

but I am sure it is absurd to think it could be carried out here. It reads:—

Every person who shall, at any time during the months of October, November, December, January, February, March, and April, smoke any pipe, cigar, cigarette, or other substance within twenty yards of any stable, or of any rick, stack, or field of hay—

Just fancy men being prevented from smoking in a field containing three or four acres of hay! There is very little risk there. Someone suggested that a man wanting to smoke be sent out of the field.

HON. C. A. PIESSE: Let him smoke, if he have a cover on his pipe.

HON. R. G. BURGESS: I think this is carrying matters too far altogether, that a man should have to go out of his field to smoke his pipe.

HON. E. M. CLARKE: Let him use a tin cover.

HON. R. G. BURGESS: It is useless passing such unreasonable regulations. I am sure some hon. members who support this clause would themselves be the greatest sinners. I have seen not only workmen, but owners cutting up hay, who will smoke in spite of every regulation. I have seen them sitting over the bags of chaff and smoking as they sewed.

HON. T. F. O. BRIMAGE: Teach them better manners.

HON. R. G. BURGESS: Old people cannot be taught much: they have not been taught in time. I hope we shall be able to make this a workable measure. It is demanded by country settlers, and I am not going to throw cold water on it. But speaking as I did before, when a motion was moved regarding bush fires, I say it is the Collie coal which is troubling us, and the scandalous way in which we have so far been treated by the Government of this country. I say our treatment has been scandalous and disgraceful; and it is a blot on any British Government. Those are the strongest words I can use. It is a scandal and a disgrace to any Government in the British dominions that we should have been treated as we have been for the last 18 months in regard to this Collie coal. I hope this Bill will do some good; and certainly some reform is badly wanted, in view of the trouble caused by the Railway Department setting alight our crops.

HON. W. MALEY: I move that the debate be adjourned for a week. I think some time should be allowed hon. members to digest this Bill.

Motion put and passed, and the debate adjourned accordingly.

ADJOURNMENT.

THE MINISTER FOR LANDS moved that the House, at its rising, adjourn till Tuesday next.

Put and passed.

The House accordingly adjourned at 29 minutes past 6 o'clock, until the next Tuesday.

Legislative Assembly,

Tuesday, 3rd September, 1901.

Papers presented—Question: Refrigerating Works, Cost, etc.—Police Uniforms, Coloured Labour—Question: Rabbits, Inspector, etc.—Question: Conservator of Forests, Appointment—Question: Northampton Mining, Particulars—Question: Zoological Gardens, Condition of Animals—Question: Drainage in South-West, Particulars—Criminal Code Bill, first reading—Return: Zoological Gardens, Cost and Mortality—Motion: Winery and Storage Cellars, State Aid (adjourned)—Assent to Loan Bill—Return: Gold Mining Leases, East Coolgardie, Particulars—Motion: Menzies-Leonora Railway, to Deviate Eastward (withdrawn)—Motion: Railway Workshops at Midland Junction, Inquiry as to Building and Equipment (Amendment passed)—Motion: Coolgardie Goldfields Water Supply Scheme, to Complete Expeditiously—Municipal Institutions Act Amendment Bill, second reading—Trade Unions Bill, second reading—Workers' Compensation Bill, second reading (moved)—Adjournment.

The SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL TREASURER: Financial Returns (on motion by Hon. F. H. Piesse).

By the MINISTER FOR WORKS: Bunbury Harbour Works, Expenditure to 30th June, 1901 (on motion by Mr. T. Hayward).

Ordered to lie on the table.

**QUESTION—REFRIGERATING WORKS,
COST, Etc.**

MR. F. McDONALD asked the Premier: 1, What was the amount expended on the Government Refrigerating Works, including salaries, during the past two years. 2, The income during the same period. 3, Whether it is the intention of the Government to keep the works open.

THE PREMIER replied:—1, £5,220 3s. 10d. (including £1,867 18s. 10d. for alterations and improvements). 2, £2,753 6s. 3d. 3, Yes.

**QUESTION—POLICE UNIFORMS,
COLOURED LABOUR.**

MR. W. D. JOHNSON asked the Premier: 1, When does the term of McIver and Morden's contract for supply of police uniforms expire. 2, Whether he is aware that the police uniforms are being made by Hindoo labour.

THE PREMIER replied:—1, 31st December, 1901. 2, There is one Hindoo employed by this firm, receiving the same wages as the other employees.

QUESTION—RABBITS, INSPECTOR, Etc.

HON. F. H. PIESSE asked the Premier: 1, Whether an officer has been appointed to deal with the rabbit question. 2, If so, who is the officer? 3, What are his qualifications?

THE PREMIER replied: 1, Yes. 2, Hugh M. Wilson. 3, Twenty-five years, experience among rabbits in New Zealand, Victoria, New South Wales, and Queensland.

**QUESTION—CONSERVATOR OF
FORESTS, APPOINTMENT.**

MR. F. C. MONGER, for Mr. Teesdale Smith, asked the Premier: Whether it was the intention of the Government to appoint a Conservator of Forests.

THE PREMIER replied: Yes. Provision has been made on the draft Estimates for the salary of such an officer.

**QUESTION—NORTHAMPTON MINING,
PARTICULARS.**

MR. D. J. DOHERTY (for Mr. J. J. Higham) asked the Minister for Mines: 1, What quantity of ore was raised and sent from the Northampton District

during the present year? 2, What was the net value? 3, What were the total yearly expenses for the upkeep of the Mining Registrar's Office at Northampton? 4, What was the total amount of revenue derived from mining in said district during the present year?

THE MINISTER FOR MINES replied:—1, For the twelve months ending 30th June, 1901, 225 tons of lead ore were reported to the Mines Department. 2, The value was reported to be £185. 3, £95 11s. for the financial year ending 30th June, 1901. 4, £51 4s. 3d. for the financial year ending 30th June, 1901.

**QUESTION—ZOOLOGICAL GARDENS,
CONDITION OF ANIMALS.**

MR. F. WALLACE asked the Premier: 1, Whether he was aware that the major portion of the animals in the Zoological Gardens were in a poor condition. 2, Whether he was aware that many of the bovine animals were (owing to their continuous confinement in the sandy enclosures) suffering through excessive growth of hoof, which, if not attended to, would probably result in their permanent disablement. 3, Who was responsible for the care of the animals. 4, Whether the animals in the Zoo were subject to inspection under the Stock Diseases Act. 5, Whether he would instruct the Chief Inspector of Stock to inspect and report on the condition of the bovines.

THE PREMIER replied: 1, No. 2, No. 3, E. A. Le Souef, qualified veterinary surgeon. 4, Yes. 5, Yes.

**QUESTION—DRAINAGE IN SOUTH-
WEST, PARTICULARS.**

MR. C. H. RASON asked the Premier: 1, What was the total amount expended by the Manager of the Agricultural Bank in the construction of drains and other works in the South-West district. 2, The description and extent of each work. 3, Whether the construction of these works had been attended with satisfactory results. 4, Whether the manager had received any financial recognition for his voluntary labour in carrying out the works referred to, as recommended by the late Premier.

THE PREMIER replied: 1, £3,869 14s. 1d. 2, Serpentine drain, 90 chains, almost completed, £226 13s.; Drakes-

brook drain, 400 chains, almost completed, £854 1s. 8d.; Samson's Brook north drain, 160 chains, in progress, £224 11s. 7d.; Samson's Brook south drain, 90 chains, in progress, £192 11s. 8d.; Logue's Brook drain, 150 chains, not completed, £207 17s. 3d.; Clarke's Brook drain, 267 chains, completed, £334 19s. 5d.; Week's Brook drain, 90 chains, completed, £99 18s. 10d.; Clifton Area drain, 257 chains, completed, £445 2s.; Wokalup River drain, 50 chains, completed, £20; total 18 miles, cost £2,605 15s. 5d. Also snagging 11 miles Harvey River, £671 1s. 2d.; clearing 97 acres Hamel Area, £592 17s. 6d.; total, £3,869 14s. 1d. 3, Yes, in every instance, these drains being part of the larger scheme contemplated. 4, No.

CRIMINAL CODE BILL.

Introduced by HON. W. H. JAMES (Minister), and read a first time.

RETURN—ZOOLOGICAL GARDENS, COST AND MORTALITY.

MR. F. WALLACE (Mt. Magnet) moved:

That there be laid upon the table of the House a return, showing—1, The total cost to the State of the animal and bird life in the Zoological Gardens. 2, The value of the loss through mortality among the animals and birds up to the 30th June last. 3, The yearly cost of maintenance of the Zoo as a whole.

An hon. member had asked him who had been "pulling his leg" in connection with this matter, but a reference to *Hansard* would show he had supported the vote in aid of the Acclimatisation Society, and that last year he advocated an increase of £250 in the amount of the vote; so that, in bringing forward this motion, he was not animated by enmity to the society. Some five years ago there was a great scourge of mange amongst camels. Having himself owned camels at that time, he knew the great trouble there was in curing the disease. Lately, when visiting the Zoological Gardens in company with a politician, he noticed a number of camels being paraded by Afghans for the edification of visitors. A little later these camels were put in a yard in which there was already a camel badly afflicted with mange. He drew the attention of the Afghans to the danger their camels were running. The Afghans agreed that the

camel in question was mangey, and told him it belonged to the Government. He remarked that the animals should be quarantined, whereupon the Afghans said, "No; can't be quarantined; must go Menzies." To his surprise, nine of the camels were allowed to go back to the goldfields, whilst one was retained in the gardens as a present to the Zoo from Her Royal Highness the Duchess of York. Meeting the Chief Inspector of Stock a little later, he drew that gentleman's attention to the existence of mange in the camel confined in the Zoo. The Chief Inspector stated that the matter was no concern of his, as the animals in the Zoo did not come within his jurisdiction at all. He drew the attention of the Chief Inspector to the rigid instructions enforced on owners of camels some years ago when mange was very prevalent. On a later occasion he again saw the Chief Inspector of Stock, who said he had nothing to do with the inspection of animals in the Zoological Gardens, that the Acclimatisation Society had full authority there, and that Mr. Le Soeuf, the manager, was not only a veterinary surgeon, but an inspector of stock under the Stock Diseases Act. The Chief Inspector doubted whether he (Mr. Wallace) knew mange when he saw it; but he pointed out to the Inspector the condition of one particular camel, and the Chief Inspector was satisfied that mange did exist. One Afghan who was there said the camel was very bad, but would soon be right. He (Mr. Wallace) told the Chief Inspector that the attention of Parliament had been drawn to the large mortality amongst certain animals in the Zoo; and he pointed to the condition of two donkeys confined in the Zoo, which looked poorer even than donkeys working on the Murchison goldfields. He pointed also to the state of the Angora goats and some Indian sheep, and particularly showed that the condition of their feet required attention. Hon. members would understand this, when they remembered the bad effect which foot-rot has among sheep. He took the Chief Inspector on to some brahmin cattle and some buffaloes; and, without speaking as an expert, the condition of these animals would attract the notice of any person who observed the excessive growth of hoof, especially in the case of a water buffalo, a beautiful

animal, in splendid condition, but with hoofs grown out of proportion. He thought it was not possible to cure that animal's hoofs. If he, as a member of this House, did not bring these matters before the attention of hon. members, he would not be justified in supporting the annual vote to the Acclimatisation Society. He had put some questions to the Premier this evening, and the reply was that Mr. Le Souef is a veterinary expert. That being so, it was the more reason why this matter should be brought under the notice of hon. members. Looking at the condition of many animals indigenous to this State, confined in the Zoo, it would be observed they were in a low condition; and he did not wonder at it when kangaroos were fed on bran and chaff all the year round. They certainly required some change of food. He had not observed, in any report from the Acclimatisation Society, a suggestion that they should procure a farm for growing the produce required for animals confined in the Zoo. There was a lack of proper management of the birds and animals in that establishment. He hoped that when the return he had moved for was laid on the table, it would show that the mortality was not so large as he now believed it to be, and he would be pleased to learn that what deaths had occurred were not due to mismanagement or want of care. It did strike him that there was a want of proper care in that establishment. There had been instances of the death of common birds, such as cockatoos, vultures, and other birds indigenous to this State. We knew that bovine animals especially, when continually confined to soft sandy soil, showed a tendency to excessive growth of hoof; but this could be checked with proper attention by the caretaker. When the cost of the upkeep of the Zoo was ascertained, he thought there would be no excuse for the manager to come to this House or the Government with a plea of want of time on his part. He might plead want of funds, because the annual grant of £250 was insufficient, and the manager might shelter himself behind that. He (Mr. Wallace) did not want to instruct this qualified veterinary surgeon in his duty, but he did not consider it just that one section of the people should be punished if their animals were attacked

with disease, while another section were allowed to go scot-free. With regard to mange in camels, those camels that were visiting the Zoo on the day he saw them had since gone back to Menzies, and probably the owners there would be called upon to provide expensive dressing and to quarantine their camels, because of the neglect of authorities at the Zoo in Perth. He had been told that among the birds, opossums, and other such animals indigenous to this State, confined in the Zoo, there had been numerous deaths. If such accusations were made against the caretaker, by various persons, that officer should thank one for giving him an opportunity of exonerating himself.

THE PREMIER (Hon. G. Leake): The Government had no intention to oppose the motion; indeed he thanked the hon. member for bringing it before the House. The motion only asked for a return as to the cost of the upkeep of the animals in the Zoo, the value of what had been lost, and so forth. The little matters to which the hon. member referred would be news to a great number of people, because the general impression, certainly his own, was that the animals received every care both from the superintendent, Mr. Le Souef, and his staff. It was true the officers and committee laboured under the disadvantage of not having much money at their disposal; but he thought that what little they did receive was spent to the best possible advantage. If members thought the Zoo should be closed altogether, of course they had only to say so, and the animals would be disposed of.

MR. DOHERTY: That would be a disaster.

THE PREMIER: If the hon. member (Mr. Wallace) did not aim a blow at the institution, one would not pursue that line of argument. The return would be given as soon as possible, and the objections referred to by the hon. member would be brought under the notice of Mr. Le Souef and the Acclimatisation Committee.

MR. WALLACE (in reply): There was no desire on his part to abolish the institution, but if the animals and birds could be removed from the present site and located in the King's Park, a greater

boon would be conferred on the city of Perth.

Motion put and passed.

MOTION—WINERY AND STORAGE
CELLARS, STATE AID.

MR. C. HARPER (Beverley) moved :

That, in the opinion of this House, it is desirable, with the object of stimulating the wine industry of this State, that the Government should be authorised to give such assistance as may seem best with the view of establishing a central winery and storage cellars.

He said: At the end of the last Parliament I moved the following resolution with the object of stimulating the wine industry of the colony:—

That, with the object of stimulating the wine industry of the colony, it is desirable to encourage the establishment of a central winery and storage cellars; and that the Government be authorised, should they think fit, to assist in that direction by (a) advancing money, or (b) guaranteeing interest on money advanced to any co-operative company of *bona fide* vineyard proprietors formed for the purpose of establishing and carrying on such winery and cellars.

The reason I moved that was that the Government had previously proposed to introduce a Bill to assist industries of this kind—not only this but the various agricultural industries, and members moved in the matter; but at the last moment, when they came to examine the law, it was said what was proposed would be contrary to the provisions of the Commonwealth Act, and therefore the Government did not introduce a Bill. So in order to get some expression of opinion from the House, I moved the proposition I have just read. The House divided on it, with the result that it was carried by 20 to 5. Since that time those interested have been in communication with the late Ministry, the result being that the Ministry made a definite promise, in writing, to be prepared to advance a sum of £10,000 towards this object. When the present Ministry came into power the matter was brought up, some correspondence ensuing, and the present Minister desired to get an expression of opinion from this House before taking any farther action. That is my object in moving the motion now before the House. I may say everyone who has looked into this subject has expressed the belief that we have in the wine industry a

very promising outlook for the future, provided that the industry be put on a fair and sound basis; but the difficulty is that this is a matter which requires a very considerable amount of capital, and those who have engaged in the enterprise have not that amount of capital necessary to carry it out on a large scale; and unless something is done in that respect, the operation of the Commonwealth law will act as a deterrent, and, it may be, will lay this industry aside for very many years to come. The motion is moved with the object of ascertaining the feeling of the House on this subject, whether they desire to assist in this enterprise which, as I have said before, promises, if carefully nurtured, to become an extremely important one to this State. I hope the members of the present Parliament will take this matter into careful consideration and see whether it is not advisable by some means or other to put this industry on its feet, so that it will be able to compete against the wineries at least in the other States as soon as the operation of the Commonwealth Act comes into force. I may say I am not personally interested in this matter, but I have taken it up as one which I think should commend itself to all those who desire to see the industries of this State advanced, and I cordially recommend it to the consideration of members. There are others who know more about the subject, who will follow me, and I hope they will be able to satisfy members that this is a legitimate object for State assistance.

