

not argue points of order on a motion for adjournment.

Motion (Mr. Hackett's) for adjournment put and passed.

ADJOURNMENT.

REMARKS ON BUSINESS.

THE MINISTER FOR LANDS (Hon. C. Sommers): Before moving the adjournment of the House I would like to notify hon. members that I hope we shall have a full House to-morrow afternoon, for it is possible the Customs Bill will come in from the Assembly. The news has reached us that the Federal Government are submitting their Customs Bill, and it is desirable to protect the interests of this State. I trust that certain measures will be passed through all their stages to-morrow, and for that reason I trust we shall have a full House. I move that the House do now adjourn.

The House adjourned at 28 minutes past 9 o'clock, until the next day.

Legislative Assembly.

Tuesday, 24th September, 1901.

Papers presented—Question: Mail Steamers, Changing Port of Call—Question: Dam at Parker's Range, Particulars—Obituary: Mr. R. Speight—Fourth Judge Bill, first reading—Totalisator Act (1883) Repeal Bill, first reading—Trading Stamps Abolition and Discount Stamps Issue Bill, first reading—Excess Bill, first reading—Hampton Plains Railway Bill (private), Select Committee's Report, to adopt (negatived)—Chairman of Committees (Acting), Appointment—Municipal Institutions Amendment Bill, in Committee to new clauses, reported—Trade Unions Regulation Bill, Recommendation, reported—Criminal Code Bill, second reading—Brands Act Amendment Bill, second reading, referred to Select Committee—Industrial and Provident Societies Bill, second reading (moved)—Customs Duties (Reimposition) Bill, second reading, in Committee, reported—Death of Hon. H. Lukin; Adjournment.

The **SPEAKER** took the chair at 4.30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the **PREMIER**: 1, Report of the Royal Commission on Railway and Customs Departments; 2, Papers (moved for by Hon. F. H. Piesse) *re* reduced rates on carriage of local timber; 3, Papers (moved for by Hon. F. H. Piesse) *re* carriage of Collie coal and fixing of rate for same; 4, Return (moved for by Mr. J. M. Hopkins) relating to police districts statistics; 5, Papers (moved for by Mr. G. Taylor) *re* registration of Albany Stevedoring and Coaling Association.

Ordered to lie on the table.

QUESTION—MAIL STEAMERS, CHANGING PORT OF CALL.

MR. J. J. HIGHAM, without notice, asked the Premier: Whether his attention had been drawn to a paragraph in the *Morning Herald*, containing a report of a decision come to by the Postmaster General of the Commonwealth, which report stated it was the intention of the Commonwealth Government to advocate the calling of mail steamers at Albany instead of Fremantle. If so, what are the Premier's intentions?

THE PREMIER replied: My attention was drawn to the paragraph, and I sent a telegram to the Commonwealth Prime Minister, asking whether there is any truth in the report.

QUESTION—DAM AT PARKER'S RANGE, PARTICULARS.

MR. W. OATS asked the Minister for Works: 1, Whether the water dam at Parker's Range was completed. 2, What was the entire cost of erection, excavation, and drains, etc. 3, What quantity of water it would hold. 4, Whether it had ever been filled. 5, If not, what was the reason. 6, What was the estimated cost of making it water-tight. 7, Whether the Government, in view of obtaining water to develop this important and large auriferous district, intended doing this necessary work. 8, If so, when.

THE MINISTER FOR WORKS replied: 1, May, 1897. 2, £4,975. 3, 4,415,600 gallons. 4, No. 5, Owing to insufficient rainfall. The catchment area is a fairly good one. 6, No estimate has been made. 7 and 8, Farther inquiries will be made, but at present the Govern-

ment are advised that it is not necessary to do anything; the population being small and the existing local supplies equal to its requirements. A condenser is also working in connection with a local battery.

