Premier had made a statement in regard to this matter.

Mr. TURVEY: It was to be hoped that temporary officers would be given all the privileges they would have been entitled to if they had entered the service as permanent officers.

The Premier: In what way?

Mr. TURVEY: Permanent officers were entitled to certain leave, and there were certain temporary officers who had been eight or ten years in the service. The Government had done a considerable amount for the civil servants, but there was considerably more yet to be done. In the past temporary officers had been shamefully treated. He could cite many cases where temporary officers had vacated their positions for a certain period so that they might be taken on again. It was a recognised custom that after an officer had been in a temporary position for a certain period he was entitled to permanent employment, and in many cases they were given it, but where an officer controlling a department had any doubt, and it was thought a temporary officer might claim to be placed on the permanent staff, the services of the temporary officers were dispensed with for a week or so to prevent the claim being made.

The Minister for Lands: In many instances temporary officers got more salary than men on the permanent staff.

Mr. TURVEY: That was so. It was to be hoped the temporary officers now being placed on the permanent staff would be given the same right of appeal as permanent officers. If a civil servant considered he was not fairly treated he should have the right to appeal.

Hon. Frank Wilson: This clause did not grade permanent officers, it gave them the right of appointment.

Mr. TURVEY: But if temporary officers were appointed—

The Premier: They would have all the privileges of permanent officers.

Mr. TURVEY: From that time onward?

The Premier: Yes.

Mr. TURVEY: It would not be retrospective to the man who had eight or ten years' service to his credit.

Clause put and passed.

New clause:

Mr. E. B. JOHNSTON: To test the feeling of the Committee he moved—

That the following be added as a new clause:—Section 7 of the Public Service Act Amendment Act, 1911, is amended by inserting after the word "office," in line 3 of Subsection (a), the words "and the grading of the officer."

If the Premier would accept this amendment—but from the remarks made, he was afraid he would not—it would have the effect of making it clear that the appeal board had the power which the judge whose opinions had been quoted thought it had, and it would make it clear that when a civil servant appealed he would do so to a final tribunal which had power to say whether he was to get an increase or not. If these words were accepted the matter would be clear as to the intention of Parliament.

The PREMIER: If by refusing to accept the amendment the Committee would do likewise and make it clear what was the intention of Parliament, then he would have much pleasure in refusing to accept the amendment. To do as the member desired would, as he had pointed out, be absolutely impossible. If we were to accept this new clause and apply it to the present appeals we would have a request from the Civil Service Association that the reclassification be reopened so as to allow every man in the service to appeal.

Mr. Taylor: Was there dissatisfaction to that extent?

The PREMIER: There was dissatisfaction to this extent, that a public servant would have nothing to lose but everything to gain by appealing, it meant heads the public servant wins, and tails the Government lose. The Government were not going to carry on the service under these conditions. If the new clause was passed, after the reclassification and the grading had been settled every public servant would be able to appeal and would appeal because he would know that he would not have anything to lose, and he

had an opportunity of getting something more. The public service appeal board to do justice would in such a case have to hear an appeal from every officer in the service. Was that practicable or possible? In fact, it was absolutely absurd, and no one but the hon. member had suggested it.

Mr. E. B. Johnston: The learned judge suggested it.

The PREMIER: The learned judge suggested something that he knew was impracticable. It was difficult to keep calm on matters of this kind. Why should the public servants have any more rights in this regard than ordinary taxpayers? Could we expect a court or a board to be created to go to the Great Boulder mine and take evidence from every miner and fix the value of his work? The most a court could do would be to fix the minimum wage which should apply, and then leave it to the management of the mine to say whether one man should receive 6d. more than that minimum wage.

Hon. Frank Wilson: The court can do that now.

The PREMIER: The court did not do it in the tramway case; in fact the court said they could not do it. How would it be possible to get a court to decide in the case of the railway service what rate of wages each individual should receive? No one in his sane senses would suggest such a thing. The most that could be done would be to grade the different positions to the extent of saying that there should be a certain number of first-class guards, a certain number of second-class guards, and a certain number of third-class guards. The court might say that there should be first-class analysts receiving £750 to £1,000, and second-class analysts receiving from £500 to £750, and the Government would not complain; but when the court said that Mr. Mann, the Government Analyst, should receive £1,000 because he was worth it, what would happen should Mr. Mann's position become vacant? How would it be possible to decide on the grade of the new man? If the court was allowed to do this, there would be absolutely no control, and the heads of the departments

and Ministers also might just as well be done without.

Mr. TAYLOR : It was a pity the Premier could not approach this subject with some degree of calmness so that the deliberations could be conducted in the frame of mind necessary for dealing with an important amending Bill. A learned judge held the opinion that the appeal board had power to grade public servants. This was the report of the proceedings before the appeal board—

Mr. Alcock continuing, urged that the present board did not have power to hear the appeals against grades.

His Honour: Then, why did you bring them here?

Mr. Alcock : I could not stop them from coming. Proceeding, he said that his contentions were backed up by the Crown Law authorities and outside legal counsel.

His Honour confessed himself surprised to know that there was provision made for two appeal boards.

Mr. Alcock again claimed that the present board's powers were confined strictly to appeals made "regarding reclassification."

His Honour : These proceedings should not be made a burlesque. We don't want our time wasted, as it will if you are right. We have already decided that you are wrong. That means that we take the view that we have the authority to hear these appeals. Your proper procedure, Mr. Alcock, is to move for a writ of prohibition and stop us. And you must move now and get us stopped by the authorities that can stop us, unless you can do, as you said yesterday—produce an Act of Parliament.

Mr. Alcock said that he had said on the previous day that an Amending Act would be passed through if there was time.

His Honour: We purport to be acting under the authority of this Act of Parliament. You raise a question that goes to our jurisdiction. We decide against you. You must either go out of the court and take no further part, or you will be bound by our de-

cisions whether you like them or not. You must either move for prohibition or take your chance.

Mr. Alcock : That is so; but I have safeguarded my rights by objecting.

His Honour : You cannot safeguard your rights by objecting. You cannot play "heads I win, tails you lose." You will have to decide as to the writ of prohibition. I am not going to go one inch further until you decide what you will do. If you say it is to be a writ of prohibition then we will adjourn.

Mr. Justice Burnside clearly conveyed that the appeal board had power to deal with grades. On the other hand, we had the Premier emphasising that it was impossible, and that the Act never intended it, and that it would need five or six appeal boards to deal with the appeals that would arise. The Premier could not pit his knowledge against that of a legal person on matters of law; but as the Premier made it clear that it would be unwise to amend the Act in the direction suggested by the member for Williams-Narrogin, no doubt the hon. member's proposal would hardly recommend itself to members on the Government side. There was a great deal of dissatisfaction in the public service, because the public servants held the opinion that they had power to go to the appeal board, and now they found they did not have the power.

The Minister for Lands : They have power to go to the appeal board on their classification.

Mr. TAYLOR : But they desired to go to the appeal board on the matter of grade.

The Minister for Mines : How many appealed against the grading as compared with those who appealed against their classification?

Mr. TAYLOR : That information was not available to him. He only knew there was difficulty in the service from reading in the Press. He had read the report of the strictures of the judge, whose decision he respected, and whose fair play to both sides in arbitration cases was well known. Those remarks

must have been occasioned by some defect in the Act which would justify the carrying of the new clause moved by the member for Williams-Narrogin.

Hon. FRANK WILSON: Though one could not see the way clear to support the new clause, at the same time, it was hard to understand why, to use an expression of the Minister for Lands, the Premier was "seeing red," because the member for Williams-Narrogin had suggested this clause. The Premier was right in his contention that no appeal board could possibly grade the different officers. Up to the present the appeal board had had the right of fixing the range of classification of the individual officers, but their work within that classification was of necessity decided by the permanent head of the department, who, with the Public Service Commissioner, had the power to fix the position in the range which that officer should occupy. To ask the appeal board to value individual services was absurd. It would be doing what we proposed to do under the new Arbitration Bill, namely, taking the absolute control of the civil servants away from the Government and from Parliament itself.

The Premier: Oh no.

Hon. FRANK WILSON: That was what would happen if we had an appeal board with these extensive powers. The Premier said our new Arbitration Bill would not provide this power, but, as a matter of fact, it did, for it was proposed to give the Arbitration Court all the powers the amendment would confer on this appeal board. For instance, the court was to have the power to grade the workers.

The Premier: Not individual workers.

Hon. FRANK WILSON: Even individual workers were to be graded. No doubt great trouble would arise out of that provision, because the Premier was right in his contention that it would be impossible for Mr. Justice Burnside and his colleagues on the appeal board to decide the value of each individual officer, and by the same token it would be equally impossible for the Arbitration Court to

do it. We would be ill-advised to accept the amendment.

The Premier: The appeal court would have to sit every 12 months at least.

Hon. FRANK WILSON: It would have to sit permanently.

Mr. DWYER: It was not quite proper that this matter should come up for discussion while it was still pending before the court; indeed it was most improper, and he did not think it would do the civil servants any good at all.

New clause put and negatived.

Title agreed to.

Bill reported without amendment, and the report adopted.

BILLS (2)—RETURNED FROM THE LEGISLATIVE COUNCIL.

1, Roman Catholic Church Property Amendment (without amendment).

2, Unclaimed Moneys (with amendments).

BILL—FREMANTLE HARBOUR TRUST AMENDMENT.

In Committee.

Mr. McDowall in the Chair, Hon. W. C. Angwin (Honorary Minister) in charge of the Bill.

Clause 1—agreed to.

Clause 2—Repeal of Section 31. Commissioners may provide labourers:

Hon. FRANK WILSON moved an amendment—

*That paragraphs (b) and (c) be struck out of the proposed new section 31 and the following inserted in lieu:—
“(b) for loading and unloading vessels belonging to the State Government.”*

It was desirable that the permission to be given to the Trust to handle goods as stevedores should be restricted to Government steamers. The power which the Government sought to confer on the Harbour Trust was being resisted in the interests alike of the shipowners, the private stevedores, the merchants, and the

general public. Notwithstanding what the Minister for Lands had said yesterday in regard to the permissive nature of the clause, it would be readily understood that if we were to place this power in the hands of the Trust the members of that Trust would not be human if they did not utilise the power they already had of providing all necessary facilities for the work, to gradually give themselves a preference for the work. The Trust were all-powerful in the matter; they had the cranes, the wharves were under their control, they handled the goods through the sheds, and they had the allotting of berths to the incoming steamers. With all that power it would be a simple matter for them, without even appearing biased, to throw obstacles in the way of private stevedores or steamers who did their own stevedoring, and thus compel vessels to place their business in the hands of the Trust. Sooner or later the Trust would be bound to secure the object they had in asking for this power. The Minister for Lands had been unable to state who had asked for this legislation, but the Honorary Minister had frankly declared that it had been brought down in response to a request by the Harbour Trust. This, then, was the foundation of the Bill, and in order that it might be made palatable to the House the clause had been put in a permissive form. The Trust at first desired legislation which would place the whole of the stevedoring in their hands. The Minister said he did not know anything about it, but the original draft was to have all stevedoring work carried out by the Trust's officers. That person who might follow this calling for a livelihood, and it would interfere with the shipowners who had their own staffs and facilities, and preferred to do their own work. True the clause was not mandatory. The work would be undertaken at the request of shipmasters or shipowners, but it was idle to suggest that the Trust's officers would not do their best to get all the work. With regard to the stevedoring of the State vessels, he would rather see that left alone. If the State was to own vessels we should not grant a preference.

Hon. W. C. Angwin: They get no preference.

Hon. FRANK WILSON: They did. The officers would naturally see that the Government work was done as expeditiously and economically or more so than outside work.

Hon. W. C. Angwin: You know this is in the hands of the officers of the Trust who appoint and dismiss.

Hon. FRANK WILSON: Certainly; he would not give twopence for the officers if they did not try to secure all the work.

Hon. W. C. Angwin: Not in an unfair manner.

Hon. FRANK WILSON: Although it might not be unfair it was only human to take advantage of one's position. Every business man used his influence and power in that way, and the Trust would do the same, and gradually this work must drift into their hands.

The Minister for Mines: What would be their incentive?

Hon. FRANK WILSON: To control the whole of the working of the harbour.

The Minister for Mines: What advantage would that be?

Hon. FRANK WILSON: It would build up a big department and then the officers would go to the Minister for increases in salary. The Minister for Lands said the Government had been approached to bring forward the Bill. The only persons who had approached the Government were the officers of the Trust, who wanted to do the whole of the business. While we had no concern with individuals as such, we were not justified in taking away the livelihood of even three or four men who had built up a connection at the chief port. If these were means to that end, as he contended, members should agree that such a provision would not be in the interests of the State.

Mr. B. J. Stubbs: Would you agree to another private man coming in and taking the business away?

Hon. FRANK WILSON: Yes.

Mr. B. J. Stubbs: Then why do you object to the Government?

Hon. FRANK WILSON: Because the private individual would be paying taxes.

He objected to the State taking the money out of the pocket of the man, and using it to crush him out of existence.

Mr. B. J. Stubbs: The State would do the work better and cheaper and would benefit everyone.

Hon. FRANK WILSON: It would not do it better or cheaper.

Mr. B. J. Stubbs: Did not you say you would give them any work if you were a shipping master?

Hon. FRANK WILSON: Yes.

Mr. B. J. Stubbs: Because you would get it done cheaper.

Hon. FRANK WILSON: Naturally he would expect to get some advantage. The hon. member admitted that he wanted to see the whole of the work in the hands of the Trust.

Hon. W. C. Angwin: The Bill does not provide it.

Hon. FRANK WILSON: No, but that was underlying the Bill.

Mr. Munsie: What harm would it do if the Trust got it all.

Hon. FRANK WILSON: What good would it do? It would crush out the men engaged in the work, and we had no right to do that. It would interfere with the shipowners who were doing their own work; it would compel the members of the Lumpers' Union to work for the Trust and the Trust only; that was undesirable. The member for Subiaco wanted the State to be the sole employer. What would be the end of that but a huge monopoly, an octopus which would crush the life out of the individual. The final result would be that the nation would go down, and a foreign power would take possession.

Mr. Munsie: We will take the risk.

Mr. Green: You are seeing the red now.

Hon. FRANK WILSON: It was idle to say that the Trust would do the work better, other things being equal. Other things would not be equal.

Mr. Green: The present enormous waste will be saved by the Trust.

Hon. FRANK WILSON: That was a fallacy. The wharf charges were 9d. a ton more than when the shipowners were doing the work.

Hon. W. C. Angwin: That is owing to an increase in wages.

Hon. FRANK WILSON: Partially.

Hon. W. C. Angwin: All of it.

Hon. FRANK WILSON: No; wages were increased 20 per cent. and the charges were increased 33 to 100 per cent.

Hon. W. C. Angwin: They did not increase their charges when other increases in wages were made.

Hon. FRANK WILSON: In January last the Trust increased the wages of the lumpers by 20 per cent. and increased their charges from 33 to 100 per cent. Was that an evidence of good management or fair play? It was absolute proof that if we wanted the State to prosper the less we interfered with individual enterprise the better it would be. Why not accept the amendment and give the power the Minister said he wanted, and the right that every shipowner had of stevedoring his own vessels. We should leave this matter until some responsible people cried out for an alteration. The shipowners, stevedores and merchants were against it and the consumers would be if they understood it; certainly the lumpers were against it.

Hon. W. C. Angwin: Some of them.

Hon. FRANK WILSON: They passed a motion. The desire should be to build up a reputation at Fremantle to attract oversea shipping to the port and give producers facilities to get their produce to the markets of the world, but we would not accomplish that with a monopoly of this kind. Supporters of the Government cried down monopolies, but a State monopoly in their eyes became a virtue. The evils, however, were as great because the State would be extracting the money from the individuals who would be crushed.

Hon. W. C. ANGWIN: As it was necessary that the powers which were embodied in the Bill should be given to the Fremantle Harbour Trust he could not accept the amendment moved by the leader of the Opposition. The hon. member knew that there was no monopoly created by the Bill and he only anticipated that something might take place.

Mr. Allen: It makes it possible.

Hon. Frank Wilson: What do you want it for?

Hon. W. C. ANGWIN: The whole matter was explained on the night before, and the leader of the Opposition anticipated that the officials of the Harbour Trust were going to exercise renewed energy and zeal to drive out those at present employed in the stevedoring trade at Fremantle. If that was so it showed forcibly that the Trust would be able to do better and cheaper work than the private stevedores, but the hon. member said it was a matter of impossibility for them to do the work cheaper. The leader of the Opposition was the only one he had come across who knew of a Bill which had been previously drafted and which created the Harbour Trust a monopoly for carrying out the work of stevedoring the port.

Hon. Frank Wilson: Have you asked the secretary?

Hon. W. C. ANGWIN: The secretary and the members of the Trust had been asked and none of them knew anything about it. Those who had given the leader of the Opposition information had again been leading him astray, just as he had been led astray in regard to other questions. The only difference between the Bill before members and the draft Bill was the proviso.

Hon. Frank Wilson: That proviso is a safeguard. If you take it out they can command all the work.

Hon. W. C. ANGWIN: The leader of the Opposition knew that until a Bill had been approved and was actually laid before members it was subject to alterations. Paragraph (c) of the clause under discussion read—"for loading and unloading vessels at the request of the owners or the agents for the owners." That showed clearly that the Harbour Trust could not unload unless specially requested to do so. Those engaged in the stevedoring trade were rather timid of the superiority of the Harbour Trust officials, and to set their minds at rest the proviso was put in to make the position clear to those who could not understand the portion of the clause the hon. member wanted to strike out, and it had not made the clause any different from what it was

previously. If a Bill had been drafted, how did the leader of the Opposition know that it contained provisions which were different from those placed before him? In other portions of the Bill there had been a clause or two eliminated, but so far as this particular clause was concerned no alteration had been made with the exception of the proviso. On the previous evening, when replying to the second reading debate, he had endeavoured to show that it would be beneficial to the general public that the power to unload vessels should be granted to the Harbour Trust, and he cited the instance of the harm that might have been done to fruitgrowers last Christmas if the Government had not gone to their rescue.

Mr. Male: But the lumpers allowed perishable produce to go back to the Eastern States.

Hon. W. C. ANGWIN: The lumpers worked the mail steamers and unloaded perishable goods. The lumpers would also have worked the steamer which had a cargo of fruit cases if the Government had been willing to pay extra. Under such circumstances it was necessary that the Trust should have permissive powers to carry out the duties of stevedores. At the time of that particular trouble to which he had referred the lumpers were not being treated fairly because the evidence showed that their wages had been as low as 35s. a week on an average for over twelve months.

Hon. Frank Wilson: How many days do they work?

Hon. W. C. ANGWIN: Of course the work was not constant.

Hon. Frank Wilson: There were too many lumpers there.

Hon. W. C. ANGWIN: The leader of the Opposition assisted him in endeavouring to help the lumpers.

Hon. Frank Wilson: Would you pay them a week's wages if they only did one day's work?

Hon. W. C. ANGWIN: The hon. member knew well that at times there was a scarcity of labour and at other times there was a scarcity of work, and taking things as a whole it was necessary at a port that there should be a good number of men to meet emergencies. There was

not constant employment, and when that was the case a sufficient rate of wages should be paid to enable the men and their families to live properly.

Hon. Frank Wilson: Are you introducing this Bill to regulate wages?

Hon. W. C. ANGWIN: No, but he had been drawn on to speak on the question of wages by the interjections which had been made. If the power contained in the Bill had been in existence the Trust would have been able to work the ships last year to the benefit of the general public. No harm whatever would follow the granting of this permission. The Harbour Trust had no desire to enter into competition to a large extent with stevedores and as far as the clause was concerned no monopoly would be created at Fremantle.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. CARPENTER: It was to be regretted that the Bill, though in no sense a party measure, was being regarded as such. If it was a question of replacing a private monopoly by some Government action, he would not hesitate to support the powers conferred by the clause, but no one had attempted to show that there was anything in the nature of a monopoly existing in connection with the stevedoring at Fremantle. So far as one could gather, the stevedoring was carried on with every satisfaction, and, strange to say, the Honorary Minister had supplied the Committee with the strongest arguments as to why the clause in its present form should not be passed. The Minister had said that the commissioners did not want to go into the stevedoring business. If that was so, why did the Government propose to confer those powers on the Trust?

Mr. Underwood: They might want them in future.

Mr. CARPENTER: Here was a big industrial concern, in which various interests were at all times more or less conflicting, and in which peace and harmony were essential. At the present time, that peace and harmony existed, but because the Trust might want to do something in the future, the Government proposed to

confer powers which would destroy the existing peace and harmony. Was the possibility of the Trust desiring to do this work in the future sufficient reason for doing something now which might cause irrevocable mischief and would confer no benefits? Would it not be better to merely give the Trust power to stevedore the State steamers, and if they did that advantageously, and it could be shown that there would be an advantage in the Trust entering into competition with the private concerns in stevedoring work, then, and not till then, the additional powers could be granted. For a mere problematical advantage the Committee were asked to do something which was going to cause a lot of ill-feeling; because as soon as the Trust began the stevedoring of private vessels, there would be heart burnings and antagonisms, and it might be necessary for Parliament to step in between the contending parties and say which was right and which wrong. He urged members to accept the amendment for the time being, irrespective of what their feelings might be as to the theory of private enterprise *versus* Government enterprise. There was bound to be favouritism shown to those vessels which gave their business to the Trust.

The Minister for Mines: That is a reflection on the Harbour Trust.

Mr. CARPENTER: It was only what the Minister would do if he was controlling the Trust and competing with private stevedoring companies.

The Minister for Mines: That fear is only on the part of the stevedoring companies.

Mr. CARPENTER: It was the general feeling. Before a ship came into port tenders were called for prices for unloading its cargo. If the Harbour Trust, in accordance with the Act, had to fix rates, submit them to the House, and so make them public, how were they going to compete with private stevedoring companies which had to quote a price for every ship that came into port?

Hon. W. C. Angwin: They would get no trade then.

Mr. CARPENTER: That only showed the impossible position the Minister was

taking up in asking the Committee to give the Trust powers which they did not want. There was no necessity for introducing this disturbing factor into a great business which at present was working harmoniously and which should not be interfered with without grave reason. Therefore, he asked the Committee to support the amendment to confine the operations of the Trust for the time being to the stevedoring of Government steamers.

The MINISTER FOR LANDS: There was no party aspect about the measure, and each hon. member was free to exercise his individual judgment as to whether the proposed change was desirable or not.

Mr. Monger: It is a wonder he has not to consult caucus.

The MINISTER FOR LANDS: The hon. member, by his obnoxious conduct in the House, laid himself open to those retorts which he so much objected to. If the hon. member would persist in that conduct he would merit and receive the castigation which he whined so much about.

The CHAIRMAN: I am afraid those remarks are not quite relevant.

The MINISTER FOR LANDS: Whilst one recognised the right of hon. members to express an individual opinion on a question of this kind, it was difficult to understand the objection which was being urged against the clause. As a matter of fact, it was anomalous that it was necessary for the Trust to secure this legislative sanction for the exercise of these powers. In their capacity as a semi-public body, performing public work, and responsible to the people for the effective performance of that work, the Trust should be able to exercise these powers without asking Parliament to pass a special Bill of this kind; but as the Bill was necessary, he could see no logical objection to the power being granted to the Trust to carry out this duty in addition to the powers they already exercised. It would be for them to demonstrate whether these duties could be carried out satisfactorily and with advantage to the public, and that could never be done until they had had an opportunity of putting the powers into practice.

Mr. George: Do you believe in experimenting with other people's livelihood?

The MINISTER FOR LANDS: In this case the commissioners would only enter into the stevedoring business in the same way as it was open for the hon. member to do.

Mr. George: But the Trust have facilities which I would not have.

The MINISTER FOR LANDS: Assuming that a private individual could raise the necessary capital, the opportunity was there to compete in stevedoring work. The Trust were not taking up an attitude which was injurious; they were simply competitors with the other stevedores, and the whole question was whether Parliament could acquiesce in the objectionable request of those at present operating at Fremantle to be confirmed in a monopoly of the business. If they asserted they had no desire for a monopoly what objection could be urged to another competitor coming into the field in fair and open competition? The Trust would have the disadvantage, compared with them, that all their actions would be open to public criticism and to an appeal to Parliament* to have them brought to book. We could dismiss the idea that there was likely to be any undue exercise of power on the part of the Commissioners in order to compete unfairly with private firms, and the whole question became one of whether it was advisable to give the Trust the opportunity to extend their scope of work at the harbour and carry out the stevedoring work more expeditiously and to greater advantage to those using the port. If the Trust could do that in fair competition with the existing stevedores the powers given by the Bill would be justified. There must be some underlying factor not yet disclosed in the opposition to the Bill. To deny to the Harbour Trust the permissive power contained in the Bill was absolutely opposed to all the principles of common sense. If the Trust were using the powers already granted to them to the advantage of the port no objection could be urged to granting them an extension of their powers in fair competition without in any way attempting to exclude those already

pursuing their calling in the port of Fremantle.