HON. W. H. JAMES (Minister): I desire to extend a hearty support indeed to this motion. It came before the House on a previous occasion, and I supported it then. I do not think we have any industry in the State that will be more important to us in the future than the wine industry. We are often told that the future of this State rests in its fruit. I have never heard any person who has any experience on this point who has not expressed that opinion. Recognising, as we all must, how very important it is that we should do all we possibly can to encourage this industry, we must also recognise that this industry is one of those that cannot attain a satisfactory position unless some assistance is provided for it by the Government for the

time being. Whatever may be the details of this scheme, the principle of it is one that I ask every member of the House to support, because in supporting the principle which underlies this motion we shall be extending to one of the most important industries of Western Australia that assistance and protection needed. If we allow this matter to rest until it is taken up by private enterprise, I am afraid we shall have to wait a great many years, and the longer we wait, the greater will have become the difficulties. The industry is now in such a position that by means of certain organisation the benefit of the good work of the past will be retained, and a great deal better work done in the future. It is now in such a position that it needs some such establishment as this for the purpose of carrying on the good work and enabling us to get the benefit that we hope and expect to receive from this industry; so that those who are in favour of this motion can come before the House and ask that support shall be given to the principle upon which it is based, appealing for support to the motion from no selfish desires, and not with the object of doing that which will put money into their own pockets, but because they sincerely believe, and I most sincerely believe, that this is an industry the extension of which will be essentially in the interests of this State. I desire to express my strong feeling in favour of the motion.

MR. A. J. DIAMOND (South Fremantle): I have pleasure in according this motion my strong support. There is no doubt that, generally speaking, undertakings of this sort should be left as much as possible if not entirely to private enterprise; but even private enterprise sometimes fails, and if it is necessary for the State to step in and support that private enterprise which is for the good of the country in relation to a natural product of the country, I think we should not hesitate. But I want to say a few words on the matter of State aid to an industry of this description. After about 50 years of private enterprise in South Australia—and I think nearly every member of this House is aware of the strenuous endeavours made by vine growers in South Australia to put their products on the European markets—it was found that the State or the Govern-

ment had to intervene for the assistance of the wine growers in this respect, that notwithstanding they had producers who had large wine cellars and were doing a fairly large trade, not only throughout Australasia but a reasonably large trade with the mother country, yet the private enterprise competitors in England were so strong, so adverse to putting a new South Australian product, one might say an Australasian product, of wine on the London market, that the Government of South Australia were compelled to establish a Government wine depôt in London. The results of the establishment of that wine depôt are that the State—I will take the State of South Australia—has had a direct annual loss; but it has been clearly shown that the benefits resulting to the State from the immensely larger area of ground put under vines, and from the increased production employing a more considerable number of people, and from the advantage of the increased sale in the English market, have absolutely justified, and indeed more than justified, the establishment of this central depôt in London. If this interference, as one may call it, with private enterprise be justified in South Australia, how much more is such interference justified in this State, where the industry is in an almost infantile condition, and stands in need of aid to enable it to compete with longer established and therefore stronger similar industries of the Eastern States? I think the House must see the necessity and propriety of our giving this assistance, which, after all, will not involve a very large expenditure—an expenditure certainly not at all serious when one considers the magnificent results which may spring from it.

MR. C. H. RASON (Guildford): I heartily support this motion, which I trust will commend itself to the good sense of the House. Everyone is aware that if there is one industry for which this State is particularly well adapted, it is the vine-growing industry. That industry has now reached the stage at which it is absolutely necessary, not only for its encouragement but for its continuance, that means should be devised whereby a market may be obtained affording a ready return for the product. That market is best provided by some such

co-operative organisation as I understand the mover of the motion has in his mind. The giving of the proposed assistance would be no new departure in this State, for, as I may point out, the gold-mining industry has been assisted in many ways by the State—for instance by the erection of public batteries, an assistance with which I am most heartily in accord, and which I believe has done wonders for the industry and has amply justified itself. I believe the same kind of encouragement adapted to the wine industry will also justify itself. Although I hold the future of the mining industry to be a great one, still I think it is not advisable that we should put all our eggs in one basket. It is just as well if by a little judicious encouragement we can foster the vine growing for which our climate and soil are so peculiarly well adapted, to grant that encouragement. To show hon. members what has been done by another State in this direction, I will quote some figures relating to the State of Victoria. I shall show what was done there in the short space of 10 years to assist the vine-growing industry. Without entering into details, the House can take it as absolutely a fact that £184,500 was spent by the State of Victoria within 10 years in direct encouragement of the industry. If so much can be done by Victoria, surely some little encouragement can be afforded to the industry in our own State. I have no hesitation in saying that the motion does commend itself to the good sense of hon. members, and I trust it will be carried by as large a majority as on a previous occasion, if it be not carried on the voices now.

THE PREMIER (Hon. G. Leake) : I move that the debate be adjourned. Of course I cannot speak to the question, but I would like to explain that my reason for asking for the adjournment is that the Minister for Lands is preparing certain information to lay before Parliament in connection with this subject.

Motion put and passed, and the debate adjourned.

ASSENT TO LOAN BILL.

Message from the Governor received and read, assenting to Loan Bill (£2,600,000).

RETURN—GOLD MINING LEASES (EAST COOLGARDIE), PARTICULARS.

MR. W. D. JOHNSON (Kalgoorlie) moved :

That there be laid upon the table of the House a return, showing—1, How many gold-mining leases have been conditionally surrendered in the East Coolgardie district. 2, Who are the owners of the leases conditionally surrendered. 3, How many quarter-acre blocks of ground were granted in fee simple on each lease conditionally surrendered. 4, In whose names the titles to fee simple were made out. 5, Who are the present owners of the blocks granted. 6, Whether the fee simple was legally granted or acquired.

The motion was only formal, and he moved it to get certain information which would be of use to the goldfields members and to goldfields people generally. Not anticipating opposition, he would not enter into the matter farther.

Question put and passed.

MOTION — MENZIES-LEONORA RAILWAY, TO DEVIATE EASTWARD.

MR. F. C. MONGER (York) moved :

That in view of the fact that the largest proportion of traffic on the Menzies-Leonora railway is to the East of Malcolm, this House is of opinion that the Menzies-Leonora Railway Act should be so amended as to divert the extension of the railway from Mt. Malcolm to Leonora in the direction of Murrin Murrin instead, where much more important interests will be served, as well as a much larger population.

He said: In moving this motion I am asking the House to do what perhaps has not been done before, and what should not be done except under the peculiar circumstances which I shall bring to the attention of hon. members. I am asking the House practically to sanction the alteration of an Act which was passed by Parliament two years ago, by altering the direction of the line of railway being built from Menzies to Leonora. I propose that the route, instead of passing to the west, should pass to the east of Mt. Morgans. By the alteration we shall benefit a considerably larger number of people and a much greater section of the gold-mining interest than the present route. I suggest that the railway instead of going due west from Mt. Margaret to Leonora shall go due east to Murrin Murrin, which is a great centre of attraction in the district. I shall lay before hon. members particulars of the advance

of the two districts during the last year for which we have records. In the first instance I may inform hon. members generally, and more particularly the gentleman who holds the position of member for the whole district (Mr. Taylor), that as far as Malcolm is concerned its population during the year 1900 decreased by 207, whereas that of the district of Mount Margaret, which district would be greatly benefited by the alteration I desire hon. members to indorse, increased by 1,262. I take these figures from the report furnished by the Warden of the district, and I think hon. members will agree that these figures admit of no contradiction. It is necessary for me to refer to the report of the Warden for Mount Margaret, and I desire to bring under the particular notice of hon. members that the report states:—

Railway communication, not only to Malcolm and Leonora, but to Morgans and Laverton, is absolutely necessary if the introduction of capital is to be encouraged.

The question is whether we are to consider the interests of the greater number of people, or those of the smaller number. I have no doubt that hon. members, if it can be shown that the greater number of people will be assisted by the route I now suggest, will, even if they do not carry the motion in the form I have brought it forward, at all events let the Government know that the wish of the House is to render equal assistance to the district which would be more particularly benefited by the passing of the motion. The Warden's report goes on to deal with the many disadvantages which a district he refers to as second only to the Golden Mile has laboured under during the past few years; and draws attention to the great advantages which would result from the provision of adequate means of railway communication. To go through the whole of the Warden's report would perhaps occupy an unnecessary length of time, but there are points which I think well worth noting—more particularly the figures referring to the Murrin Murrin district and to the Mt. Morgans locality. The report states:—

The Anaconda copper mine, near Murrin Murrin, is opening out most satisfactorily. The average width of the lode is 10ft. The electric light is installed. The water supply is fresh, and amounts to 15,000 gallons a day. A water-

jacket blast furnace is being used for smelting the ore, and charcoal is used as a fuel with most successful results. During the year 4,539 tons were smelted for a return of 402'90 tons of metallic copper, valued at £30,718. Other copper lodes have been discovered in this vicinity during the year, and several leases taken up.

The Warden then proceeds to refer to the chief towns of the district, and the whole tenor of his remarks is distinctly to the effect that the population of the Mt. Margaret district is rapidly increasing beyond that of the Mt. Malcolm district. In dealing with the Mt. Margaret district he refers to a number of mines in the vicinity of Mt. Morgans. He says:—

At Mt. Morgans the chief mines are the Westralia, Mt. Morgans, the Guests, and the Millionaire. On these a good deal of development work has been done, and each gives every promise of becoming a big mine. On the Westralia a 20-head mill has been running during the year, and a small cyanide plant has been at work. Thirty new 1,300lb. stampers are being erected, being the first portion of a 60-head mill, also a large cyanide and filter-pressing plant. . . . Laverton is situated 25 miles by road from Mt. Morgans in a north-easterly direction, and lots were laid out in February, 1899, for business and residence areas. Since then its growth has been very rapid, and land has realised big prices at Government sales. . . . The population of Laverton is estimated at 230. . . . This is an increase of 103 over the estimated population on 31st December, 1899.

The report farther gives statistics relating to the number and area of leases held in each of the two districts. In the Malcolm district there were, in 1900, 64 gold-mining leases representing an area of 970 acres, whereas in the Mt. Margaret district there were 140 leases, representing an area of 2,030 acres. This clearly shows that a far greater territory is being worked in the Mt. Margaret district than in the Malcolm. Every hon. member who has the best interests of the country at heart would prefer, I think, to see a line of railway extended in that direction where it would benefit the greater number of people; and I contend that in asking hon. members to affirm the motion now before the House, I am doing that which should receive the support of the House. In conclusion, I may add that if hon. members cannot see their way clear to recommend the alteration in the direction which I seek, they can at all events recommend to the Government the view that the building of a line to

the east of Mt. Malcolm is more necessary than the building of the line which was sanctioned by Parliament two years ago, namely in the direction of Leonora to the westward.

DR. HICKS (Roebourne): I beg to second the motion.

THE MINISTER FOR WORKS (Hon. W. Kingsmill): The mover has admitted that the course he is pursuing is somewhat unusual; and although it is unusual, still the object which he has in view may not be considered an impossible one to achieve. Parliament having, in a previous year, thought fit to fix the route of the proposed Menzies-Leonora railway, it is undoubtedly within the province of this new Parliament, if it think fit, to alter the route then fixed. I have been taken to task in several directions recently for doing what I deemed at the time to be a prudent action, namely the postponement of the formation work of the railway beyond Mount Malcolm towards Leonora, until this question of a proposed alteration of route was settled. Parliament having fixed the route in the first place, and having undoubtedly the power to alter that route in the second place, and the work of construction being in such a stage that practically no unnecessary expense would be incurred if Parliament thought fit to alter the route, I conceived that in the best interests of the State it was my duty to have the question settled before these earthworks were allowed to go on. Therefore, as soon as the Government received notice that this question would be brought before this House at an early date, instructions were given that the earthworks should not proceed. Having myself given the subject very full consideration, I conceive it to be my duty to oppose this motion. This question is the outcome of the deliberate action of the previous Parliament, of which I had the honour to be a member; an action in which I fully concurred. Since that action was taken by Parliament, circumstances have not been such as to deprive the town of Leonora of the railway rights it deems, and rightly deems, to be its due. I do not wish to disparage in any way the claims of the district so ably put forward by the member for York; but at the same time I must say that Leonora has certain absolute rights, that this railway has

been promised to her, and the State has not suffered in any degree since the promise was made. Therefore I still think she should get the railway. The arguments used by the mover do undoubtedly make out a very strong case towards the building of another line—I fully admit that; but I do not think they should be taken as a reason for the permanent cessation of construction work towards Leonora. With regard to that line of route which Parliament has authorised, I think hon. members will agree that this House should strain every effort to construct the line, for it is undoubtedly a good and necessary work. With reference to the Malcolm-Laverton line, the last Government were not unmindful of the merits of that district, for firstly a flying survey and subsequently a detailed survey were made; and these surveys disclosed the fact that the total length of line to connect these two places, and also to give, on the route, facilities to Murrin Murrin and Mt. Morgans, would be approximately 64 miles; the estimated cost of construction being put down at £3,000 per mile. The total expenditure would thus be, approximately, £200,000. Of course this is a somewhat larger scheme than the mover was speaking of when he laid his views before the House. He modestly said the railway should be extended in the direction of Murrin Murrin. In view of the estimated cost I have stated, that is what we have to face. The question resolves itself into this, that we are going to have in that northern country a main line and a spur line of railway; and it is a matter for future consideration which of these is to be the main and which the spur line; also whether the main line is to go from Leonora northward, or whether the trunk line is to go *via* Laverton and to leave Leonora as a spur line. That would be a much-vexed question which I do not propose to enter into now: it will be a matter for future consideration. Undoubtedly the work which the hon. member has advocated is one which should be carried out, if at all possible; and if the financial condition of the country in the near future will admit of this work being carried out, I can only say that, as far as I am personally concerned, it will have my hearty support. I must, at the same time, admit that the

claims of Leonora, in my opinion, are such that I cannot for a moment think of supporting the motion now before the House.