OBITUARY—MR. RICHARD SPEIGHT.*

THE PREMIER (Hon. G. Leake): Before the business of the day is called on, I desire to refer to an incident not yet mentioned in the House. I allude to the death of our friend, Mr. Richard Speight, the member for North Perth. Death has been busy in our ranks since the last elections: Mr. Speight is the second of our number to be called to rest. It will be in the recollection of hon. members that unhappily Mr. Alex. Forrest, the former member for West Kimberley, died somewhat suddenly. Had the intelligence of Mr. Speight's death come to us when the House was sitting, it would have been my duty, out of respect to his memory, to move that the House do thereupon adjourn. We had on Wednesday evening adjourned out of respect to the memory of the late President of the United States over the Thursday, which was the day of the funeral. Our friend, Mr. Speight, died on Thursday morning, and the news of his death reached me early in the forenoon. Since the remains of the honourable gentleman have now been buried, there is no need for me to ask this House to pay any farther mark of respect to his memory than that which was paid on Saturday last, when a great number of us attended his funeral. I need only remind hon. members that Mr. Speight was a gentleman who had gained the respect, not only of his constituents, but of every member of this House. Unhappily, failing health rendered it impossible for him to give that attention to public matters which he might have given, for the benefit not only of his constituents, but of the whole State. He was possessed of qualifications which would have been of particular advantage to us at this present time, when certain inquiries are being made into the railway service of this State. An expert as he undoubtedly was in his line, Mr. Speight would have been able, if necessary, to sit in judgment on anybody or on any matter connected with the railway

service. If on no other account than this, we must deplore deeply his loss. I wish merely to remind the House of this very painful event, and thus, in some small measure, to pay a tribute of respect to the memory of a gentleman whose death we all regret.

HON. F. H. PIESSE (Williams): I desire to add a few words to the tribute which has been paid to the memory of our departed friend, a member of this House who will undoubtedly be much missed, and missed not only in this House, but also in the country. The State can ill afford to lose from amongst its numbers such men as the late member for North Perth; and I am sure all of us recognise that in Mr. Speight, who possessed such admirable qualifications as a railway expert, we have lost a man whose work is well recognised, and whose death is a loss to the whole country. The words which have been uttered by the Premier in regard to the late member are, I am sure, appreciated by all of us in this House. But I would like to say, as one who has had opportunity of talking with the late member from time to time on matters concerning railways, it was indeed a treat to have a conversation with him on such matters, recognising as we must do that he was one thoroughly conversant with the concerns in which he had been so long engaged. It is indeed a great loss which will be felt in this country for many years to come, and one this State can ill afford. I feel I cannot do other than add this tribute to the words which have been uttered in regard to the late hon. member.

FOURTH JUDGE BILL.

Introduced by the PREMIER, and read a first time.

TOTALISATOR ACT (1883) REPEAL BILL.

Introduced by MR. MONGER, and read a first time.

TRADING STAMPS ABOLITION AND DISCOUNT STAMPS ISSUE BILL.

Introduced by MR. McDONALD, and read a first time.

EXCESS BILL (1899-1900).

His Excellency's Message relating to the Bill having been previously received:

Bill introduced by the COLONIAL TREASURER, and read a first time.

HAMPTON PLAINS RAILWAY BILL

(PRIVATE).

SELECT COMMITTEE'S REPORT.

MR. MOORHEAD (North Murchison), in moving the adoption of the select committee's report on the Bill, said: With regard to the amendments of the Bill recommended in the report, they practically follow out the suggestions of the previous committee which considered the similar Bill of last session. I had perhaps better allude now to the addendum which has been made to the report by one member of the committee, and which to some extent might be considered a reflection on the committee, had the hon. member who made that addendum been a little more experienced in the ways of this House. In justice to the members who sat with me in connection with the taking of evidence in support of this measure, I will inform the House of what actually occurred. In the first place, this Bill was unopposed, no petition having been lodged against it. So far as the committee were concerned, we were bound to consider it as an unopposed Bill. The hon. member (Mr. Reside) has added his objection to the report as follows:—

I dissent from this report, as I consider this scheme is opposed to the recognised policy of the State, and also that no witnesses were allowed to be called other than those favourable to the proposal.