Mr. GEORGE : The Minister overlooked the fact that once the Trust got the permissive power given by the Bill it would be necessary for them to establish a staff, and once a staff was established it would be necessary to keep the staff going by canvassing for work. There could be no fair competition about it. The Trust would start with an advantage which would handicap the private stevedores. They would have the right to say where ships should be berthed, and how the facilities should be allotted. Naturally any shipping master coming to the port would say it was better for him to go straight to the fountain head to prevent trouble, and it would be natural for the employees of the Trust to make the Trust's business appear more successful than the business in the hands of private people. Stevedoring was not the work of the Trust. The Trust's work was to develop the harbour, to see that ships got proper accommodation, and to see that the dues were properly collected.

The Minister for Lands : Their proper duty is to secure the fullest use of the port.

Mr. GEORGE : According to the Minister's argument the stevedores could not be operating in the best interests of the port, otherwise it would be idle to bring forward this Bill, unless it was the intention of the Government to wipe out private enterprise. If it was claimed that the stevedores were getting too much money for doing the work, let the Government throw away all flimsy pretence and say they were not going to have private enterprise in anything. There was no evidence given by Ministers that there was any demand for this Bill from the shipowners or from the merchants, or even from the shippers. We knew that the stevedoring firms at Fremantle were doing the work in the harbour satisfactorily to everyone, and the reason for bringing down the Bill was not at all clear. If the Trust had asked for the Bill the Commissioners ought to be rapped over the

knuckles over it. If the Bill was simply initiated by the Government, then it was another step towards socialism and the abolition of all private work, and the sooner it was known to the public of the State, and the public of Australia, and the public of the old country, the better.

Hon. W. C. Angwin : What have they to do with it in the old country?

Mr. GEORGE : The people in the old country found the money for Ministers here to fool with.

Mr. Foley : It would be a good job if they shut down on borrowing to-morrow.

Mr. GEORGE : Exactly, but it would first be necessary to pay our debts. We should not start repudiation or depreciating the value of our securities so that we could go in for a policy of repudiation. If that was the aim of the Government, seeing they had sufficient majority to have the pluck of their convictions, let them make it known. At any rate bringing forward matters of this kind was doing, to the interests of Western Australia, more harm than Ministers were aware of, and more than they would be able to remedy as time went on.

Mr. MALE : The Minister failed to show there was any demand for the Bill.

Hon. W. C. Angwin : I have shown there is necessity for it.

Mr. MALE : On the contrary, members who discussed the measure showed there was a strong objection from all interested classes. The ship masters had discussed the matter and objected to the Bill, the member for Fremantle opposed these particular clauses of the Bill, and the lumpers had discussed the matter and strongly objected to the Bill. Then why was the Bill introduced? Was it introduced at the instigation of the Harbour Trust, or at the instigation of the Government? If it was at the instigation of the Government then we must look upon it as an instruction to the Trust to go out and seek stevedoring work. That was the only conclusion we could come to, and if it really was the intention of the Bill he would strongly oppose the clause, because he objected

to Government enterprise in industrial matters.

Hon. W. C. Angwin: That is the foundation of the whole objection.

Mr. MALE: The foundation of his objection was that there had been no demand for the Bill.

Hon. W. C. Angwin: It is because you object to the Government dealing in industrial enterprise.

Mr. MALE: That in itself was sufficient ground for his objection. His objection to a Government monopoly was just as strong as the objection he would offer to a private monopoly.

The Minister for Mines: Is that why you voted in favour of the Government taking over the trams?

Mr. MALE: When it came to industrial affairs, he did not believe in Government enterprise in any shape or form.

Mr. Dooley: What about the railways?

Mr. MALE: It was very questionable if the State would not have been further advanced to-day if the railways had been privately owned. Where there was a wholesome spirit of competition there would be found the best value offering for one's money. If the Harbour Trust had the power to go in for stevedoring it would not be very long before they would corner the whole of the work for themselves, and ultimately the charges would be raised and the people would have to pay more for the work than they were paying to-day. He would support the amendment.

Mr. TAYLOR: According to the views of those who opposed the amendment, if the Harbour Trust were allowed to do the stevedoring the port would reap a great advantage, and perfect harmony would prevail. However, during last year a deal of trouble had arisen in regard to the lumpers. The demands of the men had been agreed to by the private stevedores and by most of the shipping companies, notwithstanding which a climax was brought about by the attitude of the Harbour Trust.

Hon. W. C. Angwin: That is not right.

Mr. TAYLOR: The member for Fremantle had informed him that it was quite correct. If it were correct, and if

the Harbour Trust after securing the power to carry on stevedoring business preserved a similar attitude in future there would possibly be found greater unrest among the wharf employees than was to be found to-day. There was no doubt the lumpers had felt justified in passing the resolution disapproving of the Bill.

Mr. Thomas: Perhaps they did not understand the Bill.

Mr. TAYLOR: That possibility was somewhat remote considering that the lumpers were a well organised and active body of men. In all probability they had thoroughly digested the Bill before they passed the resolution.

Hon. W. C. Angwin: No.

Mr. Carpenter: Yes, they had the Bill and discussed it.

Mr. TAYLOR: It had been freely stated that the measure was introduced without any request from anybody, while we were also told that there was much active opposition to it. It would be interesting to hear the Minister on the question of the necessity for the Bill. Owing to its permissive character the Bill seemed harmless enough until one heard the arguments urged against it, when it was seen that the apparent harmlessness of the Bill was not sufficient justification for its passage. The arguments advanced against the Bill were far more potent than those put forward in favour of it. He would like to hear the Minister furnish some reasons for giving the Harbour Trust this power, and afford some concrete evidence of a desire for the Bill on the part of those who proposed to employ the Harbour Trust as stevedores.

Mr. B. J. STUBBS: The mean innuendoes and unjust aspersions which every member who had spoken in favour of the amendment had thrown upon the Harbour Trust commissioners were greatly to be deprecated. Those hon. members had told us that the commissioners were such mean specimens of humanity that they were going to wilfully inconvenience a vessel unless the master thereof agreed to give the stevedoring work to the Harbour Trust commissioners.

Mr. George: Who told you that?

Mr. B. J. STUBBS: Every member who had spoken to this amendment had harped on the same string.

Mr. George: Oh, rubbish!

Mr. B. J. STUBBS: Every line of steamers had a berth which it constantly occupied. It was contemptible to say that because we were giving the Trust power to enter into this business, they would inconvenience those vessels by shifting them to different berths.

Mr. George: What an imagination you must have!

Mr. B. J. STUBBS: No, that was the fault of members opposite.

Mr. George: It must be absolutely purulent.

Mr. B. J. STUBBS: The amendment would have his strong opposition because it would render the Bill useless. If members of the Opposition were consistent they would have voted against the second reading.

Hon. Frank Wilson: No; you want the power to work your own steamers.

Mr. B. J. STUBBS: The only reason for opposition to the clause was that if the powers were given to the Trust the commissioners would carry out the work so well that eventually they would get the whole of the work.

Mr. George: You have missed the argument altogether.

Mr. B. J. STUBBS: To his mind he had struck the nail on the head. The leader of the Opposition said if he was a shipping master he would patronise the Trust because of the benefits he would receive.

Mr. George: The Ministers say there will be nothing but fair competition.

Mr. B. J. STUBBS: They had promised to pay the same wages and observe the same conditions and obey the regulations imposed on private stevedores, and then they would be able to carry out the work with greater benefit to the shipping people and the general public.

Mr. George: You have not told us who asked for the Bill.

Mr. B. J. STUBBS: The Honorary Minister did. The leader of the Opposition gave a dissertation on monopolies. Very often the concentration of capital was beneficial, even though controlled by

private individuals. Concentration had brought down the cost of producing commodities, but once it extracted undue returns from the consumer it became oppressive. Everyone would enjoy the benefit from a State monopoly. The Bill, however, did not create a monopoly, but allowed the Trust to undertake the work. If it became a monopoly it would be because the work was carried out better than by private enterprise, and if that was so the shipping community and the people of the State would benefit.

Mr. GEORGE: The previous speaker had tried to father on him statements he must have evolved out of his own imagination; that the Trust would shift a ship from berth to berth merely to inconvenience it.

Mr. B. J. Stubbs: What did you say about unfair competition?

Mr. GEORGE: Nothing at all. Without casting any reflection on the Trust the fact of concentrating the whole of the work under them must cause the employees to give undue preference.

Mr. B. J. Stubbs: In what way?

Mr. GEORGE: In a variety of ways. The hon. member's connection with the Trades and Labour Council probably gave him an idea of the management of a monopoly. When the hon. member attributed to him a statement he did not make he was only restrained by the rules of the House from giving him the reply he deserved. If Mr. Stubbs desired to take up the position of mentor of the House he should first be accurate. The Minister for Lands said this was a harmless measure and quite permissive. The member for Subiaco said it was to give the State the benefit from a monopoly. Was that what the hon. member said?

Mr. B. J. Stubbs: You heard what I said.

Mr. GEORGE: The hon. member's memory was so short that he had been convicted out of his own mouth.

Mr. THOMAS: No member presumed to know so much and really knew so little as the representative of Murray-Wellington. We had heard a great deal about the injury which would result from this measure.

Hon. W. C. Angwin: Japan is going to take the country over.

Mr. THOMAS: The leader of the Opposition said there was no demand for the Trust to do any of this work. Then he added that if we passed the Bill they would get all the work. That seemed to be most illogical. The verbose platitudinarian for Murray-Wellington denied that he had said anything against the Trust and yet he had spoken about undue competition, and when confronted with his statement he had tried to crawl out of it.

Mr. George: The hon. member is stating what is not true.

The CHAIRMAN: The hon. member cannot say that.

Mr. George: It was his regret that he could not state that what the hon. member said was untrue.

The CHAIRMAN: The hon. member must unconditionally withdraw.

Mr. George: The remark was withdrawn.

Mr. THOMAS: Members had not been told anything about the monopoly which existed at present. He understood there was an honourable understanding between the stevedores and the shipping people, and indirectly a good deal of the money paid to the stevedores was returned. If we succeeded in doing away with anything of that kind and did bring about what the Opposition called a State monopoly, it would be a decided improvement on the present conditions. Anything owned by the people could not be called a monopoly. If it existed for the good of everyone, where did the harm of a monopoly come in?

Mr. George: This comes well from you when you are about to bring in a Pharmacy Bill.

Mr. THOMAS: If a monopoly existed to-day, it was for the good of only a few individuals. One could understand the attitude of the leader of the Opposition who suddenly found an overwhelming sympathy for the worker. A large part of the debate had been wasted, and certainly the member for Mount Margaret was pulling the leg of the Honorary Minister.

Mr. GEORGE: The member for Bunbury was the last one to talk about monopolies.

The CHAIRMAN: The hon. member was apparently going to refer to the Pharmacy Bill. That measure was not before the House.

Mr. GEORGE: For the information of the member for Bunbury, the member for the district concerned, one of the member's own kidney, gave the House certain facts, but the member for Bunbury was trying to teach the member for Fremantle about what concerned Fremantle.

The CHAIRMAN: Hon members had been allowed every latitude. Now they must keep to the clause.

Mr. GEORGE: Without casting any reflection on the Trust they were in the position to have every advantage over the stevedores. There was no complaint as to the work done by the stevedores, nor as to the charges they made. One, therefore, failed to see the necessity for the Bill.

Mr. ALLEN: No arguments were put forward in favour of the Bill. The member for Fremantle, who ought to be in a position to know the requirements of his district, showed the Bill was not the wish of the shipowners, the merchants or the lumpers. It was useless saying there would be no unfair competition, because no doubt the steamers would go to those who could give them the best facilities; and seeing that the appliances were all owned by the Trust, the Trust would be able to give the steamers the best facilities. The object of the Government in introducing the Bill was simply to interfere with private enterprise. Many measures were introduced cutting at the root of private enterprise. We would soon all become employees of the Government.

Hon. W. C. ANGWIN: The member for Kimberley was to be complimented for his candour in advancing the only sound reason advanced in opposition to the Bill. The hon. member's reason was that he did not believe in public bodies interfering with private enterprise.

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

Ayes	13
Noes	23

Majority against	..	10
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AYES.

Mr. Allen	Mr. A. E. Plesse
Mr. Broun	Mr. A. N. Plesse
Mr. Carpenter	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Malo	Mr. Layman
Mr. Moore	

(Teller).

NOES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDonald
Mr. Collier	Mr. Mullany
Mr. Dooley	Mr. Munie
Mr. Dwyer	Mr. O'Loughlin
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Underwood
Mr. Johnston	

(Teller).

Amendment thus negatived.

Clause put and passed.

Clause 3—Amendment of Section 65:

Hon. FRANK WILSON: After examining the clause to see whether he could suggest an amendment he found it seemed to be wholly objectionable as all the proposed subsections should be thrown out. The first portion of the clause required the master of a vessel or his agent to make application in writing for the written permission of the commissioners to handle goods outside what may be fixed by the commissioners as the ordinary working hours of the harbour, and then the commissioners may impose such terms, conditions, and stipulations as they think fit. There was not the slightest objection to the commissioners demanding a written request or application from the master or his agents to work overtime, but there was a strong objection to the concluding lines which gave power to the commissioners to impose such terms and conditions as they thought fit. It was a well-known fact that the harbour accommodation at Fremantle was restricted and that the work

of discharging cargo was at times congested. It would be openly admitted that we required double the accommodation there was at Fremantle at the present time and we ought therefore to give perfect freedom to any vessel to work at any hour day or night.

Hon. W. C. Angwin: Do you think the Harbour Trust would put any obstacle in the way?

Hon. FRANK WILSON: Yes. The more we could get out of our plant, the more goods and the greater tonnage that we could pass over the wharves, the better return would be got on the capital expended on the harbour; therefore he objected to the clause which he had read, and more especially to the conditions and stipulations which would be imposed by the Trust, and which of course could be construed into charges and exemptions from liability provided for in the other subclauses. The next subclause authorised the commissioners to impose, levy, collect and receive such charges as the commissioners might from time to time think fit to cover the liability of the commissioners for damage to goods handled, loaded, or destroyed outside the ordinary working hours of the harbour. He made it clear on the second reading that it was not desirable that the commissioners should get away from their liabilities as wharfingers. It appeared that they wanted to do so themselves and the Minister was aiding and abetting them in their desire. The Trust did not want to take the ordinary liability which was imposed upon private individuals carrying out these trades or callings. The first essential of the duty of the wharfinger or stevedore was liability. Here we had the commissioners wishing to avoid liability altogether. They ought to accept the liability, but they wanted to go further and take a deposit from the shipowners for the amount which they might consider necessary to refund them for any damage to cargo when it was in their hands. Such a thing had never been heard of. We were asked to legislate to give the commissioners absolute power to take any step they might think proper to escape liability after they had given a re-

ceipt for the goods. The Minister admitted the inaccuracy of the Harbour Trust's tallies for goods passed through their sheds, and it would have been idle for him to do anything else in face of the documents which were referred to the other evening, and yet the Minister still maintained that the Trust were doing their work satisfactorily.

Hon. W. C. Angwin: I will give you the testimony of the Fremantle Chamber of Commerce about that.

Hon. FRANK WILSON: Testimony would also be forthcoming the other way. It was one of the essential duties of the Harbour Trust that they should give these receipts for cargo, and when they gave the receipts for the cargo which they had tallied they should assume responsibility, otherwise there might just as well be no tally at all, and the cargo could go over the ship's side, and trust to good luck as to whether the merchant received it or not. The Minister stated that the reason why so many packages were missing was because the cargo had come up the river in lighters, having been wrongly sent to Perth and then returned. He (Mr. Wilson) had made inquiries since then and had found that that was not so. The cargo was tallied over the ship's side into lighters just as it was tallied over the ship's side on to the wharves.

Hon. W. C. Angwin: I will give you the difference in the tallies.

Hon. FRANK WILSON: Notwithstanding that the tallies had been absolutely inaccurate in the past the Trust now wanted this further indemnity from liability, and the Trust, having failed during the past six or seven years to give proper receipts for cargo during the ordinary hours of working, it was difficult to say how they would give better receipts for cargo which might be discharged during the night. If they were going to demand an indemnity or a deposit to cover any damage to cargo when in their sheds, and in the care of their servants, was that not going to be a premium for those evildoers who wished to broach cargo? The very fact that the Trust were not responsible, having contracted itself out of responsibility, and

the fact that the Trust's servants were aware that there was no responsibility on the part of their employers, would make them neglectful of their duty, and they would not care what happened to the cargo. It was an incentive to those wrongdoers who were always watching for the opportunity to ullage cargo.

Hon. W. C. Angwin: That is an insult to the lumpers at Fremantle.

Hon. FRANK WILSON: But the Honorary Minister knew that it was correct.

Hon. W. C. Angwin: It is not correct.

Hon. FRANK WILSON: Cargo was ullaged wherever it was discharged. Cargo was ullaged on the railways to-day even by our own officers. The Government did not have a monopoly of honest people in their service unfortunately. Ninety-nine men out of every hundred were honest, but there was one person out of the hundred who was dishonest and who watched his opportunity, and the legislation proposed by the Honorary Minister was offering a premium to that dishonest person to carry on his nefarious practice.

Mr. Turvey: Did you say that the officers of the Railway Department broached cargo?

Hon. FRANK WILSON: In some cases the employees of the Railway Department had done so.

Mr. Turvey: I think in a very few cases.

Hon. FRANK WILSON: Cases were known where goods had slipped out along different portions of the journey and he himself had lost truck loads of goods in years past. If the Harbour Trust were to carry on this work with satisfaction to all parties, they must accept the ordinary liability of wharfingers. The Minister took exception to his statement the other night that when the Trust took over this work of wharfingers and when they relieved the ships of the responsibility of handing goods to the merchants through the sheds, because they objected to take the responsibility inasmuch as the goods had passed out of their keeping, they made some advance in the rates to cover the extra risk. It was obvious that they did make some advance and the Minister

could be referred to the correspondence that had passed between the different chambers of commerce and the ship-owners and the Harbour Trust at that time. It was only after the matter was forced upon them they had said "Well if you must have some extra charge make it a tonnage charge." If hon. members would turn to the report of the Harbour Trust Commissioners for the six months ending 30th June, 1904, they would find these words—

The thanks of the commissioners are, however, due to them for the assistance they are now giving to make the work as a whole run smoothly and economically for all parties. The new regulations, of course, embodied a revision of the charges for this work previously ruling at the port. and in this revision the handling charges on general mixed cargo worked through the wharf sheds, tallied, sorted, stacked, and delivered to merchants, were increased from 1s. 3d. to 1s. 6d. a ton. The 1s. 3d. per ton was the rate which had been previously paid to the shipping companies, who refused to take any responsibility.

These words inferred that the Trust accepted the responsibility when it increased the rate to cover all liabilities during all hours. As a matter of fact they had carried on for three or four months without refusing the responsibility for goods discharged after hours. Then came that memorable regulation which had contracted them out of any liability in regard to cargo discharged after hours. It was most unfair, because not only were they collecting that extra charge of 3d. per ton, but they were demanding an indemnity against all liability for goods discharged after hours. He had been told that the shipping companies had not protested against this charge. In refutation of this, however, he had a letter of protest, written in September of last year, in connection with this very question. Addressed to the secretary of the Fremantle Harbour Trust this letter summed up the whole position, and was signed by every shipping company and every firm interested in shipping in Fremantle. Yet no reply had been vouchsafed to the letter, which read as follows:—

Responsibility for condition of cargo landed in overtime hours: At a full meeting of the representatives of the deepsea interstate and coastal shipping interests, which was convened to consider your letter of the 28th July, it was decided to protest against the proposed action of the Fremantle Harbour Trust, as indicated therein, on the grounds that the imposition of either the indemnity or an extra charge is entirely unjustifiable, and not in the best interests of the port of Fremantle. It was strongly felt that the Trust as wharfingers, should accept full responsibility for goods entrusted to their care and which are under their sole control. This was the object in view when the merchants some years ago asked the Commissioners to take over the handling of cargo on the wharves, and as a matter of fact, such was actually done for some months after the change was brought about. It had always been customary for ships to work either day or night at Fremantle, as at all other up to date ports, and at no time during the negotiations which took place did the Commissioners even suggest that their responsibility should be limited in the case of cargo landed after hours. The shipowners contend therefore that the arrangement was that the Trust should take over the whole responsibility—not a part only—and that this was intended to be fully covered by the increased handling rate which merchants offered to pay in order to get the protection they sought, and which has ever since been levied, namely, 1s. 6d. per ton as against the 1s. 3d. per ton previously paid to the shipping companies, who disclaimed all responsibility for cargo after it left their slings. *Vide* pages 3-5 of report of the Fremantle Harbour Trust Commissioners for the six months ended 30th June, 1904. Although the shipowners realised that the Trust, in passing the regulation to which so much exception has lately been taken, were legislating themselves out of portion of the responsibility they had accepted, their feeling at the time was that it was unnecessary for them to raise any protest, seeing that

they were not affected in any way. Now however that it is proposed to transfer the disability on to the shoulders of the shipowners, the position is altered, and hence the present letter. If the increased handling rate collected by the Trust is not sufficient to cover the expenses and responsibility, etc., connected with the work done, it would apparently be open to the Commissioners to consider a further increase on such rate; but, on the Trust's published statement, a very substantial profit is already being made on the handling work, although this was not originally contemplated, and a still larger one is being realised from the work of the harbour as a whole, so that the time seems to have arrived when a general reduction rather than any increase should be made in the heavy charges both against goods and ships, and the effect of this no doubt would be beneficial to the trade of the port. The shipowners have no wish that the outcome of this question should involve further charges on the merchants, but obviously any increase in the expenses of ships visiting the port or increased responsibility cast upon owners in regard to cargo (especially when same has passed out of their control) would necessitate them recouping themselves by way of either a small surcharge or an increase of freight which, from the merchants' point of view, would not be a very satisfactory position, seeing that they are already paying to the Harbour Trust a sufficient handling rate to cover the risk in question. In connection with this matter a point which the shipowners would like to impress on your Commissioners is that when the present system of the Harbour Trust handling cargo on the wharves was brought in, the expressed intention was that it should afford due protection to merchants and shipowners alike, it being recognised that the latter were entitled to a receipt for their cargo at the slings, that being the point of their legal delivery. Owing however to the very unsatisfactory nature of the receipts given at the ships' hook by the Harbour

Trust's tally clerks, and also to the excessive clausung of same, the position is that even at the present time the Trust are escaping most of the responsibility for cargo at the expense of the shipowners, as is evidenced by the comparatively trifling amount the Trust pay in claims and this being so we fail to see how, under any circumstances, a charge can be justified for a protection which would be much more imaginary than real. In the light of the position now put forward in this letter, it is hoped that your Commissioners will favourably reconsider the matter, and their final decision is awaited with interest. With regard to the proposals *re* inter-State companies' cargo, this is a matter which the Australasian Steamship Owners' Federation will be replying to separately.

If the arguments contained in the letter could not be answered then it must be conceded that the shipping companies had established their position.

Hon. W. C. Angwin: They have not.

Hon. FRANK WILSON: To his mind they had proved their case right up to the hilt. All these charges came back upon the public. The people had to pay every time. If the charges were going to be overloaded, and unjustifiable liabilities placed upon the shipowners, the public would have to pay, and the port would inevitably get an evil repute. The Minister had tried to show that the small amount of claims which had been satisfied was evidence of the excellent way in which the Harbour Trust carried out their work. But notwithstanding that the Government or the Harbour Trust had only paid something like £109 on an average per annum for the last four years in respect to claims they could not wriggle out of, yet the shipowners and stevedores had had to pay thousands of pounds. Many of the articles which were lost through inefficient tallying were very valuable packages. If a small percentage of the packages delivered to the Harbour Trust were stolen, it meant a very considerable loss.

Hon. W. C. Angwin: They are not stolen at Fremantle.