Mr. G. TAYLOR (Mt. Margaret): I rise to oppose this motion, as I have the honour to represent the constituency concerned. The motion itself is beautifully worded, in such a way as might mislead this House, though I do not say it is intentionally put in that way. The portion I refer to says: "That in view of the fact that the largest portion of traffic on the Menzies-Leonora railway is to the east of Malcolm." I wish to explain that the railway as proposed goes only 12 miles west of Mt. Malcolm to Leonora township, and the portion spoken of as east of Mt. Malcolm extends over 60 miles of country, which is the most thickly populated on that portion of the electorate. So the traffic spoken of as being the most is that extending over 60 miles of country to Laverton, as against 12 miles to Leonora; and it is only natural that the traffic over the larger portion would be more than over the smaller portion. Suppose the line went on towards Murrin Murrin, it would go 12 miles into the bush, and would not reach any centre. That would be a departure from the policy announced by the Government, that there should be no spur lines constructed until the works in hand are finished. I think it would be disastrous to attempt to remove the route of this railway from Malcolm and make it in the direction of Murrin Murrin, as proposed in the motion. Since the Act was passed authorising the construction of this line, Mount Malcolm has decreased in population and in the production of gold, as pointed out by the mover of this motion; but that is not so in regard to Leonora, for when the Act was passed two years ago the population in and around Leonora township, some six miles in area, was 756, and the Sons of Gwalia mine then employed 290 men, while the goods and other supplies transported amounted to 350 tons. Therefore the Government of the day, when that Act was passed, considered that this amount of population and of food supplies warranted the construction of this railway. Comparing these figures with the state of things now, we find the population of Leonora district is 2,500, being an increase of 1,744 as compared with the

population two years ago. The Sons of Gwalia mine employs now directly and indirectly 1,000 men, whereas when that Act was passed that mine employed 290 men, showing an increase about three-fold during the two years. Other mines in the district promise also to provide a large amount of employment, and the merchandise transported at the present time is 700 tons as against 350 tons two years ago, the quantity having doubled in the meantime. Therefore Leonora has increased wonderfully within the last two years; and, in the face of these facts, this House would be acting unwisely by taking the line away from Leonora, as proposed in the motion. I have been speaking of Leonora alone, but it is just as fair to take into consideration the population to be served on the north-west of Leonora as the population to be served on the eastern portion from Mount Malcolm, which would take in Lawlers and other places on to Lake Way. The Sons of Gwalia mine has a record for the largest crushing of any mine in Western Australia, having crushed more ore monthly than any other mine, and the output of gold from that mine is about 6,000ozs. per month. Mount Morgans is 42 miles from Mount Malcolm, and Leonora is 12 miles; so that the line would have to go 42 miles to serve a population as big as Leonora is at the present time. The Sons of Gwalia mine employs nearly as many men in that one mine as are employed in all the mines extending from Mount Malcolm, Mount Morgans, and on towards Laverton. I have travelled through the district and know the places well; and speaking as the representative of the district, with no axe to grind and having no interest other than the interest of the electorate as a whole, I am opposing the motion from that standpoint. In support of what I have said, I will read a telegram from the mayor of Mount Malcolm, Mr. Peter Hill, as follows:—

Malcolm upholds Leonora's prior right to railway. Refer Premier to Queen's Hall speech: "all works in hand to be completed." Hope Mr. Morgans's wire-pulling will fail. Tell Gregory our wishes.

I have a telegram also from the mayor of Leonora, who says:—

Large public meeting, held last night, passed following resolution:—"That this meeting

strongly and most emphatically protests against any such alteration in the Menzies-Leonora Railway Bill, as proposed in the motion to be moved in the House by A. E. Morgans, to construct the line to Morgans instead of Leonora; that this district is more entitled to a railway at the present time than when the construction was authorised, the population of the town having considerably increased, and the labour now employed on the mines having more than doubled, and the permanence and prosperity of the district being now beyond all doubt; also that a line to Leonora would serve large and rich districts beyond, and in addition would carry a vast amount of fuel and timber, no mining timber being now available within 15 miles; and that statistics be forwarded to the Premier for the information of the House."

I have a telegram from Lawlers, a distance of 90 miles north-west of Leonora, which reads:—

At a representative and largely attended public meeting held here last night, it was unanimously carried that the meeting strongly protests against the discontinuance of the immediate extension of the railway to Leonora, and strongly urges upon the Government to have the railway constructed to Leonora with the least possible delay. Petition largely signed in support of protest following by mail. We trust you will give this matter your hearty support.

You will see that people on the western side of Mount Malcolm require me to assist them in getting the railway run to Leonora. You will also see that the people east of Mount Malcolm, whom I also have the honour to represent here, have never wired to me or communicated with me in any way on this subject. You will see by this that the people of Mount Malcolm, where I have many friends and strong supporters, knew it was of no use to communicate with me to alter that line, because they were acquainted with me well enough to be aware I would not go in for anything of that kind. I feel sure there is some interest at work, that there is someone with an axe to grind. I believe this railway is going to serve the purpose of some person or persons, or else the alteration would not have been desired, and I certainly say we should consider the greatest good of the greatest number. As the member for York (Mr. Monger) neatly put it, that is the position. If we take into consideration the position and proportion of the people north-west of Mount Malcolm, and the people east of Mount

Malcolm, and take the same extent of country, we shall find the line will serve as great a number, if not a greater number, by going to Leonora, and it will only go 12 miles to serve that population. If the alteration now proposed were adopted, the line would only go 12 miles to serve the people east of Mount Malcolm, and I say the argument which has been brought forward is really no argument in favour of the Morgans line. I am in accord with the Minister for Works (Hon. W. Kingsmill) and the member for York (Mr. Monger) that it is absolutely necessary steps shall be taken to construct a railway from Mount Morgans to Tampa, but I am strongly opposed to this alteration. The people of Leonora have built and made arrangements for a railway to go there. The town has not decreased in population, nor has mining gone back; indeed the success of the mines has been almost beyond expectation during the last two years, and I think the people are justly entitled to the railway. As to the position of Mount Malcolm, I think it would be well for me to explain to the House that the railway in going to Mount Malcolm has gone decidedly in the wrong direction. The Minister for Works pointed out that there was an intention to have a trunk line, and that some of the lines would be spurs. I say the trunk line from Kalgoorlie or Perth should have ceased at Tampa, and this line should have gone direct to Leonora via Gwalia (which would have cut out that 30 miles from Tampa to Malcolm), and then have gone east to Murrin Murrin, and left Mount Malcolm between the two. According to figures read out by the hon. member, Mount Malcolm has considerably gone back in the last two years. The Mount Malcolm district is a small district. It is almost within the township of Mount Malcolm. According to the mining report in the *Government Gazette*, and what was said by the people, there appeared to be good prospects in early days. There has, however, been only one mine at work during the last few years, that being the North Star. When we speak of a district out there we speak of a place immediately around the township. As Malcolm is only 12 miles from Leonora, Leonora takes one half the district between

the two places, and Malcolm the other half; whereby Malcolm is left with only a very poor mining population. At one time Malcolm was considered a very large centre of population; but it would not stand the test of the stampers, apparently, or the mines would not have been hung up. The North Star is practically closed down, and there are no mines working about Malcolm now; and I think that had Malcolm two years ago been what she is to-day, that line would not have been constructed to Malcolm, but it would have stopped at Tampa, and there would have been two spurs, one going north-west to Leonora, and the other east to Murrin Murrin, Anaconda Copper Mine, and thence to Morgans and Laverton. There is any amount of country up there unprospected, but it is a long way out. It will be many years before a railway will be erected in that country, but at the same time if there is any possibility of constructing a line from Leonora to Malcolm, it should be done. I hope members will be with me in the matter, and I oppose the proposed alteration of the present railway route. There is no doubt about the stability of Lawlers, which is 90 miles from Leonora. Traffic will go right through to there, and people at Lawlers are getting a lot of machinery. I will read a communication from Mr. Attwater, the manager of the leading mine, the Sons of Gwalia:—

Mr. Attwater, from the Sons of Gwalia, quoted valuable figures in support of the construction of the line. During the past quarter the mine had received 130 tons of mining supplies per month, and had paid nearly £700 per month for waggon transport. Had the railway been constructed, it would have saved £600 per month. The consumption would be large during the next three months, and larger in the following three. They had cut all timber within seven miles, and had expended £5,000 in purchasing a tramway for the conveyance of timber. During the past three months they had consumed 1,200 tons of mining timber, the greater part of which would have been conveyed by the railway if it had been open. In another 12 months they would be probably using coal, of which they would have to get 1,000 tons per month from Collie. This would give the Government a handsome revenue.

That is from the manager of the Sons of Gwalia mine, and taking all into consideration, there is no argument or reason why the line should be shifted from the original route. I oppose the motion.

THE MINISTER FOR MINES (Hon. H. Gregory): As member for this district, and thoroughly conversant with the whole of the district referred to, I think it will only be right for me to make a few remarks with regard to this matter. I have no doubt the hon. member (Mr. Monger) was well intentioned when he brought the motion forward; and I feel sure the motion will result in good, though possibly not in the manner desired. His object in asking that we should divert the route of the line is a wrong one to bring before the House at the present moment. Arguments brought forward and information given to the House would make members implicitly believe a railway is essential at an early date from Tampa or Malcolm to Morgans and the Laverton fields. The arguments used by the member for York are to my mind far from correct. I may say that the Mt. Margaret goldfields are cut up into two districts. Leonora is essentially the main place in the Malcolm district. The larger district, Margaret, comprises Mt. Morgans, Laverton, Burtville, and the Earliston district, whereas in the Malcolm district the only two places of importance are Leonora and Mertondale. Both of these places will be served by the railway to Leonora. The amount of revenue we raised last year was £7,565 from the Malcolm district as against £5,906 from the Margaret district. The population was almost similar, being 2,532 for Malcolm and 2,719 for Margaret. Men working on the mines were in greater proportion in the Malcolm district than in the Margaret district, while the gold yield for the last year in the Malcolm district was 93,032 ounces as against 52,655 ounces in the Margaret district. The Sons of Gwalia is the principal mine in the district. It employs a very large number of men and has an immense output, whilst the cost of working this property is enormous, and I believe it was on account of the great development of that mine the Government were induced to construct this railway. I wish to protest strongly against this proposed deviation, because I do not think any argument has been brought forward to show that the present line is not warranted. The arguments go to show that the construction of a line to the eastern portion of this goldfield is

also warranted; and I feel assured that in possibly a short time, if the country can only afford it, Parliament will see its way to allow of the construction of a line into the Mt. Margaret district. That district now fully warrants the building of a railway to it; but I do not think the House should stultify itself by rescinding the decision of a previous Parliament when no good argument has been brought forward to show that Leonora has fallen away, and that the railway should, therefore, be diverted from that centre and run a dozen miles into the bush. I strongly protest against the motion.

MR. F. C. MONGER (in reply): Before the motion is put I should like to say a few words in reply to the remarks which have fallen from the member for Mt. Margaret (Mr. Taylor). I wish to refer to one of the wires which he read out to the House. The message contained a reference to "wire-pulling." I want to assure the hon. member that my personal interests really lie in the direction of Leonora and not in the direction of Murrin Murrin. On behalf of the gentleman (Mr. A. E. Morgans) whose place I may say I am occupying so far as this motion is concerned, I am glad to note that I have practically the assurance of the present Government that at the very earliest opportunity their efforts will be directed to the bringing forward of a measure which will provide practically what I desire to obtain by this motion.

THE MINISTER FOR WORKS: After we get the Works Board.

MR. MONGER: The assurance of the gentlemen sitting on this (Opposition) side of the House, that they will support such a measure as I have indicated when they occupy the seats now held by the gentlemen who have so kindly supported the proposal, is very gratifying. I cannot, however, pass over the remarks which fell from the Minister for Works in protesting against the rescinding by the present Government of decisions arrived at by the last Parliament. Although perhaps the present may be an indelicate time for me to mention the matter, I must say it seems strange that those who occupy Ministerial benches to-day should have thought fit to rescind one very important appointment indorsed by the last Parliament. I hope that Ministers in all their future actions

will be as conscientious as they have been in the matter I refer to.

THE PREMIER: What appointment? Why not have the courage of your opinions? What is the appointment you refer to?

MR. MONGER: I refer to the action of the Ministry in practically asking the Acting-Puisne Judge to withdraw from his position.

THE PREMIER: Oh! What has that to do with this railway?

MR. MONGER: If it is right to rescind the decisions of the last Government in one direction, it is equally right to rescind them in another. Seeing there is little chance of my carrying the motion I shall, with the permission of hon. members, ask leave to withdraw it; at the same time thanking the Ministry for so kindly promising to support the railway I desire to see constructed.

Motion by leave withdrawn.

MOTION: RAILWAY WORKSHOPS AT MIDLAND JUNCTION, INQUIRY AS TO BUILDING AND EQUIPMENT.

MR. W. J. GEORGE (Murray) moved:—

That, in the opinion of this House, it is desirable that a Committee be appointed to inquire into the building and equipment of the proposed Railway Workshops at Midland Junction.

He said: I have only a few words to say in explanation of the reasons which moved me to give notice of this motion. It will be remembered that in the course of the discussion on the Loan Bill the Workshops item was considerably criticised. It appeared to me and to other members—notably the hon. member for Albany (Mr. Gardiner)—that to construct workshops at the cost shown in the Loan Bill was far too ambitious an undertaking for the resources of this State. In order, therefore, that I might if possible put a peg in, and to prevent any misapprehension as to the opinions of hon. members, I gave notice of my intention to move for a committee. I am not quite sure whether it is now necessary that such a committee should be appointed, and I should perhaps have withdrawn the motion, or at any rate let it go by, but that I thought possibly some members of the House were desirous of expressing their views on it. My own

opinion is this. A large sum of money has been voted to provide for the construction of these workshops, and I think the Minister for Works, who is responsible for the expenditure, cannot fail to have been rather strongly impressed with the desire expressed by the House that his department should not initiate any work which would commit this Government, or any Government which might succeed the present, to an expenditure of half a million, or possibly more than half a million, in connection with these shops. I think, and many members agree with me in thinking, that a policy of centralisation is not desirable in this State, not even with regard to these workshops. Some two or three years ago, in speaking on this matter I laid my views before the House, and suggested that workshops might be established at such places as Geraldton, Albany, and Kalgoorlie. In making that suggestion I stated—and I hold the same opinion to-day—that the railway system of Western Australia is destined to comprise probably many thousands of miles within a comparatively short period of time. I believe that at the end of the next twenty or thirty years the West Australian railways, instead of comprising some 1,600 miles as they do to-day, are more likely to comprise five or six thousand miles. To my mind, the policy of placing the workshops close to the coast, involving the necessity of running each and every repair down hundreds of miles and perhaps longer distances, is foolish. It is not economical, and therefore not desirable. It is foolish because to run down stock requiring repairs must interfere with the running of the ordinary traffic. It is not economical because the mere fact of anything requiring to be repaired having to run considerable distances before the repairs can be effected, means that whatever may be saved through the centralisation of the workshops here would be more than lost by the extra damage done in transit and by the loss of time involved. It is not desirable from the community's point of view—and many hon. members share this view with me—to centralise the workshops at any place near the coast. There is another aspect of the matter. We should endeavour to open as many avenues, or possible avenues, of employment for the rising generation as ever we

can. Therefore, it is not desirable that mechanical operations should be crowded in one spot. Supposing, for instance, that we establish smaller workshops at Albany, Geraldton, Kalgoorlie, Bunbury and other places, the men employed there may desire to put their sons into the business, may wish to give them the trade of mechanical engineer, which is perhaps quite as respectable as some of the professions we hear a great deal more about. Men employed on the fields would not be able to do it under the proposed system of centralisation of the workshops, because there would be no opportunity to get this employment in the place where they live. If the shops at present being run for the effecting of minor repairs were made—as they should be, and I am sure will be in the course of time—engine shops doing a large amount of repairs, there would be not only work for the tradesmen, but opportunity for employment and training of their children in mechanical ways. As regards the amount set down for the Midland Junction workshops in the Loan Bill, though I do not desire to particularise the items shown on the plans, I may point out that about 20 miles of sidings are to be put in. Twenty miles is not a very big distance of railway to lay down, but it is rather much to lay down in connection with the proposed workshops. I do not think it is desirable to make them so extensive all at once. It appears to me that the policy of the country—I will not say the policy of the Government, because it is immaterial who are the occupants of the Treasury benches—the policy of the country should be not only to build efficient workshops, but also to extend the principle of establishing in other parts of the country large workshops capable of doing something more than ordinary repairs. I may also point out that there is not the slightest doubt that we shall have to go through the same experience in regard to rolling-stock, locomotives, coaches, and freight wagons as nearly every other State has gone through in the past. We are fairly well off as regards the types of our locomotives and wagons, but I think our system has more different types of locomotives than the railway system of any other State. I think I am right in saying this, and I do not think I shall be contradicted, not even by so eminent a gentleman as

the Engineer-in-Chief. Indeed, I think he will agree with me on this point. This difficulty of a multiplicity of types existed, though not to so great an extent as here, in Victoria and in the other States. I think about 15 or 18 years ago—whoever had to do with the railways at that time will remember it—the Victorian railway authorities were obliged to reduce the number of types of their engines; and what is technically known as “standardisation” of their stock took place. We shall have to do the same thing here. From the point of view of economical management it is intolerable to see a number of engines lying idle when perhaps one engine of pretty nearly the same class as others awaiting repairs might be robbed of some small portions of itself, and the other engines sent out to do work. We have frequently two or three engines standing idle awaiting repairs, which take some considerable time owing to the present unsatisfactory arrangements. If the engines had been designed so that their parts were interchangeable, a number of them would not be standing idle. In Victoria most of the motions and the driving parts of the goods engines and other large locomotives are interchangeable, and the same thing applies to medium and light engines. One reason why it is necessary to have a large workshop, but not too large, at Midland Junction is that in the course of time—ten, or five, or three years—standardisation of the whole of our rolling-stock must come about. Then a quantity of duplicate parts required for the running of the engines and the wagons can be sent out to the smaller workshops erected at Kalgoorlie, Geraldton, Albany, and possibly Esperance.