I say the hon. member will perhaps, on reflection, agree with me that to a certain extent this addendum to the report might be considered a reflection on the integrity of the other members of the committee. When there was no petition lodged against the Bill, and looking at the Standing Orders by which select committees are regulated and the procedure followed, looking also at parliamentary practice, I, as chairman of the committee, was bound to rule that, inasmuch as no petition had been lodged against the Bill, the hon. member could call no evidence. What occurred at the last meeting of the committee before the report was drawn? The member for Hannans (Mr. Reside) desired to call witnesses, and when asked by me what witnesses and what was the object of the evidence he purposed to

call, he first replied that it was to support the general principle that this railway scheme was opposed to the recognised policy of the State; a principle which I submit, with all due respect, was not a matter which the committee had met to consider. It was a matter which could be discussed on the second reading of the Bill, or upon the bringing of the report before the House; and the committee, in my opinion, had not met for the purpose of discussing questions of policy, but were there to go into the measure and hear evidence in support of the principle; also to consider the best methods of carrying out and conserving the best interests of the State, with a due recognition of the parties applying. I consequently ruled that it was not open to the member for Hannans to call evidence in support of that general principle or of that question of public policy, which the hon. member would have every opportunity of advocating or opposing in the House. Again, the hon. member suggested that we had better adjourn until he had procured evidence from Kalgoorlie or elsewhere. I thought then, and I submit to the House, that it was not the business of the committee to sit and wait for the convenience of any gentleman who might think it necessary to hunt up evidence for opposing a Bill of which no notice had been given to the other side. Our Standing Orders prescribe the presentation of a petition, and the object of the presentation of a petition is, so far as I gather, to give notice to the other side of any objections, so that they may be prepared to meet the objections. In fact our Standing Orders, which from time to time have been the practice of the English House of Commons, are strictly followed—so strictly indeed, that seldom, if ever, are they departed from—and they prescribe that the petitioner for a Bill must publish his intention to apply for leave to introduce a Bill: he must give the provisions of the measure, he must notify them to the public for so many months, and he must notify that the plans may be inspected at such an office. In fact, our regulations prescribe that all due notice shall be given to the effect that the petitioner intends, on a certain day, to ask leave to introduce a Bill, and the object is that any parties having objection to the Bill may, within the prescribed time,

come in and lodge their objections. In this case no objections had been lodged, and consequently I did not think that the committee were entitled to hear any evidence against the Bill in the absence of a petition. I followed what I considered the Standing Orders of the House; and I consider had the member for Hannans had longer experience of the ways of the House, he might have considered a little longer before adding the concluding portion of his objection. I do not object to the member for Hannans saying that he dissented from the report inasmuch as he considered the scheme opposed to the recognised railway policy of the State; but the addendum—that no witnesses were allowed to be called other than those favourable to the proposal—might be read as an “appeal to the gallery.” That was followed up in an extraordinary way. Another gentleman rushed straight away to Coolgardie and had a meeting convened, and at that meeting one gentleman, who I am happy to say is not a member of the House, directly charged all those gentlemen who may be favourable to the Bill with being bribed.

MR. W. J. GEORGE: What?

MR. MOORHEAD: With being bribed. Not alone was that charged, but I am sorry to say a member of this House was present on the platform at the time the charge was made. I think perhaps it would be just as well if this little unpleasantness was passed over. I am certain that the gentleman on the platform had no idea, had not a scintilla of faith in his mind, that I or any other gentleman on the committee had been bribed by the promoters of the Bill. The report recommends the Bill, by a majority of the committee, to the House for its favourable consideration; and with the amendments which the committee, after some considerable trouble, have added to the Bill, it, I urge, cannot be an invasion of that latest fetish in this country, private enterprise. We hear a great deal of private enterprise on the platform; but we hear little against it, as evidenced, at any rate, by the Bill. I can understand objection being taken to following what was done in the early days of the State, when railways were constructed and huge tracts of national land given away: I can understand strong objections being raised

