

Hon. W. C. Angwin (Honorary Minister): What clause are the Committee dealing with?

The CHAIRMAN: The question was being put, and while he was actually about to declare that the "ayes" had it, the member for York rose to speak.

Mr. MONGER: What he wanted to know was why the Minister for Lands on every possible occasion, because he held a Ministerial position, attempted to be rude and vulgar to him. This evening he made a most insulting remark across the floor of the House and it was not his intention to allow it to pass unnoticed.

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

Mr. MONGER: While he would keep to the clause, he insisted on knowing why the Minister should be allowed those privileges which were not given to other members.

The CHAIRMAN: The hon. member would have to withdraw that remark which was a reflection on the Chair. The Minister for Lands had not been given any more latitude than other hon. members, in fact, not nearly so much as members on the Opposition side.

Mr. MONGER: The remark would be withdrawn, but he would promise that if the Minister desired an expression of opinion from the Opposition side of the House, he (Mr. Monger) would never lose the opportunity of giving it to him, and he would use every privilege that the House would allow him to adopt.

The CHAIRMAN: The hon. member was not dealing with Clause 7.

Mr. MONGER: He would deal with it to this effect, that one hon. member opposite made some strong references to the overloading of the banks, and the same hon. member referred to electioneering addresses.

The CHAIRMAN: That had nothing to do with the clause. If the hon. member desired to discuss the clause he could have that opportunity, otherwise, he would have to resume his seat.

Mr. E. B. JOHNSTON: The question was asked several times about charging interest under this clause, and he would point out that the Minister still had

power to charge interest under Sections 146 and 147 of the existing Act.

Clause put and passed.

Progress reported.

House adjourned at 11.20 p.m.

Legislative Council,

Thursday, 14th November, 1912.

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The PRESIDENT took the Chair at 3 p.m., and read prayers.

PAPERS PRESENTED

By the Colonial Secretary: 1, Harbour and Light Department—Chief Harbour Master's annual report, 1911-12. 2, Roads Act, 1902—By-laws of the Upper Gascoyne roads board.

LEAVE OF ABSENCE.

On motion by Hon. H. P. COLEBATCH (for Sir E. H. Wittenoom), leave of absence for the remainder of the session granted to Hon. R. W. Pennefather on the ground of ill-health.

HIGH SCHOOL ACT AMENDMENT BILL SELECT COMMITTEE.

Consideration of Report.

Debate resumed from the previous day.

Hon. W. KINGSMILL (Metropolitan): It is not my intention to make more than a very few remarks on this subject, but it is my intention at the conclusion of these remarks to move an amendment to the motion which has been ably moved by Mr. Sanderson. That amendment will be in the nature of asking the House to include in the report the minority report which appears as a minority report and which is signed by Mr. Connolly and myself. A few words with regard to the motion of the hon. member and the report to which it alludes: Of course I recognise that so far as my own personal feelings are concerned, I have for years past looked upon the High School from a peculiar position. I have looked upon it from the position of one who has received his education in another State which has never had to call upon the Government of that State for high-class secondary education. South Australia in 1849 was in a very much worse condition than was Western Australia in 1876. Still there was found amongst that small community persons with sufficient enterprise to provide the foundation of the school to which I refer, namely, St. Peter's, and which school is now, I think I am justified in saying, ranked amongst the first schools of Australia.

Hon. A. Sanderson: Was all the money locally subscribed?

Hon. W. KINGSMILL: Yes, so far as I know.

Hon. A. Sanderson: Did none of it come from England?

Hon. W. KINGSMILL: I think not; but even if it were obtained from England, allow me to remind the hon. member that this State had just as easy means of communication with England in 1876 as had South Australia in 1849.

Hon. A. Sanderson: No.

Hon. W. KINGSMILL: I say yes.

The PRESIDENT: I must remind the Hon. Mr. Sanderson that an hon. member can only speak from his seat.

Hon. W. KINGSMILL: That being so, perhaps I may have looked sometimes with a somewhat unsympathetic eye on the fact that this High School has for many years been receiving a subsidy, and, as I indicated on the second reading of the Bill, I have thought for a good many years past that that school had, to a certain extent, outlived its usefulness. Still I think I may claim to have acted, on this committee, in the House and outside, as a friend of the school; and I did so because I recognised, as Mr. Sanderson has said, that to destroy any school is a loss to the educational system of the State. Furthermore, this High School hitherto has always been entrenched behind such a powerful bulwark of political and personal influence that it was very hard to attack it; and, let me point out to Mr. Cullen, who expressed wonder at the attitude adopted by past Ministers of Education in this connection, what that hon. gentleman must now know from the evidence adduced before the committee, namely, the Education Department of the State has practically no control whatever over the school. Having control over a school is, I take it, having control, first over the officers of the school, and, secondly, over the curriculum of the school. In neither of these directions has the Education Department any control whatever, as I think it should have. As the event has proved, it would have been very much better for both the State and the school if that control had existed. The report which has been brought in, as is indicated in the document which hon. members have before them, represents up to a certain point the verdict of four out of the five members of the committee. Of course Mr. Davis, no doubt, as that hon. member will explain later on, dissents to the report in its entirety because he considers the recommendations are too much in the nature of dictating to the Government. Any criticism of any measure, any amendment of any measure, any recommendation of a select committee is open to the same fault-finding, and I do not think the hon. member is quite right, constitutionally speaking, in the attitude he takes up in this connection. However, be that as it may,

he dissents entirely from the report of the committee. The other four of us, Mr. Sanderson, Mr. Connolly, Mr. Cullen and myself, have consented to agree to part of the report. Mr. Connolly and myself, however, desire to go a step further than the other members, and that step is indicated in the minority report which has been signed by us and which I intend to ask the House to include in the main report. Mr. Cullen in that speech in which he indulged in what I can describe only as thought-reading—

Hon. J. F. Cullen: I hit the mark.

Hon. W. KINGSMILL: I think I told the hon. member once before that an hon. gentleman who talks as much as does Mr. Cullen must be right sometimes. I confess that the hon. gentleman hit the mark, but I would like to disclaim the gentle insinuation that I am in the nature of a harmless monomaniac.

Hon. Sir J. W. Hackett: Not harmless.

Hon. W. KINGSMILL: I confess I brought that interjection on myself, and I recognise its excellence. I may be a monomaniac, but I am not harmless. We must let it go at that. Well the reasons which actuated me, at all events—and I take it Mr. Connolly will give his reasons to the House when he rises—the reasons which actuated me have been already explained by myself on the second reading. I have said, and I say still, that I do not think the purpose for which this Class A reserve, which has not yet been vested in the High School, and the vesting of which, hon. members will find if they look through the file of papers in this connection, was definitely refused two years ago by a previous Government—I do not think the purpose to which it is proposed to put this piece of ground is a purpose at all commensurate with the excellence of the site. I had thought, apart from this monomania of which I am accused, to see the University placed on that particular piece of ground; I have to admit that I would like to see that institution placed there. But if that cannot be, then I would like to see the next best building Western Australia has to erect placed on what is undoubtedly the best site in Perth, and indeed, the best site in Western Australia.

Mr. Sommers, if I may say so without anticipating a debate, has a motion on the Notice Paper, which I do not desire to see carried at this juncture, in the direction of placing Government House and its grounds on that particular spot. I do not desire to see that motion carried until certain other questions have been disposed of; but if those other questions should be disposed of in the negative, I may be quite prepared in a few years' time to consider the suggestion made by Mr. Sommers. It would not be right of me to take up this attitude without giving any reasons, and, strange to say, the file which was placed before us in connection with the High School gives one very excellent reason, at all events, why the High School should not occupy that particular piece of ground. I take it if the High School is to occupy that piece of ground the Observatory must for all time take the place next to it. On this point Mr. W. E. Cooke, who has taken, as Government Astronomer of New South Wales, one of the leading, if not the leading astronomical position in Australia, a position for which he is, I think, very well qualified to be chosen, makes the following remarks in a minute dated 6th September, 1900. He said—

The Observatory is young yet, but there can be little doubt that in the course of time we shall make observations in terrestrial magnetism; now modern magnetographs are extremely sensitive and I, or my successor, will have to mount them in as isolated a position as possible. At present they can be mounted suitably about midway between the dome and Havelock-street, but if there is a building on the western portion this spot would be quite out of the question. I hope I have shown how necessary it is to preserve the Observatory grounds as they are, but my most cogent reason remains yet to be stated. I am afraid that only a person who has had some practical experience in astronomical work can appreciate this, but it is absolutely essential to first-class work to have quietness in the air and on the ground. To make accurate observations, trying to

listen to the beat of clock or chronometer, in the immediate neighbourhood of a boys' school would tax the ingenuity of a Newton; whilst the vibration introduced by the added traffic and the athletic movements of scores of healthy boys would prove most serious hindrances to useful work. At present the vacancy of that western portion is invaluable in discouraging traffic in Have-lock-street, and absorbing to some extent the vibrations which reach it from outside, although even now a vehicle passing along the street frequently compels me to stop my observations for a few moments.

It will be seen, therefore, that if we are still to continue the Observatory in its present position, there is a very cogent reason why the High School building should not be erected on that particular piece of ground, in addition to the reason I have had pleasure in laying before the House on various occasions, namely, that the site is far too good for the buildings that the High School could erect. I say that less out of disrespect to the school than of admiration of the proposed site, and for this reason, that if any scheme is prepared by the board of governors—and I think, after all that has taken place that body of gentlemen will at last prepare some scheme or other—such a scheme will contain the suggestion that the present site of the High School should be sold and the money obtained from that sale expended in erecting a school on some other site. I do not suppose hon. members will expect that from the sale of that site at the corner of George-street and Hay-street the governors will obtain any larger sum than £10,000 or £12,000—in my opinion if they obtain so much they will be fairly lucky—and to place a £10,000 or £12,000 building on the block of land just opposite Parliament House would be a desecration of that site, and a great pity to the city of Perth—a great pity to sacrifice one of the most dominant positions of the City, a position that is seen from nearly every aspect from which one can look, to the erection of a building costing only £10,000 or £12,000, and one which from

its very nature we can scarcely expect to be of an ornamental or dignified appearance. I think I am justified in saying that the High School governors merely look on this block of land as a site for a school. They do not look upon it from the point of view of its commanding position or of its great possibilities. To them it is merely about six acres of land whereon to erect a school.