Hon. FRANK WILSON: Fremantle was neither better nor worse than any part of the State. Not long ago a case of pills to the value of over £90 was stolen from the sheds at Fremantle. By good luck the case appeared on the Harbour Trust's tally and so the shipping company was relieved of liability. However the Trust refused to pay the merchants, on the ground that the case had been delivered to their carter. But, instead of the case of pills, the merchants had received an extra drum of oil, which was subsequently found to belong to another firm. Ultimately the firm concerned learned that these particular pills were being offered at chemists' shops at a very low price. The police were put on the track, and it was proved that the case of pills was stolen from the shed, whereupon the Harbour Trust admitted responsibility. It was true that out of half a million tons of cargo perhaps little more than half was not tallied, but of that quantity, perhaps 200,000 tons would consist of coal and other goods in bulk. Admittedly the shipowners had proved in their published statement that out of only five steamers over 2,000 packages went into the Harbour Trust sheds, and were not tallied. It went to show that the work was not carried on in that satisfactory manner which the Minister would have the Committee believe.

Hon. W. C. Angwin: It was carried on as well as any person could do it.

Hon. FRANK WILSON: If the Trust could not do their wharfing business on better lines than in the past, the Committee ought to think twice before allowing them to extend their powers in any direction. More especially did that refer to a clause which was unjust and imposed a liability upon shipowners which they had no right to carry, a liability which the Harbour Trust was paid for taking, and which ultimately must fall back upon the shoulders of the consuming public. For those reasons he asked the Committee to vote against the clause, because he believed it was not in the best interests of the State, and it was certainly not in the best interests of the shipowners and merchants.

Mr. MALE: It was a matter for surprise that the Government should be assisting the Harbour Trust by this legislation to evade the responsibility that legally belonged to them. At the present time the Government were running the wharves at several ports along the coast, and were they going to endeavour by Act of Parliament to do this same thing at the ports where they conducted the wharfing and stevedoring? If the Government thought it good enough to allow the Trust to avoid their responsibility, it was only natural to conclude that the Government would endeavour to evade that responsibility on their own part. The Government would not consider for a moment a measure which would permit private individuals to evade the responsibility which fell upon them as this responsibility devolved upon the Fremantle Harbour Trust. The position at Fremantle was that the steamers landed their cargo on the wharf, where it was received by the officials of the Harbour Trust. Surely as soon as the cargo left the ship's slings and was taken charge of by the Trust, that body must accept the responsibility of looking after it. The shipowners would not be allowed to take charge of the sheds and relieve the Trust of the responsibility.

Hon. W. C. Angwin: The Customs authorities take charge of the sheds.

Mr. MALE: But surely the Trust had to give a guarantee to the Customs, and if the cargo went astray the Trust would be called upon to make good the loss. Originally the responsibility was undertaken by the shipowners, but it having been found that that arrangement was unsatisfactory, the Harbour Trust at the request of the merchants agreed to take over the wharfing work and the responsibility attaching thereto. The Trust carried out that work during ordinary hours and in overtime for several years, and by so doing showed clearly that the intention at that time was that the responsibility should fall on them. The Trust being the sole custodians of the cargo, and making a charge for looking after it, they must bear the responsibility, and it was wrong for the Government

to assist the Trust to evade the responsibility, or to make additional charges for what they were doing.

Mr. George called attention to the state of the House; bells rung, and a quorum formed.

Hon. W. C. ANGWIN: Facts had already been placed before members to prove the necessity for the Trust having the powers which the clause would confer. The member for Kimberley had expressed surprise that the Government should assist the Harbour Trust to relieve themselves of the responsibility which legally belonged to them. The clause clearly showed, however, that the Trust wanted to take on the responsibility which a former Liberal Government had relieved them of. In 1904 when the Trust first took over the handling of cargo as wharfingers, they also accepted a certain responsibility which naturally applied to the work. In 1906 the then Government found it necessary to protect the funds of the State by legislating to give the Harbour Trust the powers which the hon. member was now condemning the present Government for.

Mr. Male: Then we must have done wrong.

Hon. W. C. ANGWIN: No, the then Government did right. Whether it was a private enterprise or a public undertaking, responsibility could not be accepted without a charge being made to meet it. The working out of hours in the handling of cargo at Fremantle had been greatly increased since the Trust took over that responsibility. To-day the Trust had no liability whatever, but the clause made them shoulder that liability and gave them power to make certain charges to meet it. On that point he had the following statement from the secretary of the Harbour Trust:—

The question of the increase of 3d. per ton made by the Harbour Trust in 1904 on the previously existing rate for handling cargo through the sheds is again brought out by the shipping representatives with the claim that this 3d. was to cover all sorts of unreasonable responsibilities, whereas it is, of course, perfectly well known by all

those who were intimately interested in the matter at the time, that the Trust estimated on the then existing rate of wages payable to the wharf labourers at the port, that 1s. 6d. per ton was a necessary charge to pay them for handling cargo through the sheds, plus the reasonable and ordinary responsibility of wharfingers, as against the 1s. 3d. which the shipping companies were charging previously.

To-day the Trust were asked to take on an unreasonable responsibility.

Mr. Male: It is done in other ports.

Hon. W. C. ANGWIN: That was not so. In Wellington, New Zealand, for working outside ordinary hours ships had to pay an additional 1s. per ton, and even then the Trust would not take responsibility.

Mr. Male: Take any European port.

Hon. W. C. ANGWIN: The position at Fremantle was that the Harbour Trust were quite willing to accept that responsibility. In speaking on the second reading he had read to the House a communication from the Chamber of Commerce. A joint committee of the Chamber of Commerce and the Kalgoorlie Chamber of Mines had contended that the shipowners should meet these responsibilities, and a reply to the letter read on the second reading had been written by the secretary of the Fremantle Chamber of Commerce. This letter was as follows:—

In reply to your letter of the 21st June, conveying the resolution, passed by the Fremantle and Perth Chambers of Commerce and the Chamber of Mines of W.A., Kalgoorlie, in reference to the above-mentioned subject, I am directed to inform you that the matter has had very careful attention at the hands of the Trust commissioners, who have decided in favour of the resolution being given effect to. Owing to the fact that the Fremantle Harbour Trust Act does not, as it stands at present, give the commissioners the necessary power to levy a special rate on the masters and owners of ships, to cover the risks involved by the Trust undertaking responsibility for cargo landed out of the regular working hours, it will be neces-

sary to have an Amending Act passed through Parliament to enable this to be done, and the Government will now be asked to have this Act introduced as soon as Parliament meets.

That was dated 28th July, 1911. The letter continues—

It is intended that, as soon as this Act is passed, a regulation will be framed, making it obligatory upon ships desirous of working overtime, to apply to the Trust for special permission to do so, giving either an indemnity to the Trust against any responsibility for claims incurred, or agreeing to pay an amount to be fixed, in order to cover such risks. Regulation No. 136 will then, of course, be rescinded.

Those were the regulations he had quoted on the previous night and which exempted the Trust from liability for goods landed after the ordinary working hours.

I am further directed to say, for the information of your chamber, that, simultaneously with the receipt of your letter of the 21st June, an intimation was received from the inter-State steamship owners that they had already agreed to accept this responsibility as from 21st June, and a request was, at the same time, made that the commissioners should receive a deputation from the representatives of the shipping interests, with the result that the commissioners have subsequently had two long meetings with representative shipping gentlemen, discussing various matters connected with the work of the port. For your further information I am handing you herewith a copy of a letter which is being sent to the shipping representatives, setting out the decisions of the Trust commissioners on the points discussed at the conference. The commissioners hope that their decision, as stated herein, will be communicated to the Perth Chamber of Commerce and the Chamber of Mines.

—F. Stevens, secretary.

That confirmed his statement that a conference had been held, and an undertaking entered into. Inter-State companies had accepted their responsibilities, and provision was made that the Bill should not

affect those companies which entered into an indemnity. The shipping community had virtually agreed that there was a necessity for the Trust to take the responsibility for cargo put into their care after hours, and they had agreed that the charge should be on the shipping companies. The leader of the Opposition had again referred to the question of tallying. Considering the manner in which the cargo was thrown out of Inter-State ships the tallying had been as accurate as was humanly possible. The shipping companies put a tally clerk in the hold, and in almost every instance the tally of the man in the hold had been in accord with the manifest. To give an actual example, a number of bundles of shooks—boxboards—had been tallied exactly to the manifest, and the Trust official had tallied 94 bundles short. Claims were made by the consignees on the Trust and on the ship. The shipping agent repudiated the claim, and pointed to his exact tally to show that the ship had landed every bundle, and had written to the Trust a most indignant letter in which his criticisms of the Trust's methods were anything but polite. A fortnight afterwards the agent apologised for his remarks as the missing bundles had turned up in Melbourne. Even the shipowners' clerks made mistakes in the tallies, but exception was taken when the Trust's officials made a mistake.

Mr. Male: There is something wrong when you say they cannot tally after hours.

Hon. W. C. ANGWIN: Statements had been made with regard to the short tally of goods. He had a few additional instances. Recently a lighter took from Perth and handed to the Trust officials 62 packages which should have been landed at Fremantle in the first place. They contained 15 cases of organs, 30 barrels of oil, cases of motors, boots, and merchandise. Another took back 35 bags of canary seed, another five bags of bonedust, and another four cases of merchandise. This was an everyday occurrence, and was thought nothing of by the shipping companies. In another instance a ship short-landed 429 packages of general cargo, another 273 bags of fertilisers, timber and

other goods, another 19 cylinders of gas, two cases of vegetables, and several cases of drapery. Within the last few days 50 cases of milk had been taken to other ports. Thus it was almost impossible under such conditions to accept responsibilities when the ship's tally showed that the goods had been delivered and the short tally of the Trust officials afterwards proved correct. It was sought to throw the liability on the Trust, when, as a matter of fact, the goods had never been placed in their care. The finances of the Trust were the finances of the State. They had no large profits with which to meet the extra responsibility. They had a fair revenue, but it was largely absorbed by interest and sinking fund, and the charges on handling goods showed a very small profit.

Mr. Allen: How much, about £5,000 a year?

Hon. W. C. ANGWIN: It did not run into four figures last year. They were the largest employers of labour on the wharf, and their turnover was considerable, but with the present charges they could not take on additional responsibility.

Mr. George: Are not the charges on the ship heavier than 10 years ago?

Hon. W. C. ANGWIN: No. The Trust at the time to which he had referred consisted of Mr. Leeds, the manager for Dalgety and Company, a large importer and one of the principal merchants of the State, who saw the necessity for the charge; Mr. Allnutt, managing director of D. and J. Fowler, who would see that the Trust did not levy any undue charge; Mr. Hudson, a mercantile man who at one time was a partner in Sandover and Company; Mr. Barker, who represented the Kalgoorlie Chamber of Mines, and who was interested in shipping matters, and Mr. Eyres, representing the Perth Chamber of Commerce. It was close on 12 months before they came to a decision, and they recognised the necessity for such a charge being levied before the Trust could take any further responsibility. Members could leave the decision in the hands of the Trust, and be assured that no undue

charge would be made in regard to responsibility which would be cast on them if they took the liability with regard to goods delivered after hours.

Mr. CARPENTER: Had the Minister any intimation from the Trust as to what the extra charge was likely to be? They had imposed an extra 3d. per ton when they professed to take the responsibility for goods landed during the ordinary working hours. The Minister's statements were somewhat contrary to those of the previous night that this was to cover the reasonable and ordinary responsibility to which the Trust became liable. The increase of 3d. per ton was added to the handling rate to cover the increased responsibility. The revenue from this source must be considerable, and the claims paid amounted to only £100 a year. Now, the Trust asked for a carte blanche to make further increases, and members did not know what they were to be. In New Zealand in similar circumstances a rate of 1s. a ton was put on, but additional storage time was given.

Hon. W. C. Angwin: They do not take any responsibility there.

Mr. CARPENTER: They were supposed to take it, and it was not known whether passing these provisions would saddle responsibility on the Trust, because a by-law might be framed avoiding the responsibility.

Mr. ALLEN: For the four years ending June, 1911, the average profit made by the Trust was between £3,500 and £4,000 on the handling of cargo on the wharves, and during the same period the total amount paid in claims was £109.

Hon. W. C. Angwin: Whose statement is that?

Mr. ALLEN: These figures were based on reliable authority from the shipping companies. Probably the Honorary Minister would not accept them.

Hon. W. C. Angwin: I will not.

Mr. MALE: One could understand the Minister's position in saying that the merchants were content to pay the extra charge so that the responsibility might be saddled on someone; because

the merchants would pass the extra charge on to the public. Naturally the harbour trust accepted responsibility for the cargo they carried into the sheds. If the Trust's tally was made with reasonable accuracy, that tally could be taken into Court and in most cases the Trust's responsibility would end with that tally. Then why should they require an extra charge to protect themselves against their legal liability? If they handled the stuff into the sheds and admitted they held the cargo, surely it was their responsibility to look after it, and it must be their liability; and why an extra fee was needed for that purpose he failed to see.

Clause put and a division taken with the following result:—

Ayes	..	..	..	21
Noes	..	..	..	13
				—
Majority for			..	8

AYES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDonald
Mr. Coiller	Mr. Mullany
Mr. Dooley	Mr. Munsie
Mr. Dwyer	Mr. O'Loghlen
Mr. Foley	Mr. Taylor
Mr. Gardiner	Mr. Thomas
Mr. Gill	Mr. Turvey
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. B. J. Stubbs
Mr. Johnston	(Teller).

NOES.

Mr. Allen	Mr. A. E. Plesse
Mr. Broun	Mr. A. N. Plesse
Mr. Carpenter	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Monger	(Teller).

Clause thus passed.

Clause 4—Amendment of Section 65:

Mr. GEORGE: Did this clause extend the powers of the commissioners?

Hon. W. C. ANGWIN: This clause would enable the Commissioners to do work on the ships in any part of the harbour.

Clause passed.

Clause 5—Amendment of Section 2 of Act No. 25 of 1911:

Mr. MALE: This clause needed explanation.

Hon. W. C. ANGWIN: The existing provision enabled the Harbour Trust to appoint special constables within the limits of the harbour. This clause enabled the special constables, if necessary, to follow up anything beyond the limits of the harbour.

Clause passed.

Clauses 6 and 7—agreed to.

Title—agreed to.

Bill reported without amendment; and the report adopted.

BILL—SHEARERS' AND AGRICULTURAL LABOURERS' ACCOMMODATION.

Recommittal.

On motion by Mr. McDONALD, Bill recommitted for further consideration of Clauses 1 and 6:

Mr. McDowall in the Chair; Mr. McDonald in charge of the Bill.

Clause 1—Short title and commencement:

Mr. McDONALD moved an amendment—

That in line 3 the word "January" be struck out and "April" inserted in lieu.

Amendment (that "January" be struck out) put and passed.

Mr. MALE moved an amendment on the amendment—

That the word "July" be inserted in place of "April."

If the measure came into operation in April that would not give sufficient time for the information to reach the distant parts of the State. An instance might be given of what happened in Victoria. A similar Bill was passed in October and did not come into force until July, and in the following August or September the commissioners administering the Act found that it was not sufficiently known in the State, and they were compelled to print a synopsis of it and send a copy to all those people who were interested. If in a small State like Victoria the period of nine months was not sufficient how

much more reason was there for saying that in this State the term of six months would be inadequate.

Mr. McDONALD: The Bill was not new. A similar measure was brought forward last session, and the pastoralists' association had it under their notice towards the end of the year. The pastoralists were quite prepared to erect accommodation to comply with the provisions of the measure as soon as they knew what they had to do. One would imagine that there was no accommodation in Kimberley at the present time for the shearers and shed hands, but there was a certain amount of accommodation which would have to be altered to comply with the conditions of this measure. If the time was extended beyond April those shearers and shed hands who were engaged south of Broome would not derive any benefit. So far as Kimberley was concerned the wet season began in November, and there might be some difficulty in carting, but the Minister who would be administering the measure would no doubt exempt that portion of the State if he found that climatic conditions prevented the carting of sufficient material to permit of the required structures being erected.

Hon. H. B. LEFROY: It was not only the Act itself that the employers would have to be guided by, but also the regulations which would have to be passed, and these would not be framed until the measure became law. Moreover, they could not be passed in a day or two. It was important to consider what was necessary and how they should apply. It was only a reasonable request that was made to extend the period of the coming into operation of the measure until July. The fact that a similar Bill was before the House last session and did not become law could not be used as an argument in the manner that the member for Gascoyne had presented it. The only proper thing to assume was that as the Bill did not become law the pastoralists did not find it necessary to give it their consideration. Until the regulations were passed it would be impossible for them to determine what it would be necessary to build in order to carry out the provisions of the Act.

Amendment (Mr. Male's) on amendment put and a division taken with the following result:—

Ayes	..	..	12
Noes	..	..	25

Majority against .. 13

AYES.

Mr. Allen	Mr. A. N. Plesse
Mr. Broun	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Gefroy	Mr. Wisdom
Mr. Male	Mr. Layman
Mr. Monger	(Teller).
Mr. A. E. Plesse	

NOES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDonald
Mr. Carpenter	Mr. Mullany
Mr. Collier	Mr. Munsie
Mr. Dooley	Mr. O'Loughlen
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. Gardiner	Mr. Taylor
Mr. Gill	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Underwood
Mr. Johnston.	(Teller).

Amendment thus negatived.

Amendment (that "April" be inserted) put and passed.

Mr. GEORGE moved a further amendment—

That in line 4 the word "thirteen" be struck out and "fourteen" inserted in lieu.

The object of the amendment was, not to oppose the Bill, but to give reasonable opportunity to the squatters to make the necessary provision prescribed in the Bill.

Mr. McDonald: They have had 40 years' opportunity in some instances.

Mr. GEORGE: While aware that a good deal of the accommodation provided for the shearers had been simply disgraceful in the past, he believed we should give the remote pastoralists an opportunity of knowing what was now demanded of them.

Mr. MALE: It was to be regretted the hon. member in charge of the Bill had not been willing to accept a reasonable amendment. As a further protest he (Mr. Male) would support the amendment now before the Committee. To bring a measure into operation before it

could be made applicable was to reduce legislation to the ridiculous.

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

Ayes	11
Noes	22

Majority against	..	11
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AYES.

Mr. Allen	Mr. A. N. Plesse
Mr. Broun	Mr. S. Stubbs
Mr. George	Mr. F. Wilson
Mr. Lefroy	Mr. Wisdom
Mr. Male	Mr. A. E. Plesse
Mr. Monger	(Teller).

NOES.

Mr. Angwin	Mr. Lewis
Mr. Bath	Mr. McDonald
Mr. Collier	Mr. Mullany
Mr. Dooley	Mr. Munsie
Mr. Dwyer	Mr. O'Loughlin
Mr. Foley	Mr. Taylor
Mr. Gardiner	Mr. Thomas
Mr. Gill	Mr. Turvey
Mr. Green	Mr. A. A. Wilson
Mr. Hudson	Mr. B. J. Stubbs
Mr. Johnson	(Teller).
Mr. Johnston	

Amendment thus negatived.

Clause as previously amended put and passed.

Clause 6—What is proper and sufficient accommodation:

Mr. McDONALD moved an amendment—

That in line 2 of Subclause 11 the words "provided, however, for the purpose of this section an earthen floor shall not be deemed a proper and suitable floor" be added.

Mr. MALE: We had already provided that the employer should furnish proper, adequate, and sufficient accommodation for the shearers. It would be legislation run mad if we were to accept the amendment. It would be as reasonable to move that a brown paper roof should not be considered a suitable roof.

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

Ayes	21
Noes	10

Majority for	..	11
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AYES.

Mr. Angwin	Mr. Johnston
Mr. Bath	Mr. Lewis
Mr. Collier	Mr. McDonald
Mr. Dooley	Mr. Mullany
Mr. Dwyer	Mr. Munsie
Mr. Foley	Mr. O'Loughlin
Mr. Gardiner	Mr. Taylor
Mr. Gill	Mr. Turvey
Mr. Green	Mr. A. A. Wilson
Mr. Hudson	Mr. B. J. Stubbs
Mr. Johnson	(Teller).

NOES.

Mr. Broun	Mr. A. N. Plesse
Mr. George	Mr. S. Stubbs
Mr. Lefroy	Mr. F. Wilson
Mr. Male	Mr. Wisdom
Mr. Monger	Mr. A. E. Plesse
	(Teller).

Amendment thus passed.

Mr. McDONALD moved a further amendment—

That after the word "employer" in Paragraph 12 the following words be added, "the minimum provision hereunder to be one washing basin and one shower bath for every five shearers employed."

Mr. MALE: This was more legislation run mad; it was absolutely ridiculous to load the Bill in this fashion. The mover had not even provided the water or the bucket to fill the basins with, nor had he added a provision that each shearer should be compelled to use the bath.

Hon. FRANK WILSON: As cleanliness was next to godliness the member for Gaseoyne had not gone far enough. Every shearer should have his own bathroom, an enamelled bath, and hot and cold water laid on.

The Minister for Mines: And scented soap.

Mr. McDonald: I will move it if you will support me.

Hon. FRANK WILSON: If the hon. member moved such an amendment it would receive support, as would also a further amendment that medical officers should be provided to see that the shearer did not suffer any undue effects from the application of the water.

Mr. Taylor: Or from the sudden change and shock to the system.

Hon. FRANK WILSON: The shearers' feet should not touch mother earth. He should have a lead floor, and a rubber mat so that he should not get a chill. He should not be allowed to take the bath except when he was ready to go to bed. The bed was already provided for, and it should be seen that after he had the warm bath under medical supervision, and had taken something to sustain him after the great strain to the system, he should be carefully put to bed and kept warm so that the result of the bath might not be disastrous. With a view to subsequently moving that each shearer should have one bath, and that a medical officer be appointed to see that the gentlemen employed in shearing had a bath at least once in every 24 hours, he moved an amendment on the amendment—

That after the word "basin," the words "one enamel bath with hot and cold water laid on" be inserted.

The CHAIRMAN: I will take the risk upon myself of ruling that amendment out of order. It is moved in a spirit of mockery and ridicule which cannot be entertained by a deliberative Assembly.

Dissent from Chairman's ruling.

Hon. Frank Wilson: Then I dispute your ruling because the whole thing is in a spirit of mockery and ridicule.

The Speaker took the Chair.

The Chairman, having stated the dissent,

Hon. Frank Wilson: The amendment proposed by the member for Gascoyne is to add to Subclause 12 of Clause 6 the words "one washing basin and one shower bath for every five shearers employed." I moved to add after "basin" the words "an enamelled bath with hot and cold water laid on." I intimated in the course of my remarks, to which the Chairman took exception, that I would seek to strike out "five" and make it apply to every shearer, and I suggested that I might move an additional amendment that a medical officer should be supplied to supervise the operations in the bathroom and see that each shearer had at least one hot bath

every twenty-four hours and that he did not experience any ill-effects from his ablutions. Of course I could not move the whole of the amendment at once. My purpose now is to move that the enamel bath be supplied. The Chairman ruled that it was moved in a spirit of mockery. If that is so, I contend that the amendment altogether is in a spirit of mockery. At any rate, my amendment is absolutely sane and one that the Committee can accept or reject. It is just as reasonable to provide a plunge bath as a shower bath. There is no provision for water for the bath or bathroom, but there is a provision for drinking water and utensils for the shearers. It would be just as reasonable to insist on the provision of an enamel bath as a shower bath. In any case, my amendment is relevant and I do not think the Chairman of Committees is right in refusing to accept it.

Mr. Speaker: Do I understand that the hon. member's intention was if the amendment is accepted to move that a doctor should be provided?

Hon. Frank Wilson: I suggested that, but I am first of all moving to strike out "five" so that it shall be provided for every shearer.

Mr. Speaker: The other amendment will be consequential on this?

Hon. Frank Wilson: Yes, if I cannot get this carried, I cannot get the other.

The Chairman: It is very difficult for one not present during the debate to decide a question of this kind. The whole of the speech of the leader of the Opposition was a speech of mockery, derision and sarcasm, and an attempt to belittle the functions of this Parliament.

Hon. Frank Wilson: Not at all.

The Chairman: I hold my opinion, and I have a perfect right to express it. No doubt the tone of the speech from start to finish was one of ridicule. I did not object to the ridicule and did not interfere with the hon. member making a speech in that direction, because it is proper to give a fair amount of latitude. I also hold a member can illustrate to a very great extent, but when it

comes to moving words of this description that one knows are only intended to be a mockery and to belittle the resolutions and decisions of this Parliament, then I think it is the duty of the Chairman to rule such motions out of order.

Mr. Speaker: I do not think there is anything that will prevent me allowing the hon. member to speak, but since the hon. member was Chairman of the Committee and exception has been taken to his ruling, I think he might be content with simply reporting the matter to the House.