to the construction of lines on the land grant system; I can understand members having a holy horror of the construction of lines on similar grounds; but this measure does not contemplate the giving away of any endowment of land or any portion of the national estate. It only gives the promoters a running right over a certain width—two chains, as amended by the committee—of land on a nine-mile strip. Neither is it given away, for the committee again came to the rescue of the country and inserted a clause by which this national asset can be resumed at any time within twelve months after the completion of the construction. In other words, the Government can resume the line at any time, not at the cost as fixed by the contractors, or petitioners or promoters, but at a limited sum fixed by the committee. And we have fixed that sum, as a maximum, for the rolling-stock, the land over which the line runs, and everything else, at a sum not exceeding £2,000 per mile. It is true that is a maximum, but we have also given power to the arbitrators to say that that sum ought not to be paid if the Government do not resume within twelve months after construction, but some years later. And the Bill gives power to the arbitrators to say, “It is true you paid £2,000 per mile for the construction of the line, but that is not its present value: we assess it at £1,500 or £1,600 per mile.” The Select committee have endeavoured, as far as possible, to recognise the rights of the promoters of the measure and to conserve the best interests of the public. The amendment will be to Clause 13, by adding a new paragraph:—

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

shall be a first charge on the assets of the company.

That is the addition to the clause dealing with the opening and running of the line. We thought it better to add that, in the event of the company finding themselves in difficulties or trying to evade the provisions of the Bill compelling them to run two trains at least twice a week. Then we struck out Clause 15, and recommended for insertion the following clause:—

The Commissioner, with the approval of the Governor, may at any time after the completion of the railway, by giving 12 months' notice in writing, require the company to sell, and thereupon the company shall sell to the Government, the railway with the land upon which it is constructed, to a depth of 50 feet from the surface, upon the terms of payment by the Government to the company of the then value thereof; such value, in case of difference, to be ascertained by arbitration according to the provisions of "The Arbitration Act 1895;" but the value of the railway (inclusive of the land), for the purposes of this section, shall not under any circumstances be taken to be more than £2,000 per mile.

Whenever any such sale is made to the Government, the railway and land shall vest in the Commissioner as fully and effectually to all intents and purposes as if the same had been transferred and conveyed to him by the company; but, nevertheless, the Commissioner may, if he thinks fit, demand a transfer or conveyance thereof, and the company shall thereupon execute the same.

That £2,000 includes all the land; not only the nine miles, but also all the land of the company over which the line runs, through blocks 48 and 50.

MR. W. J. GEORGE: We have given our land free, though.

MR. MOORHEAD: Only the running rights over it for a depth of 50ft. That is an amendment we introduced, an improvement at the suggestion of the committee: the limit now is only to a depth of 50ft. We include in that the fee simple to a similar depth of 50ft. of the land for station property and buildings, and the land utilised for the approach of carriages, etcetera. I, therefore, recommend to the House the amendments suggested by the committee; and I have only to say, in conclusion, that in the opinion of a majority of the committee this is a measure not in the nature of a Bill brought in with the object of running a line in competition with any Government railway; it is not in the ordinary sense what is known as a private railway. It is

private in this way, that it is introduced by the promoters to benefit the property of the company, to open up their timber areas, to facilitate living and to give facilities for the introduction of mining machinery, etcetera; and I shall be particularly interested to find the opposition of the member for Hannans (Mr. Reside) and his coadjutors, who at the present moment are pressing the Government to throw open the reserves to the Kurrawang Company. I shall be interested to hear the arguments of the hon. member for Hannans, who no doubt will be supported by other gentlemen. So far as I hear, and so far as I understand the reports in the newspapers, the Government have declared certain reserves, preventing that much-deserving company, yet much-blackguarded company, the Kurrawang, from cutting timber in certain directions. The result will be, I have no hesitation in affirming, the closing down of the Kurrawang Company in about a month; and that will be followed, I am satisfied, by the closing down of the mines at Kalgoorlie.

A MEMBER: And up goes the price of firewood.