MR. DIAMOND: What about poor old Fremantle?

MR. GEORGE: Poor old Fremantle will be all right so long as it has an uncut diamond. The duplicates I have mentioned can be sent to the workshops at the various centres, and these shops will be able to effect repairs in the manner I have indicated. I formally move the motion. I do not even know whether I shall have a seconder, but possibly some member of the House may desire to say a word or two on the

subject. If so, I commend the motion to the attention of the House.

MR. J. GARDINER (Albany): I will second the motion, just to give me an opportunity of saying that when the Loan Bill was recently under discussion in this House, it was generally agreed that the amount which should be allotted for the construction of railway workshops at Midland Junction should be £159,000. I have received advices from various quarters as to what steps should be taken for getting the amount down to this figure. It was generally understood in our recent discussion that the amount to be allotted for these workshops should be limited to £159,000, and I believe we had a promise from the Government that, pending the decision of the House on the question of these workshops, the Government would not expend any large amount for this purpose. I am pleased that the mover has referred to the opportunities of repairing-shops other than those at Midland Junction to be made use of; and I had intended to move this evening that a committee of practical members of this House should be appointed to ascertain how far the Railway Workshops at Albany and at Geraldton can be utilised for increasing the amount of rolling-stock required in this State, seeing that so large a quantity of rolling-stock is lying useless for want of repair. I think that if this kind of work could be distributed amongst the several workshops I have mentioned, also those at Fremantle, these additional facilities should enable the department to put together the new rolling-stock coming to hand, and also repair the rolling-stock now lying useless awaiting repair. I intend to move to that effect as soon as the member for Geraldton is here to consult with me in the matter. It will be a mistake to expend the large sum that was anticipated for the building of Railway Workshops at Midland Junction, and I think that for all practical purposes the sum of £159,000 which was agreed upon when we discussed the Loan Bill would be ample in the present condition of the State. As the mover has suggested, he might add to his motion certain words for limiting the amount to the sum of £159,000, that being the understanding at which we arrived in discussing the Loan Bill.

THE MINISTER FOR WORKS (Hon. W. Kingsmill): The Government have no objection to the appointment of this committee, and I will support the motion. It would be a pity if the suggestion of the member for Albany were carried into effect, because we should be distinctly stating in advance what I want this committee to ascertain, that is the scope on which these workshops should be built. This motion brings home more than ever the absolute need we have for a Public Works Committee to be appointed in this State; and if such committee were now in existence, this House would not have to devote its time in this direction at all, but would be able, as a matter of course, to refer this question to the Public Works Committee.

MR. F. WILSON (Perth): If the idea of the mover be to hurry forward the construction of the Railway Workshops at Midland Junction, as I believe it is, I will support the motion. These improved workshops ought to have been constructed two or three years ago; but they have been held back in consequence of the amount of time expended in preparing plans and in deciding as to the scope and cost of these workshops, the idea then being to expend about half a million on them. I am reminded by an interjection that the amount was about £400,000. Whether the amount was to be £400,000 or half a million, I think both figures were excessive; and I was not slow in expressing an opinion on previous occasions, with other members, that what we want to get at is whether these workshops can be erected for £150,000, or thereabouts. If a committee of this House can find out and convince the Government that the workshops which are necessary for the maintenance of our rolling-stock in proper repair, and for putting together new rolling-stock when it arrives, can be constructed for £150,000 or £160,000, that committee will be doing good work, and especially if the committee can inquire whether the workshops can be put in hand and carried to completion expeditiously. Our railways have been paralysed for want of proper workshops accommodation, so as to provide and maintain rolling-stock in working condition. We have locomotives lying idle, and we have trucks unfit for main-line traffic, for want of facilities at the Fre-

mantle Workshops, and this the Fremantle members will acknowledge.

MR. DIAMOND: I think it is bad management at Fremantle.

MR. F. WILSON: I know something of management in connection with this question, and I believe that however capable may be the man in charge of the Railway Workshops at Fremantle, he cannot produce satisfactory or economical results as far as these workshops are concerned. I agree with the member for Albany (Mr. Gardiner) as to utilising other workshops, and in this connection I suggested privately to the Commissioner of Railways when the railway trouble became very serious lately, that the workshops at Albany should be utilised for erecting some of the new rolling-stock. I see no reason also why some of the trucks should not be erected there, and be sent out to Kalgoorlie, for I believe the workshops at Albany are capable of erecting not only trucks, but locomotives as satisfactorily and economically as at Fremantle, and I do not see why we should not utilise all the means at our disposal for this purpose. I also suggested to the Minister that a night-shift should be worked at Fremantle to overcome the delay, this being an expedient ordinarily used by engineers when there is pressure of work. We should not stop at a day-shift, but go on night and day. I believe that suggestion has been adopted to some extent by the Minister; and although we may spend a few pounds more in wages in working a night-shift and may not get quite the same result as from day-work, still we shall save ten times the amount by getting the rolling-stock finished more speedily and getting it to work on the railways, so as to earn more revenue, besides providing the necessary convenience for many industries which depend on our railways for carrying on their operations. In this way everybody would be benefited. I take exception to the remarks of the mover in regard to having dépôts for spare parts; I take exception also to the enormous amount of spare parts imported; and if the Commissioner of Railways will go into the question of value of the spare parts now lying at Fremantle and which have never been used, he will find the amount will run to tens of thousands of pounds. My idea of the economical

working of these railways is that we should have workshops placed so that they can tackle any breakdown which occurs, and tackle it at once when and where it occurs, by having workshops in the centres of traffic; and if our railways are going to extend in the near future, we must have repairing-shops not only at Midland Junction and at Albany and Geraldton, but also on the goldfields, so that rolling-stock may be rapidly overhauled on the spot and put into work again. I would not support the motion if I thought it was intended to delay the completion of the workshops at Midland Junction. I believe that is not the intention of the mover, but that he has moved in consequence of the idea of the Engineer-in-Chief to spend something like a half a million of money on workshops at Midland Junction.

THE MINISTER FOR WORKS : Not the Engineer-in-Chief.

MR. WILSON : Then I will say the Chief Engineer and the Consulting Engineers in London who have framed a scheme for workshops which should cost something like £400,000, and which other engineers think might be finished for something like £200,000. If this difficulty can be removed quickly and we can get these workshops erected quickly, we should get to work with our committee and have the question settled once for all.

MR. RASON (Guildford) : I shall not object to this motion if it is intended to facilitate the settlement of this question. Undoubtedly there has been great delay in the past, and it means that until the Government obtain some distinct expression of opinion from this House as to what the nature of the workshops should be, it is as well this committee should be appointed. I agree with the mover that it is necessary for the successful running of the railways that there should be a repairing-shop at different centres; but the mover knows well that although that is the case in connection with the English railways, there are also branch repairing-shops, and he knows there is in every case one central repairing establishment. That is what had been the wish of Parliament here, that we should erect central repairing-shops at Midland Junction. The question of site has been determined, and now what we have to determine is what is to be the nature of these work-

shops. It is time we had efficient repairing-shops, and it is the wish of the people of this State that we should commence the manufacture of rolling-stock within the State. Surely the time has arrived when we should commence the manufacture of our own rolling-stock. I wonder how many members have an idea what the rolling-stock is costing the country at the present time. I wonder if any member of the public owning a horse, and who may complain bitterly about a horse-box not being supplied just when he wants it, is aware that people in England pay as much as £720 for the construction of a horse-box, and to that amount must be added the cost of freight and a good deal for erecting here. Surely such figures as these should allow a large amount of profit for local manufacture, and surely we should be able to retain that profit within our borders, and be able to pay for labour here instead of sending money for the work to be done in England. I had no idea this motion was coming on to-night; but I regard it as not being in any way antagonistic, and I rather think it will assist in arriving at a settlement of the question. The member for Albany (Mr. Gardiner) was not quite right when he assumed that this House had determined previously that £159,000 should be the total expenditure on these workshops. That was not the feeling of the House at all, but the intention was that we should so limit the expenditure on these workshops that not more than £159,000 should be expended within 15 months; and although the sum mentioned in the first instance, £424,000, does seem a large amount to be expended for this purpose, still I wish to point out that the plans which have been prepared by the engineers are undoubtedly the outcome of care and great deliberation. They have cost an endless sum of money and an endless amount of consideration; and I submit that we have already lost, by the long delay, more than sufficient to build these workshops even at a cost of £424,000. We are losing thousands of pounds every year.

At 6:30 o'clock, the **SPEAKER** left the Chair.

At 7:30, Chair resumed.

MR. RASON (continuing): When the House adjourned, I was pointing out that not only is it absolutely necessary that this State should be supplied with thoroughly efficient repairing workshops without farther delay, but also that the time has arrived when this State should undertake the manufacture of its own rolling-stock; and as an instance of the price the State is paying for rolling-stock, I quoted the fact that we are paying £720 each for horse-boxes made in England. Some members have doubted the accuracy of that statement, but I can assure the House it is absolutely correct, and I refer members to the Railways Report for 1900, wherein they will find rolling-stock recommended for purchase, amongst other items being six horse-boxes at £720 each, total £4,320. There is also a recommendation to purchase 10 passenger brake-vans at £1,320 each. As an instance of the savings which may be made in these items, I can tell the House, from my own knowledge, that years ago a railway company in England, manufacturing its own rolling-stock, could turn out a first-class sleeping lavatory saloon, fitted and furnished in most luxurious style throughout, for £1,300.

A MEMBER: How many years ago?

MR. RASON: Ten years ago. I can give the hon. member, if he doubts it, chapter and verse for the positive fact. That being so, it does seem to me monstrous that this State should pay £1,320 for a passenger brake-van. There is also the fact that we have undoubtedly the best timber in the world here suitable for this very purpose of manufacturing rolling-stock. We are sending the timber home for the manufacture of rolling-stock, and yet we import our wagons and carriages into this State ready-made, and in some cases some of our own timber is used in the construction. Surely it is absolutely necessary we should have up-to-date repairing-shops, and also that we should commence to manufacture our own rolling-stock. The member for Perth (Mr. F. Wilson) said, and said rightly, that the condition of the rolling-stock in this State is lamentable, for the want of proper facility to repair it. In a previous debate I made a statement on this question in the House, and the Commissioner of Railways, in reply, quoted some figures which,

had they been correct, would have gone far to controvert my statement. I do the Commissioner of Railways the justice to say that I know full well he made that statement in good faith, upon information supplied to him; but the information was wrong. I know for a fact now that the Commissioner of Railways is aware it is wrong, and that the statements I made in this House were absolutely correct. Also, to bear out what I say, I should like to quote from the report of the Chief Mechanical Engineer of this State, for 1900, as showing the condition of our rolling-stock. He says:—

The departmental records show that the condition of the locomotives, carriages, wagons, vans, cranes, machinery, and general plant, is only fair.

This is a nice report to get from the Chief Mechanical Engineer. He goes on to say:—

Much requires to be done to the locomotive stock to bring it in accord with modern practice, and thus secure economic results. The inferior condition of the locomotives, especially during the first half of the year, necessitated a large staff of mechanics being maintained at the several running sheds.

On the question of workshops, he says:—

The workshop accommodation and facilities at Fremantle are inadequate and unsuitable. It is an absolute necessity that immediate action be taken in this most important and urgent matter. Until reasonable facilities are available, the cost of operating this branch must increase in a most abnormal degree.

The report of the Chief Mechanical Engineer is borne out by the fact that every year has seen an increase in the cost of operating the Loco. Branch in this State. It has increased year by year, until it has assumed abnormal proportions. This state of things has been going on year after year. Every report from the responsible heads of the railways has drawn attention to this fact. Parliament has, year after year, had the question of the workshops before it. It is now recognised by every reasonable individual that the State is losing thousands and thousands a year through the want of efficient workshops. I do not intend to offer any objection to the appointment of this committee, but I hope that members in speaking on the question, as I hope many will do, will give the committee, whoever they may be, to understand, and let it be distinctly

understood, that the time has arrived when the manufacture of rolling-stock should be undertaken by the State, and then, beyond that, your committee should be able to determine how much it is necessary to spend as the total cost of the workshops you propose to erect. I hope that if any alteration is made in the plans, it will be such alteration as will not necessitate delay. Already years of delay have occurred through the question of plans, through alterations suggested by one individual and then by another, until it would seem as if there would never be any finality upon the question of plans alone. But now all the responsible heads of the railway are agreed that the plans provided are what are required. Any alteration, therefore, must be undertaken with considerable thought; and bearing in mind the fact that every year's delay means a very serious loss to this State.

MR. W. D. JOHNSON (Kalgoorlie) : I desire to support the motion before the House. The time has arrived when we should take into serious consideration the repair and manufacture of our rolling-stock in this State. I agree with that hon. member that we should not agree to centralisation. I would like to see stated in the motion what sort of committee we are going to have on this question. I take it that the duty of the committee is to see that the money we have voted in connection with the Junction Workshops shall be judiciously expended; and I take it that the object of the mover is to see that too much money is not spent in buildings, and that there is not too little spent on plant; and also to see that there is not an insufficiency of buildings to accommodate the plant bought. Of course, we know we have a Minister for Works, and it is his duty to look after this, with the assistance of his engineers; and we also know that the recommendations of the committee will assist them. Speaking as a tradesman, I know that even an engineer, as a tradesman, has certain fads and certain ideas. I take it that, in appointing a committee, we can pick men who can assist the engineer in seeing this money is spent in the best interests of the State. I contend that we should have a central construction shop, say at Midland Junction, and also in the same place a central repairing

shop; but at the same time I maintain that repairing shops should be established at such places as have been mentioned, namely Geraldton, Albany, and Kalgoorlie. As to Kalgoorlie, I can speak from experience. I have visited the shop there, and I find that in a centre as large as Kalgoorlie the department has one blacksmith to attend to the repairs of the engines and the great quantity of rolling-stock employed in that district. One blacksmith, be he ever so good—and I know the blacksmith in question to be a good man—cannot do all the work. Consequently the great bulk of the repairs has to be sent down to Fremantle, a distance of 380 miles. I maintain that these centres should have sufficient tools and sufficient men to effect locally the repairs required in the district. I therefore support the motion, and I trust the committee will be appointed and that we will not adopt a policy of centralisation, but will establish central shops at Midland Junction and other repairing shops at the places mentioned here to-night.

MR. H. DAGLISH (Subiaco) : I beg likewise to support the motion, if I am to understand that the word "committee" in the motion is to be taken as meaning a select committee of this House. There is some degree of doubt amongst members as to whether the proposal is for a committee or commission to be appointed by the Government, or for a select committee to be appointed by the House. If it be a Royal Commission the motion aims at, then I am entirely opposed to it. I think that work of this description should be done by the Legislature, and that Parliament should not farm out its duties to commissions when it is possible to avoid doing so. The only cases in which I consider a Royal Commission justifiable are those of necessity for inquiry arising when Parliament is not sitting, and those in which the work proposed to be entrusted to a Commission is likely to extend over so long a period that it would be impossible for Parliament to give due attention to the matter. I see nothing in this motion to which these remarks apply; therefore I trust that members will see that the motion is made definite before they agree to it. I know that there is a prejudice in certain quarters in favour of employing

experts to inquire into everything ; but I believe that in such inquiries as this we want, not expert committee-men or expert commissioners, but expert witnesses. There is no difficulty in getting expert evidence ; and we know that sooner or later Parliament itself has, without expert knowledge, to determine what value is to be attached to the evidence taken by the commission or committee, and has to decide what recommendations should be adopted and what should be ignored. I therefore strongly urge the member for the Murray (Mr. George) to make his motion —

MR. W. J. GEORGE : Move it as an amendment.

MR. DAGLISH : I will move, if it be necessary to do so. I move as an amendment :

That the word "select" be inserted between "a" and "committee."

MR. W. J. GEORGE : All right ; I agree to that.