Hon. J. F. Cullen: They must be very simple men.

Hon. W. KINGSMILL: I do not think they are simple men.

Hon. J. F. Cullen: They have got good business tact.

Hon. W. KINGSMILL: The hon. member had not much to say in their favour last night.

Hon. J. F. Cullen: I admitted their ability.

Hon. W. KINGSMILL: I am pleased to see that the hon. member is prepared to admit anything good about the governors of the High School.

The Colonial Secretary: Would not your remarks in regard to vibration apply to this block of land if used as a University site?

Hon. W. KINGSMILL: Evidently the Minister did not hear me, but I prefaced my remarks by saying that so long as the Observatory was there it was not advisable that a boys' school should be erected next to it, and if the University is placed there it can only take that piece of ground by the Observatory being put somewhere else. I am not foolish enough to ask that the University should be situated on about six acres of ground, but if we get the whole of that land—the Observatory block, the High School block, and in time, I hope, the block between Wilson-street and Hay-street—we will then have an area large enough for the University and one which a block of buildings, such as the University buildings will be, will suitably adorn, instead of an Observatory building such as we have at the present time, and this £10,000 or £12,000 building, which the High School would erect. When I say that the High School people look upon this block of land merely as a site for the school, I do not

mean to attribute to the governors of the school any of that lack of worldly wisdom which Mr. Cullen is now rushing forward to attribute to them. It must be a relief to those much maligned gentlemen to find that they have in any respect a champion in that hon. member. My contention is that for the purpose of a school other blocks of land can be found which would serve equally as well, and perhaps better than this particular block, and I took the trouble before the report was considered to ask an officer of the Public Works Department to bring before the select committee a plan showing blocks which might be dedicated for High School purposes, blocks which I asked him to make clear were situated within a radius of a mile and a half from the Perth town hall. He did so, and the plan, which will be laid on the Table, if I have the permission of the President to do so, is here. It has several blocks marked upon it, two of the most suitable of which I will describe to hon. members. One block is facing Vincent-street, between Vincent-street and Richmond-street, and is about 10 feet higher in altitude than the present site of the High School. It is apparently fairly suitable for building and contains 9 acres 33 perches, or roughly speaking, about $9\frac{1}{4}$ acres of land. I forget the value placed on the block by the Government valuator, but it certainly appears by its situation and its accessibility by tram and train to be a better site for a high school than the block in Harvest-terrace, which it is proposed to give to that institution.

The Colonial Secretary: Where is it?

Hon. W. KINGSMILL: It is close to the monastery. It has adjoining on one side a recreation reserve and on the other side a Government reserve.

Hon. Sir J. W. Hackett: That reserve is one of the sites offered for the University.

Hon. W. KINGSMILL: Yes, and one of the sites which was considered a good site. I think that site, containing as it does more than 9 acres of ground, more than half as much again as the site which the Government propose to give to the High School, would form a very admirable exchange for the reserve in Harvest-terrace.

Hon. Sir J. W. Hackett: It is not accessible from Fremantle and Claremont.

Hon. W. KINGSMILL: If the hon. member will look up the report of the evidence given by the headmaster he will find that there are not very many High School boys coming from Fremantle or Claremont. They seem to be stopped on the way by the Scotch College.

The Colonial Secretary: For what purpose is that land reserved?

Hon. W. KINGSMILL: I cannot say.

Hon. Sir J. W. Hackett: I think partly for the University and partly for education.

Hon. W. KINGSMILL: I should say, from its situation, that it is part of a recreation reserve, unused so far for recreation purposes.

Hon. J. E. Dodd (Honorary Minister): Would not you strike the same objection in regard to it about taking away recreation reserves from the people?

Hon. W. KINGSMILL: I do not think so, because there is a 20-acre reserve on the one side and a 15-acre reserve on the other side. Undoubtedly, this is a site which is well fitted to have placed on it a building of about the value which the High School authorities propose to erect, namely, £10,000 or £12,000, and a site which is high enough and healthy enough and offers, I think, advantages which the site opposite Parliament House does not present. Furthermore, if the High School was placed there the play grounds of the school would be immediately adjacent, which is not so at the present time. As hon. members know, the playground of the High School is situated in King's Park, and those members who wish that King's Park should be kept as free as possible from the incursions of these bodies would welcome the handing back to the Park Board of that playground which has existed for some considerable time.

Hon. Sir J. W. Hackett: This is the old sanitary site, as members will recognise.

Hon. J. F. Cullen: That is a strong recommendation.

Hon. W. KINGSMILL: Well, it is not a wrong recommendation.

Hon. J. F. Cullen: No, it is in keeping with the object.

Hon. W. KINGSMILL: I do not know what the hon. gentleman means and I would not for worlds ask him to explain, although I have no doubt he is capable of explaining. However, if a site such as this is worthy of serious consideration as a University site, surely it is worthy of consideration for a school such as the High School has become.

Hon. Sir E. H. Wittenoom: It would not do for workers' homes?

Hon. W. KINGSMILL: Oh, no. Another site which does not comprise in itself sufficient area for the inclusion of playgrounds, but which is a good deal closer to the present playgrounds in King's Park than the existing site of the High School, is afforded by a piece of ground situated at the corner of Barker-road, Coghlan-road, and Thomas-street just across the road from the park. This piece of land contains somewhere about twice the area of the present school site, and is a reserve, and as I have already said, is considerably closer to the playground in the park now used by the High School boys than the premises which they to-day occupy. This site is accessible very easily indeed from Fremantle, Claremont, or anywhere else either by train or tram, and in my opinion offers a very fair substitute for the site which hon. members know of just across Harvest-terrace. I would even go so far in my anxiety to keep the various sites in this State of ours, more particularly in the City of Perth, for the purposes for which they are suited, as to encourage the Government, if there was any difference in value, to give the High School governors that difference in order to assist them to put up suitable buildings. I do not propose to dwell at any length on the painful subject, which has been touched upon by various hon. members, of the past history of the High School. I think Mr. Sanderson said quite enough in that respect. The only thing I have to say is this: I feel that the High School, although it has been treated generously, more than generously, by the Government, although it may be taken to have outlived the sphere of usefulness

which it once occupied as practically the only secondary school in the State, still it has suffered a very great deal by the fact that it has never had an opportunity to expand as it might have expanded owing to the lack of suitable accommodation, and I feel that the efforts of the headmaster, most heroic though they may have been, have suffered in this connection. I propose, as I have already stated, to move an amendment to the motion by Mr. Sanderson, an amendment which will ask this House to include as a definite integral part of this report the minority report which members see upon the document laid before them. Mr. Sanderson has moved that the report of the select committee on the High School Bill be adopted. I beg to move as an amendment—

That the following words, to stand as paragraph 3, be inserted in the report of the select committee:—"That neither the Class A reserve situated in Harvest-terrace nor any other lands should be vested in the governors of the High School without the definite approval of Parliament, and that a clause to this effect should be added to the present Bill."

Members will see that by doing this they will not say that the High School shall not have this reserve. All it asks is before this reserve is given to the High School, Parliament—that is both branches of the Legislature—should express an opinion thereon. I do not think that is too much to ask. I do not think the members of the Government can fairly or legitimately object to it, namely, that the lack of definition which appears in the Bill which the committee were asked to consider should disappear and when a new Bill is brought in, as I presume a new Bill will be brought in, it should contain the definite intentions of the Government with regard to the endowments both by money and by land. If the money endowment is taken away and this valuable land endowment is placed in lieu thereof, it is a fair thing that Parliament should have an opportunity of deciding whether it should agree to that course or not. I point out that this amendment does not say that the High School shall not have this re-

serve, but asks this House to agree to the suggestion that Parliament shall be consulted as to the terms the High School shall get from the Government. I do not think there can be any objection to that, and I ask members to support the amendment.

On motion by the Colonial Secretary, debate adjourned.

BILL—FREMANTLE HARBOUR TRUST.

In Committee.

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

Clause 1—agreed to.

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

Hon. R. J. LYNN moved an amendment—

That paragraphs (b) and (c) be struck out and the following inserted in lieu:—“(b) for loading and unloading vessels owned by the State Government.”

Regarding the Colonial Secretary's statement that the Trust were giving entire satisfaction to the mercantile community, he would refer to a letter signed by all the shipping people at Fremantle. The letter, which was written to the Secretary of the Trust on the 14th September, 1911, read—

Responsibility for condition of cargo landed in overtime hours. At a full meeting of the representatives of the deep-sea interstate and coastal shipping interests, which was convened to consider your letter of the 28th July, it was decided to protest against the proposed action of the Fremantle Harbour Trust, as indicated therein, on the grounds that the imposition of either the indemnity or an extra charge, is entirely unjustifiable, and not in the best interests of the port of Fremantle. It was strongly felt that the Trust as wharfingers, should accept full responsibility for goods entrusted to their care and which are under their sole control. This was the object in view when the merchants some years ago, asked the Commissioners to take over the handling of cargo on the wharves,

and as a matter of fact, such was actually done for some months after the change was brought about. It had always been customary for ships to work either day or night at Fremantle, as at all other up to date ports, and at no time during the negotiations which took place did the commissioners even suggest that their responsibility should be limited in the case of cargo landed after hours. The shipowners contend therefore, that the arrangement was that the Trust should take over the whole responsibility—not a part only—and this was intended to be fully covered by the increased handling rate which merchants offered to pay in order to get the protection they sought, and which has ever since been levied, *i.e.*, 1s. 6d. per ton as against the 1s. 3d. per ton previously paid to the shipping companies, who disclaimed all responsibility for cargo after it left their slings. Although the shipowners realised that the Trust, in passing the regulations to which so much exception had lately been taken, were legislating themselves out of portion of the responsibility they had accepted, their feeling at the time was that it was unnecessary for them to raise any protest, seeing that they were not affected in any way. Now, however, that it is proposed to transfer the disability on to the shoulders of the shipowners, the position is altered, and hence the present letter. If the increased handling rate collected by the Trust is not sufficient to cover the expenses and responsibility, etcetera, connected with the work done, it would apparently be open to the Commissioners to consider a further increase on such rate, but, on the Trust's published statement, a very substantial profit is already being made on the handling work, although this was not originally contemplated, and a still larger one is being realised from the work of the harbour as a whole, so that the time seems to have arrived when a general reduction rather than any increase should be made in the heavy charges both against goods and ships,

and the effect of this no doubt would be beneficial to the trade of the port. The shipowners have no wish that the outcome of this question should involve further charges on the merchants but obviously any increase in the expenses of ships visiting the port or increased responsibility cast upon owners in regard to cargo (especially when same has passed out of their control) would necessitate them recouping themselves by way of either a small surcharge or an increase of freight, which, from the merchants' point of view would not be a very satisfactory position, seeing that they are already paying to the Harbour Trust a sufficient handling rate to cover the risk in question. In connection with this matter, a point which the shipowners would like to impress on your commissioners is that when the present system of the Harbour Trust handling cargo on the wharves was brought in, the expressed intention was that it should afford due protection to merchants and shipowners alike, it being recognised that the latter were entitled to a receipt for their cargo at the slings, that being the point of their legal delivery. Owing however to the very unsatisfactory nature of the receipts given at the ship's hook by the Harbour Trust's tally clerks, and also to the excessive clausening of the same, the position is that even at the present time the Trust are escaping most of the responsibility of cargo at the expense of shipowners, as is evidenced by the comparatively trifling amount the Trust pay in claims and this being so we fail to see how, under any circumstances, a charge can be justified for a protection which would be much more imaginary than real. In the light of the position now put forward in this letter, it is hoped that your Commissioners will favourably reconsider the matter, and their final decision is awaited with interest.