MR. MOORHEAD: I do not care whether the Kurrawang Company close down or not; but the particular company here in question, the Hampton Plains Estates, cannot possibly build their line in less than 12 months, and we know from the supplies at present being delivered by the Kurrawang Company, a considerable hole has been made in the reserves, even if the Government throw them open. I understand the Kurrawang Company's contracts with the mines expire about December. The meaning of this is that owing to the increased distance they will have to go to procure firewood, the price must go up in the next contract. All these difficulties are staring the mines in the face at the present moment: all these difficulties are harassing them. The greater the facilities given for the supply of firewood in Kalgoorlie, the cheaper will be the production of the ore; and the cheaper the production, the better the wages. I shall listen with some degree of interest to the arguments which will be adduced against a measure of this description, which in no sense authorises the building of a railway on the land-grant system. The Hampton

Plains Company ask for no concession from the Government except a running right; and the Bill gives to the Government the power of resuming at any time after 12 months. I have every pleasure, therefore, in moving the adoption of the report of the committee by this House.

POINT OF PROCEDURE.

THE SPEAKER: Before I put the question, I should like to point out the irregularity of any member of a select committee dissenting from its report and attaching his name to a minority report. It is very plainly laid down in our Standing Orders what the procedure should be; and I have compared our procedure with that laid down by May, and I see the two are exactly identical. Standing Order 353 says:—

It shall be the duty of the chairman of every select committee to prepare the report.

And Order 354 reads:—

The chairman shall read to the committee convened for the purpose of considering the report, the whole of his draft report, which, if desired by any member, shall be printed and circulated amongst the committee, and a subsequent day fixed for its consideration; and when the committee are desirous of taking the report into consideration, the chairman shall read the draft report, paragraph by paragraph, putting the question to the committee at the end of each paragraph—"That it do stand part of the report."

In fact, the practice is exactly the same as that for the consideration of a Bill in committee by this House: the Bill is put clause by clause, and each clause is agreed to or dissented from; also in a select committee, the report goes paragraph by paragraph, which is dissented from or agreed to. If any member dissent from a paragraph, he can call for a division; and his name will then appear as opposing the report. Thus every member of a select committee has an opportunity of letting it be known in the evidence which accompanies the report, whether he voted for or against any paragraph. That is the proper way in which to make dissent known to the House. The proper way is not to attach a dissenting report. Standing Order 355 goes on to say:—

Every report of a committee shall be signed by the chairman thereof.

It cannot be the report of the committee if the names of certain members are

given as dissenting from the report of the committee. Dissenting reports are totally contrary to parliamentary practice; and I have all along thought it was my duty to call attention to the fact.

MR. MOORHEAD: In explanation, I should say that I suggested to the member for Hannans (Mr. Reside) the attaching of a dissenting report by him; and I must take on myself the blame of his having added it. He asked me whether he could add a dissenting report, and I informed him that he could.

THE SPEAKER: It is not according to the practice, and has never been done before. Does anyone second the motion for the adoption of the report?

DEBATE RESUMED.

MR. W. F. SAYER (Claremont): I beg to second the motion.

MR. W. J. GEORGE: What is the effect of this? Can we discuss the Bill?

THE SPEAKER: Of course, if the report be adopted, the House will go on with the Bill in Committee of the whole House. It has not been read a second time yet.

MR. J. RESIDE (Hannans): The member for North Murchison (Mr. Moorhead) has referred to my minority report on this Bill. I certainly maintain that, as a matter of what I consider fair-play and common justice, I had a right to dissent from the report. I understood the object of having a select committee was to ascertain whether the preamble of the Bill was proved; and I ask hon. members whether it is fair and right to accept it as proved after hearing only one side. The persons who gave evidence before the committee were persons directly interested in the passing of the Bill. I therefore inquired whether other witnesses representing public bodies and the people of the Hannans district, in which this proposed railway is to run, were to be called. The chairman ruled that they could not be called. Legally I dare say he is right; but, at the same time, I consider that the effect of the chairman's ruling resulted in wrong, because it appeared on the face of it that the committee were not to make the fullest inquiry into every aspect of the question. I consider that had the chairman agreed to the calling of these witnesses, it would rather have strengthened his case than