The Chairman: If that is a ruling on the etiquette of Parliament I accept it, but I am not one of those who believe in turning the other cheek. I try to defend myself fairly and squarely.

Hon. Frank Wilson: The hon. member will absolve me from any intention to smite him on the cheek. I never intended such a thing, nor were my remarks aimed at him. I have a perfect right to ridicule any hon. member's amendment.

Mr. B. J. Stubbs: Was it ridicule?

Hon. Frank Wilson: The Chairman accuses me of ridiculing, and I have a perfect right to go a step further than the member for Gascoyne, but this is the first time I have ever known a Chairman of Committees to get up in the House and attack a member who has dissented from his ruling. It is sufficient for the Chairman to know that dissent has been taken, and to state the fact to the Speaker and ask his ultimate support or the contrary to the objection taken. There was no disrespect offered to the Chairman or to the Committee. If there was any disrespect at all it was to the member for Gascoyne, but I maintain there was no disrespect even to that hon. member. I am simply going one further step to that taken by the hon. member. It may be that my object is to go to such extreme lengths as to show the hon. member the absurdity of his amendment, but I have a perfect right, if I like, to indulge in those tactics in order to show the hon. member how absurd his legislation is. My amendment now is to provide a bath in addition to a shower bath with hot and cold water, and

I maintain I am perfectly justified in asking the Committee to consider that amendment, and that there is no Standing Order to the contrary.

The Minister for Lands: The remarks of the leader of the Opposition have evidenced the fact that the proposed amendment, being part of further amendments he has intimated his intention of moving, is out of order for precisely the same reason that caused an amendment moved by the member for Pilbara on the Arbitration Bill to be ruled out of order, namely, that it is contrary to the Standing Orders for amendments to be moved other than with serious intention. If they are moved to ridicule a provision of a Bill or the general purpose of a measure they are out of order.

Mr. George: With rather longer experience than that of the Minister for Lands in this Assembly, I can say I have never known of any exception having been taken previously to an amendment in this way. I am certainly ignorant of the case the hon. member now refers to. Surely the leader of the Opposition can adopt what procedure, within the rules of the House, he pleases in connection with an amendment. The Chairman of Committees has raised no question that the leader of the Opposition has infringed any rule of the House. It is simply that the Chairman of Committees in his judgment, which I do not impugn, considers that the amendment is not *bonâ fide*. If assurance is given by the leader of the Opposition that it is his intention to move the amendment as a *bonâ fide* one and try to carry it, it is idle for the Chairman to say that he will be guided in his decision by what he thinks the hon. member may probably propose afterwards.

Mr. Taylor: It is quite absurd to take that view.

Mr. George: The Chairman can only deal with the amendment proposed. Whatever an hon. member may say he is going to do has nothing to do with it. The hon. member may say he is going to cut his throat or pay someone's overdraft, but that has nothing to do with the Chairman. What has to do with the Chairman is the amendment placed before him. I can

understand the Chairman wishing to express his opinion on the matter, but he can take it not only from me but from the member for Mount Margaret and from others that it is the first time we have seen it necessary for the Chairman of Committees to do other than refer the dissent to the Speaker.

Mr. Male: In the first instance I pointed out that I considered the amendment moved by the member for Gascoyne was legislation gone mad. If the ruling of the Chairman of Committees that the amendment of the leader of the Opposition is not in order, I would ask if the amendment of the member for Gascoyne is in order. It was quite evident in the course of the debate that the member for Gascoyne looked upon the further amendment as being a legitimate one, for he said, "If you will move it, I will support it." Therefore I fail to see how you, Mr. Speaker, can hold the contention that the amendment moved by the leader of the Opposition is in the spirit of mockery, unless the member for Gascoyne will admit he also moved his amendment in the spirit of mockery.

Mr. McDonald: There is no need for me to admit anything. There is no doubt the amendment handed up by the leader of the Opposition might not, but during the course of his speech the leader of the Opposition did mention many other items, and, as he himself admitted, each one of these tried to cast ridicule on my amendment. Also if any disrespect was shown it was shown to me.

Mr. Taylor: The question is whether the amendment moved by the leader of the Opposition is or is not in order. If the arguments which have been advanced conveyed to the Committee that they were a mockery, the language used was out of order, but that would not render the amendment out of order. The argument was advanced by the Minister for Lands that this amendment was out of order, and he compared it with the amendment moved by the member for Pilbara, which was ruled out of order a few days ago when the Arbitration Bill was in Committee. The latter was to the effect that the amendment which was being inserted

was being inserted not as a joke. That decidedly was an amendment which could not be accepted. The amendment which has now been ruled out of order was intended to provide a bath for each shearer, and if it was carried it would prove a great boon for the shearers. I cannot see, so far as the language of the amendment is concerned, that it is out of order; my opinion is that it is in order.

Mr. Speaker: There is a passage in *May* which, in the absence of any reference to the subject in our Standing Orders, should guide us in dealing with a matter of this kind. The passage states "That the Chairman must decline to receive amendments which are tendered to the Committee in a spirit of mockery." In any ordinary instance I doubt whether the Chairman would decide that such an amendment was moved in the spirit of mockery, but the propriety of this amendment cannot be determined by the words so much as by the intention of the mover. The leader of the Opposition has undoubtedly admitted that he moved the amendment with the intention of ridiculing the amendment moved by the member for Gascoyne, and he further stated that his intention was to move further amendments, which to my mind are not such as would be received by the Committee. I have to judge this matter from the intention which prompted the leader of the Opposition to move the amendment, and the hon. member has undoubtedly given that intention with a good deal of frankness. I must uphold the ruling of the Chairman of Committees; I think he has taken the proper course in this connection, and I hope his ruling will meet with the concurrence of the House.

Committee resumed.

Mr. McDONALD: With reference to the recent happenings it might be said that in two of the largest sheds in his constituency there were 70 men. The amendment had been sent down by those men, and on that account he had endeavoured to have it included in the Bill. The reason for having one bath for every five shearers must be apparent to anyone who knew the conditions under which the men

worked. The shearers worked at high pressure until it was too dark to see, and when the sun had gone down there was invariably a rush to wash and change, and one could understand that where there were 40 or 50 men waiting for a shower that it would be late before the last man was ready. The amendment could not be objected to on the score of expense, always assuming that water was available. If there was no water available the men would have to do the best they could.

Hon. Frank Wilson: What will you do when there is no water?

Mr. McDONALD: What did they do at Coolgardie when there was no water? He predicted that any future measure which might be brought forward for the benefit of the workers would always meet with ridicule from those gentlemen who sat opposite.

Hon. FRANK WILSON: If the hon. member who had introduced the Bill wanted his legislation to receive consideration by those sitting opposite to him, he would have to draft it in a reasonable spirit and not ask for impossibilities. There were tens of thousands of people in Western Australia to-day who could not get a shower bath at all, and yet the hon. member wanted to impose a condition of this sort on all and sundry, and whether the places were large or small. Admittedly there were big stations, with ample water supplies, which could easily provide all the bathing accommodation necessary, but there were also hundreds of small stations where one could not possibly get a shower bath. What, then, was the use of inserting such a provision as was contained in the amendment? For years he had lived in Queensland without any shower bath, and had had to be content with a sluice down in a bucket of water each morning. The hon. member might as well provide for a mirror and a brush and comb in each dressing room, after which it would be only necessary to compel the men to use all these comforts. The hon. member knew that his Bill would never see the light of day if he insisted upon amendments of this class. If he desired to help his fellow men he should be content

with reasonable provisions, and with a moderate standard of comfort for the shearers.

Mr. McDONALD: A pastoralist building a wool-shed provided water first of all, for the sheep waiting to be shorn required to be watered. All he was asking for was that facilities should be given for bathing where five or more men were employed.

Hon. H. B. LEFROY: It was unjust that the hon. member should charge those on the Opposition side with objecting to legislation brought forward in the interests of the workers. In its present form the Bill was hopelessly unreasonable. It was mandatory that one basin and one shower bath should be provided for every five men, even if, as would occur in numerous cases, there was no water available for the purposes of bathing. When a pastoralist was in a position to build an up-to-date shed the best possible accommodation should be provided for the shearers, but the Bill made this mandatory on everyone, big or small. The hon. member for Gascoyne was introducing these amendments without thought or consideration. Any amendment that was sent to him by the men in the back country he moved, and some of them were as much a mockery as those of the leader of the Opposition which had been ruled out of order. All aborigines employed on a station were shearers under this measure, and it was a mockery to compel a man to provide a shower bath for every five aborigines he employed. Matters of this kind might well be left in the hands of the shearers themselves. If they were not satisfied with the accommodation provided, they could tell the owner that they would not come to the station again unless improvements were effected. That would be better than binding people down by Act of Parliament to do impossible things. Perhaps half the shearers would want shower baths, and the other half plunge baths, and perhaps next session the member for Gascoyne would be moving the very amendments which the leader of the Opposition had not been allowed to move.

Mr. McDONALD: There was nothing at all impossible in the amendment. The wool-shed in many instances was not far from the homestead, and the owner had no difficulty at the homestead in erecting an overhead tank to supply the house, the garden, and perhaps a shower bath with water. Those arrangements could be easily extended to the shearers' quarters. He had known of men refusing to go to work because not one washing basin was provided, and of a man having to fetch a bucket of water from a distance before he could have a wash in the morning.

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

Ayes	..	..	20
Noes	..	..	9

Majority for 11

AYES.

Mr. Angwin	Mr. McDonald
Mr. Bath	Mr. Mullany
Mr. Collier	Mr. Munzie
Mr. Foley	Mr. O'Loughlen
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Green	Mr. Turvey
Mr. Hudson	Mr. Underwood
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. B. J. Stubbs

(Teller.)

NOES.

Mr. Broun	Mr. A. N. Plesse
Mr. Lefroy	Mr. S. Stubbs
Mr. Male	Mr. F. Wilson
Mr. Monger	Mr. Layman
Mr. A. E. Plesse	

(Teller.)

Amendment thus passed.

Mr. McDONALD moved a further amendment—

That the following be added to stand as Paragraph 13:—The employer or his agent shall provide suitable receptacles for refuse; such receptacles to be emptied by the employer periodically, or whenever filled, and burned or buried not less than 200 yards from any building used for sleeping, cooking, or serving meals."

The paragraph was taken from the Queensland Act. The shearers wanted to make sure that the neighbourhood of their dining and sleeping rooms was kept free from garbage and desired that the onus

of burning or burying it should be on the employer.

Mr. MALE: Was the amendment in order? Clause 7 stated that every building provided by an employer for the accommodation of shearers not being a shearing shed should be kept clean by the shearers during their occupation of it, and the amendment seemed to override it.

Mr. McDONALD: The amendment provided that suitable receptacles for refuse should be supplied. This had nothing to do with keeping the interior of the buildings clean, the onus for which was on the shearer.

The CHAIRMAN: Clause 7 provided that every building provided for the accommodation of shearers, other than a shearing shed, should be kept clean by the shearers, and the amendment provided for receptacles and for their being emptied and the refuse burned. He could not see that the two were inconsistent and could not rule the amendment out of order.

Mr. MALE: Clause 7 provided for the building being kept in order by the shearers, and he presumed that included cleaning up the refuse.

The CHAIRMAN: The shearer would put the refuse in the receptacle and that had to be emptied by the employer.

Mr. MALE: Clause 7 stipulated that the shearer had to do that. The two things clashed.

The CHAIRMAN: The amendment provided for receptacles which were to be emptied by the employer. The shearer had to keep the building clean in accordance with Clause 7. The amendment made the clause clearer and was in order.

Mr. S. STUBBS moved an amendment on the amendment—

That all the words after "refuse" in the proposed paragraph down to "employer" be struck out, and "and the employer or his agent shall cause such receptacles to be emptied" inserted in lieu.

Mr. McDonald: I accept that.

Mr. FRANK WILSON: As the proposed subclause read the receptacles were to be burned. Surely the hon. mem-

ber meant that the contents were to be burned or buried.

Mr. McDonald: That is so.

Hon. H. B. LEFROY: This was most unreasonably one-sided legislation. The shearers created the rubbish and the employer was expected to remove it. Why should the onus be placed on the employer? In most cases the shearers were provided with a kitchen where they employed their own cook. This usually meant that a lot of empty tins would be used and these the employer would have to clear up to keep his place tidy. The hon. member should be prepared to look at the matter, not only from one point of view. If the shearers were employed on weekly wages instead of by contract, then it would be the duty of the employer to see that the rubbish was put away, but where the shearers were provided with accommodation, where they provided their own cook, and supplied their own food, it was their duty to attend to the cleanliness of the surroundings.

Mr. MALE: It was intended that the shearers should keep their own quarters clean and now we were asked to put the onus on the employer. He would certainly vote against the whole thing.

Amendment (Mr. S. Stubbs') put and passed.

Mr. FOLEY moved a further amendment on the amendment—

That in line 1 before the word "burned" the words "the contents" be inserted.

The object was to make it clear that it was the contents of receptacles that had to be burned or buried.

Hon. FRANK WILSON: It would be better if the words "such refuse to be" were inserted instead of the words suggested by the hon. member. There would then be no ambiguity about the new clause. The hon. member might agree to accept the alteration.

Mr. FOLEY: There would be no objection to the suggested alteration.

Amendment (Mr. Foley's), as altered, put and passed.

12 o'clock, midnight.

Mr. FOLEY moved a further amendment on the amendment—

That the words "At intervals of not more than one week" be added at the end of the clause.

It was necessary that some definite period should be stated for the removal of the rubbish if it was desired that the place should be kept clean.

Mr. B. J. STUBBS: The amendment would kill the meaning of the clause altogether. The hon. member should have moved at an earlier stage to strike out "periodically" and insert "weekly."

Mr. MALE: Was the amendment in order, seeing that we had already provided that the receptacles should be emptied periodically or whenever filled?

The CHAIRMAN: "Periodically" covered the question to a great extent; still the hon. member could move to fix the period.

Mr. McDONALD: In the case of a small shed the receptacles might be so large that they would take a month to fill, by which time, in a hot climate, the contents would be in a highly offensive condition. Still he was of opinion that the clause would be better without the proposed amendment.

Amendment (Mr. Foley's) put and negatived.

Amendment (Mr. McDonald's), as amended, put, and a division taken with the following result:—

Ayes	17
Noes	9

Majority for	8
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AYES.

Mr. Bath	Mr. Munzie
Mr. Collier	Mr. O'Loughlin
Mr. Foley	Mr. B. J. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Green	Mr. Turvey
Mr. Johnston	Mr. A. A. Wilson
Mr. McDonald	Mr. Underwood
Mr. Mullany	(Teller).

NOES.

Mr. Broun	Mr. A. N. Piesse
Mr. Lefroy	Mr. S. Stubbs
Mr. Male	Mr. F. Wilson
Mr. Monger	Mr. Layman
Mr. A. E. Piesse	(Teller).

Amendment as amended thus passed.

Clause as amended agreed to.

Bill again reported with further amendments.

RAILWAY DEVIATIONS SELECT COMMITTEE.

Consideration of Report.

Mr. B. J. STUBBS (Subiaco) moved—

That the House agrees with the finding of the select committee on the deviation of the Wongan Hills-Mullewa Railway, and also of the Wickepin-Merredin Railway.

He said: In moving this motion, I desire to say that so far as I can gather there is not likely to be any discussion with regard to that portion of the report dealing with the Wongan Hills-Mullewa railway.

Mr. Monger: I beg to join issue with you there.

Mr. B. J. STUBBS: I think the hon. member is fighting his own shadow. So far as I can gather there will be no opposition to the portion of the report dealing with the Wongan Hills-Mullewa railway. That report was unanimously adopted by the select committee appointed by another place, and the committee from this Chamber went exhaustively into the matter, carefully read the evidence and report, and decided that they could thoroughly endorse the latter. But with regard to the Wickepin-Merredin railway, I believe there will be some opposition by the member for York to the report. The committee went very exhaustively into this matter also, and I think the number of meetings held and the number of witnesses examined will indicate to the House the amount of time and attention given by the committee to the subject matter of the inquiry. I am thoroughly satisfied, and so are the majority of the members of the committee, that there is not a sentence in the report that is not backed up by the evidence taken by the committee.

Mr. Monger: I join issue.

Mr. E. B. Johnston: Reliable evidence.

Mr. B. J. STUBBS: Yes, reliable evidence, and where any portion of the report is not supported by the evidence it is supported by something stronger. The

first portion of the report is not backed up by the evidence of witnesses, but it is supported by the evidence of the departmental files. That portion deals with the contention of the ex-Minister for Works (Mr. Daglish) when giving evidence before the committee. That gentleman told the committee that right through the history of this Wickepin-Merredin line his intention was that it should go to the east of Lake Kurrenkutten. He stated in answer to question 283, "I think I instructed them that it was to go east of the lake," and to question 316 "I can only say it was certainly my intention as Minister that that survey should be made to the east of the lakes." When a witness makes a definite statement of that kind we have to try to learn from the documents what his intentions were at the time when he had charge of the survey of this railway, and we find by looking up *Hansard* that when the discussion took place on the second reading of the measure to authorise the construction of the line, Mr. Daglish, in replying to some strictures as to the circuitous route of the railway, promised that he would have it straightened. A number of witnesses have tried to interpret to the committee what Mr. Daglish meant, amongst them Mr. Gregory, who was Minister for Mines in the same Government, and another ex-member, Mr. Osborne. I claim that Mr. Daglish is the person in the best position to say what he meant when he made that promise, and we find that just two days after making the promise, in conveying that promise to his officers who had to carry out the survey, he told them in the words of the report—

When dealing with the Wickepin-Merredin railway in Parliament I promised that so far as it was possible, having due regard to the engineering difficulties, I would instruct the surveyors to straighten up this line and make it a direct connection between the two termini. I informed the House that the first consideration would be the getting of a favourable grade, one in 80 if possible, and the next the securing of a line representing the shortest distance between the two

points. Please instruct the Engineer-in-Chief accordingly.

That is not the only written statement by the ex-Minister upon which we have based our assertion. There is a reference on the 29th May, 1911, in reply to a communication from Mr. McGibbon, one of the men who was most active in trying to have this line taken to the east. Mr. McGibbon sent along the notes of a meeting of settlers held at Kuminin, and Mr. Daglish, in reply to that communication, some five or six months later said, "Until the survey has proceeded further, I cannot definitely state the exact line, but I anticipate that it will pass as near as possible to Lake Kurrenkutten on the west and then travel approximately on the line of route marked on the plans which were placed before Parliament." He wrote another minute to his officers dated 2nd June, that is a few days after the communication to Mr. McGibbon, and he said he approved of the line passing as surveyed near Lake Kurrenkutten. There were no surveys to the east of the lake and there were two to the west of the lake, one on what is now known as the direct route, and the other passing close in to the lake. It proves that Mr. Daglish's statement to the committee that his intention was that the line should have gone to the east of Lake Kurrenkutten is not borne out by facts. Mr. Daglish knew where the surveys were when he wrote that minute and he said, "I approve of the line passing as surveyed near Lake Kurrenkutten." He also wrote and told Mr. McGibbon that he approved of the survey on the west of the lake. I think that these documents prove beyond a shadow of a doubt that when Mr. Daglish had charge of the survey of this railway he was convinced that the proper route was to the west of the lake. The next matter we have to consider is with regard to the question of whether one line of railway can serve this vast territory or whether it is desirable that we should have two lines. The member for York was greatly perturbed yesterday because he could not get a communication which he gave to me a few hours before I submitted the report embodied in the report. Now I want to take the opportunity to

reply to some of the statements made by the hon. member on that occasion. He practically inferred that the committee had treated him harshly by not allowing him to bring this report in. We held many meetings, the report was delayed five weeks from the time at which it should have been presented, and towards the end of that period, after we had completed the examination of witnesses, the committee met to consider the draft report which I had drawn up. Mr. Monger undoubtedly attempted to stonewall in that committee and to delay the report being presented to the House. Had he brought in any paragraph which he wished inserted in the report, the committee would have been only too pleased to consider it, but he neglected to do so, and endeavoured by all means in his power to stonewall and prevent the committee's report being brought down in the proper time. The last meeting of the committee was held on Thursday last, and yesterday Mr. Monger placed this matter in my hands a few hours before I presented the report to the House. It was impossible to call the members of the committee together again to consider the matter.

Mr. E. B. Johnston: We told him we would put in anything reasonable.

Mr. B. J. STUBBS: Yes, and we may have put in a paragraph to say he disapproved of certain clauses of the report. He neglected to do so when he had the opportunity and endeavoured to force this in when it was too late. I wish to draw the attention of the House to what is contained in the letter of Mr. Monger. Regarding paragraph 3 of the report of the committee in which it is stated that we are satisfied it is necessary to have two lines to serve this very large tract of agricultural land, the member for York, in the dissenting report or letter, whichever he likes to call it, says, "Although it stands to reason that two lines would better serve the country referred to in paragraph 3 of the report, than one line—." Thus he admits that two lines will better serve the country than one. We say that two lines are necessary, because it is impossible to serve the country with one.

We have had the evidence of settlers, not only to the west of what is known as the direct route, but to the east also. They admit that a line running through the centre will leave both sides practically isolated. We must have two lines to give settlers railway facilities. The dissenting report admits that the two lines will better serve the country than one line, but it is the time it will take to construct the second line with which the hon. member finds fault. The committee have also dealt with that matter and they point out that unless the Yillimining-Kondinin line can be constructed within a reasonable time a great deal of hardship will be placed on a number of settlers in the eastern country. These people have told the committee, and I see no reason to disbelieve what they said, that unless this section of the line is constructed within reasonable time, a large number of them will have to leave their holdings. They have reached the limit of their borrowing powers from the Agricultural Bank and they have reached the end so far as their finances are concerned. Unless the second line is constructed within reasonable time, a large number of these settlers—very estimable and deserving settlers—will be forced to leave their homes. The committee point out that it is impossible with the evidence they have before them and without knowing fully the intention of the Lands Department, to say where the northern terminus of the section of the railway, that is the Yillimining to Kondinin line, and its continuation should be. We had evidence before us that an estate called Grabal on the eastern country closely on the verge of the precarious rainfall district had been surveyed and would have been thrown open for selection had it not been for the dry season. We do not know whether it is the intention of the Lands Department to permanently withdraw that area from selection, or whether, when we get back to normal years of rainfall, the area is likely to be thrown open for selection; but, if it is, the committee are satisfied that it is essential this line should be continued to Carrabin. If, on the other

hand, it is thought inadvisable to throw open that country for selection then the railway should go round practically through country that is now settled and junction with the Wickepin-Merredin line at Nunajin. Now, I wish to draw the attention of hon. members to some of the evidence that deals with sandplain country. It has been contended by a large number of the settlers who are out to the east of the lakes and settled on what is undoubtedly first-class land, that the railway should not go to the west of the lakes because a great deal of country to the west of the lakes is sandplain. There is some sandplain there, but there is also plenty of first-class land. However, the question is whether we should sacrifice the settlers who take up this sandplain country, or whether we should give them railway facilities. That is a question that must be considered. It seems to be the settled policy not only of this Government but of past Governments that railways in agricultural areas should be constructed at a certain distance apart, and the distance laid down is 25 miles, but the committee are satisfied that in serving any district with agricultural railways, leaving altogether out of the question the quality of the land, if the better route serving the district runs through sandplain country, the line should not be deviated because of that fact and made to go on a circuitous route to take it through the good country and serve settlers who are better placed than those who take up sandplain country.

Mr. E. B. Johnston: Of course in most cases the better route will be the one through the better land.

Mr. B. J. STUBBS: Very likely, and if the better route is through the better land we have no objection to its going through, but what the committee think, and I am certainly convinced on the point, is that if the better route runs through sandplain country the line should not be diverted simply for that reason. Mr. Butterworth in giving evidence in question 1051 said—

A lot of the land on the west side of the green line which was considered

of no use a few years ago is now growing splendid crops.

A number of the settlers along the direct route gave us the same information. The settlers east of the lakes said that the country to the west was no good, that it was sandplain, but the settlers who are on the land to the west and who are cultivating it told us that it is growing splendid crops, and one of them, Mr. Mann, in question 1118 said, "The best crop I had was grown on sandplain." Another witness said that many would be willing to exchange their forest land for good sandplain country.

Mr. Monger: How many of them?

Mr. B. J. STUBBS: Mr. John Muir also made the same statement. He was asked the same question in questions 1459 to 1461 as follows:—

Have you seen crops on what you call sandplain?—Yes.