That letter was signed by the U.S. and A.S.S. Company Limited, Bethell Gwyn and Company, Alfred Holt and Company, Messageries Maritimes, Ismay Imrie

and Company, Geo. Thompson and Company, Dalgety and Company Limited, Huddart Parker and Company Proprietary Limited, Adelaide Steamship Company Limited, German Australian S.S. Company, McIlwraith McEacharn and Company Proprietary Limited, Millars' Karri and Jarrah Company (1902) Limited, Elder Shenton and Company Limited, Orient Steam Navigation Company Limited, A.U.S.N. Company Limited, George Wills and Company, Melbourne Steamship Company Limited, James & Alex. Brown, H. J. Wigmore and Company Limited, West Australian Shipping Association Limited, British India Steam Navigation Company Limited, Norddeutscher Lloyd, Howard Smith Company Limited, Lewis Plummer, United Tyser Line. These firms represented the whole of the shipping community at Fremantle, and the letter showed the intense dissatisfaction which prevailed at the time. The dissatisfaction was as great, if not more acute, at the present time. The Colonial Secretary stated the Chamber of Commerce motion had merely been passed by a small section. The secretary of the Chamber of Commerce, the only paid official of that body, stated that no authority had been given to mention that a small section of the Chamber had passed the motion. Two motions had been passed unanimously, and at a general meeting of the Chamber on the 20th September, 1911, the resolutions of the joint committees were adopted. These committees included the shipping, insurance, customs, railways, general merchandise, grain and produce finance, general purposes, and Parliamentary committees. That was to say, the joint committees adopted the resolutions passed by a sectional committee to which the leader of the House had taken some exception. Mr. Davis said that only a very small section of the lumpers opposed the Bill. Everyone knew what an aggressive body the Lumpers' Union, which was 700 strong, was. The Bill had been before Parliament for the past three months, and anybody who was in touch with the Lumpers' Union knew perfectly well that if the resolution carried at the first meeting had not been in accord with their

desires they were sufficiently aggressive to have had another motion tabled long before this. They also had the Press open to them and had had an opportunity of reading the debates. He could say unhesitatingly that the great bulk of the lumpers at Fremantle were opposed to the measure.

Hon. R. G. Ardagh: What authority have you for saying that?

Hon. R. J. LYNN: The authority of daily contact with the great bulk of the men employed on the wharf. He had spoken with those men and had been complimented on bringing this matter before the House. The Colonial Secretary said the Government had been requested by shipowners to do stevedoring, but had not named a single company which had asked that the Trust should do its stevedoring. He had been informed that there was no shipping company in Fremantle which desired the Trust to do the work. If the Colonial Secretary could tell him of one company, he would be perfectly satisfied. So far as the statement of the Trust doing this work not destroying competition was concerned, the leader of the House stated that the Trust had no more monopoly over the railway trucks at Fremantle than they had over the wharves. That statement was quite right, because the Trust had all the monopoly, and it was impossible for them to have more, either over the trucks or the wharves. But where it would destroy competition would be in this direction. Having that absolute monopoly, and in putting their own men on board the ships to do the stevedoring, it would be seen that the Trust then would control not only the work on the ships and in the trucks, but on the wharves, and they would deny the stevedore who desired to compete, the right to utilise his men on the trucks as well as on the ship. The Trust having that monopoly would of necessity derive considerable advantage over the shipowner who could only employ some of his men as against the Trust employing all the men. With reference to the fruit case episode which the Minister make some capital out of, he regretted that the Minister was not able to follow the argument. At that time, in 1910, the Harbour Trust authorities had

the same agreement with the lumpers' union as every other employer of labour. The then Premier, Mr. Wilson, journeyed to Fremantle and instructed the chairman of the Trust, Mr. Leeds, to enter into an agreement with the men. The Trust at that time was blocking the signing of this agreement for one reason only. Their desire was to reserve the freedom of contract clause in connection with their wheat handling when their sheds were erected on the north wharf.

The Colonial Secretary: It was not the same Trust.

Hon. R. J. LYNN: It was the same officials. He was present at the conference, and he knew, therefore, that they were anxious to retain this freedom of contract clause because the wheat machinery was not erected and they decided that after the machinery was erected that possibly boys could be employed; therefore they would not consider the rate asked by the lumpers' union. No one knew that better than the workers' delegates. They attended the conference and were aware that the employers were anxious to enter into an agreement, but were prevented from doing so by the Trust. The statement made by the leader of the House that the price the Trust received, 9d. as against 1s. 4d. received by the stevedores, was something that it was not possible to follow. The leader of the House must have had this information supplied to him because it could not have been given by him to the House simply for the sake of saying it. The statement was made, and it appeared in *Hansard*, that for what the Trust did for 9d. down in the ship's hold the stevedores got 1s. 4d. Anything that went through the sheds stood at the rate of 2s. a ton, and for the information of the Minister he would state that the Trust never put cargo into ships' holds. The Trust's liability began at the sling at the wharf. If a ship was discharging and that cargo was put on the wharf, the stevedores employed men to unhook that cargo, and when it was unhooked the responsibility began with the Harbour Trust, but they never in any case accepted responsibility, nor did they do any work or perform any service other than on the wharf.

The Colonial Secretary: That is what I said.

Hon. R. J. LYNN: It appeared in *Hansard* that the Minister said it was put into the ship's hold.

The Colonial Secretary: The machinery put it into the ship's hold.

Hon. R. J. LYNN: The machinery that put it into the ship's hold was charged against the stevedore or the shipowner. If he wanted a crane on the wharf he had to pay 5s. an hour for that crane. How could it then be said that the Harbour Trust delivered it in the ship's hold. In addition it might then be said that the wheat elevators on the north side of the river also conveyed wheat into the ship's hold. If he (Mr. Lynn) paid for the use of machinery, and the men received the cargo from that machinery at the bottom of the hold, it surely could not be said that the work was being performed by the Harbour Trust. The handling charges through the sheds were 2s. a ton as against 1s. 4d. a ton charged by the stevedore, plus the cost of all the machinery that he required for the particular work. In regard to the "Warilda" model the leader of the House stated that the Adelaide Steamship Co. should have had more business capacity and should have got it through as transshipment cargo at a lower rate. It was the first time during his residence in this State that he had ever heard levelled against the Adelaide Steamship Co. the charge that they did not know their business. The general opinion was exactly the reverse.

The Colonial Secretary: Anyhow they are trying to get a refund.

Hon. R. J. LYNN: The Adelaide Steamship Co. were too cute for most people and the Minister would agree with him in that direction.

The CHAIRMAN: Did the hon. member intend to connect his argument with the amendment?

Hon. R. J. LYNN: Yes, and he intended to quote the charges which would affect the proposed deletion of the clause. The total Harbour Trust's charges in connection with the model amounted to £4 17s. 5d. The Minister declared that he (Mr. Lynn) had carefully excluded

certain charges, but if the Minister referred to *Hansard* he would find that he made use of the one statement, that the total Harbour Trust's charges amounted to £4 17s. 5d. The position was that the regulation dealing with that No. 117 stated, "Transshipment cargo is cargo appearing upon a vessel's manifest, or declared in writing to the Trust before being landed as intended for transshipment into a vessel." This seemed very much like an invitation for the Adelaide Steamship Co. to make a false declaration in order to obtain a preferential rate, and yet the Minister in his speech commenting upon the action of the Melbourne Steamship Co. in electing to pay for 100 tons instead of 97 tons inferred that they should have been prosecuted. Nothing could illustrate better how officials could misinterpret their own regulations in order to suit their own book. It could easily be imagined what would happen if they were allowed to engage in work of a competitive nature. Regarding these handling charges the most amazing statement was made by the leader of the House that only £290 was profit in connection with this department during last year. If this Bill was for revenue purposes he desired to make an offer straight away to the Colonial Secretary in order to increase the revenue of the State. If only £290 was made by the Trust in connection with the handling charges, he could get the sum of at least £7,000, and possibly £10,000 if other people were permitted to do this work, namely, the shipping companies themselves, and a guarantee would be given that they would do it at the same rate as it was being done for to-day. If the Harbour Trust could only collect such a small amount of money, the statement he had just made was one which showed that there must be something wrong in that administration. No increase of the general rates would be needed in connection with the handling of the cargo. The rate for ordinary time was first 1s. 3d., and the second rate was again 1s. 3d.

The Colonial Secretary: Do you mean to say there was no increase given to the lumpers?

Hon. R. J. LYNN: Where superphosphates were being handled an extra penny per hour was allowed, but on general cargo, that was, general merchandise, no increase for the ordinary working hours was given. There was a revelation by the Minister as to how this money was to be saved to the community and it was that a wheat ship was loaded in one-third of the time at one-third of the cost.

The COLONIAL SECRETARY: An error was made by him in this connection. He received a letter from the secretary of the Trust pointing out that the only time the wheat-loading machinery was used by the Trust the work was done with a fair amount of expedition and he concluded from that that the machinery was used for loading wheat. He found that he was in error, that the ship to which he referred, the "Kwinana," was loaded with chaff.