otherwise. The circumstance that the witnesses whom I proposed should be called had not lodged a petition in opposition to the Bill, I considered of no weight. An independent witness, in my opinion, need not be a petitioner. Both sides should be heard. A question was put during the proceedings of the committee whether the preamble had been proved; and one member said that it had been proved up to the hilt. No wonder! Simply because no antagonistic evidence had been received. The procedure of the committee may have been in accordance with parliamentary usage—in my ignorance of parliamentary practice, I am unable to say—but I do consider that the proceedings were not in accordance with fair-play and justice. Hence my dissent. On another aspect of the question, I say that the proposed scheme is contrary to the accepted railway policy of this country. The scheme proposes the construction of a line over Crown lands for a third of its length. One of the chief objections I have to the line is that it is built through a private estate, the company owning which hold not only the timber rights but also the mineral rights. Moreover, the fact that the company have over a million tons of firewood on their estate means that the right of building the line will give them an unfair advantage in the firewood trade, which advantage is undesirable in the interests of everybody else in the trade. The member for North Murchison has seen fit to refer to my action in attending a deputation which recently waited on the Minister for Lands in reference to the timber reserves on the goldfields. I may explain to the House that my reason for attending the deputation was that I had received a very influential petition from my constituents on the Golden Mile, which petition they asked me to present to the Minister for Lands. As a matter of duty, therefore, I presented that petition. At the same time I did not support every paragraph of it. What I supported was an alteration in the delimitation of the timber reserves; and I may tell the House that I objected to these reserves when first made, as I considered them unfair having regard to the supply of firewood to the mines in my district. I still consider these reserves unfair; but

that I attended this deputation as the champion of the Kurrawang Company to ask for farther concessions, I distinctly deny. In opposition to the proposed railway I point out also that the Government, who have lately gone to an expense of £50,000 in duplicating the Coolgardie-Kalgoorlie line chiefly for the purpose of bringing in firewood and water to the mines, will, if the proposed line be built, lose a great deal of the traffic in timber and water, which will go instead to the Hampton Plains Company. It has been said that the proposed line would only be a feeder, but I say that it is on the direct road to Esperance, and consequently may become a trunk line. Now there is no provision in the Bill giving the Government power to carry that line farther through the estate.

MR. MOORHEAD: What distance is Esperance from the terminus?

MR. RESIDE: It is about the same distance as from Coolgardie, perhaps a little less: about 120 miles. The Bill makes no provision for giving the Government power to extend the line to other parts of the estate should they wish to do so; and I certainly think the Government should have that power. It was stated before the select committee that the public bodies in the Kalgoorlie and Boulder districts were in favour of the line. I have made inquiries, and I find that some considerable time ago, 12 months or more, various public bodies did express an opinion on the matter; but they have expressed no opinion on the present Bill. I spoke to a prominent member of the Chamber of Mines only the other day on this Bill, and found that he was strongly opposed to it.

MR. MOORHEAD: Who is he?

MR. RESIDE: Never mind.

MR. MOORHEAD: Because a petition signed by the leading mining men is here on the table.

MR. RESIDE: I have also inquired as to the roads boards, and I find that it is over twelve months since they passed a resolution in favour of the line. I say the select committee should have been allowed to call evidence.

A MEMBER: What was the resolution?

MR. RESIDE: We want to deal with the case as at present before the House. The Bill has been before Parliament for some considerable time; and though I do

not for one moment support the suggestion thrown out by a speaker at a public meeting in Coolgardie—which, I may mention, I did not attend—still what occurred in another place in connection with this Bill last year is known to the member for North Murchison as to every other member of the House. Possibly the Coolgardie gentleman I refer to had some reason for throwing out his insinuation. We know that an endeavour was made last year to get this Bill through the House by means considered unfair and dishonourable; and I certainly think the House should not pass it now. The passing of it now involves a departure from the recognised policy of the State, and I certainly think some better argument should be brought forward before we change that policy.

MR. MOORHEAD: Give us your reasons against the Bill.

MR. RESIDE: I have explained, as far as I wish to do so, my objections to the Bill. Of course, hon. members will do as they please in regard to the adoption of the report.

POINT OF PROCEDURE.

MR. HOPKINS: I would like to have your ruling, Mr. Speaker, on the course adopted by the select committee. I really think it a point of interest to hon. members to know whether the chairman of the committee was justified in ruling that only witnesses on one side should be called.