MR. DAGLISH : I am glad to find that the member for the Murray agrees to it. I desire to indorse what has been said by the member for Guildford (Mr. Rason) on the question of the local manufacture of rolling-stock. Whether or not it be practicable for the State to undertake this work at once, I would not like to say definitely ; but I am quite satisfied that if the manufacture be practicable we should undertake it as speedily as possible. I know no reason why the State should not do such work, and I think it might be brought within the scope of the duties of this committee to make full inquiries into the subject, and ascertain not only whether the manufacture suggested be practicable, but also what would be the cost of suitably fitting up the proposed buildings for the manufacture of rolling-stock. Some consideration should also be given, as has been urged by previous speakers, to the question of decentralisation. I am quite satisfied that the State will save money by doing what repairs can be done at certain headquarters in the various districts of the State. I shall say nothing more except that I trust a select committee of this House will be appointed.

THE SPEAKER : I may say that it was my intention to ask the member for the Murray (Mr. George) what he meant by "committee," because I thought it was

owing to a mere oversight on the part of the hon. member that he did not use the expression "select committee."

MR. GEORGE : That is so.

Amendment put and passed.

MR. YELVERTON (Sussex) : I strongly support the motion for the appointment of a select committee to inquire into the building of workshops at Midland Junction. I am convinced that Parliament should oppose the centralisation at Midland Junction of the whole of the workshops in connection with our railways. The work of repairing rolling-stock should be divided amongst the different centres of the State. Albany and Geraldton have been mooted, and I think repairing shops should likewise be established at Bunbury. I see no reason why rolling-stock should be carried over hundreds of miles on the railways to Midland Junction for repairs which could just as well be attended to at outlying centres. As a practical man, I agree with the member for the Murray (Mr. George) that we should standardise the types of our locomotives and our rolling-stock. Standardisation would undoubtedly effect a great saving, by reducing the number of classes of our engines. If we spend £159,000, as was arranged when the Loan Bill was passed, at Midland Junction within the next few years, we shall have spent quite sufficient for the time being. We should pause before we decide to enter on the local construction of entirely new rolling-stock. For the present we should confine ourselves to repairing rolling-stock which the Department has. I do not think we should aim at building locomotives. Construction work should be limited to making the minor parts and the iron-work of trucks and other rolling-stock. In this connection the appointment of a Public Works Board would be of great advantage, and I earnestly urge upon members to take steps in that direction as speedily as possible. It is time that the losses caused by the delays in the building of the workshops at Midland Junction should come to an end. As we have decided to erect workshops there, we should proceed with them at once, at any rate as far as facilities for repairing are concerned. We may still, however, delay for a time entering on the manufacture of locomotives and other rolling-

ing stock. I have pleasure in supporting the motion.

MR. C. HARPER (Beverley) : I rise to propose a farther amendment which will, I think, make the proposed inquiry more definite in its aim. I move that the following words be added to the resolution:—

With a view of recommending such course as may render them available for repairing purposes at the earliest possible period.

The addition of these words will, I think, serve as an indication to the select committee of the lines on which the House wishes them to work—that is, to seek some means of overcoming the friction, if there be any, in the administration, so that the country may as speedily as possible derive some benefit from the money to be expended on the proposed workshops.

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

Ayes	24
Noes	8
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Majority for	16

Ayes.	Noes.
Mr. Butcher	Mr. Connor
Mr. Ewing	Mr. Doghish
Mr. Gardiner	Mr. Hastie
Mr. George	Mr. Higham
Mr. Gregory	Mr. McDonald
Mr. Harper	Mr. Reid
Mr. Hayward	Mr. Reside
Mr. Hicks	Mr. Diamond (Teller).
Mr. Hopkins	
Mr. Illingworth	
Mr. Jacoby	
Mr. James	
Mr. Johnson	
Mr. Kingsmill	
Mr. Leake	
Mr. Monger	
Mr. Nanson	
Mr. Oats	
Mr. Pigott	
Mr. Sayer	
Mr. Throssell	
Mr. Wallace	
Mr. Yelverton	
Mr. Bason (Teller).	

Amendment thus passed.

Question as amended put and passed.

MR. DAGLISH : I was under the impression that I was voting against an addendum to the motion, and not against the motion itself.

THE SPEAKER : I put the motion as amended, and it was adopted.

Ballot taken, and a committee elected as follows:—Mr. Harper, Mr. Johnson, Mr. Bason, Mr. Wilson, with Mr. W. J. George as mover; to have power to call

for persons and papers, and to sit during any adjournment of the House; the committee to report on 1st October.

MOTION — COOLGARDIE GOLDFIELDS WATER SUPPLY SCHEME, TO COMPLETE EXPEDITIOUSLY.

MR. J. M. HOPKINS (Boulder) moved:

That that section of the Coolgardie Water Supply Scheme between and including reservoir and pumping stations No. 1 and No. 3 be completed as expeditiously as funds will permit [with a view to testifying definitely the efficiency and feasibility of the scheme].

With the permission of the House, I desire to eliminate the second part of the motion [testing], as I understand that if it were adopted it would clash somewhat with existing contracts. My chief reason in bringing this motion forward is that disquieting rumours have been current on the Eastern goldfields for a considerable time past as to whether this water supply scheme for the Coolgardie goldfields is really practicable. I have also been actuated to some extent by the reports, first the interim and secondly the final report, of the Commission of Engineering Experts sitting in London, which has reported on the scheme. So far as feeling on the Eastern goldfields is concerned, this scheme has been dangled before the people there for such a long time that they have begun to view it in the light of the proverbial bunch of carrots held before a donkey. The people of the Eastern goldfields have come to the conclusion that this scheme has had more importance attached to it than is really warranted; and to show that the scheme has not been taken seriously by the people of those goldfields for some time past, I will read an extract from the *Western Argus*, which in a leading article said:—

The scheme has always hitherto been treated as a huge joke by most of the denizens of the goldfields; an expensive joke certainly, and a very grim one, but a joke for all that. Residents of the goldfields may be, and probably are, all wrong; but still the scheme being such a magnificent one and altogether unprecedented, it would be well, for the satisfaction of everyone concerned, to test its success as far as possible as the work goes on. It seems certain that, should the first section prove successful, the rest might safely be continued, for one would practically prove all the rest. If there is to be a heavy loss, better leave it at

that than lose the whole of the money, which many predict would be the case should no sectional tests be made meanwhile. It comes to this, that should the first test be quite satisfactory, the rest of the work could be proceeded with in due course, and the confidence of our London creditors would be fully secured in view of farther and almost immediate proposed borrowings.

That comment followed the first intimation of the notice of motion I have moved to-night. I quote it to illustrate that there is a feeling of doubt in the minds of the people on the goldfields, and even during this session we have heard it repeatedly stated there is some degree of doubt whether this scheme will be a great success. I have no desire to express my own definite opinion on the scheme, because I prefer to leave that to scientists. I believe they have done their work well, but it devolves upon this House to say that as soon as possible we should have a practical test to see whether the scheme is capable of doing everything it is supposed to do. I have been informed thousands of plates have been condemned in connection with the manufacture of the pipes, and that they never left the works; or, in other words, the plates which are condemned as unfit for pipes in one shift are manufactured into pipes in the next, and I think this is a matter which requires immediate attention. To my mind that is a very serious thing, and having heard it from a person I believe to be in a position to speak with some degree of certainty, I felt it devolved upon me to make it known as soon as possible. With the consent of the House I will read from the interim report of the engineers appointed by the Government in Western Australia with regard to the testing of the 12in. pipes, which of course are much smaller than the main pipes:—

In a third test the pressure momentarily reached 900 lbs. per square inch. The pipe was bulged, but there was no leakage at the longitudinal joints, and they did not appear to be injured, though the stress on the steel must have reached nearly 20 tons per square inch when the internal pressure of 900 lbs. per square inch was applied. So far as it went the test was very satisfactory, but it would be desirable to test a considerable length of main made by such a machine as will be employed in practice in the manufacture of these pipes, to ascertain whether the joint can be made uniformly strong and water-tight throughout its length.

Then again in the final report of the same Commission of Engineers they state:—

In the course of our investigations, and while recording our conclusions in this and our former report, we have been impressed from time to time with the necessity of drawing attention to the large part which the treatment of details must play in the degree of success attained. We have stated our conclusions as to the general arrangement and design of the larger elements of this remarkable aqueduct, and have dealt with the principles of construction of certain essential details; but there remains a large amount of no less important work which can only be properly done in the course of writing the specifications and preparing the drawings, and this work will devolve upon the engineers responsible for the undertaking.

I understand the motion meets with the approval of most members of the House, therefore I do not think it necessary to deal with the question farther, except to say the motion only asks for a reasonable test to be made to demonstrate whether the Coolgardie Water Scheme is to be a failure or a success.

MR. F. McDONALD (Cockburn Sound): I second the motion.

MR. A. J. DIAMOND (South Fremantle): I will oppose this motion, which is to a great extent a vote of no confidence in the Engineer-in-Chief. Until the Engineer-in-Chief or any other officer holding such a high position has been proved by actual facts and occurrences to be unworthy of the confidence of this House, I for one shall take his opinions and decisions in preference to those of a private member or members of this House who have no practical knowledge of the question under discussion.

MR. J. M. HOPKINS: I did not express an opinion.

MR. DIAMOND: I have not heard the hon. member make use of one word that will properly induce any member to vote for the motion. The hon. member has heard this, that, and the other thing, but he does not produce any proof whatever. He has been very unfortunate in his quotations: he quotes the opinion of a goldfields paper of the feeling of the people on the goldfields. I challenge the hon. member on the point that the people on the goldfields have treated and are treating this scheme as a gigantic joke. I say from my own personal knowledge that the largest or some of the largest

consumers of water upon the goldfields are most anxious to see this scheme carried out at the earliest possible moment, and they have every confidence in the statements of experienced engineers who say the pipes are capable of doing their work. They have every confidence that these statements are reliable, and I say again that until it is shown by actual results such officers are not reliable, I for one will be no party to the stoppage of this work and virtual delay of the eventual completion of this work by perhaps six or twelve months. We have had in this State many instances of those reports which are flying about, and which are given voice to by a certain section of the goldfields Press, who are absolutely nothing if they are not continually abusing everything that emanates from this part of the State; abusing our officials, abusing the people in this part of the State; and this Coolgardie Water Scheme abuse is only part and parcel of the same thing. I for one, as I said before in this House, opposed the scheme at the time it was mooted. I did not think it was justified at the time; but the enormous increase of population on the goldfields, the necessity to give the people sufficient water for household purposes to induce them to bring their families over, and the enormous demand from the mines and other wholesale sources, justify us in hurrying on the scheme as fast as possible; and unless the Minister for Works (Hon. W. Kingsmill), as head of that department, can assure me he has grave or reasonable doubts about these technical points, I will vote against the motion. I have every confidence that the member for Boulder is advancing views which he thoroughly holds, but I have also every confidence that the hon. member has been misled by report. Instead of these wild reports which are flying about, men of business want something tangible. If the responsible officers assure the Government that these statements are not correct, if they say the jointing of the pipes, or whatever the technical part of it may be, is all right and reliable, it is the duty of this House to support them. With these few remarks I will content myself with saying that I shall vote against the motion.

MR. HOPKINS (mover): In explanation, I may point out—I do not know

whether the member for South Fremantle (Mr. Diamond) is aware of it—that the second part of the motion is eliminated; and that the first part will not delay the scheme, but hurry it on.

MR. M. H. JACOBY (Swan): I rise to oppose the motion, because we have had far too much delay in carrying out this scheme. I have been living in the vicinity of the weir, and have been forced to notice the frequent delay that has occurred there. Any farther obstacle placed in the way of carrying out this scheme at the earliest possible date should be discountenanced by the House.

MR. HOPKINS: The motion does not do that.

MR. JACOBY: I was not aware of the exact terms of the portion of the motion that has been withdrawn; but I see no object in carrying the motion as amended. The Minister for Works should be in a position to inform the House whether the Engineer-in-Chief has any reason to doubt the efficacy of the caulking used in this scheme; and I think that whilst he is satisfied with the reports received from the Engineer-in-Chief, the House also should be perfectly satisfied.

MR. F. CONNOR (East Kimberley): I support the motion, and I may mention that in the early part of the session I drew attention to the fact that I had a report by one whom I considered a good and sufficient authority on the matter, that the joints in connection with this scheme are not good. I do not know who is in the right, and both the person who told me they were not good and the person who told me they were good ought to know. There being doubt, it devolves upon the Government of the day in an important work like this to have a test made as soon as possible. This was all I asked for in the debate on the Address-in-reply—that a test be made at once to satisfy the country whether the Government were justified in going on with the work; and that if they found out the joints were bad they should stop the work at once, so that the country would not be put to any farther expense. It seems that in discussing this question, any person who dares to venture an opinion on it is accused of attacking the Engineer-in-Chief. First of all let me say, in reference to that matter, there is

no person in this country or in Australia, nor any person I have ever read or heard of, for whom I have a greater respect than I have for the Engineer-in-Chief in Western Australia. I hold that he is a credit to the country, and that what he has done in this State ought to be sufficient, when his time comes for him to leave, for a monument to be erected in recognition of the works he has accomplished. The Fremantle Harbour Works were constructed by this man, and were, we may say, carried out by him. When he was asked his opinion on coming here, he said he could do the work. The greatest living authority in the world said the work could not be done, and yet we have this gentleman carrying the work to a successful issue; consequently, I say no person should say anything against the Engineer-in-Chief for what he has done in this country. But no person is infallible, and a mistake even by so great a man as the Engineer-in-Chief may be possible. I hope he has not made such mistake, and from what I have since heard I do not think he has; but it is our duty not to give anyone an opportunity, even if the head of a department, to make mistakes which would land this country in financial disaster. There was something I wished to say with regard to this matter, which has not been touched upon before, but I have no doubt the Minister for Works (Hon. W. Kingsmill), when he replies as I presume he will, will give some information upon it. Without reflecting upon the Engineer-in-Chief, I would ask the Minister if the Engineer-in-Chief followed the advice of experts whom he went to consult in London with reference to this particular class of joints and pipes. If he did and they did not think the pipes a success, yet they prove a success, the more glory to him. If, however, the pipes are a failure, and he did not carry out their advice, I have no hesitation in saying there is a certain amount of blame on him.

MR. R. HASTIE (Kanoona): I am not in a position to criticise this matter, like the gentlemen who have preceded me have undertaken to do. Nor are we concerned particularly as to what opinion some hold on this subject. The credit of the State is involved in the completion of this very large scheme; and we are in

this position, that if the scheme is a failure, every one of us will be blamed if we do not take every precaution to see that everything necessary is done for the proper completion of the scheme. It is very well for a member here to declare that he is an authority on the goldfields opinion on this matter, and tell us that the people on the goldfields wish to have the water. That is perfectly true. But the hon. member went on to tell us that the goldfields people have every confidence in the completion of the scheme. I am very glad to hear it. It is about the first time I have heard an expression of that kind. It must be remembered that the scheme started fully five years ago, and at that time we were assured that it would be completed within three years. Now five years have passed, and we have not come within measurable distance of it. Besides, this scheme is a completely new one: no exactly similar work of the kind has been undertaken anywhere in the world. Professional men are not agreed on the matter, and in respect to almost everything that has been done, those who ought to be good authorities express their doubts whether the work will not require to be done over again. The hon. member who represents Boulder (Mr. Hopkins) to-night asks the House to see that a test be made on the completion of Nos. 1 and 2 sections of the scheme, and it is only reasonable to assume, if those tests be made there and the pipes act in the manner it is intended, in all probability the people will get a water supply on the fields. On the other hand, it is contended by the member for South Fremantle (Mr. A. J. Diamond) and others, that to make an examination at the present time would be, practically, to pass a vote of no-confidence in the Engineer-in-Chief. But that is a secondary matter, and if the Engineer-in-Chief is such a good man as so many gentlemen believe, he will be only too glad to have his work tested so far, and if he is a man of great experience he will see the necessity of testing as he goes along. I hope the House will pass the motion, and that we shall see that this scheme is tried, not only at the first and second sections, but at every section, till its completion. And if the scheme is not workable, let us say so openly, and stop the spending of money uselessly.