Hon. R. J. LYNN: In order to show the methods adopted by the Trust in that connection he was informed that this ship was loaded with chaff and took away 250 tons for Newcastle, New South Wales. When the ship got to Sydney it was found that the chaff was so badly loaded that it had to be put out on the wharf and taken on to Newcastle in another vessel. It cost more to freight that chaff from Sydney to Newcastle than the cost to freight it from Fremantle to Sydney. At Geelong an attempt had been made to load ships with chaff by means of elevators but the system was found to be unworkable. The only way to load chaff was to handle it into the ship. He accepted the statement of the Minister that an error was made; he had thought there must have been some misunderstanding. He would like to deal with the financial aspect of this question. How the Harbour Trust had lost this large amount of money last year he could not understand. The Minister said the Harbour Trust last year lost no less a sum than £25,000 in consequence of the heavy repairs which had to be paid for out of revenue. Since the Trust had been operating at Fremantle they had paid into the Consolidated Revenue £266,088. An amount of £216,450 had been paid in interest and

£61,841 as sinking fund. For the first two or three years the Trust were unable to agree with the Public Works Department as to the capital amount to be placed on the assets of the harbour and the amount paid into the Consolidated Revenue for the first two or three years should have been paid as interest or sinking fund. Independent of that, last year alone in their 1911 report the Trust state that they paid £51,711 in interest and £14,774 in sinking fund, and £30,315 was paid into Consolidated Revenue, £28,500 being the surplus carried forward. Although this large surplus was obtained last year of £59,000 over and above interest and sinking fund, we were told by the Minister that the harbour was operated last year at a loss. The Minister, he presumed, intended to qualify that statement to some extent because in their last year's report the Commissioners stated—

The decision to give the whole of the wharves a thorough overhaul rather than be constantly tinkering here and there is entailing a considerable expenditure, to meet which out of one year's revenue would be too great a strain on the finances, so it has been arranged for the Government, through the Public Works Department, to carry out this work on behalf of the Trust, and for the total expenditure to be treated as a temporary accommodation from the Government to be paid off by the annual surpluses in cash available at the end of each financial year after meeting the obligations laid upon the Commissioners by statute.

That was in their own report. They said these arrangements had been made, and although last year they had to pay a large amount for renewals and repairs to works and the erection of new sheds, it was not a fair charge against one year's revenue from the harbour. Where the Government had commercial concerns, a sum of money should be set aside in order to meet such charges as those referred to. To spend all the surplus in the years when the times were good and then to come along when there were lean years, although the revenue was higher than

ever, and say that one year must pay for renewals and replacements was altogether out of the question. It had been clearly shown that the Harbour Trust to-day was controlling all the wharves, and they had a monopoly as to handling cargo in addition to which they had all the extensions and heavy work entailed in connection with the provision of additional facilities. No less than 50 or 60 wheat ships were coming into port this season. The Trust had as much as they could do to look after the functions they were brought into existence to protect. If the Trust could do that well and arrange such a tariff as to encourage shipowners to send their ships here and make the port attractive and not encroach on the work of other people then the trust was doing well. It was said that the Harbour Trust and the Railway Department were working amicably. Where did the Minister get that information from? He would give an instance. Yesterday a steamer came into port for 350 tons of bunkering coal; the Harbour Trust said they could work the ship, the department said they could not. He could not contradict the Minister that harmonious relations did prevail, but here was an example. By deleting paragraphs (b) and (c) of the proposed new Section 31 the Committee would not be curtailing any work that the Harbour Trust had in hand to-day. The Trust had the monopoly of all the goods that arrived in trucks on the wharf. If the paragraphs were deleted the shipowners' business and the stevedoring business would be left in the hands of the people who should control the work on board ship. It was not the desire of the Harbour Trust to take this work on. He understood there was a resolution on the books of the Trust that they did not ask anything more than the stevedoring of State-owned steamships.

Hon. W. PATRICK: In supporting the amendment he would like to draw attention to a statement made by the Colonial Secretary when replying on the second reading. If the report of the *West Australian* was correct then the Minister did not correctly give what he (Mr. Patrick) had pointed out. What he had

stated was that the cost of receiving and delivering a bale of wool was one shilling, that was the charge made by the Harbour Trust. Before the dispute with the lumpers a year since the charges were 6d. per bale wharfage and 3d. per bale handling charges, but now the charges were 6d. per bale for wharfage and 6d. per bale for handling charges.

The Colonial Secretary: What is the date of what you are quoting from?

Hon. W. PATRICK: These were the regulations made under the Fremantle Harbour Trust Act, 1902, containing all amendments to the 28th June, 1912.

The Colonial Secretary: They are not the present regulations.

Hon. W. PATRICK: The leader of the House must be under some misapprehension. There was a charge for the transshipment of cargo of 2d. per bale, but he (Mr. Patrick) had not referred to transshipment at all.

The Colonial Secretary: The wharfage charge is 3d. a bale.

Hon. W. PATRICK: Since when?

The Colonial Secretary: During the last two months.

Hon. W. PATRICK: Seeing the date of the publication he quoted from, he was justified in making his statement. The leader of the House might make inquiries to see whether the statement was correct.

The Colonial Secretary: I have made inquiries.

Hon. W. PATRICK: That the charge was 1s. a bale or 5s. a ton was correct. If it had since been reduced, well and good.

The COLONIAL SECRETARY: It was not necessary to follow Mr. Lynn in all his wanderings in reference to his amendment. To answer the hon. member fully it would be necessary to report progress to have investigations made, because one could not be expected to be acquainted with all the details of the working of the Fremantle Harbour Trust. The hon. member had denied the accuracy of the statements made in reply on the second reading of the Bill and now made new assertions, but it was not necessary to go into these matters. The question was whether the House was prepared to give

the Trust the power to handle goods in any situation or place within the harbour and to load and unload vessels at the request of the owners thereof. The hon. member in his lengthy speech had submitted no fact or argument to justify the House in concluding that the Trust should not have these powers. There might be some grounds for the hon. member's contention if the granting of these powers would create a monopoly. The hon. member claimed that the control the Trust had over the machinery would eventually mean that there would be a monopoly, because the Trust could exercise their powers to the disadvantage of private stevedores, but that was a contemptible form of argument. In spite of all the hon. member had said against the Trust, he had not been able to furnish any definite instances of tyranny.

Hon. R. J. Lynn: I could, but I have no desire to do so.

The COLONIAL SECRETARY: It was regrettable the hon. member should say that. It was to be hoped he was merely making such a statement for the purpose of influencing the House, otherwise it would call for an investigation. It was immaterial to the Government whether the lumpers' union opposed the Bill or not. Shortly after the resolution was received from the lumpers' union, Mr. Angwin, an Honorary Minister, had interviewed the leading officials of the lumpers' union and explained the provisions of the Bill, and he was told that the whole position had been misrepresented to them, and that they had been told it was the intention of the Harbour Trust to get a monopoly and that they would then be under one boss.

Hon. R. J. Lynn: Then why did they not have a further meeting?

The COLONIAL SECRETARY: There were so few that took interest in it, that no attempt was made to secure a cancellation of the resolution. The Government were not concerned as to the resolution. When they considered the question of extending the powers of the Trust in this direction and agreed that it was a good proposition they decided to submit the Bill to Parliament. With regard

to the loading of the ships he had said that the Trust had loaded a ship with wheat, but that was wrong. He should have said that the Trust loaded a ship with wheat-loading machinery. According to Mr. Lynn the cargo had been so badly loaded that it had to be unloaded at Sydney, but it was the first one he had heard of this. The secretary to the Harbour Trust had written pointing out the exact position—

The Government steamer "Kwinana" took up a loading berth at the North Quay grain shed on the morning of Thursday, 26th September, and made a start taking in her cargo of chaff for the Eastern States at 10 a.m. The machinery worked for nine hours on that day, knocking off finally at 10 p.m., and on the next day, namely Friday, 27th September, the lower holds and 'tween decks were completely finished and hatched on by 4 p.m., or 7 working hours on that day, making a total for the full ship of 16½ working hours. On the Saturday morning three hours were spent putting fodder into winch decks and cattle fittings and other awkward spots. The number of bags loaded into the ship was 27,000, and I contend that this result, especially working with a commodity like chaff, was an exceptionally creditable one, the like of which has never before been approached in the port of Fremantle. . . . As compared with this work it has been the practice of small wheat-loading ships taking about 30,000 bags to occupy a loading berth for two weeks and over, and despite every effort of Harbour Trust officers, this slow work on the part of the stevedore cannot be accelerated.

Hon. R. J. Lynn: That is unfair.

The COLONIAL SECRETARY: The letter proceeded—

In regard to the cost of stevedoring the "Kwinana" this worked out at .9d. per bag, which, at 12 bags to the ton, the basis upon which wheat is taken, equals 10.8d. per ton as a total cost, including supervision and all administration charges. As against this the stevedores' price for stowing wheat in

a ship's hold is 16d., and the time occupied in doing it is from three to four times as long.

That was the case from the standpoint of the Trust. Mr. Lynn had disputed the statement that the actual profit on the handling of cargo for the past year was only £269. These figures were supplied by the Trust and had since been confirmed. The hon. member must be wrong.

Hon. R. J. Lynn: No, I am quite right.

The COLONIAL SECRETARY: The 50 or 60 wheat ships were coming and that was the reason why the Chamber should pass the Bill. The Government were very much afraid that there would be a block in the loading of these ships if the matter was left entirely to private stevedores. There was no desire to enter into stevedoring; but, if the necessity for it arose, there should be legislative power enabling the Trust to do the work.

Hon. R. J. Lynn: They will have all their work to do on the wharves.

The COLONIAL SECRETARY: No possible harm could be done if the powers asked for were granted. The Trust had the power to deliver goods to the ships' slings and to receive goods from the slings and surely if it was entrusted with power to that extent there could be no great harm in giving power to put the goods into the ships. No doubt there was a strong objection to the Bill in certain quarters because private individuals would be affected.

Hon. M. L. Moss: Why take the bread and butter out of a man's mouth?

The COLONIAL SECRETARY: It was not proposed to do so. It was not proposed to canvass for this trade. There were also fears that the Government intended to cut the charges and bring down prices.

Hon. J. D. Connolly: No, you will put them up and frighten ships away; that is the trouble.