Good crops?—Very good.

As good as on the forest country?—

Last year I saw some sandplain—that is the worst season we have had for years—and 300 or 400 acres of sandplain gave a crop of 15 bushels to the acre, and forest country did not give nine or ten.

That is the evidence of practically all of those who have had experience of cultivating sandplain country, and of others who are in the position also to make a statement on the subject. Wherever the rainfall is light the sandplain country gives better crops than the good forest land. The next part of the report I would like to deal with is with regard to the isolation of settlers. A number of the settlers along the western or direct route and Mr. John Muir also conclusively proved to the committee—Mr. Muir by producing maps—that there would be 30,000 acres of land permanently isolated if the railway was taken to the east of the lakes. A large number of settlers also who have their holdings along the direct route pointed out to the committee that if the line were taken to the east of the lakes they would be 16 or 17 miles as the crow flies from a railway, which would mean 20 or 21 miles going by the roads. If we construct the Wickepin-Merredin

line on the direct route and the Yillimining-Kondinin extension to the northerly terminus out to the east and 25 miles distant, there will be no settlers more than 12½ miles in a direct line from a railway, though as we point out in our report they may be 15 or 16 miles by road, because the roads in those country districts are of a very circuitous nature; and although it was outside the scope of our inquiry practically, we also pronounced the opinion that we thought that any agricultural railways submitted for the approval of Parliament in the future should not be more than 20 miles apart. We believe that because of the evidence of the settlers who are having practical experience. They showed us that at 12½ miles from a siding it would be a very difficult proposition to make farming pay. The settlers with actual experience have informed us that even if they have only 12½ miles to cart it will be a difficult proposition for them to make farming pay. We also draw attention to our disapproval to the policy that has been adopted by the Lands Department in times gone by. We found there were several different routes for this railway shown on the lithos issued by the Lands Department. They seemed to have been able to place this railway wherever they wanted to dispose of land. A large amount of land was taken up along the direct route.

Mr. Monger: An absolutely untrue statement.

Mr. SPEAKER: The hon. member will have to withdraw that remark.

Mr. Monger: At your request, I withdraw it.

Mr. B. J. STUBBS: I just want to say that the hon. member for York's best friend, and the friend whose interests he has been looking after mostly in the advocacy of this line, took up his land—

Mr. Monger: I demand an absolute withdrawal of that, shall I call it, an insinuation. If the hon. member were to refer to such a thing outside, well—

Mr. SPEAKER: Order!

Mr. B. J. STUBBS: You surely are not ashamed to admit that Mr. McGibbon is a friend of yours.

Mr. SPEAKER: The hon. member must address the House.

Mr. B. J. STUBBS: The member for York will admit that Mr. McGibbon is a friend of his and in the advocacy of this eastern route he has been voicing the opinions held by Mr. McGibbon. We found from the evidence of an officer of the Lands Department that Mr. McGibbon took up his land on a litho showing the direct route. I will ask the hon. member for York if he will deny that?

Mr. Monger: Yes, I do.

Mr. B. J. STUBBS: Evidence was given before the select committee by Mr. Herbert William Gibbs, officer in charge of the information branch of the Lands Department, and he was asked by Mr. Johnston several questions which he answered as follows:—

492. The pencil line shown as the centre of this reservation is the same as the direct route practically proposed by the Government?—Yes.

493. If Mr. McGibbon said that in October, 1909, the line of railway was shown as going to his property, away eastward, he said what was not correct?—It is shown on this plan as it was when he selected.

494. If he said at that time the railway was shown as going on the Advisory Board's route marked red, to Kuminin station, which is to the east of that route, he made an incorrect statement?—I think he is mistaken, because I am certain this is the plan he made his application on.

495. That plan corresponds with the direct route, coloured green?—Yes.

That is the evidence of this officer of the Lands Department who was sent up specially with a map to give evidence, and he proved conclusively that Mr. McGibbon selected his land from the map showing the direct route. A number of selectors selected their land on the Advisory Board's route also, and further, others selected it from lithos showing the railway line going right out east as far as Emu Hill. That savours very much of land booming. It seems as though the department were not particular as to whether their information with regard

to this line was correct or not so long as they induced people to take up the land, and we have expressed our disapproval of that action. We think no line should be shown definitely on a plan until it has been passed by Parliament.

Mr. Monger: I object to the word "we" after my objection generally to the whole tenor of the report.

Mr. SPEAKER: The hon. member cannot object.

Mr. Monger: I will have the opportunity of dealing seriatim with every paragraph the hon. member has submitted.

Mr. SPEAKER: The hon. member must rest assured that just at present the report which is now under discussion is the report of the Committee. The House knows nothing whatever of any other report.

Mr. Monger: They will before I have done with it.

Mr. B. J. STUBBS: I have said all I desire to say on that score. We have expressed our disapproval of that action and we hope it will not occur again. The final paragraph dealing with the Wickiepin-Merredin line—

Mr. Monger: You do not know what you are talking about. Refer to the Wongan Hills-Mullewa line.

Mr. B. J. STUBBS: In his evidence before the committee the ex-Minister for Mines made the statement definitely, and I think with due consideration, that the present Government had adopted the direct route because it took the line nearer to the property of Mr. Johnson, the present Minister for Works. We went carefully into that matter, and we found that, so far from being true, it was just about double the distance away from that gentleman's land. We expressed that here because the statement has been made on more occasions than before the committee, and we wanted to show consequently that there was no truth in the statement. We have also expressed our belief that there was no justification for the statement that the advisory board were influenced in suggesting their route by the position of Mr. Hedge's land. We know that some suggestion of that kind was

made, and we also wish to state, as far as all the evidence we could gather went to show, that there was no justification for that statement either. I do want to say that whilst we can exonerate the advisory board, the same cannot be said of the late Government. I am satisfied from a careful perusal of the files that it was the influence that was brought to bear upon the late Government which continually kept them dragging this line to the East. It was the influence that was brought to bear that was responsible for the indefiniteness which was displayed by the last Government with regard to this route. When we find that they had exceeded the estimate for the survey of this line by over £1,000, and that they made four surveys of the line, and that the Minister, who was in charge of the surveys, stated definitely he favoured the western route, and when we find that just about a month before the election they started on the fourth survey, and at last got over to the east of the lakes, we are compelled to believe there was some undue influence at work. I have gone carefully through the file. On August 24th, 1911, a large and influential deputation waited upon the then Minister for Works. That deputation was introduced by Mr. F. C. Monger, M.L.A., and included Mr. Hedges, M.H.R., Mr. Brown, M.L.A., Mr. McGibbon, and others interested in the railway. The reply given by the Minister does not seem to have been satisfactory to the deputation, for we find that, later on, communications were sent along to Mr. H. Gregory, then acting Premier, and that on those representations Mr. Gregory called a special meeting of Cabinet to deal with this matter. Mr. Gregory wrote a very long Cabinet minute in regard to it. He favoured the eastern line, going some miles east of the Advisory Board's route. He also stated in that minute that the deviation should be made to the east of the Advisory Board's route, and that on no account was there to be a deviation to the west. He suggested that they should go down 40 miles due south from Merredin, and thence south-west to Wickiepin. Mr. Daglish then wrote a minute in reply, stating that it was a practical impossibility to carry

out the proposal of Cabinet as contained in Cabinet minute. He said—

It is impracticable, for engineering reasons, to follow the course proposed in Cabinet minute. I am therefore directing the line north of Kurrenkutten Lake and as near as possible to follow the route marked by the Advisory Board for 23 miles, and then take a course as nearly as possible direct to Merredin.

Even that was not the conclusion, for some days later, in response, I believe, to a request by Mr. Mitchell, the then Minister for Lands, a conference was held to deal with this matter; and after that conference the instructions were issued which had the effect of starting the last survey which was made by that Government; that is the survey which was started in September, about a month before the elections, and which took the route to the east of Lake Kurrenkutten. There is no doubt whatever in my mind that the influential nature of these deputations, and their personnel, helped to move the Government in taking that line to the east of the lakes. It was never their intention in the early period of the history of this line that it should go to the east of the lake.

Mr. Monger: That is an absolute misstatement again.

Mr. B. J. STUBBS: It is proved conclusively from the minutes on the file.

Mr. Monger: From your own imagination.

Mr. B. J. STUBBS: From the minutes on the file written by the then Minister for Works it is seen that there was no intention whatever on the part of the Government to take the line to the east of the lake. Yet through the influence of the deputations the survey was eventually taken over to the east of the lake. With regard to the direct route which has been adopted, from the remarks made by those who are opposing this direct route it would appear as if the present Government have established an altogether new route of their own. As a matter of fact the adoption of that route only meant junctioning up something like 16 or 18 miles from where the second survey was stopped, to Nuytina Thence on to Merre-

din there is no question about the route. The present Government did not adopt any fresh route. They simply junctioned up from where Mr. Daglish stopped the second survey, to Nunajin, and that junctioning up made the direct route which, there is no doubt in my mind, was the route Mr. Daglish intended to adopt when he made his promise to Parliament, and when he wrote the minute to his officers with a view to having that promise carried out. I have dealt, I think, fairly fully with the report. I do not know that I have left unsaid any thing I should have said with regard to giving information to the House as to the reasons which actuated the committee in bringing forward this report, and I have pleasure in moving the motion.

Hon. H. B. LEFROY (Moore): I move—

That the debate be adjourned.

Motion put and negatived.

1 o'clock, a.m.

Mr. MONGER (York): It is early in the morning, notwithstanding which it will be necessary for me to give a little bit of the ancient history of the matter. That is a rule I never desire to follow. I always like the past to be written down. As my poetical friend on the other side of the House would say, "Let the dead past bury its dead." But now that I am called upon to speak, it is necessary for me to refer to this business. In the first place, I wish to refer to the remarks that fell early in the afternoon from the Minister for Lands when he said that I was going to receive castigation. I do not know what manner of castigation he meant, whether from an oratorical or a physical standpoint, but I do not mind taking on one or the other. I object to those threats being hurled against me and others on this side because we occasionally make a mild interjection.

Mr. A. A. Wilson: You would not call it mild, would you?

Mr. MONGER: We were refused just now the adjournment of the debate, and I am called upon to speak at a late hour—I will not say under disadvantages, because I never felt more inclined to fight

one of the most unpleasant and unsavoury subjects that has ever been introduced into this Parliament.

Several interjections.

Mr. MONGER: Let one of those curs or cowards rise in his place and reply to me.

Mr. SPEAKER: The hon. member must withdraw those remarks and apologise also.

Mr. MONGER: To whom should I apologise?

Mr. SPEAKER: To the hon. members of the House.

Mr. MONGER: At your dictation, Sir, I do so. It must be fresh in the minds of every hon. member that last December I presented a petition, and moved that a select committee should be appointed to inquire into one particular line of railway. I need hardly remind the House that I got badly bumped on that occasion. I had one of the hardest rebuffs that was ever given to me when the hon. members on the Government side refused to agree to the mild petition I then presented. On that occasion not one solitary member on the Ministerial side supported my motion. The other day a motion was introduced—at the instigation of whom? I do not want to make any unpleasant or disparaging remark about any person who is not present in the Chamber to listen to what I have to say. I am sorry that the gentleman I allude to is not present, because if he was here I would refute in his presence one of the paragraphs in "Brother" Stubbs' report.

Mr. SPEAKER: Order. The hon. member must refer to the member for Subiaco.

Mr. MONGER: I beg pardon—in the report of the member for Subiaco.

Mr. B. J. Stubbs: On a point of order. I contend that the report is not mine but is a report by the committee appointed to inquire into this matter.

Point of Order.

Hon. H. B. Lefroy: On a point of order. It appears that we are asked to discuss a matter which we have not had

placed before us. The hon. member for Subiaco has moved that the House agrees with the findings of the select committee on the deviation of the Wongan Hills-Mullewa and Wickiepin-Merredin railways, but we have no report before us in regard to the Wongan Hills-Mullewa railway. Is it not right that we should have that report before us before considering this matter? There is no report before the House except the report of the committee which says that the members of the committee agree with the findings of the select committee appointed by another place. Although this report of the select committee states that they agree with the report of the Council committee, we have not got that report. The hon. gentleman asks the House to agree to what the committee have done, but we have no evidence before us, and we do not know what were the findings of the select committee of another place.

Mr. Speaker: Any statement submitted to the House by a select committee is a report, and whilst apparently there is no evidence here in respect to the proceedings relating to the Wongan Hills-Mullewa railway, still the committee has made the statement that they endorse the report of another place.

Hon. Frank Wilson: The motion is that we shall agree to the committee's endorsement of a report we have not seen, and know nothing about. It may be to carry the railway round by South Australia to Mullewa. We do not know what it is. We cannot possibly accept this motion until we have the report from another place.

Mr. Speaker: I am going to rule that the motion is in order, for the reason that the motion is to the effect that the House agrees with the finding of the select committee on the deviation of the Wongan Hills-Mullewa railway, and also with the Wickiepin-Merredin railway. The select committee find that a report presented in another place is one which they can endorse.

Hon. Frank Wilson: We cannot discuss it when we have not had it before us. We do not know what the evidence is.

We must know what the report of the select committee is.

The Minister for Lands: It was published a fortnight ago.

Hon. Frank Wilson: It should have been attached to this report. We cannot in fairness be asked to consider a motion of this description when we do not know the finding of the select committee. I have not the slightest idea of what it is; I have not even read it in the Press.

The Minister for Lands: On the 27th August.

Hon. Frank Wilson: Where and what?

The Minister for Lands: It was published in the Press.

Hon. Frank Wilson: I am not supposed to take any information from the newspaper. I have never read it, and do not know what the finding is. The committee ask us to adopt a motion which endorses the report in another place which is not attached to this paper for us to consider. We cannot discuss it any more than we can a Bill which is not before us.

Mr. B. J. Stubbs: There is no force whatever in the point of order. This report says we agree with certain things that have been done.

Mr. Monger: We disagreed.

Mr. B. J. Stubbs: Whether the hon. member disagreed or not does not matter.

Hon. Frank Wilson: What are the things?

Mr. B. J. Stubbs: We say we agree with certain things; that is the report of the committee.

Hon. Frank Wilson: And you ask us to endorse them.

Mr. B. J. Stubbs: It does not make any difference to members whether there is evidence to support them or not. The committee found they agreed to certain things done, and have reported that fact, and the motion now before the House is that this House agrees with the finding of the committee.

Hon. Frank Wilson: What finding?

Mr. B. J. Stubbs: The finding as in this report.

Hon. Frank Wilson: It is absurd. There is no finding in the report.

Mr. B. J. Stubbs: The point of order is absurd. The report says we agree with certain things, and the motion is that the finding of the committee be agreed to. I contend there is no point of order.

Mr. Speaker: This House appointed a select committee to report regarding certain propositions. The select committee has reported. A motion is now moved that the report be adopted. It is not for me to say whether the report is satisfactory or not. All I know is that the committee appointed by this House has reported, and the motion now is that the report be adopted. I must rule that the motion is in order.

Dissent from Speaker's ruling.

Hon. H. B. Lefroy: With all due respect, I must disagree with your ruling merely on the grounds that we have before us no evidence. We are asked to come to a decision, but we are not given any evidence. We are given the evidence taken on the Wickepin-Merredin railway, but we are given no evidence whatever with regard to the Wongan Hills-Mullewa railway.

Hon. Frank Wilson: We have no report whatever.

Hon. H. B. Lefroy: We may disagree with the report, or we may find when we see the evidence that we are in accord with it. As far as I am concerned, I may be in accord with the report on the Wongan Hills-Mullewa railway.

Mr. Speaker: If the hon. member takes exception to the ruling of the Chair there is a course he must follow.

Hon. H. B. Lefroy: I move—

That the House dissent from Mr. Speaker's ruling.

Mr. Speaker: A certain ruling has been given from the Chair that the motion to which exception has been taken is perfectly in order, and a motion is now moved by the member for Moore that the Speaker's ruling be dissented from. I still think the motion is in order because all that the House is asked to do is to agree to the report submitted by the select committee. The select committee has reported with respect to the Wongan Hills-Mullewa railway deviation. If that

report is not satisfactory the House has a course open to it; it may reject the report; but my duty is to put the motion in the form in which it is submitted and which I think is a proper one.

Hon. H. B. Lefroy: I merely wish to emphasise the fact that we are asked to agree to a report by the select committee formed upon evidence which we have not before us, and I do not think the House is in a position to form an opinion on a report submitted by a select committee unless we have the evidence before us upon which that report was prepared.

The Minister for Lands: It is not necessary for a select committee at any time to report the evidence upon which a finding is taken. All that is required by the Standing Orders is that the committee shall report their findings. It is a matter resting in their discretion as to whether they take full notes of evidence and present the notes of that evidence as an accompanying portion of the report to Parliament. In this instance it was not incumbent upon the select committee if they so considered to present the evidence in connection with the Wickepin-Merredin line or the other line.

Hon. Frank Wilson: Should we not have the report we are asked to endorse?

The Minister for Lands: That is to be found on page 4 of the committee's report. If the select committee say, "This is our finding," the hon. member must be content with that, so far as the Standing Orders are concerned. What the hon. member has the right to do is to object to that finding if he considers it inadequate or based on insufficient evidence; but there is no ground for objecting on the score of illegality or of its being out of order if the report is not just exactly what he thinks it ought to be. If the select committee can say, "This is our finding," that is, so far as procedure goes, in order. The wisdom or otherwise of the finding is a matter on which the hon. member exercises his discretion in giving his vote.

Hon. Frank Wilson: Whether the ruling be supported or not, it is a most unheard of thing for any Government to wish the House to consider anything that is not before us. The motion we are asked

to adopt this morning is to agree to the finding of the select committee on the Wickepin-Merredin and Wongan Hills-Mullewa railway deviations. What do the select committee report in connection with the Wongan Hills railway? They report that they have had opportunity of carefully studying the ample evidence taken by the select committee of the Legislative Council, and have no hesitation in endorsing the report of that select committee. We do not know what that report is. We are asked to endorse it without knowing what it is. The committee have not considered it necessary to say what the report of the committee of another place is, and here we are asked in the dark to agree to that finding when we do not know what the report is, and have never seen it. It is absurd and preposterous, and in all my Parliamentary experience I have never heard of a House being asked to vote blindly on a question like this. Surely we are entitled to have that report, and to know what the select committee of the Legislative Council have reported and agreed to, and which the select committee of the Legislative Assembly have evidently read, and which they say we should endorse.

Mr. E. B. Johnston: The report was printed weeks ago.

Hon. Frank Wilson: That has nothing to do with it at all. I have never seen a print of the report. I want to know what they have recommended. Are they going to run the line right out east to Mount Marshall, or are they going to stop at Wongan Hills? What are we asked to agree to?

Mr. Munsie: Could this Chamber alter the result of that report even if we had it?

Hon. Frank Wilson: We could pass any amendment to this motion we think proper. But we cannot consider a report unless we have it before us. How can any sane man agree to a motion which agrees to a report he has never seen? I am only asking to be put in a reasonable position. We are supposed to give an intelligent vote on the question. It may be all right, so far as the mover is concerned, because he knows what is in that report.

Mr. Monger: He has never studied it.

Hon. Frank Wilson: He has evidently had the evidence and report before him, and he has no hesitation in endorsing it, and now he asks us to agree with this endorsement of his committee to a report which we have never seen and which he does not think it necessary to attach to his report. Surely members must support us in dissenting from the ruling. We cannot go on considering a report we have never seen.

Mr. B. J. Stubbs: The report is in your hand.

Hon. Frank Wilson: The hon. member has made a mistake in not quoting the report of the Legislative Council. Had he attached it to his report it would be all right. I submit the House must dissent from the ruling. We might just as well be asked to consider a Bill we have never seen. As to the thing being printed in the Press, members have not the time to peruse Press reports, besides which we are not supposed to accept Press reports; we must have matters submitted to us in the proper form. Apart from that, it is not fair for us to peruse a report of this Chamber and pass a motion with respect to it the same night that it is put on the Table. But that is not what we are discussing. We are discussing the report submitted by the select committee of the Legislative Council on the Wongan Hills-Mullewa line and we have not it before us. We do not know what it says. I submit we must dissent from the ruling in this instance.

Mr. Male: As far as I can understand this House appointed a select committee for the purpose of giving us a report on the deviation of the Wongan Hills-Mullewa railway and also the Wickepin-Merredin railway. They produced a report on the Wickepin-Merredin railway, and they also tell us that they agree to some report which has been given by the select committee of another House, but they have not given this House the report which they were instructed to give us. How then can we be expected to discuss a report which we have not seen? They simply say here that they agree to some report which has been made by someone else. If

they agreed to that, surely it was their duty to add it to this, and to give it to the Legislative Assembly as their report or the report to which they agreed. Failing that, how can we discuss and give an intelligent vote on something which we have not got. Further, the select committee have not carried out their duty to this House, inasmuch as they have not given us that report.

Mr. Speaker: The hon. member must not discuss that. The report may be inadequate and may be unsatisfactory, but the report is the report for all that, and whether the House agrees to it or otherwise is a matter for the House itself.

Motion (dissent) put, and a division taken with the following result:—

Ayes	..	..	..	5
Noes	..	..	..	15
				—

Majority against .. 10

AYES.

Mr. Lefroy	Mr. F. Wilson
Mr. Monger	Mr. Male
Mr. A. N. Piesse	(Teller).

NOES.

Mr. Bath	Mr. Mullany
Mr. Collier	Mr. Munsie
Mr. Foley	Mr. O'Loughlen
Mr. Gardiner	Mr. B. J. Stubbs
Mr. Gill	Mr. Turvey
Mr. Green	Mr. A. A. Wilson
Mr. Johnston	Mr. McDonald
Mr. McDowall	(Teller).

Motion thus negatived.

Debate resumed.

Mr. MONGER: There was a diversion of opinion just now on a certain question of procedure. I thought, with all due respect, you, Mr. Speaker, might have given a more lenient ruling, but, having given your ruling we, on this side of the House, naturally bow to it. I think when that little difference occurred I was only getting to the preliminary stage of this particular business. I do not know whether by debating it from its infancy up to the present moment that I am going to gain one blessed vote from the Ministerial side of the House, nor do I expect one vote from members opposite, nor do I want it. But I want

the people of Western Australia to know the methods of procedure that are adopted by those in power to-day. There was a joint committee appointed to inquire into the deviations of two lines of railways, and really, without attempting to cast the slightest reflection on the member for Subiaco, who is moving this evening that the House agrees with the findings of the select committee, I am going to say that if we do agree, we are going to disagree with what we have already agreed to. That may be a little bit illogical. I hope I am not infringing unnecessarily on the time of hon. members. I am waiting for this castigation I am to receive later on.

Mr. O'Loughlen: Is the hon. member justified in leading this House to believe that a threat was issued to the effect that he was to receive a castigation? The hon. member may have heard the Minister for Lands remark that he should receive a castigation such as he had received once in the past, when he whined in consequence of it.

Mr. SPEAKER: I do not know that there is any point of order involved. The hon. member may have heard a reference to a castigation, but unless it be a threat of physical castigation I have no right to interfere.

Mr. MONGER: I do not know who the man is who is going to do it. In order to deal with this question I am afraid I must take up more of your time than it would have been my desire to do under ordinary circumstances. Hon. members have in front of them a copy of the evidence, and also of the original report. I may inform you that at 11 o'clock in the morning we knocked out one of the chairman's clauses in that report, and reinstated it at 7 o'clock in the evening. Can you understand a committee being unanimous in a report, passing certain clauses, wiping out other clauses at 11 o'clock in the morning and reinstating them at 7 o'clock in the evening? I ask your reasonable consideration of the attitude of those gentlemen who constituted the select committee of this Assembly. There were three gentlemen from the other side, and I was supported by one gentle-

man from this side. I would like to call attention to the evidence which was given and also to the report of the proceedings. When it is read it will be found that on every occasion the member for Subiaco gave his silent vote against myself and the other gentleman from this side of the House. I ask if this can be construed into a fair and reasonable report of the committee? If you were to go quietly and calmly through this evidence I do not think you could furnish to this House a report such as the member for Subiaco has furnished at the instigation of a member of the Ministry.

Mr. SPEAKER: Order!

Mr. B. J. Stubbs: I ask for a withdrawal of that statement. No member of the Ministry instigated one word of that report.

Mr. SPEAKER: The remark must be withdrawn.

Mr. MONGER: I will withdraw the remark if you so demand; but it is against my conscience to do so.

The Minister for Lands: I think the hon. member must make an unreserved withdrawal.

Mr. SPEAKER: Yes.