MR. W. J. GEORGE (Murray) : The motion as it stands is one I shall support, and I think there should hardly be a member on the other side of the House who will not give it his cordial support. All that the motion says is that it is desirable that the work which was passed by the House, for which money has been borrowed and obligations entered into, should be pushed forward as expeditiously as possible. It necessarily follows that the testing of the work should be carried out as the work proceeds. It requires no instruction from this House to the Engineer-in-Chief, or any engineer whose work is well known, to try the scheme as it goes along. Engineers are accustomed to move slowly, and to move forward but not backward; and the Engineer-in-Chief, even if the motion had never been brought before the House, would make such tests as are necessary to prove that he is going along cautiously. The member for Kanowna (Mr. Hastie) has spoken about this being the first scheme of this sort. I believe it is the first scheme of the sort in connection with water, but there has been an even larger scheme than this in connection with oil, in America, and it has been found possible to pump oil long distances, but not with pipes of this kind. If the House would give the engineer *carte blanche*, no doubt he would be prepared to pump water to Sydney, and back again : there is no ending to what an engineer may do if you will give him the money. The only other remark I shall make is, that the Coolgardie Goldfields Water Scheme has been adopted in the House time after time, and various members have expressed their opinion, not so much against the feasibility of that scheme as a scheme, but as to whether that scheme was or was not too ambitious for West Australia in its circumstances. I know on one division, in which the Commissioner of Railways (and I am sorry he is not here to-night) voted, and I believe I was with him, the House gave its opinion by 22 votes to 4. At that time I said, as I say now, that it having been decidedly fixed by the House, and inferentially by the country in the confidence shown to the House, that the scheme should be carried out, all should put their shoulders to the wheel and push the scheme ahead, and not try and damage

the scheme. The House must bear in mind that we have borrowed the money for a specific purpose: obligations have been undertaken, and a start has been made. Therefore, we should be particularly careful, in the present state of West Australia, not to let the British money-lender, or whoever we borrow our money from, have the slightest idea that we are faltering on the road, that we are not confident in the soundness of the scheme for which we have borrowed the money. The Colonial Treasurer has his financial arrangements to make, and we all hope and trust and believe that the financial stability of West Australia is as sound as ever it was; but we shall not get other people to believe it is sound, if we begin to cry "stinking fish," and if there is some mistake in the scheme. We are committed to the scheme and the expenditure, the work has been started, and members may be quite sure that tests will be carried out; therefore we ought to give an unfaltering and unhesitating support to the work. One remark was made by the member for Boulder (Mr. Hopkins), that thousands of pounds worth of plates had been condemned at the works in one shift, and had been used in the next. I hardly think there is any basis for that. I have had similar statements made to me, and generally, on investigation, they have proved to be the slight misunderstandings of simple minds. That is a nice way of putting it: sometimes we put it stronger than that. I cannot think the officers of the department are such scoundrels or idiots as to allow defective plates to be used. I would like to point out to the member for Boulder that I understand these plates are inspected as they are manufactured; that they are inspected before they are allowed to be made into pipes. Every part of the process of manufacture is inspected before the pipes are allowed to be dipped with a coating of asphaltum; therefore it is hardly feasible to think that every one of these inspectors and officers is likely to be in the pay of the contractor—for that is what it amounts to, although it seems a very discreditable thing to say—or are so careless or neglectful of their duty as to pass defective work. I shall support the motion; I believe it will do no harm; possibly it may do good. As far as the

Engineer-in-Chief is concerned, although I sometimes differ from him, I believe he knows his business too well to need instruction from members of this House to do his duty to the country.

On motion by the MINISTER FOR WORKS, debate adjourned.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

SECOND READING.

MR. D. J. DOHERTY (North Fremantle): In moving the second reading of this Bill, I must inform the House that the title of the measure is the most formidable part of it. It is simply a Bill to enable the municipality of North Fremantle to macadamise two streets. Before the Municipal Institutions Act came into force, two streets, known as Jewell Parade and Willis Avenue, were formed. They were not of the regulation width of 66 feet, and the municipality have no power to spend money on these streets. On several occasions the municipality have applied to the Government for a special grant to macadamise these streets, but on each occasion they have been refused. It is the desire of the municipality of North Fremantle to spend some of the rates on these two streets, because they are densely populated; and the approach to the houses is simply a bed of sand. This simple amendment of the Act will be greatly to the advantage of the rate-payers who live in the two streets I have named. The Bill gives power to spend the rates or any money the municipality wish to borrow, to put the streets in good condition. It is very easy to understand that this is not the only place in and around Perth and Fremantle where a municipality suffers in this way. I ask members of the House to give their best consideration to this apparently small matter, but which means a great deal to the people who live in the locality. I ask the House to pass the Bill at the earliest possible opportunity, so that these streets may be put in proper and good order.

Question put and passed.

Bill read a second time.

TRADE UNIONS REGULATION BILL. SECOND READING.

HON. W. H. JAMES (Minister), in moving the second reading, said: The

need for introducing a Bill of this nature indicates the somewhat loose manner in which the administration of our laws has been carried on, because it becomes necessary for the purpose of legalising unions and combinations which really by the existing laws of this State are illegal. For years past we have had in our midst trade unions which contain within them all the elements of illegality which existed in the trade unions of the old country, but we have not yet had any legislation dealing with them, although in all the sister States legislation of this nature has for some years been on the statute books. However, the fact that trade unions have been legalised for so many years in the old country and throughout the other States has no doubt influenced those who were called upon to administer the law here; and although we have not had such a Bill as this, it has no doubt been recognised that there should be a law dealing with trade unions, and placing them in the same position as we find they occupy in the old country. It is a peculiar fact that if we go back for ages we shall find that whilst the earlier combinations known as guilds were recognised and admitted, and are found existing now in the old corporate bodies of London, any other combination of labour was always looked upon with grave suspicion, and indeed was rendered illegal, so that while those who had sufficient money formed those guilds, which were most distinctly valuable in days gone by, those who had not acquired sufficient status to become members of a guild were unable to form combinations for carrying out the same objects on a lower scale, but came within the ban of the law, and their combinations were looked on as illegal. For hundreds of years we find legislation directed against these combinations; and it was only in 1871 that the first Act was passed which placed trade unions upon a legal basis. Up to that time the legal objection was that they were combinations of men formed for the purpose of restraining trade; that their object was to protect themselves, to get better wages, or to secure better conditions under which their labour should be carried on; and those objects, when men combined for the purpose of securing them, were looked upon as giving to the trade unions an

illegal colouring. That was the antiquated view, from which we have long since passed onward. But it is somewhat interesting if we follow the struggle that took place for years and years between those organisations which we now know as trade unions, which were forced upon the community by the absolute need for them—the struggle that took place between the time when they became, if I may say so, an absolute necessity, and the time when they were recognised as lawful. For years and years they were fought against; for a number of years a series of Acts was passed for the purpose of suppressing them; and the first Act in their favour was passed as recently as 1871. The last legislation we have directly aimed against them was in the year 1885. The legislation which the Government ask this House to pass in the present instance is founded entirely upon the Imperial Acts of 1871 and 1876. Those Acts are taken as the foundation of the similar Acts of the various States. Go into the most democratic State of the Australasian group, New Zealand, and we shall find that they accept the Imperial legislation of 1871 and 1876 as embodying all they desire. In this Bill we define a trade union in the interpretation clause, namely Clause 2; and I think the definition there given will commend itself to every member as being one which applies to trade unions as we understand them in our daily experience. It will also be observed that trade unions may be formed not only between workmen and workmen, but between employers and employers. In my experience, I have never yet come across a trade union formed between employers and employers; but I have experienced trade unions of workmen, and workmen only. But the Bill as now before the House, and the Imperial Acts and other Acts framed thereon contemplate unions of employers and employers, as well as those formed between workmen only. Clause 3 will indicate to hon. members what was the old common law regarding trade unions. It states that the purpose of registered trade unions shall not, by reason merely that they are in restraint of trade, be deemed to be unlawful so as to render any member of such trade union liable to criminal prose-

cution for conspiracy or otherwise. Although that provision is there inserted, and although we find a provision of a somewhat similar nature in Clause 4, Clause 5 provides certain safeguards that are thought to be necessary. Therefore, although by this Bill the law recognises trade unions as legal entities, and declares that the mere fact of their combining for the purpose of raising wages or improving their condition shall not be an element of illegality, none the less by Clause 5 it is declared that nothing contained in the Act shall enable a court to entertain legal proceedings for the purpose of enforcing the agreements therein mentioned; so that the legal clothing given to a trade union by this Bill is to some extent limited by Clause 5. Clause 12 gives power to trustees to sue, and also enables trustees to be sued; and it was in connection with the interpretation placed upon that Clause 12, which is Section 9 of the Act of 1871 in the old country, that the recent famous case arose of the Taff Vale Railway Company against the Railway workers' association, a decision referred to in a question asked a few evenings ago by the member for Beverley (Mr. Harper). For years past, it has been a strongly controverted question how far and to what extent trustees of minors could sue, and to what extent trade union property was liable when the trustees committed torts. In that case, the learned judge of first instance held trustees were liable, that they could be sued, and that the property of a union was liable to answer the amount of the judgment. The court of appeal held that the judge of first instance was wrong, and that a trade union could not be sued; but the House of Lords held that they could be sued, and that the property of the union was liable. There is no doubt that decision came as a considerable surprise to the profession, as it had been taken for granted that the power to sue a trade union under Clause 12—that is Section 9 of the Imperial Act—was a very limited power; and the effect of that decision in the old country will doubtless be that we shall see a far greater number of cases brought against trade unions when these are liable in respect of any matter which arises out of or in connection with their proprietary rights. However, Clause 12 as we have it now

embodies the law as it is in the old country. Clause 31 of the Bill does not exist in the old country; and it is necessary here to enable a trade union to be registered under the Industrial Conciliation and Arbitration Act of 1900. It makes a provision the effect of which shortly is to enable a trade union to be registered under that Act more simply than a union formed for the express purpose of coming under the Act. Nearly all the clauses of this Bill are really machinery clauses. They provide that registration must be applied for; that upon registration certain things have to be done. They provide how money and property are to be dealt with by the trustees, and how this is to be done when the trustees are absent. They deal also with how the treasurer is to account, with the registration of trade unions, the cancellation of certificates, the question of membership, and various similar matters, all of detail. But so far as the House need now concern itself on the question of principle, I think I am right in saying I do not believe one member will question the need of passing a Bill like this, or will question the underlying principle, that is the need and justification for recognising trade unions, and for placing them upon the same legal basis that they have in the old country, in the various states of Australia, and in New Zealand, and for putting them in the position which for years past has been recognised as their true position, inasmuch as they have been allowed to exist in our midst. I have very great pleasure in moving the second reading of this Bill.

MR. W. F. SAYER (Claremont): It is certainly desirable that this Bill should pass. It is, as the mover has stated, the Imperial Acts of 1871 and 1876, and it closely follows the legislation of the other States of the Commonwealth. It is certainly rather remarkable that no Trade Unions Act has ever been passed in this State. Undoubtedly, such legislation was contemplated; and when the Act of last session, the Industrial Conciliation and Arbitration Act, was drafted, it was undoubtedly intended that it should be preceded by a Trade Unions Act; and I question whether any association of workers can be said to be legally registered under the Industrial

Conciliation and Arbitration Act of last session at this moment.

HON. W. H. JAMES: There has been a threat to raise that point.

MR. SAYER: No doubt. I question the legality of the registrations. Only a society lawfully associated is capable of registration under that Act. The words in the Conciliation Act are:—

A society consisting of any number of persons, not being less than 16, residing within the State, lawfully associated—

Lawfully associated, note:

for the purpose of protecting or furthering the interests of workers, or in connection with any industry of the colony, may register.

These words were used in contemplation of associations being already legalised under the Trade Unions Act. Other associations of workers are not recognised by law: they are illegal. They are illegal by law as conspiracies in restraint of trade. It is necessary, therefore, to pass a Bill to legalise these associations—or at least it is desirable to do so—before any fresh legislation on the subject of the Industrial Conciliation and Arbitration Act is entertained. We must begin by legalising these associations. Personally I have a very strong opinion that when we come to amend the Industrial Arbitration Act we should follow on the lines of Federal legislation and the lines of the legislation passed by other States of the Commonwealth. The example of New Zealand can, in my opinion, be pressed too far. There is now before the Parliament of New South Wales a Bill dealing with industrial arbitration, introduced by Mr. Wise, which is, to my mind, a most excellent measure. It is a simple measure of a few clauses, and I think that we shall find that measure of Mr. Wise's will be the model of the Conciliation Act of the Federal Parliament—the Act which will deal with industrial disputes extending beyond the limits of any one State. Under this Bill of Mr. Wise's it is only a trades union that can register as an industrial association; and I consider the limitation a very desirable one. I think the Government are to be congratulated on postponing their Industrial Arbitration Bill until this measure for the establishment of trade unions shall have been passed. By this means I think the way will be paved for a very desirable reform. There is only one matter

which I think will call for amendment in Committee, and that is as to the number of individuals who may form a trades union. Seeing that we intend to allow a trades union to register as an association under the Industrial Conciliation and Arbitration Act, it will be desirable that the number of members constituting a trades union shall be the same as the number of members required to constitute the present unlawful associations under the Industrial Conciliation Act. I intend, therefore, to propose as an amendment to Clause 8 that the number of members shall be increased to 15 from seven, which is the number at present required. I have pleasure in supporting the second reading of this Bill.

MR. R. HASTIE (Kanowna): I do not think there is any necessity for my taking up the time of the House in urging hon. members to pass the second reading of this Bill. I have been much interested in the legal opinions of the two learned members who have spoken to-night as regards the necessity for passing the measure. I admit that I, in common with many others, was rather doubtful on the point, so many people having assured us that it was not necessary. As the learned gentlemen who have spoken believe that it is desirable, I feel quite certain that the House will agree to pass the measure. When the Bill goes into Committee, no doubt many suggestions will be made and many amendments proposed. In glancing through the Bill I see, for instance, that a fee of £2 is to be charged for registration; and that in the event of societies already registered wishing to change any rule, they will be called upon to pay a farther fee of 10s. for registration of the amended rule. It appears to me that the imposition of such excessive fees will deter many societies from taking advantage of the measure; and I feel sure that the hon. member in charge of the Bill (Hon. W. H. James) will be willing to modify it in that respect. I shall not follow the last speaker on the legal question as to whether the Registrar was justified in registering societies under the Conciliation and Arbitration Act, as we shall have put before us a Bill to amend that Act, which Bill will, I understand, be considered by the House next week. I

feel quite certain that hon. members will pass this Trade Unions Bill so as to save any complications of the nature which the hon. member in charge of the Bill has suggested. That gentleman in his remarks has travelled a little outside this particular piece of legislation, and has told us that he would advise the House, when dealing with the Conciliation and Arbitration Bill, to follow the example which will be set by the Federal authorities. He tells us, moreover, that the Federal Act will be based on Mr. Wise's New South Wales Bill. That statement rather surprises me, because Mr. Wise's Bill proposes to establish an arbitration court, and an arbitration court alone, for the whole of New South Wales. I cannot for a moment anticipate that such a court will be established for the whole of Australia: I do not believe that the whole of the Australian people will be asked to come to one centre for the settlement of trade disputes. That matter, however, remains to be decided. I hope the House will read the Bill a second time and pass it as soon as possible.

HON. W. H. JAMES (in reply): I felt sure the Bill would commend itself to the House, and I am glad to see the member for Claremont (Mr. Sayer) pointing out what I believe to be a great difficulty in connection with the old Conciliation Act. I am aware that the question has been threatened to be raised. Hon. members will no doubt remember that when I first spoke during this session, I said the Conciliation and Arbitration Act we now have is mere waste paper. That was one of my principal objections when I spoke. I certainly do think that unless we legalise the associations by express terms, any Conciliation Bill we may pass will be open to attack. I am glad indeed of the support which the member for Claremont has extended to the Bill. I think his suggestion a very valuable one indeed, but so far as the Conciliation Bill is concerned, we will wait till the time arises to discuss it.

Question put and passed.

Bill read a second time.

WORKERS' COMPENSATION BILL.

SECOND READING.