The COLONIAL SECRETARY: The idea was that the Government would do the work cheaper than the private stevedores did, but that was an aspect which had never received consideration up to the present time.

Hon. M. L. MOSS: When a stevedore took a contract to load or discharge a ship he would exercise the greatest amount of expedition in carrying out his work, because, taking the work at so much per ton, while he would not hound his men down and work them to the last thing, he would take good care to see that the men did a reasonable day's work for the pay given. If the work was entrusted to the Government, one could not be satisfied that there would be the same amount of care exercised to see that the work was done expeditiously. If the 50 or 60 wheat ships came here and it turned out that the private stevedore could not do the work expeditiously, we could depend on it the Government, through the Trust, would not do it any more expeditiously. The Trust's machinery would be utilised in connection with the loading of these ships and there would be the added benefit that the work would be carried out under the supervision of a private person who had a good deal to lose if the men did not do a good day's work. However, the principle in the clause was one more advance, and a very large one, on the road to State socialism. If the owners of ships asked the Trust to do it, they were going to undertake the handling of goods and the loading and unloading of vessels. They had all the equipment; they had the allotting of berths, and they had the electric cranes. He was not going to say that they would be absolutely corrupt in carrying out this work, that they would be favourable to those who employed them and unfavourable to those who did not employ them; but, certainly, there would be a feeling abroad that better conditions would be obtainable from the Government than from a private person. The Government should not interfere with private stevedoring, any more than they should with the private storekeeper or butcher. By all means let the Government take the right to stevedore their own ships, just the same as the big shipping companies did. That, added to all the other obligations already imposed on the Harbour Trust, would be quite sufficient, but to burden them with the work of interfering

with private people would not be in the best interests of the community.

Amendment (to strike out the paragraphs) put, and a division taken with the following result:—

Ayes	..	..	..	12
Noes	..	..	..	5

Majority for 7

AYES.

Hon. H. P. Colebatch	Hon. C. A. Plesse
Hon. J. D. Connolly	Hon. A. Sanderson
Hon. V. Hamersley	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. Sir E. H. Wittenoom
Hon. R. J. Lynn	Hon. D. G. Gawler
Hon. M. L. Moss	(Teller).
Hon. W. Patrick	

NOES.

Hon. J. Cornell	Hon. B. C. O'Brien
Hon. J. E. Dodd	Hon. F. Davis
Hon. J. M. Drew	(Teller).

Amendment thus passed.

Hon. J. D. CONNOLLY: Did the Colonial Secretary desire that the amendment to insert certain words should be carried? It was not necessary to insert such power in the Bill. The Harbour Trust already had the power to load and unload Government steamers. That opinion had been given many years ago, and repeated by the Crown Law Department. The words proposed to be inserted were quite unnecessary.

The COLONIAL SECRETARY: There seemed to be a doubt as to whether the Trust really did have the power to load and unload Government trading vessels, so it was desirable that the provision should be inserted.

Amendment (that the words proposed to be inserted be inserted) put and passed.

Hon. M. L. MOSS moved a further amendment—

That the proviso at the end of the clause be struck out.

Amendment passed, the clause as amended agreed to.

Clause 3—Amendment of Section 65:

Hon. R. J. LYNN: It was unnecessary to repeat arguments used in the second reading speech. He would vote against the clause.

The COLONIAL SECRETARY: The clause had been inserted in accordance with the wish of the Perth and Fremantle Chambers of Commerce and the Kalgoorlie Chamber of Mines. If it were negatived the Trust would still be adequately protected by Subsection 41 of Section 15 of the principal Act, which gave power to make regulations.

Hon. R. J. Lynn: Then why put this in?

The COLONIAL SECRETARY: Because the Government had been approached by the business people of Perth, Fremantle, and Kalgoorlie, for legislation calling on the shipowners to indemnify the Trust in the case of damaged goods landed after 5 p.m. At the present time the owners had to take all risk after 5 o'clock in the afternoon. Power was given in the Act of 1906 to make regulations freeing the Trust of all liability for goods landed after hours. In accordance with this the Trust had made regulations stipulating that after 5 o'clock they would take no responsibility. Subsequently a claim had been made against the Trust in connection with a package consigned to a Kalgoorlie merchant. The Trust availed themselves of the protection of the Act and declined to acknowledge any liability. Since then an agitation had arisen among the merchants, who asked the Government to place a liability on shipowners for all goods found to be damaged, even though landed after 5 o'clock in the afternoon, the contention being that the unloading at night time was undertaken for the convenience of the vessels and, in consequence, the shipowners should accept the responsibility.

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

Ayes	..	..	..	5
Noes	..	..	..	11

Majority against .. 6

AYES.

Hon. F. Davis	Hon. B. C. O'Brien
Hon. J. E. Dodd	Hon. J. Cornell
Hon. J. M. Drew	(Teller).

NOMS.

Hon. H. P. Colebatch	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. W. Patrick
Hon. D. G. Gawler	Hon. C. Sommers
Hon. V. Hamersley	Hon. Sir E. H. Wittenoom
Hon. A. G. Jenkins	Hon. A. Sanderson
Hon. R. J. Lynn	(Teller).

Clause thus negatived.

Clause 4—Amendment of Section 65:

Hon. R. J. LYNN: This was consequential, and should be struck out.

Clause put and negatived.

Clauses 5, 6, 7—agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—NATIVE FLORA PROTECTION.

Returned from the Legislative Assembly without amendment.

BILL—SHEARERS' ACCOMMODATION.

Message received notifying that the Assembly had made the amendments requested by the Council.

MOTION—TOWN HALL SITE AND GOVERNMENT HOUSE GROUNDS.

Debate resumed from the 30th October on the motion by Hon. C. Sommers, "That in view of the early departure from Western Australia of His Excellency the Governor, it is expedient that Government House and portion of its grounds should be exchanged for the present Perth town hall site, in order to enable the Perth City Council to utilise same for a town hall.

Hon. J. D. CONNOLLY (North-East): The motion has a good deal to commend it to the House. We know that for a considerable time a discussion has taken place without any result as to a site for the town hall in Perth, and after many years of motions and discussions they seem no nearer the attainment of that object than when the question was first mooted. For several reasons the proposal contained in the motion has much to recommend it. In the first place this is an opportune time to make this change for two

reasons, firstly because the town hall site has not been fixed, and secondly because a change is about to take place in His Majesty's representative. The site suggested by Mr. Sommers for a future Government House, viz., the Observatory site, is an admirable one indeed. But in supporting this motion I wish it to be clearly understood that I desire in no way to detract from the importance of the office of State Governor. Indeed, I would not support this or any other motion that would detract from the powers and privileges of the State Governor, nor would I consent to anything that would mean the appointment of a Governor from amongst the residents of Australia. I think that in the interests of Western Australia the Governor should stand apart from the people altogether, and should be sent out by the Imperial Government as Governors have always been in the past. I cannot understand any person supporting a proposal for the abolition or partial abolition of State Governors unless they are people opposed to State rights and entirely in favour of unification. I stand for State government because I stand at all times for State rights. It has been said frequently that the provinces of the Canadian Dominion have Governors of the kind suggested, namely persons chosen from amongst the residents, but I would point out to the persons who bring forward that argument that there is no comparison between the Canadian provinces and the Australian States. The latter are sovereign States, and stand on an altogether different plane from the provinces of the Canadian Dominion. Why, the legislation passed by the provincial Parliaments can be vetoed by the Dominion Parliament.

Hon. W. Patrick: They are not States at all.

Hon. J. D. CONNOLLY: As Mr. Patrick says, they are not States at all. They stand in about the same relation to the Dominion Parliament as municipal councils stand to the Parliament in this State.

Hon. J. Cornell: They are wise in having only one House in those provinces.

Hon. J. D. CONNOLLY: All of them have not only one House, but seeing that the provincial legislatures are subject to revision by the Dominion Parliament it would be foolish to have a House of revision in each province. In Australia, however, it is necessary to have a second Chamber just as it is necessary, in my opinion, to have a Governor appointed from outside the State. We are a sovereign State and we must have the Governor appointed by the Crown independent of the Commonwealth Government, of party politics, or of family ties within the State. The Governor, as he is at present appointed, stands quite independent as a representative of the Crown, and has no political connection with the people in Australia at all. I shall do everything in my power to prevent the status of the State Governor being lowered and local appointments being made. Persons who recommend that course being adopted are either unificationists or they do not consider the importance of the question before speaking in that way. I make these few remarks to make it clear that in supporting the motion I am desirous in no way of detracting from the powers and privileges of the State Governor. Coming now to the town hall question, we have at the present time the city council occupying premises which are totally unfitted for municipal offices, and for a municipal hall. The existing Government House is an excellent old building with a fine ballroom attached, and as Mr. Sommers pointed out, for an expenditure of perhaps £25,000—and I think I am erring on the side of extravagance in mentioning that sum—a fine addition could be made to the Observatory, improving the existing buildings and the surrounding grounds, so that we would have a very fine Government House indeed. Both as regards health and appearance, it would certainly be better in every respect than the present Government House. Now, assuming for the sake of argument that we have to spend another £5,000 in altering the ballroom for the purposes of a town hall and in erecting municipal offices in front of Government House so as to abut on the street, we would then have incurred a

total expenditure of £30,000. All that beautiful ground surrounding Government House, extending to the Christian Brothers' College on the east and to the reclaimed grounds on the river side, would be opened up for a garden which would be a very great acquisition to the City. Unfortunately there are too few gardens in the city proper. We have practically only the little garden known as Stirling Square, and it would be a very great acquisition to the people of the city to have the gardens extended in the manner I have indicated. Thus, with practically no expense, we would have a town hall and municipal offices, gardens for the people, and a Government House situated on the finest site in Western Australia, and all for an outlay of £30,000. But what would the Government get in return? They would get the Perth town hall site, which is valued at from £50,000 to £60,000 in exchange for Government House domain and buildings, which would give them an advantage of from £20,000 to £25,000. They would get a site which is essential if they intend to build offices there—they have given notice to the city council that they intend to resume the block—and they could erect a suite of offices which would enable the more economical working of the Government departments. The people would get an additional park, the city council would get municipal offices, and the citizens of the State a fine municipal hall. The motion has much to recommend it, and I have pleasure in supporting it.