Mr. MONGER: I unreservedly withdraw. To show you what a peculiar position the select committee of this House were placed in, I repeat we wiped out a paragraph at 11 o'clock in the day and reinserted it at 7 o'clock in the evening. I may tell you that the salient points of this report, as submitted by our chairman, happened to be embraced in that particular paragraph. I suppose it is cruel, cowardly, unfair and currish to make reference to any incident of that sort as regards ourselves. I am referring to myself with those other gentlemen who occupied seats on that committee. I suppose I will have the Minister for Lands, or the member for Subiaco, getting up and saying that I am trespassing in making any reference to that little incident. I do not mind telling the House in confidence that when we met at 7 o'clock in the evening I told them they would hear of these little carryings on at another and more fitting moment. It is not a very fitting time to discuss a position of this

sort, but I have a duty to perform to show how illogical and inconsiderate the chairman of the committee was in his preparation of the report, and subsequently in dealing with the various suggestions made therein. I have here the original draft as prepared by the chairman of the committee.

Hon. Frank Wilson: Read it.

Mr. MONGER: There are so many erasures that I cannot make it logical. I will read one paragraph of that draft because I want the House to understand what the original intentions of the members of the committee were, and so that the country may know what weight to attach to the expressions of opinion by a committee constituted as this one was. That paragraph read—

Mr. B. J. Stubbs: On a point of order, is the hon. member in order in quoting a paragraph from a draft report which was prepared by me as chairman as my own opinion, and which the majority of the committee struck out of the report? I also raise the point that this matter is not in the report before the House and cannot be brought under discussion.

Mr. SPEAKER: The hon. member for York is giving reasons why the report should not be adopted, and if his reasons are embodied in that manuscript he is perfectly in order in referring to it.

Mr. MONGER: I will only read out the deleted portions so as to show what kind of report the chairman of the committee was prepared to submit. One paragraph read—

We think that all the country which the Government experts think of sufficiently good quality to survey and dispose of to settlers and accept their money for should have equal claims to a line. In fact, we are of opinion that if anything a preference should be given to those who have been courageous enough to take up this class of country and prove that what was thought a few years ago to be barren waste is good agricultural land.

In their wisdom the members for Pilbara and Williams-Narrogin struck that paragraph out.

Mr. B. J. Stubbs: Not forgetting yourself.

Mr. MONGER: I wanted to expunge the whole lot. There was not one sentiment in the whole report that carried any kindly feeling for me, but any mild suggestion of bringing in a nice report always met with my favour. There are other paragraphs in this report which have been so distorted from the original form in which they were submitted by the chairman as to remind one of an "abortionised" Bill sent up by this Chamber to another place. The committee were appointed to enquire into the differences in regard to two railways that have been the subject of considerable discussion during the last few weeks. In my references to the Wongan Hills-Mullewa line I would like the indulgence of every member of the House. I object to the report, and to every paragraph that was submitted by a certain section of this Chamber, and I shall ask members to say whether the committee have presented a consistent report. Remember this is all our report upon that proposition, and it has already been read out. I am not the orator that my friend the member for Kalgoorlie is, but I am talking in the early hours of the morning to a supposed intelligent community. This is all we say about the Wongan Hills-Mullewa railway—

Your committee have had the opportunity of carefully studying the ample evidence taken by the select committee of the Legislative Council in their inquiry into that question, and have no hesitation in endorsing the report presented by that committee.

No greater fabrication was ever attached to the end of a report than the fabrication that we entirely endorse this. It makes me feel a little ill, it is so absolutely contradictory.

2 o'clock a.m.

Mr. Gill: Do you not agree to the report?

Mr. MONGER: I do not agree to one word in the whole report. How sane, cool, and collected men can agree in its entirety to this report—well I have read out some paragraphs, and members

can judge for themselves. How could the member for Subiaco frame and ask a quiescent attitude from us who occupied seats on the Committee with him, when there is a paragraph like this in the committee's report in another place—

Your committee venture to express the opinion that where the advisory board has reported that a line of railway should be constructed in a certain direction there is no justification for such a line being deviated to any extent other than to overcome engineering difficulties.

Is this report consistent? I ask the member for Subiaco in his calmer moments to consider it.

Mr. B. J. Stubbs: All my moments are calm, I never get wild.

Mr. MONGER: The hon. member will before I have finished. I have listened to the evidence taken by this committee. I have been at every meeting that has taken place, and it appears that there has been only one desire from start to finish, and that was to cast a reflection upon the late Administration. Take the reflections cast on the late Minister for Railways, take the reflections attempted to be cast on the late Minister for Mines, and consider the evidence of those gentlemen which the member for Subiaco has attempted to discount—

Mr. E. B. Johnston: Very properly too.

Mr. MONGER: If that be the expression of opinion of this Chamber we deserve not to throw out a mild taunt but to hurl out a most unkind taunt to those two ex-Ministers. The member for Williams-Narrogin is a joke.

Mr. SPEAKER: The hon. member must withdraw and apologise.

Mr. MONGER: I apologise, but I ask whether the people of this country are not to place greater reliance on the statements given on oath by the two ex-Ministers.

Mr. B. J. Stubbs: Were they put on oath?

Mr. MONGER: They stood there practically in that position. If reflections are to be cast on those who held the reins of the previous Administration

I am going to ask the relics of that party to confirm the evidence as given by those ex-Ministers, and which stands here—

Mr. Gill : Contradicted.

Mr. MONGER : Contradicted by a "squib."

Mr. Gill : I rise to object to the remark of the hon. member.

Mr. SPEAKER : What remark was it?

Mr. Gill : The remark "contradicted by a squib." Whether the hon. member referred to me I do not know, but I interjected.

Mr. SPEAKER : I hope the hon. member has not referred to any member of the House by that term.

Mr. MONGER : Not to the member for Leederville.

Mr. SPEAKER : Nor to any member of the House.

Mr. MONGER : A few I would describe in stronger terms.

The Minister for Mines : Are we to have these frequent statements and apologies.

Mr. SPEAKER : If the hon. member has referred in that term to any member I hope he will apologise.

Mr. MONGER : I will apologise, and promise that you will not have the opportunity again to call me to order. My next occasion will be outside.

Mr. B. J. Stubbs : Is that a threat?

Mr. MONGER : I have made an attempt to show how ridiculous is the report submitted by the member for Subiaco. I want to show in my last few moments how absolutely contradictory it is to the report furnished in another place. The evidence was of an exactly similar nature. When the two reports are read side by side one could not realise that the same evidence had been taken for the preparation of the two reports. I ask whether it is the desire of those gentlemen occupying the Ministerial positions to cast reflections upon the report as furnished by the Legislative Council, or will they support the report as furnished at the dictation—no, I will not use that word, but I will say at the command of those who are to-day in power.

Mr. SPEAKER : I do not think the hon. member is in order in making a statement that any member brings in a report at the command of any other member of the House. It is a reflection on the independence of the member.

Mr. MONGER : I want to know whether it happens to be the desire of those occupying the Ministerial positions to-day to cast a reflection upon another Chamber by asking us to support something so absolutely contrary to that which they have brought in. If that is to be their position, if that is to be the object, that they want to cause dissension between another place and this Chamber, I am glad that this is one of the occasions that give them the opportunity they are seeking. I did hear a little time ago that Minister were going to put through every class of legislation, whether supported in this Chamber or otherwise, that they thought desirable, and this is confirmed by a portion of the evidence in regard to this railway, where the Minister for Works stated that his Government would only carry out the obligations of previous Administrations so far as it suited them. I want a little reply from some of those gentlemen on the Treasury bench; I want the people of Western Australia to know that only so far as it suits them are they going to carry out past obligations. According to the evidence they are going to repudiate what the late acting Premier, in the absence of his leader in the old country, pledged the country to. They are going to obliterate from the promises of this country what the late Minister for Works, Mr. Daglish, promised or alleged that he promised to the people. If that is to be their motto, I think that Western Australia will soon be tired of them. I am sorry for having taken up so much time of the House but I had to do so.

Mr. A. N. PIESSE (Toodyay) : As a member of the select committee which inquired into this matter, I cannot let this occasion pass without stating that I am not wholly in support of this report as tendered by the chairman of our committee. I feel that a gross injustice will be inflicted upon a large number of settlers in the Kuminia area if the report

as presented is adopted. Notwithstanding that the minute of Mr. Daglish, the ex-Minister for Works, practically approves of the direct route, in my opinion the State is pledged to the construction of this railway on the route recommended by the Advisory Board. In support of that I refer the House to the evidence taken by the select committee and particularly to that of Mr. Odell, one of the principal officers of the Lands Department. It is on page 27 of the report. He distinctly points out that the land was classed and priced on the full belief that it was the intention of the State to build a railway through the Kumminin area. He also told the public when they were seeking information at the Lands Office that it was the intention of the Government to construct a railway through that area, and he produced plans which showed a railway scored thereon. I would also like to refer to the evidence of Mr. Robert Allen on page 38. To my mind his evidence is very important and it is supported by the evidence of many other witnesses and proves the fact that these people were told by the officers of the Lands Department, who represent the State in this matter, that this railway would be constructed. Now let hon. members place themselves in the position of these people.

Mr. E. B. Johnston: The people on both routes are in the same position, that is the trouble.

Mr. A. N. PIESSE: The people in the Kumminin area are in a distinctly different position from the people on the western side of Kurrenkutten Lake. The people in the Kumminin area have a decided claim against the State, and I would ask members whether it is fair to deprive these people of their railway by constructing this line on the direct route. We have the evidence of Mr. John Muir in which he tells us that the direct route, although it will shorten the distance, will not shorten the time and cost of haulage. So the State has little to gain in that direction. If it is intended in the future to serve these people to the east and west of the lakes, undoubtedly a parallel line will have to be put in for that purpose. I

claim that these people on the Kumminin area have every right to expect that the pledge of the department or the Government will be kept. I am sure, if it were a private individual who sold this land on those conditions, we would at once have an action for misrepresentation, and it would, I think, carry a serious colour of fraud. I hope the Government will see fit to do justice to these people and build the line on the Advisory Board's route. Although it has been pointed out that the committee favoured the construction of two lines, I would remind the member for Subiaco that there is very little evidence which would enable the committee to come to such a conclusion, particularly as regards the extension of the Kondinin-Yilliminning, or the Mount Arrowsmith line.

Mr. E. B. Johnston: What about Mr. Muir's evidence?

Mr. A. N. PIESSE: Possibly his is the only evidence in that direction. He recommends the extension of that line to junction up at Nunajin; if that is so it only requires an extension of the Nunajin line to fill up the gap between the Advisory Board's route and Nunajin. There is not sufficient evidence to justify the construction of two lines and, further, we have the claims of those people who are settled there and they are just claims. I hope that before the Government decide to build the direct route they will give the fullest consideration to those people and construct the line on what is known as the Advisory Board's route.

Mr. E. B. Johnston: Do you think that one railway can serve that district?

Mr. A. N. PIESSE: Apart from that question there is a definite promise, and the plans prove it, that the line was to be built, and the State is in duty bound to build the line on the Advisory Board's route.

Mr. FRANK WILSON: I would now ask that we should be given the opportunity to read through the evidence which has been taken. Both members acquainted with the evidence have spoken and it should be our turn now to study it. I therefore move—

That the debate be adjourned.

Motion put and a division taken with the following result: —

Ayes	6
Noes	17

Majority against	..	11
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AYES.

Mr. Lefroy	Mr. F. Wilson
Mr. Male	Mr. Layman
Mr. Monger	(Teller).
Mr. A. N. Piesse	

NOES.

Mr. Bath	Mr. Munster
Mr. Collier	Mr. O'Loghlen
Mr. Foley	Mr. B. J. Stubbs
Mr. Gill	Mr. Swan
Mr. Green	Mr. Turvey
Mr. Johnston	Mr. Underwood
Mr. McDonald	Mr. A. A. Wilson
Mr. McDowall	Mr. Gardiner
Mr. Mullany	(Teller).

Motion thus negatived.

Hon. FRANK WILSON (Sussex): I cannot address myself to this motion this morning without expressing in the strongest possible terms my disapproval and, I may say, disgust, at the manner in which the House has been treated by the Government, represented by the Minister for Lands, in forcing us to go on with this debate and consider a report which has just been placed in our hands. I have never heard of such a proceeding before in the whole of my Parliamentary career.

Mr. O'Loghlen: We have experienced it a few times in the past.

Hon. FRANK WILSON: The hon. member has never experienced any such treatment at the hands of any Government with which I have been associated. To ask the House to consider a document we have not had time to read, and to force through a motion endorsing a document we have never seen, is scandalous, to say the least of it.

[The Deputy Speaker (Mr. McDowall) took the Chair.]

Mr. Turvey: By your ridiculous amendments at an earlier stage in the evening you wasted no end of time.

Hon. FRANK WILSON: The hon. member has a self-satisfied conceit in his

own knowledge, his own learning and his own ability, and so he presumes to criticise others who have had a much longer experience than he has had or is ever likely to have.

Mr. Turvey: You forecasted that before I entered politics.

Hon. FRANK WILSON: Oh no, I did not take the trouble to forecast anything about the hon. member, for I did not know anything about him, or even know of him before that time.

Mr. Turvey: You took the trouble to go to Canning Mills to oppose me.

Hon. FRANK WILSON: I have not been to Canning Mills within the last ten years.

THE DEPUTY SPEAKER: I do not think this conversation is in order.

Hon. FRANK WILSON: I do not think it is. If, as I may be permitted to suggest, you kindly keep the hon. member in order, I will get on with my speech. He is merely making incorrect statements.

Mr. Turvey: My statement is correct that you wasted a good deal of time in the earlier part of the evening.

Mr. Male: Is the hon. member in order in saying the leader of the Opposition wasted time?

THE DEPUTY SPEAKER: I do not think it is necessary to take notice. I ask the hon. member to keep order. The leader of the Opposition has the audience.

Hon. FRANK WILSON: I was pointing out that it is a most disgraceful proceeding for any Government, or any member in charge of a motion of this description, to ask the House to give an intelligent decision without having had an opportunity of reading the evidence and the report on which the motion is founded.

Mr. E. B. Johnston: It has been kept back for too long already.

Hon. FRANK WILSON: That is a lovely explanation of why we should come to a conclusion on a report we have not had an opportunity of reading. We are asked to support a report, although we have not had an opportunity of glancing through the evidence on which that report is supposed to have been founded. We are asked to support a paragraphic report which says it endorses another re-

port which no one has even heard of before. If we are to carry out our business on these lines we shall become the laughing stock, not only of all Parliamentarians in the Commonwealth, but right through the Empire, if it should be recounted that far. I venture to say no Parliament in Australia has ever been asked to pass a motion of this description without an opportunity being given to consider the evidence on which the report is founded. It is a party move, and it goes to show that this select committee was appointed to whitewash the previous action of the Government and the decision of the Minister for Works. A select committee was appointed in another place to inquire into the deviation of this railway. Then the Minister for Works and his colleagues became afraid that they were going to have a report which would be opposed to their actions—and well they might be afraid—and so they immediately put up the member for Subiaco to move for a select committee.

Mr. B. J. Stubbs: I must ask for a withdrawal of that statement. I was not put up by anybody to move for the select committee. I did it of my own initiative.

The DEPUTY SPEAKER: The hon. member knows he must not impute motives.

Hon. FRANK WILSON: I will withdraw the statement that he was put up, and say that he put himself up. Like a Jack-in-the-box he popped up at once. He knew well that his pet Government were likely to be discredited by the full inquiry to be made into the question by the select committee appointed in another place.

Mr. Munsie: By his foresight you are discredited now.

Hon. FRANK WILSON: No. The intelligent member for Hannans makes a wise interjection, and smiles all over his face in making it. It shows, at any rate, that if no one else appreciates it he does himself. If it affords him any amusement he may go on making these wise interjections, and when I am finished he may get up and explain them. I was pointing out that the hon. member jumped up like a Jack-in-the-box to save his pet Government from being discredited; and surely

we have heard sufficient from the remarks of the members for York and for Tooday to show that the Government were in danger of being discredited. The hon. member knew they were already discredited. He knew well that the Minister for Works had made very strong charges against myself for instance, that he himself made charges, and that fortunately I was able to rebut them by his own notes which he had copied from the files.

Mr. B. J. Stubbs: You did not rebut them.

Hon. FRANK WILSON: But I did, and the hon. member has not the manliness to admit it. He has not an atom of manliness. He cannot admit it when he is in the wrong, although he knows he is in the wrong. The plan was hanging here on the wall, showing the route the Advisory Board recommended—what is called the direct route—and in the minute the hon. member copied from that to the Engineer-in-Chief, asking whether he had continued the survey on the direct route, the following words were added:—"As recommended by the Advisory Board." The hon. member did not read out those words when he was reading the minute. Neither did the Minister for Works, yet both charged me with having acquiesced in a survey being made to the west of the lake.

Mr. B. J. Stubbs: Your Government did.

Hon. FRANK WILSON: The hon. member knows I did not.

Mr. B. J. Stubbs: You did.

Hon. FRANK WILSON: The hon. member must accept my denial.

Mr. B. J. Stubbs: Am I compelled to accept that statement when I proved conclusively from the files of the department—

The DEPUTY SPEAKER: The hon. member must accept the denial.

Mr. B. J. Stubbs: I will accept the denial, but I will take the opportunity of again proving—

The DEPUTY SPEAKER: The hon. member must withdraw without reservation.

Mr. B. J. Stubbs: I withdraw.

Hon. FRANK WILSON: That minute on which the Minister for Works and the

hon. member made this vile charge against me was one written by me in response to a minute from the Engineer-in-Chief some two or three years ago when I was in charge of the Works Department. The Engineer-in-Chief asked for instructions as to whether he should continue the survey on the direct route as recommended by the Advisory Board. After consulting the then Premier I wrote a minute somewhat as follows:—"Yes, carry out the survey on the direct route. I have seen the Premier and he acquiesces." The Minister for Works and the member for Subiaco had not the manliness to read the report of the Advisory Board, and they placed the construction on my minute that I had instructed the Engineer-in-Chief to make a permanent survey on the direct line between Wickepin and Merredin, running to the west of the lakes. I was thunderstruck at the time that his minute should be read out, and the Premier twitted me by saying that I forgot the minutes I wrote. My reply was that I could not be expected to remember all the minutes I had written three years previously, and I did not intend to try. I thanked the member for Subiaco for bringing his minutes over to me when I asked him to let me see the file he was quoting from. He said that he had not the file, but he brought a copy of the minutes over to me, and then I saw what a wrong construction had been placed on my minute; saw how, purposely, I feel sure, I had been misrepresented and those words had been left out—and it is not the first occasion on which I have been so misrepresented by members on the front Treasury benches—which put a totally different construction on my instructions to the Engineer-in-Chief in regard to the survey of this line. Surely if we are going to do justice to this great country of ours we must be prepared to treat each other as men, and thresh these things out without endeavouring to put wrong constructions on statements made by one another or on minutes written by Ministers who have gone before. It seems to me that we are coming to a nice pass when we cannot discuss these matters without this personal feeling, this partisanship which makes hon. members

charge others with making wrong statements and makes them refuse to admit that they have been proved to be wrong. Now, the direct route recommended by the Advisory Board was the route shown in red running to the east of the lakes. The hon. member for Subiaco and the Minister for Works knew that, and yet they wanted to fasten on me the responsibility for having approved of a route to the west of the lakes. Why should they attempt to do that? I admit that there was a lot of bungling in connection with the statements and minutes that were written about the surveys of this line, but I never was uncertain as to what I wanted or wished in connection therewith.

Mr. E. B. Johnston: There were too many surveys.

Hon. FRANK WILSON: I admit that, but the hon. member must remember that these surveys were the outcome of members interfering and the anxiety of the then Minister for Works to please those individual members who thought that certain alterations should be made in the line. There is abundant evidence to prove that it was never the intention of the Government of the day, whatever an individual Minister may have meant when he replied to certain objections of the hon. member for Collie, that this line should be carried to the west of the lakes. I am dissatisfied with this report of the select committee and I do not see how any members can be satisfied with it. It is very apparent to me that the hon. member for Subiaco and his colleagues, in their anxiety to support the action of the Minister who had committed himself right up to the hilt to construct this line to the west of the lakes on more than one occasion, have allowed that anxiety to get the better of their judgment, and so far as I can judge, not having been permitted to read the evidence through, to come to a decision which is not according to the weight of evidence. The Minister for Works was very emphatic when he declared on more than one occasion that he was going to build this line on the direct route. He conveyed the impression to me, and I suppose to others, that he was going to put a ruler between the two points; draw

a straight line and construct the railway along it, no matter what might be the obstacles in the way of grade, and regardless of whether it would best serve the largest number of settlers or not. That is the impression he conveyed to me, and when he valiantly declared last year, as hon. members will remember, that he would visit the district himself, I thought that possibly with that promise the settlers might be able to get some reasonable consideration. The Minister, however, seemed to go out to these districts with his mind fully made up. He had determined long before that he would not deviate from his proposed course, notwithstanding what was said, or what evidence was brought before him. Members will have well in mind the tour which the Minister took and the replies given to deputations which waited on him at different centres, and how, regardless of the weight of evidence on that occasion, as reported in the public Press, the Minister declined to be moved or influenced one iota. I could not help but be struck by the accounts I read day by day during that almost royal progress through the country, and I could not understand how the settlers could find it in their hearts to so generously respond in the way of hospitality to a Minister who was evidently so hostile to them, and would not even give them the consideration which their demands entitled them to. The Minister treated them with the brusqueness of which he is a past master and came back to Perth and once more emphasised that he would build the line as direct as it could possibly be taken to the westward of the lake.

Mr. B. J. Stubbs: Just as direct as your Minister had it surveyed.

Hon. FRANK WILSON: He did not have it surveyed direct.

Mr. E. B. Johnston: The Minister promised them another line.

Hon. FRANK WILSON: Yes. The member for Subiaco is so accurate himself, or thinks he is, that I suppose I may be pardoned for reminding him that this is another inaccurate statement. The Minister for Works at that time had not

completed any direct survey between the two points.

Mr. B. J. Stubbs: Yes.

Hon. FRANK WILSON: No. It was in hand but not completed.

Mr. B. J. Stubbs: They had only to junction up 16 miles.

Hon. FRANK WILSON: It was not complete. Several surveys were made.

Mr. B. J. Stubbs: You could not make up your mind where it was to go.

Hon. FRANK WILSON: I have never any difficulty in making up my mind with the evidence. I have made up my mind to oppose this motion. If I had the evidence I might support it, but knowing the hon. member is forcing this motion through the House unjustly, and unwisely, and without the due regard for the House which we and all people demand, and which should be readily conceded, I have no other course than to oppose the motion, and any right-thinking member of the House should oppose it also. I suppose the member for Subiaco is afraid that if he does not push the thing on to-night he will not get an opportunity of carrying it. He is afraid that public opinion will be influenced when the reports of the evidence are published and properly digested. He is afraid that public opinion may be too strong for him, and he wants to rush the House into a decision that the report of the committee must be agreed to. I protest that this is altogether out of the ordinary course and it is altogether contrary to that spirit of fair deliberation which we, as members representing the people of this State, are bound at all times to give to important subjects. The member for Williams-Narrogin interjected that the Minister promised another line, and he did this with the object of showing, I suppose, that the Minister for Works was justified in departing from the Advisory Board's recommendation, because, forsooth, he has consented to the huge expenditure for a railway which from Yillimining to Kondinin and the Eastern Goldfields line will be 150 miles, or perhaps more, and which will cost this country anything from £300,000 to half a million of money.

Mr. E. B. Johnston: A very good railway too.

Mr. Monger: It is ridiculous.

Hon. FRANK WILSON: And this is because the Minister for Works must stand by his pig-headed determination to show that his predecessors were wrong and ought to be discredited, because the Minister must pit his opinion against the opinion of scores of practical men who have given their evidence before the committee, and because the Minister must pit his opinion as to the interpretation of a promise given to the House three years ago against the interpretation put on that opinion during the debate by the majority of the members who sat in the Chamber at that time. Everyone knows, and it has been proved on more than one occasion, that the member for Collie, when he interjected with regard to the route of the line, did so on the strength of a letter written by Mr. John Ewing and published in the Press. Both gentlemen were battling for the Collie trade; they wanted to get as direct a route as they possibly could to the goldfields in order that the coal from the Collie coalfields might have the benefit of the shorter route. That was their idea and also because they thought that they would get heavier rails and fastenings on this section of the line between Narrogin and Wickepin and Merredin.