HON. W. H. JAMES (Minister), in moving the second reading, said: This is a Bill of far greater importance, and

perhaps of far more widely-reaching effect, than the Bill we have just been discussing. It is a Bill for extending the liability of employers in connection with accidents, and to that extent therefore extending the rights of compensation given to workmen. The rights which exist at present for the workman to recover compensation are the right conferred by common law and also the right conferred by the Employers' Liability Act. Both these Acts are dependent on negligence. Before the workman can recover either at common law or under the Employers' Liability Act, he must establish negligence. That is an essential feature in both these cases. Under the present Bill, however, negligence is not a necessary element. That is probably the fundamental distinction between the workman's right to compensation under the present Bill, and his rights under the Employers' Liability Act and under the liability cast on the employer by the common law. At common law the relation existing between master and servant is entirely a question of contract. I do not desire now, nor would it be to the point if I did, to enter into a discussion of the gradual evolution of the old relation between master and servant from being a question of status until it became a question of contract. All that we concern ourselves about now is that for years, for generations past, the relation has been entirely a question of contract, and of contract only. When the common law began to grow up, and judges began to ask themselves the question and began to solve the question: what were the terms of this contract existing between master and servant, what were the implied terms of that contract? they adopted the usual practice, and held that the implied terms are those which are assumed to be usual under the circumstances, and therefore to be presumed by the Court. One great principle, the fundamental principle, was this, that the servant impliedly undertook all the risks of his fellow-servants' negligence. The judges appeared to proceed on the basis that a servant who takes employment with a master who employs other servants, naturally contemplates that those other servants may be negligent in the discharge of their duties. Rightly or wrongly, we know that negligence is inherent in human nature; and judges

held that when a servant entered the employment of a master who employed other servants, that servant anticipated a risk—that the servant must have known, if he were a reasonable man looking ahead with some degree of foresight, that the employment involved a certain amount of risk by reason of the possible negligence of his fellow-servants. So it was held that, as negligence on the part of a fellow-servant was to be expected, such negligence was one of the usual risks of the employment, and that therefore a servant, when he entered the employment of a master employing other servants, agreed to accept and to take that risk among others. That really is the doctrine of common employment: it is an acceptance of the risk. The doctrine springs from an application of the old maxim, *Volenti non fit injuria*. It is, however, usually spoken of as the doctrine of common employment. It would be impossible for me to give hon. members an exact definition of "common employment." Even we lawyers when called upon to consider the question are unable to give an exact definition. We can point out different definitions given by various judges when called upon to apply this principle. It is a simple and easy matter to apply the principle to simple facts, but difficulties arise when the facts become more complicated. Broadly speaking, the doctrine of common employment is this: Where persons are engaged on the same work under the same master, employed at common work under a common master, there the doctrine of common employment prevails. The duty of a master at common law is to do two things. If he does not work himself, if he himself is not in actual control of his business, his duty is to select a competent man to take his place and superintend the work, and also to provide proper and adequate materials and resources to enable the men to carry out their work. These are the two duties cast upon an employer. If an employer works himself and takes an active part in the business, he is liable for negligence in the same way as any other individual; but if he delegates that power, as he necessarily must in every big business, his duty is, I repeat, to select a competent man, and if he has taken reasonable care to select such a man he is not liable for the doings of that man.

The question of common employment and the question of the liability of the employer were dealt with in a case well known to lawyers, *Wilson v. Merry*, which went to the House of Lords in the year 1868. About that time there was a slightly earlier case, a Scotch case, and the question then unsolved was whether a master, by employing a manager, entirely absolved himself from the damages resulting from the negligence of that manager. The question was whether you could hold the manager was in common employment with the men who were under his control. The case of *Wilson against Merry* was decided in 1868, and the effect was to draw public attention very strongly to the law as it then stood. We find, so far as the rights are concerned against the employer, they are very limited. So far as my own experience goes, actions which have been brought under the common law in this State have been very few; decisions in the old country and here are almost entirely in cases which depend upon whether the master has or has not provided proper plant. During recent years the liability of the employer has been somewhat extended. There has been a more liberal interpretation placed upon this matter by the highest courts, more particularly the House of Lords. A case which my friend, the member for Claremont (Mr. W. F. Sayer), will well know, the case of *Smith against Baker*, shows that if a master has good plant and efficient servants, if the system of work is defective, that is a matter for which he is liable. The rights given to workmen in common law are very limited. They are limited by that doctrine of common employment, and limited again by the fact that even if there be defective plant, if the means be not sufficient, if the servant who is aware of that fact continues that employment, he is open to the charge that he knew of the risk and agreed to accept it. The effect of that is that when a servant knows of a defect it is his duty to at once complain to the master. Of course we know that directly a complaint is made it too often results in the man's services being dispensed with. As a consequence of the recognition of what happens when a complaint is made, there has been a more liberal interpretation placed upon the maxim I previously quoted, and

will not quote again lest members should think I am getting too technical. There is a farther question that the servant has to meet, and that is the question of contributory negligence. That is a defence which is not peculiar to the case of a servant. We find that defence in a question arising not only between the master and servant, but in every action for negligence; so far as that is concerned, therefore, the servant is in no worse position than any other individual. The other points as to the common employment question and acceptance of risk, apply only to the servant, because although the employer is not liable to the person in his employment, he is liable to a third person outside his employment. In 1880 an Act was passed in England which considerably enlarges the liability of the master, but even under that Act, negligence is an essential element. That makes the employer liable for defective plant, and it also makes him liable if there is negligence in the superintendent who has charge of the work. It also makes him liable if there is negligence on the part of the person whose order the employee is bound to carry out. The Act also makes him liable if damages have been occasioned by the doing of an act or the omission of an act which is done or omitted according to the rules or by-laws of the factory. It also makes him liable in certain special cases, which are not of much application to this State, where we have only one private railway. But though the liability of employers is extended by the Act of 1880, it limited the amount of damages recoverable, the limit being three years' average wages. That is the law as it stands to-day—the common law liability, and the liability under the *Employers' Liability Act, 1894*, which was passed here in 1894. Whilst it has been recognised that the law does not do justice to the employee, the difficulty has been to frame a system by which, whilst giving compensation to the man who suffers injury when doing his work, an undue burden is not placed upon the employer. The *Workmen's Compensation Act of 1897* in the old country was a step towards reform and, as no doubt members are aware, was introduced and fought for by the present Colonial Secre-

tary, Right Hon. J. Chamberlain. The principle of that Act is that the industry in which the servant is employed shall bear the risk and burden of compensation. It was impossible to devise a system by which you could force everybody to insure his life. That, apparently, is a method of legislation which English-speaking communities are not yet prepared to adopt. Being unable, therefore, to ensure by direct means a system of insurance, it was attempted in this indirect manner, by saying that employers who employ individuals in these various industries should do so; the inference, and irresistible inference, being that—as we often find if extra duties are levied through the Customs—those extra duties fall upon the consumer, so whatever extra burdens are placed upon the employer must sooner or later fall upon his customers, and therefore the industry. As a rule the cost is paid by the customers. Whether a burden be imposed by Customs duties or by any other means, it is an outgoing the employer has to consider in the element of cost. It is as much a question of cost as the price of material; and the Act of 1897 was based upon the principle that as direct compulsory insurance could not be enforced, insurance should be imposed upon the employers of labour in the various industries, and the cost thus thrown upon the industries. Under the Act the loss occasioned is not entirely borne by the employer, even in the first instance, but half is borne by the employee. The Workmen's Compensation Act places the burden of the loss half upon the shoulders of the masters and half upon the shoulders of the men. That is a compromise. The Act of 1897 was in advance of the legislation of the sister States of the Australian Commonwealth or New Zealand. It has since that date been copied in some of the States, but on this particular piece of legislation the mother country was well in advance of the States. By that Act you find compensation is given for personal injury which happens in certain classes of employment. Those classes of employment consist of employment in a railway, a factory, a mine, a quarry, or engineering work. I am not giving them exhaustively, but am indicating the classes of employment to which the Act applies. It also applies where you are carrying on

building operations 30 feet high and are using scaffolding. The damages are limited. Damages can be recovered only if the servant is disabled for a matter of two weeks or over. Then he is entitled to 50 per cent. of his wages on the average of the last 12 months, not exceeding £1 a week during incapacity; or in case of death he is entitled to three years' wages up to £300. It will be obvious to members that if a case arose where a man had a right at common law or under the Employers' Liability Act to bring an action under either head, he would in the ordinary course receive far more than the amount which is given by this measure; and one of the very great complaints, and I think a very just complaint, raised in connection with actions brought by employees against their employers for damages is that too frequently men go into court seeking damages, limping and apparently cut up, and after they have obtained damages seem to recover in a marvellously short time, and the damages do not seem to do them so much good as they ought to do. Provision is made under this Act that compensation shall be given only to those persons dependent upon the individual killed. It is given to dependents, and not to third persons.

MR. W. J. GEORGE: You go far enough in the schedule.

HON. W. H. JAMES: Yes; but it is the same in the old country. I know I appeal with confidence to the member for the Murray (Mr. W. J. George) when I tell him this provision was passed in the old country. The satisfactory working of this Act in the old country is shown by the fact that only last year the Act was extended to include agricultural labourers. I quote that as showing that the Act has not been a failure in the old country, and evidence can be quoted of some of the biggest employers of labour there testifying to the successful working of the Act. Under the Act of 1897 there has been a large amount of litigation on various technical points, and nearly all these points have arisen on the question as to what particular class of employment comes within the scope of the Act. I suppose if there has been one there have been half-a-dozen cases that have gone to arbitration first, then to the County Court, and then to the Court of Appeal,

on the question of what was or was not a scaffolding; whether under certain conditions the operations of building were or were not carried on. And recently two cases went through all the courts to the House of Lords, for the purpose of having questions determined which arose by reason of the difficulties created by the limited number of classes of employment to which the Act applied. The Bill we introduce at the present time is a measure based on the Act of New Zealand. Members will see that dependants are defined in the first schedule as being members of the worker's family; and although the Bill defines "worker," it is essential, if the dependants seek to obtain compensation, they should show themselves to be dependant, either wholly or in part, on the earnings of the individual who has been killed or injured. It does not follow that, because a worker who has been killed has these dependants, they are entitled to compensation: they are only entitled to compensation when they can show that they have been receiving benefit from his wages. And the dependants are only entitled to compensation to the extent to which they benefit from the wages, and not exceeding the maximum in the schedule. The first important matter for consideration—I think it is the first important variation from the Act of the old country—is Clause 4, and the clause very considerably enlarges the scope of the Bill. I venture to think there is no reason at all why the legislation, being good as a general rule, should be limited to the small number of employees mentioned in the English Act of 1897. The reasons which justify the application of the law to certain cases, justify the Bill being given a larger extension. By this Bill, it will be observed, the employments to which the Bill applies are:—

Any industrial, commercial, or manufacturing work carried on by or on behalf of the employer as part of his trade or business.

Sub-clause (1) deals with the case of the employer carrying on his ordinary business, and Sub-clause (2) deals with the case of an employer who may be carrying on an occupation, or venture, but which is not his ordinary business. Any man may be carrying on his ordinary business, but he may, in addition, be carrying on, for

instance, the business of mining, and Sub-clause (2) says:—

Any mining, quarrying, engineering, building, or hazardous work carried on by or on behalf of the employer, whether as part of his trade or business, or not.

The employer is not liable in respect of any injury, if it is of small or trivial extent, and does not disable the worker for two weeks: and that is the period which is given in the statutes in the old country and in the sister States. By Sub-clause b. of Sub-clause 5, provision is made that the employer shall not be liable for injury which is directly attributable to the wilful misconduct of the worker. That is the language used in the English Act, and also in New Zealand, where this Bill is in force.

MR. W. J. GEORGE: Why "directly"?

HON. W. H. JAMES: If you put in the word "indirectly," questions will arise as to contributory negligence. It will open a door which Parliament thinks it is undesirable to open. The English Act says wilful misconduct; but we suggest to members for their consideration, whether a man who has brought an accident upon himself by reason of his own gross negligence, should be open to compensation.

MR. GEORGE: That case was tried in Victoria, "Edwards v. the Engineering Company."

HON. W. H. JAMES: That was not a case arising under the Act. I do not think, replying to the member for the Murray, it would be a great trial on the question of law, because the law is simple. The application of the law occasions the difficulty. Having regard to the extended operation of the Bill, it is necessary to consider whether Clause 5, Sub-clause 2, should be so worded that if a servant has, by his own gross neglect, directly contributed to, or caused the accident, he should receive compensation, either full or limited. But the words "wilful misconduct," or the equivalent to those, are used in the English Act. Clause 6 refers us to the schedule, which perhaps I had better deal with now, as it shows the amount of compensation recoverable. Members will find in the schedule that where death results, if the worker leaves dependants wholly dependent on his earnings, compensation equal to his earnings during the three

years preceding the injury, or the sum of £200, whichever sum is the larger, but not exceeding in any case £400, shall be recoverable. In the old country the amount is limited to £300, but this Bill provides for £100 beyond that limit. If members agree with the Bill as a whole, they will, I am sure, agree there should be an increase of £100 on the amount payable in the old country, where the cost of living is so much cheaper than here. Provision is made, by Sub-clause b. as to what is to happen in the case in which a man leaves no dependants entirely relying upon him, but where there are some dependants, persons to whom he contributed something. If he leave no dependants, then the amount payable is the sum equal to the reasonable expense of his medical attendance and burial, not exceeding £30. So members will see that in the case of death, the life is valued at £800, and one half that amount is the extent to which the employer is liable. The principle on which it proceeds is to take the actuarial valuation on the life at £800, and throw half the loss on each side. Then when we come to the question as to whether the worker has been incapacitated totally or partially, but not killed, the compensation is a weekly payment not exceeding 50 per cent. of the average weekly earnings during the previous twelve months; the weekly payment not exceeding £2, and the total liability of the employer not to exceed £300. This sub-clause clearly points out that the liability only partly falls on the employer, and does not rest, as it does now under the Employers' Liability Act or at common law, entirely on the employer. If members proceed with that clause, they will find a provision by which steps can be taken for settling the amount of compensation. They will also find a provision by which, under Clause 7, the weekly payment may be reviewed by the court, at any time after the order has been made; so that there is a method, if the employer finds any person who has received compensation has put forward an unfair claim, or has recovered and pretends he has not, by which the matter can be rectified. If members examine the clauses of the Bill, they will find that this Bill does not prevent a man from availing himself of his common law rights or of his rights under the

Employers' Liability Act. But he cannot sue under all three Acts; he is not entitled to compensation under all three Acts. If he claim compensation under this Bill he cannot claim under the Employers' Liability Act or at common law. Under Clause 8, if the question arises as to compensation, it is settled by the nearest Local Court; the Resident Magistrate sitting as umpire with two assessors, one appointed by either side. In England it is referred to arbitrators, subject to a certain extent to review and control by the County Court Judge. In New Zealand the Act refers the question to the Industrial Arbitration and Conciliation Court. And in South Australia it is referred to arbitration, the same way as in the old country. The system provided for by Clause 8—simpler in this State with such a scattered area—is that the employers and employees shall each appoint an assessor (really arbitration), the Resident Magistrate being the umpire. By Clause 9, if an action is brought either at common law or under the Employers' Liability Act, and the court holds that the plaintiff has no right of action either at common law or under the Employers' Liability Act, the Court can nevertheless award him compensation under this Bill, but the Court must deduct from such compensation all costs caused by the plaintiff bringing the action in the manner in which he did instead of bringing it under this Bill. The effect of that will be that if a man brings a case and wrongly puts the employer or needlessly put the employer to expense, he must pay for it. Then, Clauses 11 and 12 provides for the question of notice. Clause 13 enables the Registrar of Friendly Societies to approve of a scheme of compensation, and when that is provided it becomes applicable to the persons who are employed. Under Clause 14, provision is made to deal with the question of sub-contracting. Shortly, the effect is that where there is a sub-contract, the original contractor is liable; but he has a redress against the sub-contractor. He is not liable in every case on a sub-contract, but only in the cases mentioned in sub-clause 3; that is, where the contract "relates directly to the land, building, vessel, or other property of the employer, or is directly a

part of or a process in the trade or business of the employer."

MR. GEORGE: The term "employer" is rather wide. It is the same thing that came up regarding the wages question.