Hon. J. CORNELL (South): I desire to thank Mr. Sommers for giving me the opportunity of moving an amendment, which will contain a proposal that Mr. Connolly said he hoped would never be made in this Chamber. I desire to move the following amendment—

That all the words after "expedient" be struck out and the following words inserted in lieu:—"that the office be permanently filled by the Chief Justice of the State."

Hon. M. L. Moss: That is out of order.

Hon. J. D. Connolly: It is a different question altogether.

Hon. W. Patrick: It is not a question of a Governor or no Governor, but an exchange of land.

Hon. M. L. Moss: On a point of order, I contend that the amendment is foreign to the question.

The PRESIDENT: The amendment is not in order, because it is not relevant to the motion.

Hon. J. Cornell: I bow to your ruling, and intend to vote against the motion.

Hon. W. PATRICK (Central): I move—

That the debate be adjourned.

Motion (adjournment) negatived.

Hon. Sir E. H. WITTENOOM (North): I rise to oppose this motion, on the grounds that so long as we have a Governor here we must have a proper residence for him, and that residence we have now; one of the finest, most comfortable, and on one of the best positions in the whole of the Commonwealth.

Hon. C. Sommers: I hardly agree with you as to the position.

Hon. Sir E. H. WITTENOOM: We hear a great deal about having local Governors, or no Governors at all, but so long as we remain a Sovereign State we must have a Governor, and I am one of those who believe in having our Governors appointed by the Imperial Government, for this reason, that once we commence to make local appointments to the office of Governor we cannot get away from the fact that they are bound to have favourites, and bound to be mixed up with various people and relations, and bound to cause dissatisfaction before long. Under the present system we have a gentleman who has no relations here, who thoroughly understands constitutional law, who is not connected with anyone, and who stays for a brief term, and by the time he may form some relationship or favouritism or something of that nature he is removed. Under these circumstances, I am one who thoroughly believes in Governors being appointed by the Imperial Government.

The PRESIDENT: The question is about the Government House site.

Hon. Sir E. H. WITTENOOM: I am coming to that. I wish to show that unless we have a decent Government House we shall not get good Governors to come here. When a Governor comes here he is engaged under certain conditions. We

know that the present Governor is about to take his departure and some arrangements I believe have been made for another Governor to take his place. Probably the Governor-elect has written for particulars of the conditions in regard to Government House and the grounds, and on that information he probably accepts the office; then if a motion of this kind has been carried to exchange this land, everything is altered. What position would we put the Colonial Office in? Probably the new Governor would refuse to come. Again, the present building has been used as Government House so long that it would be almost vandalism to exchange it for anything else. I am not sure that there is power to exchange it.

Hon. J. E. Dodd (Honorary Minister): There is not.

Hon. Sir E. H. WITTENOOM: I believe the only power to exchange is in connection with sites not occupied or used, but with regard to sites occupied and used and belonging to the Imperial Government they cannot be exchanged. I am glad the Honorary Minister has confirmed my opinion. I may of course be a little sentimental, but I should be exceedingly sorry to see an exchange of anything for Government House. When a boy I saw the foundation stone of Government House laid.

Hon. C. Sommers: It must have been a long time ago.

Hon. Sir E. H. WITTENOOM: It was.

Hon. M. L. Moss: You will be giving your age away in a moment.

Hon. Sir E. H. WITTENOOM: I consider the architecture of that building is among the best in the Commonwealth, and to use architecture like that for a town hall would be an absurdity. I would almost rather see it used as a university. To use it for a town hall would be almost profanity. As long as we have Governors we should house them properly, and surround their residence with good grounds. I have nothing more to say except that remarks to the effect that we want to get rid of Government House and the ballroom and those sort of things might make people think there is a reflection on the Governors and that they abuse these

things; but I wish to place it on record that there is nothing of that kind in connection with the present occupant of the office, and I am glad the mover of the motion made it perfectly clear that any exchange decided upon should be made after the departure of the present Governor. Even so, there might be some indication of a reflection that the Governor had not carried out his duties in a satisfactory manner, and that we wanted to get rid of Government House; especially might that impression be formed since Mr. Cornell endeavoured to supplement the motion with an amendment that the Chief Justice should act as Governor; that is almost an implication that past Governors have not given satisfaction.

Hon. J. Cornell: Not at all.

Hon Sir E. H. WITTENOOM: I think it may be construed in that way in Great Britain and in places abroad; it may be thought that the people are not satisfied and want to put someone else in the office because the Governors are not giving satisfaction. I think that without being personal I can say everyone will agree that the present occupant has given the greatest satisfaction. He is a man of very great experience; he has given the greatest attention to his work; he is thoroughly up in political matters; and I think he has carried out his work with the greatest tact and ability; and I have no hesitation in saying that his departure will be a loss not only to the people but to the existing Government. In these circumstances, without adding anything further, I feel some regret that I cannot support the motion.

Hon. J. E. DODD (Honorary Minister): I intend to say very little on this matter, but like Sir Edward Wittenoom I have to point out that the Government have no power to make such a transfer as has been suggested. The Government House grounds are the property of the British Government, and the State Government have no power to effect an exchange even if they desired to do so. Had they the power, I do not think they would consent to make such an exchange for the purpose named by Mr. Sommers; for instance, Government House grounds are

not situated as centrally as one would wish the site of a town hall to be, and though they may be desirable from other points of view, such as for recreation grounds or parks, they are in no wise suited for a town hall site. Further than that, I think it is the duty of the City Council to get the views of the rate-payers on the question of the site of the town hall. The matter has been before the City for the last twenty years, I believe, and seeing that the City Council have been unable to come to any arrangement surely it is about time the rate-payers were consulted in the matter. I would like to make passing reference to the question of State Governors, although it is not quite in order, as the President has pointed out. I wish to say that if it comes to the question of a Governor appointed by the British Government and a Governor appointed from within the State, I am inclined to think that the better system is for the Governor to be appointed by the British Government. I say it for this reason that without disparaging any of those public citizens who may be eligible to occupy such an office, it would be decidedly unfair to ask some of them to take such a position. Almost every public citizen has been associated, at one time or another, with some political party, and we would not have that chance of getting an absolutely impartial Governor as we would with one who is nominated by the British Crown. Whilst saying that, I want to make it clear I am of opinion that something must be done, and done very soon, to limit the expense of Government. There is no doubt the expense of Governors appointed by the Crown and the upkeep of various phases of government is altogether too high. Having that end in view, the Government are making representations at the present time to see whether some reform cannot be instituted in this connection.

Hon. Sir E. H. Wittenoom: You might extend that remark to Parliament.

Hon. J. E. DODD (Honorary Minister): I am certainly referring to Parliament and the government by two Houses and by a Governor. I do not

think there is any citizen in this State who would think for one moment that any reflection is cast on His Excellency the Governor by the motion moved here or by the remarks of any member. I am sure the remarks of Mr. Cornell in reference to the appointment of the Chief Justice were not in any way intended as a reflection on His Excellency and I for one shall regret when the time comes for His Excellency's departure from Western Australia. I am convinced of this, that from my experience one could not get a more impartial or more just individual to fill the position than His Excellency the present Governor.

Hon. Sir E. H. Wittenoom : Or more capable.

Hon. J. E. DODD (Honorary Minister) : I intend to oppose the motion for the reasons mentioned.

Hon. W. PATRICK (Central) : I think that after the statement made by the Honorary Minister that we have no power whatever to deal with Government House or the grounds, Mr. Sommers should withdraw his motion. Personally I am very sorry to say I could not support it if it went to a division. I know Mr. Sommers has no intention whatever of reflecting on the position of Governor and he certainly would not reflect on the personality of the present Governor because that gentleman has given universal satisfaction. He is a gentleman in every sense of the term, and as the Honorary Minister said thoroughly impartial. The general public might imagine if a motion of this kind were carried that it has some bearing on the abolition of the office. I suggest that the wisest course in the circumstances, seeing that if carried the motion would be inoperative, is that the hon. member should withdraw it.

Hon. C. SOMMERS (Metropolitan) : I do not feel inclined to withdraw the motion. Of course I realise there is not the slightest possibility of it going through, but I feel very strongly that the course suggested is the right one, and that is why I am not disposed to withdraw it. With regard to His Excellency I would

like to say I agree with what has fallen from other members, that no reflection was intended for one moment, and I think I made that clear. I would not have thought of making any reflection, and I merely took the opportunity presented by the impending departure of the Governor in moving the motion thinking it was opportune to do so before the vacancy was filled. In regard to the exchange that would be an exchange of value for value and I do not think there would be any great difficulty in arranging it with the Imperial authorities. Assuming that the site instead of being the healthiest was an unhealthy one, then it would be absolutely necessary for a fresh site with healthier surroundings to be found, and naturally the Imperial Government would assist in bringing that about. My idea was that we could provide the incoming Governor with an up-to-date residence even better than the one we have, and also at a cost not exceeding the amount which I mentioned when moving the motion, and on that commanding position, the site of the Observatory. We could build there an edifice which any Governor would be proud to occupy. No hardship would be imposed on the incoming Governor because the motion would not take effect for two or three years, and it would probably take that time to erect a new building. In common with other hon. members, I regret the departure of the present occupant of the office, because I feel sure that he has given universal satisfaction, and that it will be hard to replace him. Regarding the question of a site for the town hall, I do not think it is absolutely necessary that such a building should be in the centre of the city. People look to the capital to lead in this direction, and to provide a suitable hall, and I think the Government House site possesses advantages over any other that could be suggested.

Hon. Sir E. H. Wittenoom : You would want a tramline along St. George's-terrace.

Hon. C. SOMMERS : No; one advantage would be that it is sufficiently near the tramline without having the drawbacks associated with the trams

passing the spot. The proceedings in all our public halls and entertainments are interrupted by the clanging of tram bells and the noise and vibration arising from the traffic. This particular site would be far removed from these objections. I have no desire to allow this motion to go to a division, but I am satisfied that the temper of the Houses is against it. Still, if we could effect the exchange it would be a good thing for the Government, and there would be a saving of money and the citizens would reap the advantage, while for the incoming Governor we would be able to provide a much better residence.

Question put and negatived.

BILL—MONEY LENDERS.

Second Reading.