THE SPEAKER: I understood the chairman of the committee to say he did not rule that only witnesses on one side should be heard.

MR. HOPKINS: I understand that in the event of persons opposed to the Bill not having filed a petition in opposition to it, they could not be called to give evidence against it. Of course, I may be wrong.

MR. MOORHEAD: I may supplement my previous remarks by saying that I asked the member for Hannans (Mr. Reside) whether he could supply us with the names of any witnesses he wished to call. He mentioned the name of Mr. Johnson, the member for Kalgoorlie; and I stated that the committee, in courtesy to a member of the House, would hear him. I also asked the member for Hannans whether there were any other

witnesses he desired to call; and he said he would have to go up to Kalgoorlie and hunt them up. Now I ask, should the committee sit indefinitely while an hon. member was hunting up witnesses in opposition to the Bill?

MR. RESIDE: I wish to deny that I said I wanted to "hunt up" witnesses. What I did say was that I wished to call representatives of public bodies on the goldfields, and would communicate with them if the committee would give me permission to call them as witnesses.

MR. MOORHEAD: Did you not say you would go up?

MR. RESIDE: No; I did not. I said I would communicate with the people by telegram.

DEBATE RESUMED.

MR. W. J. GEORGE (Murray): I see no reason to alter the views I expressed last session on this Bill. The reason why I objected to the proposed railway then is the reason why I shall object to it now. I can see nothing to appeal to the commercial spirit, at any rate, in incurring heavy expenditure in connection with a railway and then encouraging another railway to come in and compete before you have exhausted the possibilities of the line on which you have gone to so much expense. We know perfectly well that a lot of money has been recently spent on the line from Coolgardie to Kalgoorlie. This is independent of—I hardly know how to refer to it—the Kurrawang Company. Putting the Kurrawang people aside, there are others supplying firewood; and until the firewood supplies between Coolgardie and Kalgoorlie are exhausted, I do not think it would be a commercial deal, anyhow, for the House to authorise the construction of a railway which will practically rob the existing railway of a large portion of its traffic. [MR. RESIDE: Hear, hear.] So far as the Bill is concerned, the provisions that are made for carrying out a private railway are, I presume, couched in such terms as will disarm captious criticism. But the main objection to the Bill is that we are practically asked to license someone to build a railway, entering into competition with railways we have built with the money of the State, and to rob our railways of a portion of their traffic. It may be said that if this railway be

built, the mines will be able to obtain firewood at a cheaper rate. Though that may be so at the present time, yet to sanction a Bill which will result in this competition will be only putting off the day when those mines will have to pay an extra price for the carriage of firewood from places beyond the areas that will have been depleted. For instance, when those reserves are cut out, the mines requiring timber must necessarily fall back on the reserves along our present way.

MEMBER: Use Collie coal.

MR. MOORHEAD: Encourage private enterprise.

MR. GEORGE: I desire not to encourage private enterprise if the effect of it will be to cut away the previously unexhausted enterprises on which we have expended large sums in the interests of the State. Let us come nearer to the point of exhaustion, before we sanction the building of another railway for cutting away the traffic from the railway we have already built. It may be a good idea to cut our own throats in the railway business, but I do not think so.

MR. MOORHEAD: Were you silent when the Boulder Tramway Bill was before the House?

MR. GEORGE: I always look on the hon. member as a gentleman, and I do not expect him to insinuate some improper motive. I do not remember whether I was or was not silent on that tramway question. But if I did support the Tramway Bill, I did so because I thought it would, in some respects, be a great convenience, though I also thought that as soon as the tramways begin to work, they will attract traffic from the Government railways, and that the enormous expenditure which has been made on the Government lines during the past twelve months will not have been justified. I am absolutely certain of that. But I think that question may be left on one side. If this private railway be permitted, it will simply cut the throat of the Government railway between Coolgardie and Kalgoorlie. I think it is a wrong policy to do so. I notice the select committee have made several alterations in the Bill, according to their report, and I am glad they have done so, because they have taken out a good deal of what would otherwise have been

matter for controversy. I shall object to this Railway Bill, and if we reach the stage of considering the clauses in Committee of the whole House, I shall try to alter one or two clauses, in order to make it impossible for this railway to be worked by using Government trains and Government rolling-stock. If we are to give a concession for the construction of this railway, let provision be made by the promoters for equipping the line out of their own funds, and not for robbing the Government railways of part of their equipment.