HON. W. H. JAMES: The term "employer" in the sub-clauses was to have been struck out and "contractor" inserted, and hon. members will see by the first part of this clause that it was so intended. Then by Clause 15 the employee is given a right to proceed directly against any person who is liable to his master; so that in case of a sub-contract, the person employed by the contractor will be entitled to sue the contractor instead of suing his sub-contractor direct. So also Clause 16 provides:—

Where any employer becomes liable, either under or independently of this Act, to pay compensation or damages in respect of any accident, and is entitled to any sum from insurers in respect of the amount due to a worker under such liability, then, in the event of the employer becoming bankrupt or making a composition or arrangement with his creditors, or, if the employer is a company, of the company having commenced to be wound up, such workers shall have a first charge upon the sum aforesaid for the amount so due.

This is evidently just. If there be an assurance to meet the particular accident that has arisen, the persons who have suffered the accident or injury should have the right to the proceeds. By Clause 17 it is provided that to secure the worker the full benefit of his claim for compensation from the time the accident occurred, the amount of compensation or damages shall be a charge in his favour on his employer's estate or interest in "such mine, factory, building, or vessel, and the plant, machinery, tackle, and appliances in or about the same, and also in the land whereon such mine, factory, or building is situate, or whereto it appertains." By Clause 18 it is provided that any contract which limits any right to compensation from the employer for personal injury arising out of and in the course of his employment, shall on the passing of this Bill be determined.

MR. GEORGE: There is no "contracting out"?

HON. W. H. JAMES: No; but there is no contracting out recognised even under the Employers' Liability Act in this State. Clause 19 provides for regu-

lations. I desire particularly to direct the attention of hon. members to Clause 20. The whole reason why this Workmen's Compensation Act was brought forward in the old country, and why the movement in favour of it is extending, depends on the fact that the employer can insure against these risks; and wherever this Act is in force, employers do avail themselves of those insurances, and take steps to protect themselves. In nine cases out of ten, where an injury happens in the ordinary course of employment, quite apart from legal liability, the ordinary master makes some allowance to the person injured. He is a very hard-hearted man who does not. Quite apart from his legal liability, he does make some concession; and such concession in the ordinary course, where a man is employing a number of men and gives away a sort of compassionate allowance, would I believe almost equal the amount he would have to pay by way of compensation.

MR. GEORGE: And would, perhaps, be a little more.

HON. W. H. JAMES: While the amount he paid by way of insurance would be an insurance not only against the increased burden created by this Bill, but would protect him against his liability at common law also, and under the Employers' Liability Act. A Bill similar to this was passed in South Australia, and there the companies have fixed rates of insurance: I have some figures here which will indicate to business members the value and extent of the risks. These are the South Australian percentages, and the cover which they give is not a cover in respect of the Workmen's Compensation Act only, but is a cover under the common law liability, and under the Employers' Liability Act. In other words, it is a complete indemnity against every claim which can be brought by workmen.

MR. WILSON: To any extent?

HON. W. H. JAMES: There is I believe, some limit in every policy. Some of these percentages are as follow: For bakers, 12s. 6d. per cent.; blacksmiths, 25s.; stationers, 12s. 6d.; brewers, £1; builders, 25s.; butchers, 17s. 6d.; clothiers, 10s.; farm risks, 12s. 6d.; foundries, 20s.; stores, 10s.; ironmongers, 7s. 6d.; laundries, 25s.; newspapers, 15s.; printers, 15s.; smelting works, 20s.; wholesale stores, 7s. 6d.

MR. GEORGE: What about clerical labour?

HON. W. H. JAMES: In South Australia, the principle does not apply to clerical labour: here, if the Bill passed, it would. I quoted some rates showing the amount which has to be paid. These percentages are, of course, based upon the wages sheets. I am not aware of the exact rates paid by employers in this State under the Mines Regulation Act; but the rate must be very high. Now it is obvious to members that unless some system can be adopted by which employers can insure against the risks which this Bill will cast upon them, the Bill fails in its main object, that object being to secure by an indirect method a system of compulsory insurance, and to cast the burden not upon the employer but upon the industry, by casting upon every man who follows a particular industry exactly the same burden, and therefore placing him in exactly the same position as his fellows. If I am carrying on a particular business, I will not say a foundry—

MR. GEORGE: No.

HON. W. H. JAMES: But suppose I am carrying on a foundry in any part of this State—

MR. GEORGE: I wish you would try.

HON. W. H. JAMES: This Bill casts upon me no greater burden than upon all my opponents in business. Responsibility and cost is equalised; and if the Bill do cast upon me a burden which is not cast upon me by the present law, yet inasmuch as it casts the same burden upon all who are engaged in the same industry, it must necessarily be a burden which falls, in one sense indirectly, but really directly, upon the industry itself.

MR. GEORGE: You make it fall upon the industry of a particular country.

HON. W. H. JAMES: A particular country? But I think I am right in saying that the great bulk of the things we import are in the old country rendered subject to this Act. The Imperial Act covers factories; we import the produce of factories; and, after all, the great bulk of our industries are either industries like the timber or gold industry, which export, and therefore are not affected by imports, or are enterprises controlled and affected by local conditions only or by the price of imported articles made in factories. If we

eliminate the timber and the gold industries, what other industry is on an exporting basis? I hope coal will shortly come under that category; but in the meantime I think the timber and the gold are the only industries of that class. Beyond that, we are simply producing for the purpose of supplying our local wants; and we place this burden equally upon those who are supplying the wants of our community.

MR. GEORGE: And the local factories have to come into competition with those in countries where such Acts do not apply.

HON. W. H. JAMES: This Act applies in the old country, and in at least one State of Australia, and in New Zealand, and most probably it will soon apply in all the sister States; but as we are discussing the general policy of this Bill, I ask hon. members to read the debates on the same subject which took place in the Imperial Parliament in 1897. These debates deal with the question as to external competition. These they will see in *Hansard*; and they will find that some of the largest employers of labour, such as the Messrs. Tangye, are in favour of this Act, and from recent reports they will find that as a whole the men who come within the operation of the Act in the old country are satisfied with it, because they have the limit of their liability fixed. Workmen know that as the law stands to-day here, if a man be injured and you pay him nothing, then the man has a strong temptation indeed to bring an action against you to try to get something; and employers are constantly harassed in that way by men bringing actions that really are not just on the merits, but which put the employer to a great deal of expense. This Bill stops all that, because a man knows that he has by law a certain amount of compensation given him by the Act; and he prefers to take that amount rather than run the risk of litigation which might give him no extra money, and perhaps cast him in a large amount of costs which would be deducted from the compensation given him by the Act. In that way, the Act has a very serious deterrent effect on speculative accident cases. As I was saying, a very great deal, if not everything, depends on

insurance; moreover by Clause 16 we provide for the case of an employer becoming insolvent. If an injury happen to a workman, and the employer become bankrupt, it is not right that the workman should simply have to prove in the ordinary course for the amount of his debt. Where the employer has an insurance with a company by virtue of which he can obtain from that company the money he would have to pay as compensation, the result would be, that either the money obtained from the insurance company would go into the hands of the general creditors, or the insurance company would simply pay the amount of dividend that the servant, as an ordinary creditor, would get. Provision is therefore made that in case of bankruptcy, the person injured can step into the shoes of the bankrupt and recover from the insurance company. It seems to me most desirable that if we are to cast the burden, which this Bill does, upon the employer and give this privilege to the worker, some steps should be taken to regulate the conditions indorsed upon policies of accident insurance. It is impossible to take up any of these policies without wondering what on earth they mean. There are so many restrictions, so many notices have to be given and so many things done, that it is very difficult indeed to know exactly where we are when an accident arises. I think I am justified in saying that in nine cases out of ten under fire policies, marine policies, or life or accident policies, if the companies liked to insist upon the strict letter of the law, one could hardly recover a penny from them; there are so many conditions attached to the policy. There is this farther point. The Bill has an extensive operation; and there are very few men, even if they be business men, who when they take out a policy, whether it be an accident or a fire policy, will take the trouble to read all the conditions indorsed in small print on the back. They take for granted it is a fair company. Now when we extend the law to persons who have not large business connections, and are not constantly in the habit of taking out accident or other insurance policies, there is more need to have a clause insisting that policies of accident insurance shall contain such provisions as may be prescribed by the Governor by

regulation. The effect of that will be this, that by regulation the Governor may prescribe that when an accident happens the amount insured for shall be payable on certain proofs, and that the employer shall not be put to the expense of having to send down declarations on this point and declarations on that point. The regulation provides a tribunal by which the question of the liability shall be determined and the *quantum* of damage shall be fixed. There ought to be indorsed on every policy a provision by which those who insure against the risk should accept the decision of that tribunal in the same way as the employer and the worker have to accept it. Either a provision of that nature should be indorsed on the policy, or some such provision should be embodied in the Act. This Clause 20 is not contained in the Imperial Act: it is copied from the New Zealand Act, though not entirely. The New Zealand Act says that these policies shall contain *only* such conditions as the Governor, by regulation, shall permit. I do not go so far, but I do think that it is necessary there should be some provision by which the Governor, by regulation, shall state that certain regulations shall be there, whether other regulations are there or not. The regulations which the Governor shall have a right to prescribe ought to be regulations protecting the employer and seeing that when he insures he shall get the money he insures for, and that there shall be no technicalities. Section 21 will commend itself to the member for the Murray (Mr. W. J. George), as it certainly commends itself entirely to me. Section 21 repeals certain sections of the Mines Regulation Act. It repeals Section 20 and also Section 27 of that Act. These are sections which I think work great injustice, and therefore ought to be repealed. Section 20 says:—

The occurrence of any accident in or on a mine shall be *prima facie* evidence of neglect on the part of the owner and the manager.

Section 27 gives a right of action, and strikes out as a defence the question of contributory negligence. This puts the employer in an unfair position. Now the law, apart from and without these sections, is simple. If any statute lays down a rule or a regulation for the protection of life, limb, or property, and if

that rule or that regulation is broken and damage results, then the employer is liable. That is an absolute rule. Under the Mines Regulation Act, where a great number of details are laid down, most of which details I should have thought ought to be in the schedule, if an accident occur by reason of the breach of or omission to observe any of those regulations, an action will lie, quite apart from Sections 20 or 27. But Sections 20 and 27 have this effect, that if a person be employed in or about a mine, say at putting a roof on a vat, and an accident happen to him, it is held by virtue of Sections 20 and 27 to be *prima facie* evidence of negligence. So that if a workman be employed on one block of land which is not a mining lease, doing exactly the same work, say repairing a roof, and an injury happen to him, he has to prove negligence in the same way as anyone else has to do; but on the next block of land belonging to a mine you may have a man doing this work, and he in case of accident would be in an entirely different position. That is wrong. The Mines Regulation Act, as it provides regulations, gives sufficient protection at common law to the person who suffers by reason of a regulation being broken; and I see no reason at all why a special exemption should be given by that Act to persons when a regulation is not broken. If a man is working as a miner, these regulations provide for his safety; and if any of the regulations are broken the master is liable for damages quite apart from Section 20 or Section 27. We propose, therefore, by Clause 21 of the Bill to abolish Sections 25 and 27 of the Mines Regulation Act of 1895, and also Sections 13 and 14 of the amending Act of 1899, which amending Act is simply supplementary to the Act of 1895. These sections are also repealed in the New Zealand Bill, of which this Bill is practically a copy. It is only just that these sections should be repealed here. I quite realise that when this Bill comes before members they will be inclined to say, "Here by this Bill you cast on the employer of labour a largely increased responsibility." I reply to that in the first instance in this way, that I really believe, as a matter of fact, that on the man who treats his employees fairly and liberally this Bill will cast very little burden, if any burden

whatever. The compensation which that man freely and voluntarily pays to men injured for loyal and faithful service must largely exceed the amount he will have to pay in order to insure against this risk, or the risk under the Employers' Liability Act, or that under the common law. The great majority of us, when cases occur of men injured by the negligence of their fellow-servants, and therefore having no redress, desire to see a remedy. An accident to a man engaged in any particular work in a mine, indeed in any ordinary employment, may ruin him altogether: he may lose a limb, or have his eyes put out, or suffer other irreparable damage. When we see such cases, we must feel regret that we have not some system of insurance to provide for persons so injured. It is lamentable to think that a man may suddenly find himself bereft of his sight, or an arm or a leg, and be so disabled that death itself would be preferable to such a condition, and yet be left absolutely destitute. We realise these things; they are constantly happening; and cases are constantly coming before lawyers for consideration as to the extent of the liability, when men have been irreparably injured by reason of the negligence of their fellow-servants; and some provision should be made against these cases. Shall we pass a law that every man shall have to insure his life? Do we think that is practicable? No. Then, if we do not, this evil being before us and requiring to be rectified, what method of doing it is there other than this indirect one which is now in force in the old country? This Bill, as I have again and again said, follows the lines of an Act introduced by the present Colonial Secretary, the Right Hon. Joseph Chamberlain, who is a great believer in compulsory insurance. He introduced the measure to deal with the evil by securing compulsory insurance in an indirect manner, no direct manner being practicable. What better method can we adopt than that of following the lines of an Act in force in the old country since 1897, and extended in the year 1900—an Act which is now recognised by the great majority of employers of labour in England as being beneficial in its operation? While this Bill, to some extent, apparently casts a greater burden on the employers

of labour, compelling them to treat their men more liberally than under present conditions, yet at the same time it will secure a freer and easier working of the industries to which it will apply, and a better and closer relation between master and servant. I do appeal to hon. members to ask themselves this question, that these being evils to be remedied, admittedly, how can we remedy them? The Government offer the House a method by which they can be remedied. It is not an original method: it is a method copied from the legislation of a man in the old country who takes a keener interest than any other in the questions of compulsory insurance for workmen and of old-age pensions. This legislation has stood the test of time in the old country; it has been criticised freely, and its working has been closely watched; it has been adopted in some of the sister States; and we say that this Bill is the only practical method by which, under our present conditions, we can in an indirect manner secure what we all absolutely desire—assistance to men who are injured under the conditions against which the employer can insure, by a method which casts the burden on the industry itself—half on the employer and half on the worker. I have great pleasure in moving the second reading of the Bill.

On motion by Mr. W. F. SAYER, debate adjourned.

ADJOURNMENT.

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

Legislative Assembly,

Wednesday, 4th September, 1901.

Question: Police Clothing Contract—Question: Chief Justice, Resignation, Particulars—Question: General Manager of Railways, Letter, by whose Authority—Return: Police Clothing Contract, Items of Cost—Papers Presented—Public Notaries Bill, first reading—Presbyterian Church of Australia Bill, first reading; Ruling on Procedure—Notice of Motion (irregular): Drainage in South-West—Papers (10 Motions by Hon. F. H. Piessé): Remarks—Motion: Shipping Ports and Inland Trade, Geographical Position and Right—Motion: Aborigines, to Inquire into Treatment (adjourned)—Motion: Gold Mines, Inspection by Shareholders—Motion: Perth Commonage (postponed)—Adjournment.

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

PRAYERS.

QUESTION—POLICE CLOTHING CONTRACT.

MR. DAGLISH asked the Premier: Under what circumstances the contract for police clothing was given to Messrs. McIvor & Morden, after Mr. Freecorn's contract was cancelled. When does their present contract expire?

THE PREMIER replied: Mr. Freecorn failed in his contract, and it became imperative to have the work done without delay. The present contract expires on 31st December, 1901.

QUESTION—CHIEF JUSTICE, RESIGNATION, PARTICULARS.

HON. F. H. PIESSE asked the Premier: 1, Whether Sir Alexander Onslow has tendered his resignation as Chief Justice. 2, Whether it is the intention of the Government to approve of the resignation on pension. 3, If so, whether the Government has received evidence by medical certificate of the present state of health of Sir Alexander Onslow, and that he is incapable, by permanent infirmity of mind or body, of performing the duties of his office, as required by the Judges' Pensions Act.

THE PREMIER replied: 1, Yes. 2, The resignation has been accepted, and the pension approved. 3, The Government hold the required certificate.

QUESTION—GENERAL MANAGER OF RAILWAYS, LETTER, BY WHOSE AUTHORITY.

MR. RASON asked the Minister for Works: Whether the letter of the Engi-