Hon. R. G. ARDAGH (North-East) in moving the second reading said: In submitting this measure for the consideration of hon. members, may I say that I am aware of the fact that a somewhat similar measure was introduced into this Chamber on a previous occasion by Mr. Moss. The Bill was passed in this Chamber, and was lost with other measures at the end of the session in another place. Personally, I regret that the measure which was introduced by Mr. Moss was not carried into law at that time. May I hope on the present occasion that this measure will receive more consideration from hon. members in this Chamber. It might be contended that the transactions between a money lender and his clients are of such a nature that each party is free to accept or reject the terms offered, and that there is no need for interference by legislation in the freedom of contract between the parties concerned. This is doubtless true when the principals are persons well versed in the acts of commerce, but unfortunately those who carry on the trade known as money lending, and who are defined in this Bill as persons who lend money at a higher rate of interest than ten per cent., usually do so with those ignorant of business methods, and who become easy preys for those persons who have made a life study of

obtaining another person's property for the minimum of consideration. I contend there can be no real freedom of contract when one of the contracting parties is a needy borrower and the other a greedy financier. From the very earliest times attempts have been made to protect borrowers by law from extortion, and although it may be admitted that the attempts were not entirely successful, that should not deter us putting on the statute-book a measure which at the worst cannot harm anyone who is prosecuting a legitimate business, and further it will give some measure of relief to those who are victims of extortion. The Bill does not seek to lay down a hard and fast limit as to the rate of interest to be charged, but it lays down that those who lend money at a certain rate of interest shall be registered. There are circumstances in which under modern conditions it might be a sound business transaction for a person to borrow for a short period at even fifteen or twenty per cent., and therefore the lender would be justified, so far as he could be justified, in charging that rate commensurate with the risk taken. This Bill merely defines that anyone who does charge more than ten per cent., whether regularly carrying on the business of a money lender or not, must register. One of the objects of this Bill is to secure to the borrower exactly what rate he has to pay, and that he shall in no way be hoodwinked or deceived by the lender. It is also provided that a court, after hearing evidence and taking into consideration the circumstances of the case, has the power to fix the rate of interest that ought to have been charged, and to give judgment accordingly; that is, provided the application is made to the court within twelve months. This Bill is similar to the Victorian Act, which I believe works very satisfactorily in that State, and there is hardly anything in the Victorian Act that is not included in this Bill. I know there are some people who consider that it has hardly fair to ask money lenders to register. I claim that any person or firm need not be ashamed to register if they are carrying on an honest and legitimate business.

How often do we find in life a person or firm who from business instincts realise that if they put more capital into their business it will be much more successful; consequently, there can be nothing for them but to get accommodation by borrowing. Therefore there can be nothing for a money lender to be ashamed of in registering his name under such circumstances. Clause 1 provides that the measure shall come into operation on the 1st January, 1913. Clause 2 deals with the interpretation of "interest" and "loan." This clause is exactly the same as that contained in the Victorian Act. Clause 3 gives the definition of money lender and also provides for exemption for those who come under other Acts such as pawn-brokers, friendly societies, banking, and insurance companies; also incorporated companies performing or discharging duties of executors, administrators, trustees, or attorneys. Clause 4 is an important one, and deals with the re-opening of transactions of money lenders before law courts. Under this clause the court has to consider if the charge is excessive, or when the amount charged for expenses is excessive may order the money lender to indemnify the borrower. This also is similar to the Victorian Act.

Hon. D. G. Gawler: I see it is retrospective.

Hon. R. G. ARDAGH: Yes. Clause 6 makes provision for the registration of money lenders, also for removal from the register, and for fees to be paid on registration or renewal. The registration stands good for three years, and may be renewed if desired. Clause 11 refers to the limit of charge for obtaining or guaranteeing a loan, and provides that it shall not be lawful for any person to charge, recover, or receive more than two per cent. of the amount of the principal sum actually lent. In the Victorian Act, the amount allowed is five per cent. The measure is not a very long one, and I feel sure it will meet with the approval of hon. members. I greatly wonder that something of this description has not been placed on the statute-books before. I sincerely hope that the measure will find

its way on the statute-book on this occasion. I beg to move—

That the Bill be now read a second time.

Hon. F. DAVIS (Metropolitan-Suburban): It appears to me that the Bill is likely to afford a good deal of relief under certain circumstances. Most hon. members have known of cases where extensive rates of interest have been charged, not that the people did not understand or did not quite realise what they were doing, but people often thoroughly well acquainted with business methods are found borrowing money at very high rates of interest. A case occurs to my mind of one man who, when he first came to the State was a prosperous business man; he borrowed money at a high rate of interest to complete a deal; he was paying 60 per cent. interest and in five or six years he became bankrupt. This case does not by any means stand alone. I have known other cases almost as bad brought about by the excessive rate of interest charged. Coming down in the train the other day along the Great Southern railway there was a number of gentlemen in the compartment discussing the advisability of borrowing money to carry on their respective work. Nearly all of them, in fact I think all, were farmers and the general concensus of opinion was that it was good business to borrow money in order to extend operations, if by borrowing at six per cent. they could raise eight per cent. profit. The margin of profit appears to me to be rather close. At any rate that was their view. I can gather that is the opinion of a considerable number. There appears to be a general tendency to borrow.

Hon. M. L. Moss: Starting with the Government.

Hon. F. DAVIS: And the chief complaint appears to be the rate of interest to be paid, and this Bill in that sense should prove to be of great value.

Hon. R. J. Lynn: Would you make it compulsory to lend?

Hon. F. DAVIS: I hold that it is an extremely risky business to lend.

Hon. M. L. Moss: It would be all right if you put a provision in the Bill not to recover from a member of Parliament.

Hon. F. DAVIS: That might be all right. I have known numbers of cases where people have borrowed eventually to their sorrow. They have borrowed well knowing the risk they were running and what the business was likely to bring in, still at an excessive rate of interest.

Hon. M. L. Moss: Never borrow or lend a bean.

Hon. F. DAVIS: There is just one point of the Bill that occurs to me where it might with advantage be extended. That is the provision that when a contract is made, even though excessive rates of interest are paid, it should be held good, because it seems that the intention of the Bill is that if a man deliberately signs a contract at a certain rate of interest and he knows thoroughly well what he is doing he should accept the consequences. That may be so in some cases. Business men who borrow know full well the risks they run, but some people, owing to circumstances, feel compelled to borrow in order to relieve themselves of temporary difficulties. They are willing almost to sign any agreement in order to secure temporary accommodation. It seems to me the Bill would be better if it fixed a definite maximum, beyond which rates of interest could not be legally charged. Although that would not do away with the risks entailed it might minimise them. To that extent it would be of some advantage. There is one other point I notice in going through the Bill and that is that an action will only lie for an alteration in an agreement if made within 12 months. That time might well be extended for it often happens that men who borrow money hardly realise the hardships of the position until the first payment is made, which is generally 12 months from the time the money is borrowed. If the time were extended to two years during which time agreements could be altered or varied that would give time to the borrower to relieve himself of the difficulties under which he might be labouring. The principle of the Bill is certainly a good one and should commend itself to the members of the House.

On motion by Hon. M. L. Moss, debate adjourned.

MOTION—ABORIGINES' RESERVES.

Order of the Day read for resumption of the adjourned debate, from the 7th November, on the motion by Hon. J. D. Connolly "That in the opinion of this House it is desirable for the preservation of the native race, to continue and extend the policy laid down in C.S.O. file 1709/11, viz., by reserving large areas of virgin country for the sole and exclusive use of the aborigines."

Question put and passed.

BILL—TIMBER LINES TRAFFIC.

Second Reading.

Hon. F. DAVIS (Metropolitan-Suburban) in moving the second reading said: Some of those members particularly affected by the Bill are not present; they expressed a wish to be present when I moved the second reading but it is necessary to go on with the business and for that reason I must move the second reading now. The object of the Bill as seen at a glance, is to deal with traffic on timber lines in various parts of the State particularly in the South-West and the Darling Ranges. It will also apply to an extent to firewood lines on the goldfields but undoubtedly the majority of those living in timber areas and travelling on the lines in timber leases are those resident in the South-West, and on the Darling Ranges. It might be thought at first sight that the Bill proposes to initiate a new line of policy or method of dealing with the traffic on these lines, but such is not the case. Most of these concessions have been in existence for many years, chiefly for 30 years, and they were taken up under Regulation 121, which reads—

A timber lease shall authorise the lessee to construct railways and tramways on and through the area comprised in the lease, and to haul timber to and from the mills; and the Governor may, if he thinks fit, authorise the lessee to lay down such railways and tramways on other Crown lands outside the area, and to connect any such railways and tramways with any Gov-

ernment railway, subject to the rules of the Railway Department in regard to private sidings; and the Governor, in so doing, may prescribe such conditions as to carriage of passengers and traffic and otherwise, as he thinks fit.

So that it will be seen the Bill provides for the carriage of passengers in accordance with the regulation under which the leases were granted to timber companies 30 years ago. The strange part of the position is this, that no attempt has been made previously to regulate or request the timber companies to provide the conveniences stated in the Bill. In asking members to support this measure I would like to point out that some few years ago, in 1904 I believe, this House had before it a Bill to deal with some contraventions of the Truck Act, brought forward by Sir Edward Wittenoom, and on that occasion very considerate treatment was given by the House to the Bill.

The Colonial Secretary: It was brought forward by the late Government.

Hon. F. DAVIS: That Bill went through the Committee stage without debate and was accepted and passed. It was undoubtedly in the interests of the timber companies. May I suggest in this case the same consideration should be extended to these people, seeing, on the other hand, the employees are the interested parties.

Hon. Sir E. H. Wittenoom: What are the present disabilities?

Hon. F. DAVIS: I will come to those. The number of persons living on the bush landings, that is away from the main lines, is estimated to be approximately 2,000. I think it will be admitted that is a fair number of people who are suffering disabilities by reason of living under these conditions.

Hon. Sir E. H. Wittenoom: Are these mill workers?