Mr. E. B. Johnston: And get it made a trunk railway.

Hon. FRANK WILSON: Yes. And the objection that Mr. Ewing and the member for Collie took was that the line was curved too much to the westward. That is clearly proved in *Hansard*. If members read the records of what took place they will find it is clearly proved in *Hansard* that the curve objected to was the one to the west and not the one to the east. That was the curve which the then Minister for Works indicated he would straighten up.

Mr. B. J. Stubbs: It is a funny thing he straightened up the eastern curve.

Hon. FRANK WILSON: There is no question about that, and members might argue as they like and put what construction they like on his subsequent

minutes, some of which we may admit are ambiguous, but the fact remains that that was the intention at that time as accepted by the House. Supposing we admit that the Minister for Works at that time did intend to put his rule across the map and draw a straight line, and have a survey made on that line, what then?

3 o'clock a.m.

Mr. Monger: He has given his statement.

Hon. FRANK WILSON: Surely we are not bound by that if it is found to be contrary to the best interests of a vast number of settlers. If it is going to deprive scores of good settlers on a large area of cultivable land of railway facilities, are we to be bound by it, and are we to pledge the country, in order that we may be bound by this, to expend anything from £300,000 to half a million pounds for further railway construction? The position is too absurd to be considered for a moment. It appears hon. members are prepared to swallow anything to back up their Minister in any statement he makes, or in any action he takes, regardless of the interests of the great number of the people and the interests of the finances of the State. The hon. member knows full well that the promise made for the second line from Yillimining to Kondinin, and on to the north of Kondinin, cannot be of any use to the majority of the settlers who are far to the eastward of Kurrenkullen. He knows that the promise cannot be carried out in the next five years.

Mr. E. B. Johnston: It will be carried out within two years.

Hon. FRANK WILSON: A lot of hope we have of constructing it in two years! There are railways and railways to be built before ever they can touch that line. Even the Norseman-Esperance line has to be constructed before that.

Mr. E. B. Johnston: Not before that.

Hon. FRANK WILSON: According to the promises of Ministers it has, and I wonder how the finances of the country are going to stand the strain with the commitments we have already got by a Government who seem to regard the

establishment of socialistic State enterprises rather than the development of the country, and with the commitments that these gentlemen have made I doubt whether we will see this railway constructed even at the end of five years. Certainly it will take us all our time to get it constructed in that time. It is like King O'Malley's Trans-Australian railway which was to be built in two years, then it was to be three years, to-day it is four years, and to-morrow it will be five years; and that will be about the time it will take. And the promises of our own Ministers, I am sorry to say, are just about on a par with those the Federal Government are making with regard to that great work.

Mr. B. J. Stubbs: If we had your procrastination it would never be built.

Hon. FRANK WILSON: If the hon. member could go half as quickly as I can we could make a big country of Western Australia, but I am satisfied neither he nor his friends will be able to get the line as fast as they consider, and they certainly will not be able to finance all these undertakings. We know full well the Government are hard up now. There is no money in the Treasury and they cannot borrow money at a reasonable rate of interest. Then they have to pay for the tramways. The Bill has gone through and there is half a million for that, and perhaps another £100,000 on top of it to complete the improvements to the tramway system and extend the line. That will be £600,000 in one operation. The sellers can demand coin of the realm. The Government did not take the option to pay in State bonds or debentures, or even Treasury bills; the seller had the right to ask for State bonds or debentures, but he can also demand coin of the realm. So we have £600,000 to find there in a very few months, and we have all the big undertakings that are being pressed forward so rapidly, rapidly according to hon. members opposite, or slowly according to the views of my friends on this side of the House. However, the more rapidly they are pushed forward the more quickly they will have to raise the money. By the time they

have constructed the Wongan Hills-Mullewa line and financed it, and the Wickpin railway, which we are discussing now, and financed it; by the time they have carried out the promise they are pledged to construct the Yillimining-Kondinin line and financed it; and by the time they have constructed the broad-gauge line from Kalgoorlie to Merredin and financed it; and by the time they have paid for a few estates which are already in the way of being purchased by the Government for considerable sums of money; by the time they have built the workers' homes which have been so long in getting started in different populous centres of the State; and by the time they have financed their steamers and constructed their saw mills, which are going to cost something like a quarter of a million in capital; by the time they have financed the brickworks, to say nothing of the State implement works, which are going to cost £100,000, at a very moderate estimate; and to say nothing about our butchering business which is assuming such large dimensions, I wonder where they are going to get the money to extend this line and give the settlers the promised railway facilities to the north of Kondinin. Why, it is absurd, and it is absurd for the hon. member to interject that these people are going to be served by an extension of that railway. There will not be a settler left in the district growing wheat who will be served by the railway by the time it is going through. The whole country will be turned into pastoral country. They will have to put sheep on this beautiful country which ought all to be under cultivation.

Mr. B. J. Stubbs: Why did you put them out there?

Hon. FRANK WILSON: I put them out there because I wanted that country under cultivation to bring in the biggest return for the State. The hon. member wants the country covered with sheep and sheep only, and the big settlers, men who have spent fortunes on their holdings, are to be forced into stocking that country, that splendid country, with sheep instead of having it under cultiva-

tion producing anything from 10 to 20 and 25 bushels of wheat to the acre.

Mr. E. B. Johnston : We want to bring all settlers within 12 miles of a railway.

Hon. FRANK WILSON : The hon. member is going to fly to the moon some day and the sooner he does it the better for the State. They are always going to do something, but there is nothing done. They were going to put up records in railway construction; they were going to do something.

Mr. Munsie : And we are actually doing it.

Hon. FRANK WILSON : The road to a certain place is paved with good intentions and that is the road hon. members are taking. They are going to do something, but if we have to wait until they do it I am afraid we will be under the turf long before then. Let us contrast the finding of this committee with the intelligent finding of the committee of another place. Here we have a report, drawn up with a great effort apparently, from the hon. member for York's explanation, and this report, I think we might conclude, is hardly in accordance with the evidence put before that committee.

Mr. B. J. Stubbs : Which you have not read.

Hon. FRANK WILSON : I have glanced through it. Now we have a report from these gentlemen which we have not had time to study and we are asked to approve of that report. It occupies a good deal of space in pointing out the ample evidence given by settlers that they were too far away from the railway, and that when they are 12½ miles away in a direct line, it means that they will have to cart a distance of about 16 miles. The report goes on to criticise the department with regard to certain plans, and I think perhaps the committee were justified to some extent with regard to that, and they reiterated and emphasised the opinion that the settlers are too far away from railways, and they also at the end of the report state emphatically that they find there is no justification for the assertions made

that the Advisory Board were influenced in their report by the position of Mr. Hedges' land. That is the only fair and sensible finding in the whole report, because the remainder is based upon evidence which has been accepted by the select committee from another place sitting with them as conclusive proof that this line ought to be constructed to the east of the lakes. The report of the select committee of the Legislative Council concludes as follows:—

The present proposal of the Government is to run a direct line from Wickiepin to Merredin, passing some miles to the west of the Kurrenkutten Lake; and subsequently to serve the people to the east by continuing the proposed Yilliminning-Kondinin line through the Mt. Arrowsmith district and up to Carra bin on the Eastern Goldfields line. Your committee cannot endorse these proposals for the following reasons:—(a.) That such action so far as the Wickiepin-Merredin line is concerned would be a distinct breach of faith towards the very large number of settlers who took up land on the definite assurance that Parliament had passed the line on the route recommended by the Advisory Board. (b.) That the straightening up of the line in this way would entirely defeat its own purposes, since the grades (as stated by railway engineers in evidence) are so much worse than on the route by the side of the lake that the slight saving in distance (from three to eight miles), according to whether the line hugs the lakes on the western or eastern side is more than nullified. (c.) That the quality of the land on the eastern side of the lakes and adjoining the lakes on the western side is infinitely superior to that through which the proposed line would pass. The classification shows some 80 per cent. of good land to the east, as against about 20 per cent. of good land on the west of the proposed route. Most of the land to the west of the proposed route will be served to some extent by the Brookton-Kunjin and Quairading-Nunajin lines. Some settlers will be left in an unfortunate position, but their number is

comparatively small and their land chiefly of such quality as to suggest the wisdom of employing fairly large areas and relying to some extent on stock. The belt to the east and south of the lakes, on the other hand, is probably the most consistently good tract of agricultural land in Western Australia, and to give it other than a really effective railway service would be to inflict very great loss upon the State. Properly served, it will in a very few years be one of the biggest wheat-producing districts in the State, whilst the number of resident holders and the amount of work done shows that the locality is already over-ripe for railway facilities. (d.) The proposed extension from Kondinin to Carrabin would serve on its eastern side land of doubtful quality, and in regard to which there has so far been very little settlement. Expert witnesses are also very distrustful of the rainfall, and it is significant that not one of these witnesses is favourable to the proposal so far as proceeding to Carrabin is concerned. (e.) The element of time is a very important one from the settlers' point of view. The construction of the line was unduly delayed before the present Government came into office, and the position of many of the settlers who had made their homes and put their all into their holdings on the distinct promise of the immediate construction of the line along the Advisory Board's routes, is already a desperate one. Many are undergoing cruel hardships, and unless relief is afforded they must leave their land very soon. On these lands, the Agricultural Bank has advanced considerable sums of money, and the securities of that institution will be seriously prejudiced if they are not afforded facilities of transit by the railway now under construction. (f.) Even if built at once the extension of the Yilliminning-Kondinin loop to Mt. Arrowsmith would permanently isolate large belts of splendid and well-improved country, particularly to the south of the Kurrenkutten Lakes, and would leave the whole stretch of beautiful country alongside the lakes midway between two distant lines, and

so situated that it would never yield to the State that wealth that may otherwise be expected of it.

Can anyone produce stronger reasons than those. The report goes on—

Two members of the Advisory Board (the Surveyor General and Mr. John Muir) suggest as an alternative to the Minister's proposal that the Yilliminning-Kondinin loop should be extended to traverse the Arrowsmith district, and then branch round to the west to Nuna-jin. This proposal is free from some of the objections attaching to the proposed Kondinin-Carrabin extension, and is supported by several settlers, but your committee cannot recommend it, for the reasons that it would leave a vast area of the best land either indifferently served or not served at all, and that it would not constitute a fulfilment of the undertaking by the State towards those people who paid high prices for land along the Advisory Board's route. It is also open to the objection that a new project of this kind could not be completed in time to enable the people to remain on the land. In this connection it has to be remembered that these settlers are not in the position of men who go out back expecting that a railway will be sent to them some day, and who farm accordingly. On the assurance of immediate facilities they have established their homes, cleared their lands, spent all their money, and are committed in heavy obligations to the Agricultural Bank and others. Whilst there is nothing in the evidence to suggest that in arriving at his present decision the Minister was actuated by any other motive than a desire to serve the best interests of the country, your committee is of opinion that he departed from the suggestions of the Advisory Board without sufficient inquiry. The small deviation to the east eliminating Kunjin seems to be justified by the proposed extension of the Brookton-Kunjin line to Corrigin, and your committee favours the route from Corrigin to Kurrenkutten. So far as the line between Kurrenkutten and Nuna-jin is concerned we find that the evidence is overwhelmingly in favour of a route to the east of the

lakes, following the suggestion of the Advisory Board as nearly as engineering difficulties will permit. The members of the committee desire to express their deep appreciation of the kind hospitality extended to them by the settlers during their visit to the district.

That is the report of the select committee of another place. The minority report is signed by Mr. Ardagh who, apparently, was the only one of that committee to disagree with the report which was submitted. Four agreed with the report, and one brought in a minority report. This report in another place gives intelligent reasons for the findings. They go into the why and wherefore. I have not worried the House by reading the whole of it, but I have read the conclusions.

Mr. B. J. Stubbs: You have been fairly cunning in picking out the parts.

Hon. FRANK WILSON: I did not even know what it contained. This is the first time I have seen it.

Mr. B. J. Stubbs: Did you take care to skip any part of it?

[The Speaker resumed the Chair.]

Hon. FRANK WILSON: No, I did not. I say the members of the committee appointed in another place give good grounds for their finding. They give the reasons which have been advanced in this Chamber on more than one occasion, and have never been refuted. And this is taken from evidence fairly voluminous, the evidence of experts, of settlers and of at least two ex-Ministers of the Crown. But the report we have received from our committee does not give any justification at all for their finding. It condemns the late Minister for Works, Mr. Daglish, and says that his contention that the line should go east of Kurrenkutten is not borne out by facts. It gives very few reasons indeed, and simply talks about the precarious rainfall, and that certain settlers will be isolated if the line to the west of the lakes is not adopted. They say they are satisfied that the direct or western route is the correct one. Let me at once join issue with that contention. We have two parallel lines running out from the Great Southern, at least one from the Great

Southern, and the other a continuation of the Quairading line, both running across parallel with the Eastern line. Here we have the Brookton line and the others running all parallel, and here again we have the Wickepin-Merredin line running up this way. These hon. members based their recommendations on the fact that some of the settlers among all these railways will be isolated. In no place down there can they get more than 15 or 20 miles from a railway.

Mr. Monger: Not more than 15 miles at the extreme limit.

Hon. FRANK WILSON: And the great majority must be within 12 or 15 miles of a railway. And yet, forsooth, it is said, "Carry this one a little farther on, and that other towards the large settlement to the east, and so serve them all." But no, it cannot be done. These people to the east are to be isolated for all time, or until that wonderful promise by the Minister for Works that the railway will be built within 18 months or so has been fulfilled. It will not be carried out in its entirety for the next five years. These promises are like pie-crusts—made to be broken. We have over 200 settlers out back in that distant country.

Mr. Underwood: You come here and do not know what you are talking about.

Hon. FRANK WILSON: Is the hon. member in order in saying that?

Mr. SPEAKER: The hon. member is not in order.

Hon. FRANK WILSON: We have over 200 settlers who are immediately to the east of Emu Hill. There were 220 of them I think, and those settlers were all on good wheat-growing land. It is the best proposition that the State has got in regard to the growth of wheat over a given area, I am led to understand.

Mr. B. J. Stubbs: Turn to page 49.

Hon. FRANK WILSON: I would be prepared to adjourn the debate so as to read the whole report through, but we are not permitted to do that. I do not blame the hon. member so much as I blame the Minister for having behaved so disgracefully to this House by expecting members to discuss this report after having had it in their possession only a few hours. I

was saying that this is wheat-growing land that should not be under sheep at any time; it should be utilised to the fullest extent.

Mr. Underwood: It should have a railway.

Hon. FRANK WILSON: Certainly, and the railway we proposed to put there immediately. The land was taken up on the understanding that those settlers would get a railway which would run to a point some 40 miles south of Merredin. There was a Cabinet minute passed during my absence at the coronation ceremonies in London—

Mr. Underwood: Buying motor cars.

Hon. FRANK WILSON: I was riding in a car, certainly. The car I used had been bought before I got there, and it was a good car until the hon. members opposite smashed it.

Mr. B. J. Stubbs: You kept it in London for a couple of months for your own purposes.

Hon. FRANK WILSON: I kept it there for my own use. It would have been a big cost to the State if I had not done that and had had to hire a car for two or three months.

Mr. SPEAKER: I suggest that the hon. member should drop that subject.

Hon. FRANK WILSON: I was led astray by interjections of members opposite, and I thought that if they were not replied to the public might gain a wrong impression. I was pointing out that this country is essentially agricultural country, not pastoral country, and we should carry out a definite promise contained in a Cabinet minute which the member for Subiaco evidently overlooked. That minute was made in my absence after full consideration of the different suggested railway routes and surveys, and it was to the effect that this line was to be carried to a point somewhere 40 miles south of Merredin, thence in a south-westerly direction, approximately to Kurrenkattea, and thence into Wickepin. If the hon. member had quoted that minute he would have seen that there was no need to have discussed the question any further; he would have seen that the Government had come to a proper decision

with regard to the route of this line, notwithstanding the fact that so many surveys were made, fault with which has been justly found by several members. I am not grumbling because members have criticised the fact that so many surveys were made for this proposed railway; I take exception to it, and I am disappointed to think that this sort of thing was permitted to go on. At the same time, if that decision of Cabinet had been carried out there would be no question that we would have fulfilled the undoubted inducements to these many settlers to take up land and cultivate it in that far back area, and by that means we would have given them reasonable railway facilities. We would not have placed them all within the ten-mile limit which hon. members suggest—a quite Utopian idea—although I would like to see it carried out if it was possible. I would prefer to bring our settlers within seven miles of a railway, but members must realise that it is impossible to give settlers in a huge country like this a railway within ten miles of their doors. The finances would never allow it. Ten millions of money would be necessary if we were going to criss-cross the country like that with a system that does not obtain in the old world or in any part of America. I do not think that in any portion of the civilised world railways are brought within ten miles of every settler. Members will not find that even in the old country, notwithstanding it is a small island and has a population of 48 millions. Yet we have the hon. members of the committee coming to a conclusion that the Government must be bound to build railways not more than ten miles from the home of any settler. By the time they have built the railways which are already projected and on the stocks, they will have disabused the settlers of any hope that such a suggestion as that can be given effect to. It certainly is impossible at the present moment, and until we go in for a wise policy of bringing millions of people to our shores to enable us to closely cultivate every spare acre of agricultural land in the State, such a suggestion as that cannot possibly be carried into effect. It may be something we may hope for in

the far future, but it is not feasible or practicable just now. I pointed out that these reports, one which I have at least been privileged to note from the select committee of another place, and the one presented to-night, which we have not been privileged to read, have both been drawn up on exactly the same evidence. The two committees sat jointly and six members have come to the conclusion that this line should be constructed to the east of the lake and four members have concluded that the line should be built to the west of the lake, notwithstanding the fact that the bulk of the evidence, so I am advised by the member for York, goes to show that these 230 settlers I have referred to will be from 20 to 40 miles from the railway facilities which it is proposed to provide, and will have to cart their produce across this lake country which is impassable in the wet season.

Mr. E. B. Johnston: They are going to have another railway.

Hon. FRANK WILSON: The hon. member is going to fly to heaven some day, but I am afraid he will not be in time for his salvation. Let us be reasonable. We have been asked to be unreasonable in that we have been asked to adopt a report which is not before us. We should be reasonable when we ask those settlers to hang on to their land and continue with their occupation in the hope that some day they will get a line from Yillimining to Kondinin, and on to Narrogin. Another point which seems to have been overlooked absolutely and entirely by our friends is that we have been charged times out of number by members opposite when they occupied the position on the Speaker's left, that we were putting these settlers out too far to the east. They said we were jeopardising their existence; we were putting them into dry areas where they would never be able to subsist; they were courting ruination and bankruptcy, and the Agricultural Bank stood to lose enormous sums of money because of the risks that were being run owing to the action of the late Government in permitting people to settle so far east. That is what members told us when they were in Opposition; yet

the very action of the Minister for Works, backed up by his colleagues without any due consideration, I think I might venture to state, goes to show that they are going to settle the people even further east in this portion of the State than ever we contemplated. If they are going to pledge the country to build a railway which, as I have pointed out previously will cost the country anything from £300,00 to half a million of money—

Mr. E. B. Johnston: A good railway, too.

Hon. FRANK WILSON: If their contention that we were settling this country too far east was right, then they are going to waste the money of the country in building a railway on a proposed route from Yillimining to Kondinin and northward to the Eastern Goldfields line, and they are doing that with their eyes open. I would not care if it were something recommended by the Advisory Board.

[Mr. Male called attention to the state of the House; bells rung, and a quorum formed.]

Hon. FRANK WILSON: I think that the least hon. members opposite can do is to remain in the Chamber to hear this question discussed.

Mr. A. A. Wilson: Where is your own party?

Hon. FRANK WILSON: Gone home to bed. I would not have cared if the members of the Government had taken this action on the advice of the Advisory Board. I would not care if they had not taken the action with their eyes open, and in doing so were conscientiously of the opinion that they could settle this far eastern country which is, at any rate according to the expressed opinions of those who ought to know, somewhat risky as regards rainfall. Members know full well, and the Minister knows full well what he is doing. He has had the benefit of the Advisory Board's reports; he has had the benefit of the advice of the one man in Western Australia whose opinion I would be prepared to take before all others, and that is the manager of the Agricultural

Bank, Mr. William Paterson. The Minister knows full well that Mr. Paterson is somewhat afraid of sending settlers out further eastward than the proposed line as constructed on the Advisory Board's route would serve. I maintain it is wrong and unfair for Ministers who have on so many occasions criticised the previous Administration for having taken these enormous risks, as they termed them at that time, and who have since they assumed office actually withheld large areas of land from selection on the excuse that it was too far eastward to be settled, to now propose to commit this country either to the wasteful expenditure of an enormous sum of money in building this section of the railway to the eastward of the proposed line between Wickopin and Merredin, or else to force our settlers back into the dangerous zone, according to their own professed and expressed opinions. I am not prepared to state any definite opinion personally as to how far east we should go with our settlement. I am prepared to let that question evolve from year to year on the expert advice we have from gentlemen such as the one I have named. I have not sufficient knowledge of the conditions to warrant me in saying definitely whether the Government are right or wrong with regard to their previous charges against my Administration that we were going too far east or whether they will be right or wrong in pushing out this settlement in the manner I have described. I cannot give my own personal opinion because it would be wrong to do so, but I am prepared to stand by the views and the experience of those officers who from time to time have been selected by Administrations with which I have been connected to advise the Government in regard to this important question, and I hope the day is far distant when we have unpractical, irresponsible—I say it advisedly to some extent—Ministers of the Crown, who are undoubtedly inexperienced, backing their personal views and voicing their personal opinions in regard to these matters on this State contrary to the advice of the gentlemen to whom I have referred.

We may look forward to disastrous times in Western Australia if we are to countenance this sort of procedure, and I warn hon. members earnestly that the sooner they put a check upon this sort of thing, this independent action of independent Ministers, irrespective of evidence and the expert advice of their officers, the sooner they will save the country from disaster in this direction. The most disastrous thing that can fall to Western Australia to-day is if we have large numbers of settlers driven away from lands which may be rich enough, so far as the soil is concerned. We all know that we have millions of acres of such land, extending perhaps in some portions of our State right across to the borders of the neighbouring State of South Australia. The most disastrous thing that could happen to us, and the severest check on our progress and advancement would be to have numbers of settlers forced to abandon their holdings and come back to the towns because they have settled out too far to the eastward and beyond the assured rainfall belt. I hope we will never experience that sort of thing to any extent. I know that we have gone through a bad season. Ministers have had considerable anxiety, as indeed any member of the Chamber would experience, in connection with the partial failure of our season last year. That, however, I hope may safely be looked upon as a passing experience which most countries have to put up with from time to time. It is certainly nothing compared with the dry seasons that our sister States in the eastern and southern portions of this vast continent have been obliged to put up with at different times in their career. While recognising this, it ought to be a warning to us that beneficent Providence, which to the present time has certainly blessed the career of this State so far as seasons are concerned, cannot be counted upon to everlastingly smile upon our actions if we do not exercise that due care, wisdom, caution and discretion which all responsible men administering the affairs of their country are bound to give in the interests of their State. That being so, I object again very strongly to this

report which has been submitted to the House at this sitting for the first time. I have not been able to read every portion of it, and I have only had the opportunity of glancing at the evidence of one or two of the witnesses. There is one witness who is evidently a surveyor. I do not know who he is. I have no personal knowledge of him. It is Mr. Fawcett. The name caught me as I was turning over the pages. He was engaged on the survey of the line from Wickiepin to Merredin and he knows the country on each side of the line, and he was asked by the Chairman, "Which do you consider is the better line of the two, the red or the green?" The red was the direct route as recommended by the Advisory Board; the green, I presume, is the proposed route surveyed to the west of the lakes. He replied, "The red line would serve the greatest number of the settlers, and in fact would bring them all in." That man was a surveyor's assistant, and he was on the survey. I presume that evidence of that description from a man who has been trained to survey work is worth consideration. He was asked again, "Which line would you favour, the green or the red?" and he said, "I should take it to Emu Hill or as near as you can to that point. Personally speaking I favour the construction of the red line." No two constructions can be put on that man's evidence. I have not been able to grasp much of this evidence because we have not been granted the opportunity of reading it, but I notice that Mr. Paterson was before the committee giving evidence, and that he was pretty emphatic with regard to the route which the railway should take. Then there was Mr. Robert Nevin Allen.

Mr. Monger: His evidence is worth giving a little consideration to.

Hon. FRANK WILSON: It seems to me pretty forcible.

Mr. B. J. Stubbs: He is a magnificent settler, one of the finest types.