Hon. F. DAVIS: Yes they are employed in connection with the mills and living on the leases. It is sought to have the traffic conducted over the lines, both in goods and passengers, so that the people living on the bush landings may obtain if they so wish, goods at Perth rates, or as near thereto as possible, that is

at the price ordinary goods are bought in bulk, and have them sent over the lines at the ordinary rates and thereby effect economies. Although these people may get what is termed at the present time a minimum wage, it does not enable them to pay big prices, which they would not have to pay if their goods were obtained in bulk in Perth. The main difficulty in the past has been that goods sent over the lines have not always been sure of reaching their destination. One case is cited of a storekeeper at Donnybrook who sent goods over one of these lines and had them returned to him readdressed no less than three times, and the particular reason was not stated. Those living along these lines find that in transit it happens very often that the goods are damaged considerably, and if goods are purchased at the stores on the leases there is a danger—it is an actual fact—of paying higher prices than would be the case if the goods were bought in bulk at commercial centres. Against that it may be said the prices at the stores on the leases, by an agreement arrived at, are not to be more than 10 per cent. above Perth prices. That might work out all right were it not that the prices of a good many of the articles consumed fluctuate, such as eggs, butter, and so forth, and a man not conversant with the change in the market and the fluctuations of the prices does not know how the prices alter and what changes have been made. The result actually is that the benefit of the doubt is more often with the store, and the people on the leases find it difficult to obtain their goods just exactly at ten per cent. more than Perth prices. The Bill asks that a covered carriage shall be provided for the convenience of passengers. Travelling on the ordinary exposed trucks is not the most pleasant experience in the world. I have had experience on the Canning Mills line on more than one occasion of riding on exposed trucks. Not only is it uncomfortable, but it is very dangerous, especially on log trains. And the delays in the running of the trains very often cause a good deal of friction.

Hon. Sir E. H. Wittenoom: The log train is not intended for passengers.

Hon. F. DAVIS: I know that, but I only mention it as an instance. The open trucks are not of a very comfortable character.

Hon. Sir E. H. Wittenoom: You sometimes get delays on the Midland Railway.

Hon. F. DAVIS: But not to the extent of the delays on the timber lines. I saw one of the best cartoons in the *Western Mail* on this subject. Before the Canning Mills line was taken over by the Government a good deal of delay took place. Often people would go to the appointed stopping place early in the morning and wait the greater part of the day, and sometimes the trains did not come along at all, so that the people had to go home again. This became so prevalent that there was a cartoon in the *Western Mail* of a man lying down beside a railway line with a spider web extending in all directions. It would appear as if he had been there so long that the spiders had woven their webs all over him. The letterpress underneath the cartoon was "Waiting for the Canning Mills train." It happily expressed the position. I do not say that this is the case on all timber lines, but I am afraid that the trains do not run with the regularity that is desirable in the interests of those living on the leases. The Bill provides that the rates for passengers shall not exceed those on Government railways.

Hon. Sir E. H. Wittenoom: First-class, of course.

Hon. F. DAVIS: I am afraid not many people travel first-class on timber lines. It appears to be a reasonable request. Unfortunately at present the rates charged on the timber lines are not on a par with those charged on the Government railways. They range somewhat higher. For instance, the charge for the 8-mile journey between Mundijong and the board mill is 3s. 6d. return, and for the 6-mile journey between Mundijong and Jarrahdale it is 2s. 6d., whereas from Mundijong to Perth, 20 miles, the charge is only 3s. 6d.

Hon. Sir E. H. Wittenoom: Do these prices extend to the mill workers?

Hon. F. DAVIS: To everyone who uses the line. The charge from Armadale to

Perth, 19 miles, is only 1s. 11d., as compared with 2s. 6d. from Jarrahdale to Mundijong. It is the same on other lines. In most cases it will be found that the rates on the timber lines are more than double those on the Government lines. The Bill seeks to make the rates not higher than those on the Government lines. This also applies to goods. The rate for the carriage of goods from Perth to Mundijong is 11s. 4d. a ton, that is for the No. 2 class of goods. From Mundijong to No. 6 mill the same class of goods costs 14s. a ton. For ordinary goods from Perth to Mundijong the charge is 14s. a ton, and from Mundijong to No. 6 mill it is 20s. 9d. a ton. Whether it is the same class of goods. I am unable to say, but the difference is material, and if there is any large quantity to be carried it amounts to a considerable sum.

Hon. W. Kingsmill: Is there much material carried over these timber lines?

Hon. F. DAVIS: Not at present. There is not a great deal of material carried for the people living on the leases because it is difficult to get the goods without unnecessary delay and with the high rates that obtain on the timber lines as compared with the Government lines. The Bill is introduced to make rates more on an equality so that it will be possible for those living on the timber areas to obtain goods under reasonable conditions.

Hon. Sir E. H. Wittenoom: With special facilities for the supplying of liquor.

Hon. F. DAVIS: I hope that will not be the case, because it will not be to the interests of the people living on the leases. The Bill also asks for shelter vans for passengers so that travellers may travel with some degree of comfort. Travelling on an open truck is not the most pleasant experience in the summer time when the sun is hot, because the women and children suffer some hardship, and in winter, when the reverse obtains, they suffer hardship through exposure in that direction. Another clause stipulates that the goods shall be carried at the owner's risk, so that the companies shall be in no worse position than the Government in this respect. If any action is taken against

a company for damages it must be commenced within six months. I suppose unless there was some penalty or alternative for non-compliance with the contents of the Bill, it would be more honoured in the breach than in the observance in most cases. So a penalty has been fixed. The penalty for a specific breach is £20. Power is also given to the Commissioner of Railways to disconnect the timber line from the Government railways, but that power is now contained in the permit granted to the company.

Hon. Sir E. H. Wittenoom: The Commissioner can do that at any time now.

Hon. F. DAVIS: Yes, but it is put in to assist in seeing that the provisions of the Bill are given effect to. The Minister has power to exempt the company from the provisions of Clause 2 if in his opinion special circumstances warrant it. If a new mill is being started it might work some hardship to have to carry out the requirements for a covered van, except once or twice a week, so the Minister is given power to grant exemption; and I take it the Minister for the time being will be just as reasonable, and as much guided by common sense, as a Minister at any other period, so I do not think exemption will be refused if the request is shown to be reasonable, as I have already pointed out, one of the reasons why this Bill is asked for is the delay which occurs in passengers getting their goods, and another reason is the discomfort to those travelling in open trucks. It appears that where the timber companies are making a fair margin of profit there can be no objection to provisions of this kind in the interests of those who are doing their part to provide the profit which enables the companies to continue operations. Seeing the employees are a very material factor in creating the wealth the companies are securing, it is only right the companies should carry out a fair measure of obligations on their part to provide these facilities.

Hon. Sir E. H. Wittenoom: You do not quite make it clear whether these facilities are for the workers or for passengers.

Hon. F. DAVIS: I do not know what

the wishes of the timber companies are so far as people going on the leases are concerned, but I take it they would not prevent anyone but their workers going on the leases. Surely they do not want to make a timber lease a close preserve with "thus far you shall go and no further" except to those working on the lease.

Hon. Sir E. H. Wittenoom: You are making the companies cater for passenger traffic when the trains are only for carrying logs.

Hon. F. DAVIS: I take it people may wish to visit the mills. Many people have not seen a saw-mill and they may like to go and see one. If people wish to go on timber leases surely it will not be urged that no people except those working on the leases should go on them.

Hon. Sir E. H. Wittenoom: I do not urge that, but they may go there to distribute stimulants.

Hon. F. DAVIS: I quite agree the companies should have power to prevent liquors from being taken on to their leases if they think fit, but I certainly think that a timber lease should not be alienated from Western Australia and made a separate State within the State, which would be the effect if no one but the companies' workers were allowed on leases. The companies have the right to cut the timber and work the leases, but they have no right to prevent any person from going on any of these areas. Probably what the hon. member has in his mind is that others will go there and trade.

Hon. Sir E. H. Wittenoom: No, nothing is further from my thoughts.

Hon. F. DAVIS: In any case the timber companies need not fear competition, because they have greater facilities than the others for obtaining supplies, and in many cases the people may find the companies' stores more convenient to deal with.

Hon. Sir E. H. Wittenoom: They do not fear competition, they fear the responsibility of carrying.

Hon. F. DAVIS: If a company has received a fair margin of profit from the working of a lease, those who help to create the wealth should have some reas-

onable protection such as that given by the Bill. So far as strangers are concerned, the number who visit timber leases will be comparatively small. The people most concerned in the Bill are undoubtedly those living on the timber areas, and for the good of the greatest number I hope this Bill will be given effect to. I have pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. Sir E. H. Witte-
noon debate adjourned.

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

In Committee.

Resumed from the previous day; Hon. W. Kingsmill in the Chair, the Colonial Secretary in charge of the Bill.

The CHAIRMAN: Progress had been reported on a proposed new clause to stand as Clause 2 as follows—“Notwithstanding the provisions of Section 45 of ‘The District Fire Brigades Act, 1909,’ any rate already made or levied by any local authority purporting to act under such Act shall be deemed to have been lawfully made, and the same shall be collected and recovered from the same persons and in the same manner as if the rate had been a general rate struck by such local authority under ‘The Municipal Corporations Act, 1906.’”

The COLONIAL SECRETARY: Mr. Kirwan had moved the proposed new clause on the previous day, and after some discussion the matter had been postponed in order that he (the Colonial Secretary) might consult the Parliamentary Draftsman on the matter. The Bill as introduced not only validated rates already struck, but went further and enabled municipalities to strike rates in future in accordance with Clause 2. However there was no desire to give the municipalities this power. All that was desired was to validate the rates that had already been struck. The proposed new clause had since been submitted to the Parliamentary Draftsman, who had found that it did not cover the whole question. It would be all very well if only the

Leederville municipality were concerned, and Mr. Moss, when he drafted the new clause, had been under the impression that the whole of the rates struck were struck in accordance with the action taken by the Leederville municipality; that was to say, that they had been struck under the Fire Brigades Act, whereas in several instances they had been struck under the Municipalities Act, or in other words, without any authority whatever. In consequence the Parliamentary Draftsman had drafted a new clause which, in the opinion of that official, would meet the difficulty. He (the Colonial Secretary) was now prepared to move that new clause.

New clause put and negatived.

New clause:

The COLONIAL SECRETARY
moved—

That the following be added, to stand as Clause 2:—“Any local authority which has hitherto made, levied, or collected any additional rate, or increased its general rate above the statutory limit for the purpose of providing the amount or any portion of the amount of any contribution payable by such authority under ‘The District Fire Brigades Act, 1909,’ shall be taken to have had power so to do, and its action is hereby validated accordingly, and such additional rate or increase of general rates may be collected, recovered and got in in the same way as general rates made by such local authorities.”

New clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 6.8 p.m.