Hon. FRANK WILSON: This was the evidence of this witness—

I arrived in Perth in 1910 in the month of June, and I went straight to the Lands Office. Previously I had

seen the late Premier in the old country and he told me of the circumstances here; how the country was being developed and how railways were being pushed ahead. On going to the Lands Office the plan of the Koommin area soon came in, and I got full particulars with regard to it. I was told if I put in for Sheet No. 1 the furthest distance I should be from a railway would be eight miles, and on the strength of that information I applied. I had brought my wife and children with me, and I realised that I had come to a British colony, and I looked for British fair play; so without any bones about it I came out here and got these two blocks and started in. I thought it was good enough to go ahead on that assurance and in a really solid way, so I built a six-roomed stone house and started clearing, and put down a large dam, and fenced, and altogether I can tell you I have approximately spent £2,000 on my blocks, on that assurance that the railway would be within eight miles of me. Now that I hear it is going out west—

How far west?—About 12 miles from me.

But you can go direct across the lakes?—No.

The line would be about 10 miles from you as the crow flies?—It would be 12 or 13 by the nearest road. Had I had any doubt at all about that assurance not being correct, I naturally should have kept my nest egg.

So he goes on right through. He points out that he has had to pay for one block 27s. an acre and for another block 25s. both tiptop land, but he says that he was given to understand that the high price was practically owing to the proximity of the land to the railway that was to be constructed. The Bank advanced £700 on the land. There are scores of witnesses who have given evidence of this description. There is another man named James Clark. I think you yourself, Mr. Speaker, have met him. I remember that he was a difficult man to place; he had several interviews with me.

Mr. Monger: He is a splendid settler too.

4 o'clock a.m.

Hon. FRANK WILSON: Mr. Clark is very forcible in his expression about not getting a suitable block of land when he first came to the State. He said that he was introduced to Mr. Paterson, and Mr. Paterson said to him "This is where you want to go, and in twelve months' time you will have the railway train going past your house or your own door." Then follows this evidence in the form of questions and answers—

That was in August, 1910. On the expectation of the land being within five miles of the railway I went to considerable expense. Your agents told me that there was no need to bring out horses; it was farmers that were wanted. I thought, however, it would be reasonable to invest in some horses and I applied to the Government for assistance to enable me to bring them out. The Government, however, did not see their way clear to do so. I brought them out and they cost me £75 per head from Liverpool to Albany. Now, instead of being five miles from a railway, I have had to haul feed 38 miles as well as building material and provisions, and this already has cost me £259. I am still hauling 38 miles. I have a team on the road almost continuously to keep my staff of people and teams ploughing. We go mostly to Doodlakine for provisions and sometimes we go to Kellerberrin.

701. Would the red line suit you; would it be a substantial fulfilment of the promise made to you; your nearest block would then be three miles from the railway and the furthest limit of your extreme block seven miles?—That would be like it.

702. As the crow flies you are 10½ miles from Nunajin?—I do not think you could get to Nunajin under 12 miles.

703. You would not consider that a fair thing?—No.

704. By Mr. Stubbs: How far is Kellerberrin from your place?—About 46 miles. We contracted for certain things at Kellerberrin and that is why our teams go there. On the promise of

the line coming within a workable distance of our blocks we have spared no expense in development.

Then he goes on to give details of the work he has done on his land. He says he has spent £3,000 on it, and has thrown nothing away. Mr. Paterson's evidence goes to show that he never contemplated the line being brought to the west of the lakes. In fact, it will be remembered that he could not go away from the recommendation of the advisory board of which he was the chairman. The board was strong in its recommendation in favour of this line, the line marked red on the plan. In addition to that they strongly recommended the early construction of the Yilliminning loop from some portion of the Narrogin-Wickepin line, and ultimately it was decided that it should start from Yilliminning. I remember reading their report with great interest, and in it they pointed out that it would go through one of the best areas of agricultural land in Western Australia, where there was the largest acreage of first class land in one block. They went carefully into the question as to how that land should be served and recommended that we should build this line on the route shown by them and then take the loop around from Yilliminning somewhere in the neighbourhood of Kondinin, and then couple up with the Wickepin-Merredin line. All the recommendations of the Advisory Board were made after the board had travelled the whole of the country, and examined it carefully, and they came to the conclusion that the land down there was some of the best in Western Australia, and all ought to be brought under cultivation. We have the unfortunate position that a Government with an intensely obstinate Minister for Works put their foot down and determined, irrespective of expert advice, and no matter what the settlers say, and no matter what the previous Administration may have decided, that because all the wisdom seems to be centred in that gentleman who administers the Works Department, that they will carry out this line and this line only.

Mr. E. E. Johnston: Two of them.

Hon. FRANK WILSON: I must say, without wishing to be harsh or unjust in any way, that the actions of Ministers must be viewed with a considerable amount of suspicion, and those who are interested in this part of the State may be forgiven for being suspicious. The heat with which this matter was debated long before any select committee was thought about cannot be gainsaid, and nothing would have caused the Government to deviate from its fixed determination to build this line to the west of the lake. The attack and aspersions which were cast by Ministers of the Crown with impunity upon those worthy citizens—because we have no more worthy citizens than those who put their earnings and their profits into our vacant lands and make them productive—I say these attacks, which were certainly the worst evidence of bad form I ever listened to, all go to show that this determination and this action of the Government, despite all evidence and all advice to the contrary, was to be carried out in order to prove that their political opponents had been wrong, had done something wrong; and the only justification for this peculiar attitude which was taken up, and these vile slanders which were bandied across the Chamber, on more than one occasion—

Mr. SPEAKER: Vile language?

Hon. FRANK WILSON: Vile slander in connection with the hon. gentleman who represents Fremantle in the House of Representatives. The only excuse they give for all this is that the then Minister for Works made some promise in response to an interjection by, I think, the member for Collie.

Mr. SPEAKER: But vile language is not allowed in this Chamber.

Hon. FRANK WILSON: But it is used very often.

Mr. SPEAKER: It is a reflection on the House.

Hon. FRANK WILSON: I am not reflecting on the House. I am stating a fact. They attacked everyone settled in the Terrace, and accused the member for Fremantle in the House of Representatives of using influence to get this line brought nearer to his land.

Mr. SPEAKER: The hon. member would not call that vile language?

Hon. FRANK WILSON: It was vile language, Sir.

Mr. SPEAKER: I do not think the leader of the Opposition should continue in that manner. Vile language is undoubtedly a reflection on members of the House. I would not permit vile language.

Hon. FRANK WILSON: I do not think you did permit it. I think you took exception to it on that occasion, when an attack was made on the people who live in the Terrace and who had land in that portion of the State; and on Mr. Hedges, who has spent a fortune in that district.

The Minister for Mines: Who made the attack?

Hon. FRANK WILSON: It was made by the Minister for Works particularly, and I think it was supported by some of his colleagues. The Minister must remember it. I thought it was a disgrace at the time. I was pained to listen to such charges. I felt it was a crime to have an office or business establishment in the Terrace, that anyone daring to be seen on the Terrace—notwithstanding that we have Tattersalls there, and that many hon. members visit that institution—was marked for ever as being discreditable, and should never have any consideration this House might otherwise feel ought to be given. That is the reason why I refer to it, that is the reason why I took exception to the appointment of this committee. It was a reply undoubtedly to the appointment of a committee for the same purpose in another place, and it was in view, I think, of an anticipated report from that committee unfavourable to the action of the Government. Now let me, before I leave this evidence—in respect to which I again protest I have not had an opportunity of reading it right through—draw your attention to the evidence of Mr. William Paterson, the manager of the Agricultural Bank. He is a man who, I think, commands the esteem, the confidence and the respect of all shades of political thought. I do not care whether members sit on this side or the other side of

the House, we all esteem and respect Mr. William Paterson, and we all believe he is above reproach. By that I mean I do not think anything would sway Mr. Paterson in his opinions. I have always found him exactly the same. Whether I were a Minister of the Crown, the Premier of the State or an ordinary member, and indeed when I have happened to be out of the House altogether, Mr. Paterson received me courteously—as indeed he receives everybody—and gave a courteous reply to the questions asked. He gave it out straight, no matter to whom. He is like that Danish pilot who was taking the Kaiser Wilhelm's yacht Hohenzollern into a Danish port, when the Kaiser, who happened to be on the bridge, seized the telegraph and ordered the pace to be put on down in the engine-room. The pilot at once telegraphed down instructions to the engineers to take no notice of the Kaiser's orders; and when the Kaiser rounded on him the pilot promptly told the Kaiser that nobody's orders but the pilot's should be taken while the pilot was in command of the ship. I should add that the pilot was decorated next morning. I do not know whether Ministers are going to decorate Mr. Paterson for having been outspoken in regard to this proposed action of theirs. I hope they will give him some recognition of his services, and of the manner in which he has voiced his opinions, totally disregarding the wishes of the Minister to build this railway along a route which is going to be disastrous, which is going to put the country to a great expenditure of money, and which is going to jeopardise sooner or later a considerable amount of the capital of the Agricultural Bank. I do not wonder at Mr. Paterson's protest against any deviation from the Advisory Board's route. He knew what he was doing. On more than one occasion he has given the present Government some grounds for criticising the Administration of which I was a member, for having put settlers out so far east. At any rate he has warned all and sundry, and he warned members on the Opposition side as freely as he would warn members on the Government side. He has warned all and sundry on

many occasions to be careful not to go too far. He has warned me on more than one occasion.

Mr. SPEAKER: I think I shall have to warn the hon. member very soon against straying too far from the subject.

Hon. FRANK WILSON: I would point out I am not straying from the subject at all. Here is a report asking us to adopt a select committee's report as to the construction of this railway. Why are we asked to adopt it? Because the Government argue that they will put this line to the westward of this lake, and build another line to the east.

Mr. SPEAKER: After all, the discussion of that does not require an eloquent eulogy of Mr. Paterson.

Hon. FRANK WILSON: I submit, with all due respect, that it does, because I am drawing attention to the evidence Mr. Paterson gave before the committee, and I am pointing out that no matter how we may regard the other evidence, yet all sides will be prepared to accept the testimony of Mr. William Paterson.

Mr. SPEAKER: I think they are in cordial agreement with you.

Hon. FRANK WILSON: I should be sorry to think that anyone would be ready to dispute the statement I have made. I was pointing out that Mr. Paterson, upon whom we all depend, warned me on many occasions when I held office, and has also warned hon. members opposite, not to go too far to the east. Now those hon. members took the opportunity on more than one occasion to criticise my Government very severely for having gone too far to the east in the settlement of this country, yet they are going to bring this Wickepin-Merredin line into the west on the promise that they will construct a second line from Yillimining to Kondinin and thence in a north-easterly direction, junctioning with the gold-fields line. By that means they are either going to plunge this country into a lot of wasteful expenditure, or they are going to force settlement farther east than Mr. Paterson advises and farther east than those areas, the settlement of which afforded them opportunities of criticising me on many occasions. If I am correct

in that assumption, and I challenge anyone to prove to the contrary, then I say the report of the select committee stands utterly condemned, without going through the evidence and without having that opportunity, which I was entitled to have, to peruse the evidence right through and form my own conclusions. By these means we will be plunging the country into a great expenditure and will be taking a very serious risk with regard to the advances made by the institution which is so ably presided over by Mr. Paterson. I do not propose to keep the House any longer this morning. I am sorry I have been forced without notice to take up this discussion; I am sorry I have been forced to form an opinion on the spur of the moment after a mere glance at the report of the select committee. I regret that any Minister of the Crown should deem himself justified in refusing the ordinary adjournment so that the leader of the Opposition could make himself fully conversant with every line and particle of the evidence which swayed the select committee in bringing in such a report. I protest once more against the report referring to the deviation of the Wongan Hills-Mullewa railway, which the select committee were instructed by this House to inquire into, being slurred over by a small paragraph, saying that the committee endorsed the report of the select committee of another place without giving one single reason or telling this House what that report was. To this moment I do not know what we are discussing with regard to the Wongan Hills-Mullewa line, or where the committee reported the line should be taken. The mover of the motion has not told the House, we have not the report, and yet we are treated like a pack of children and asked to agree with a foolish report of this description. May I long continue in public life without experiencing again such ungracious and discourteous treatment as we have received on this occasion, treatment that applies not to me only, but to the whole House.

Hon. H. B. LEFROY (Moore): The leader of the Opposition has dealt with the Wickiepin-Merredin railway line at

some length and with considerable ability. I do not intend to trouble the House with my view as to the report of the select committee on that railway, but I am very much concerned in regard to the report of the committee on the Wongan Hills-Mullewa deviation. The select committee were appointed by this House on the motion of the hon. member for Subiaco, to consider the question of the proposed deviation of the Wickiepin-Merredin and Wongan Hills-Mullewa lines of railway. I was pleased to see the committee appointed because I knew that the original route proposed by the Advisory Board and accepted by the Wilson Government was causing considerable trouble to those whom I represent; I was pleased to think that this matter would be thoroughly threshed out before the select committee, that they would be able to collect evidence and report to the House their finding upon that evidence. But what is the result? I am completely blindfolded. The chairman of the committee comes before the House and asks us to agree to the finding of the select committee on the deviation of these two railways, and I, as a representative of this district and a large body of settlers, am expected to agree to the report, the evidence relating to which we have not before us. It merely states with regard to the deviation of the Wongan Hills-Mullewa railway, which was one of the subjects referred by the House for their consideration, the committee have had ample opportunity of carefully studying the evidence taken by the select committee of the Legislative Council in their inquiry into the question, and have no hesitation in endorsing the report. I think this is a very high and mighty position for a select committee to take up when they were appointed by this House to advise the House as to the course to be taken on this question. Select committees are appointed by this House because it is impossible for the House to take evidence and to get all the information it requires to properly come to a decision in many matters; therefore it decides that a select committee shall be appointed and shall report after receiving

all the evidence they can acquire with regard to the subject under discussion, and bring it before the House and ask the House's acceptance of their report. What have this committee reported? They simply ask us to accept the finding with regard to the deviation of the Wongan Hills-Mullewa railway—

Mr. Monger: And not one of the members of the committee read the evidence.

Hon. H. B. LEFROY: They ask us to accept the report of the committee appointed in another place. We should have had that report before us or they should have given the report in their own report to this House. We have no evidence at all, and yet I, as a representative of this district, am asked to agree with the finding of a select committee which simply states that they agree with the finding of a select committee appointed in another place. Yet we do not know what their finding is. I am absolutely in the dark. I have been blindfolded, and yet I am to go before my constituents and tell them I had to vote on a matter of this sort without knowing one iota of what I was dealing with. Members should never be placed in such a position. We certainly ought to have been allowed to peruse the report, which the select committee appointed by this House have adopted, before coming to a decision in this Chamber. It is impossible for any member of the House to come to a proper decision without this report; it is impossible for members on the other side of the House to do so. I do not believe that the report of the Legislative Council select committee is in the hands of one member of this House with the exception of myself. When I saw that this question was likely to come on, I naturally thought that I would find this report among the papers before me. I asked for the report and inquired whether it had been handed round, and was informed that it had not. I asked that a report should be obtained for me, and I obtained a copy. That report however is not before the House, and this is not the proper way for members to have to obtain information with regard to an important question put before them for

their consideration and decision. That they should be obliged to send to another place to get the information on which this report is based is not right. Our time should not be taken up in this way in dealing with a matter when we are absolutely without any information on the subject. Select committees are appointed to advise the House and let the House have all the evidence which can be secured on the subject. It was stated by the Minister for Lands that it was not necessary for a select committee to produce the evidence to the House, but I think it has always been customary for the evidence to be produced, and I am quite certain the Minister for Lands cannot, when he thinks the matter over calmly, still conclude that, when we were asked to accept this report, the Legislative Council's committee's report should not have been before us. I think this matter has not been properly considered by the Government when they allow it to come forward in this way. I will give them the benefit of my doubt with regard to the matter that they should not have done so, and I do doubt whether they really considered this question in its fullest aspect when they allowed it to come before the House in the manner it has without adjourning the debate and giving members an opportunity of obtaining the information which was necessary before coming to a proper decision. The question of the deviation of the Wongan Hills-Mullewa railway is a most important matter. Some two years ago it was decided by Parliament that a railway should be constructed from Wongan Hills to Mullewa. Whether rightly or wrongly does not concern us. Eventually the Advisory Board went out to report on the best route for the line. The Advisory Board reported on the route and finally the Government adopted a route in close proximity to the line proposed by the Advisory Board. The settlers along the line were allowed to take up land on the understanding that the railway was to go in a certain direction. After twelve months we heard of another deviation, and the line was to run away from the point known as the Gap in the Wongan

Hills and extend far to the east and cut off those settlers west of Wongan Hills from means of communication with the railway, unless they travelled through heavy sandplain and a considerably greater extent of country than they expected when they took up their land with a view to reaching the railway. This is an important matter, and I conclude it would not have been submitted to a select committee of this House unless it was an important matter, but it really points out to me the futility of appointing select committees from this House at all. It is not right that a select committee should come before the House with a report worded in the manner in which this report is worded, and without any evidence attached to the finding and without a report required to support the finding of this select committee for members of this House to peruse. I think it is a travesty on Parliament that we should be expected to accept a motion of this sort in the manner we are asked to to-night. I regret the Government have taken up the attitude they have in regard to this matter; they control the House, and if they chose to do so they could have allowed an adjournment of the debate to give members the opportunity to go into this matter. For my part I would be able to agree to the report of the select committee on the Wongan Hills-Mullewa line, but I am not supposed to be in possession of the report. It is not for me to go to the Legislative Council and demand their papers. I have no right to go there for them. I have never heard such a crude report come from a select committee. With regard to the deviation of the Wongan Hills railway, one of the subjects referred to the committee by the House, they merely accept the evidence of the committee appointed by the Legislative Council; but we are not shown that report or even allowed to peruse it. I do not think members on the Government side of the House should have been asked to approach an important matter of this kind as it has been presented to them, and I think it is really treating the House with scant courtesy and members who represent the enormous district through

which the Wongan Hills-Mullewa railway passes, when they are not allowed even to peruse the report upon which the report of the committee of the Legislative Assembly is based. The member for Irwin and I represent very largely the area through which this railway passes, but the member for Irwin is not here to-night and does not even know, unless he is dreaming about it, that this important question is now before the House. It is really impossible to come to a decision. I am not going to put myself in that position that I should come to a decision on the matter simply on the information that I have got from another place. If one has to come to a decision in a way such as that, it is merely encouraging this sort of procedure in the future. I am not interested in the Wickepin-Merredin railway but I am interested in the deviation of the Wongan Hills-Mullewa railway, which is a matter of great interest and concern to those I represent; and I consider that when the House is asked to agree to the finding of a select committee, the least the committee could do is to place before us the information we require before asking us to come to a decision. I cannot think for a moment that the chairman of this committee has given the matter proper consideration. I thought he had a higher sense of justice, and that he would be fairer to hon. members than to have submitted a question of this sort without attaching the report on which his report is based and presenting it to the House. It may be oversight. If so the hon. member ought to have admitted it and asked his Government to allow the House to be adjourned so that members interested in the subject might have the opportunity of perusing the report in question. I hope the Government are not going to force this to a division this morning. I think it is really unnecessary that we should have been kept here to this early hour on the matter at all. If it had been allowed to proceed in what I consider is a constitutional manner—it is most unconstitutional for the House to be asked to agree to a finding of a select committee, not based on the slight information we have before us, but based on information

that has never been given to us—had this question been allowed to proceed in a proper way in the first instance, for my part, should the report, as I believe the report of the select committee in another place is, be in accord with the wishes of those I represent, I would have been pleased to compliment the Government upon at any rate supporting the report of the select committee that agreed to the alteration desired by those I represent. But one is not encouraged by the procedure adopted here to-night to have that same kindly feeling in regard to the Government that one, by one's own feelings, might be permitted to feel. The whole matter could have been dealt with very quickly had the Government been a little more indulgent to the House and allowed hon. members to have the privilege, which they can claim, to have information placed before them before they ask them to come to a decision on the matter. To come to a decision in regard to this question in the manner we are asked is just the same as the House passing a Bill without having the Bill before it. We are asked here to pass a motion agreeing to a certain finding without knowing what that finding was. I regret extremely that members should not have been given more information. Members of the Opposition are just as much representatives of the people as members on the Government side of the House. I am always prepared to treat the Government of the day and support them with every courtesy, because they hold their positions by the will of the people of the country, and I will give them credit for doing what they consider, according to their lights, the best for the country; but still hon. members of the Opposition, who represent different political views, are here to voice those views and to endeavour, if possible, to bring the House or, at any rate, the people of the country, to the opinion they hold with regard to great questions of this kind. When I oppose the Government it is on questions of principle which I think are against the best interests of the country and on questions of principle that I am strongly convinced are not in accord with the best interests of the State as a whole. So far

as ordinary matters of administration brought before the House are concerned, I shall be prepared at all times to give them my support, especially when they are in the interests of the country. On questions like this, however, some information should be given to members before they are asked to agree to a finding which is based on a report in the possession of another place.

Mr. MALE (Kimberley): I simply rise to express my utter disgust at the way in which the Government have treated us over this matter.

The Minister for Mines: Nonsense.

Mr. MALE: There is no nonsense about it. This is an important matter inasmuch as the House thought it advisable to appoint a select committee to consider the question, and I think the result of the debate this evening proves the importance of the motion. It is scandalous that we should have been kept here to discuss something which we have never had the opportunity of reading through. I have simply risen to express my disgust at the way in which we have been treated, and the only way in which I can emphasise that disgust is by moving an amendment. I think I am justified in doing this as the select committee have failed to bring before us the report which they were expected to submit. They informed us that they agreed to a report which another place made, but they themselves failed to supply us with any report. It is therefore impossible for us to discuss that which we have not got, and it is an insult to our intelligence to ask us to vote on something which has never been before us. I move an amendment—

That in lines 3 and 4 the words "of the Wongan Hills-Mullewa railway and also" be struck out.

Mr. MONGER: I second the amendment.

Mr. SPEAKER: I cannot accept the amendment as the hon. member who seconded it has already spoken on the motion. I shall put the original question.

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

Ayes	..	..	..	17
Noes	..	..	..	6

Majority for .. 11

AYES.

Mr. Bath	Mr. Munsie
Mr. Collier	Mr. O'Loughlen
Mr. Gardiner	Mr. B. J. Stubbs
Mr. Gill	Mr. Swan
Mr. Green	Mr. Turvey
Mr. Johnston	Mr. Underwood
Mr. McDonald	Mr. A. A. Wilson
Mr. McDowall	Mr. Foley
Mr. Mullany	(Teller).

NOES.

Mr. Lefroy	Mr. A. N. Plesse
Mr. Male	Mr. F. Wilson
Mr. Monger	Mr. Layman
	(Teller).

Question thus passed.

House adjourned at 4.58 a.m. (Thursday).

Legislative Assembly,

Thursday, 26th September, 1912.

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The SPEAKER took the Chair at 4.30 p.m. and read prayers.

QUESTION—SAVINGS BANK, STATE AND COMMONWEALTH.

Mr. WISDOM asked the Premier: 1, Is he in a position now to state how far negotiations have gone with the Commonwealth Government in the matter of the State Savings Bank and the nature of any agreement which may have been

made? 2, In the case of no arrangement having been made, what are the Government's intentions with regard to the future of the Savings Banks?

The PREMIER replied: 1, Negotiations are now proceeding. 2, This question cannot be answered until finality is reached.

BILLS (2)—THIRD READING.

1, Public Service Amendment.

2, Fremantle Harbour Trust Amendment.

Transmitted to the Legislative Council.

BILL—SHEARERS AND AGRICULTURAL LABOURERS' ACCOMMODATION.

Report of Committee adopted.

BILL—RIGHTS IN WATER AND IRRIGATION.

Second Reading.

Debate resumed from the 24th September.

Mr. THOMAS (Bunbury): It affords me a great deal of pleasure to have an opportunity of taking part in the debate on the Bill, for a variety of reasons, one of which is that it is a proposal the principle of which is approved by both sides of the House. There may be some little details in respect to which a small measure of disagreement will be manifested, but the great broad principle of the necessity for irrigation in this State is generally approved by all, and I trust when we reach the Committee stage, and these small details have to be adjusted, it will be done in an amicable spirit. The Bill is of far too much importance to Western Australia to allow of party feeling to creep into its discussion. Hitherto the development of Western Australia, if I may say so, has gone along the lines of least resistance. Previous Governments have opened up wheat belts and developed Western Australia in various directions, but it has been the proud privilege of a Labour Government