MR. H. C. RASON (Guildford): I intend, at this stage, to speak only on the adoption of the report. We can deal with the merits or demerits of the Bill when we come to the second reading. I should not have spoken now but for certain remarks which have been made as to the action of the select committee in dealing with this matter, of which committee I was a member. The chairman of the committee (Mr. Moorhead) has dealt fully with the subject in moving the adoption of this report, and has lucidly explained the action of the committee in regard to the non-admission of hostile evidence. But there is one matter to which the hon. member did not refer. I have here a reprint from the *Coolgardie Miner* of the 7th September, in which a gentleman named Dr. Ellis, if he is correctly reported, said, amongst other things:—

Last year the company was prepared to give up the line to the Government in any year; now they wanted 21 years, and they not only wanted the cost of the line, but one-tenth more than the cost of it. They had learned a good deal since last year. There was no arrangement made for rolling-stock at all; so they would probably look to the Government for rolling-stock, and the Government was very short of rolling-stock. Therefore the company not only wanted the concession for nothing, but would use the Government capital as well. He hoped that the Bill would be thrown out on the first reading in the Lower House. Last year that company had been accused of bribery, and that, in itself, should be sufficient to throw the Bill out with contempt. (Cheers.) Now they had a new Government, and he hoped to God new principles in Western Australia. (Cheers.) When men were bribed last year over that Bill, who was prepared to say that those who voted for that Bill this year were not bribed? (Hear, hear.) It was a question of whether democracy should be pure or impure. If it was not to be pure, it was not fit to rule. (Cheers.)

I take it that when select committees are appointed by this House, the members being elected by ballot, they are appointed to do their duty in the manner laid down by the rules of the House. And I submit that if members of a select committee are to be attacked in this manner, simply for doing their duty on the lines laid down by constitutional practice, we may bid good-bye to anything like fair and honest select committees in connection with this House; because only men who will submit themselves to taunts and jibes of this nature will serve on select committees. I am, perhaps, at liberty to speak on this subject, because I was not a member of the select committee which dealt with the Bill last year, and which has been accused of having been bribed. I was a member of the select committee which reported on the Bill this year, and I say unhesitatingly that it is an insult to the members who sat on the select committee last year, and an insult to this House, even to have it insinuated that either of these committees received bribes or were open to be bribed. I for one object to being reproached with taunts and jibes by an irresponsible scallawag such as Dr. Ellis; and if he will accuse me, as he is reported to have done, of either receiving a bribe or being open to receive a bribe, then I shall attempt to deal with Dr. Ellis in a very unparliamentary manner. I submit that this Bill has been dealt with, it is almost unnecessary to say, by the member for North Murchison (Mr. Moorhead) as chairman, in a perfectly fair-minded and judicial manner. The member for Hannans (Mr. Reside) said he wished to introduce some evidence against the Bill. The chairman did not give a hurried answer; on the contrary, he said that if there were any means under the Standing Orders by which evidence of this kind could be admitted, he was prepared to admit it. The chairman did not give his verdict there and then, but said he would look up the rule, and he reserved his decision till the following day, which was to the effect that what the hon. member proposed to do was contrary to parliamentary practice, and to a ruling which the Speaker of this House had given last year, and which I have before me. The Speaker then stated, in reference to another private Bill—the Cottesloe Electric Lighting and Power Bill:

I think myself that the rules on this point are very reasonable ones. The promoters of a Bill should know what objections have been raised to it, in order to produce evidence in rebuttal. The same thing is done in the courts of this colony—the pleadings are seen by the opposing counsel. It is a reasonable thing that the promoters should be in possession of what evidence it is intended to call, so that they may rebut that evidence if necessary. I have looked carefully into the question, not only as it is affected by our own Standing Orders, but by the Parliamentary Orders relating to Private Bills of the House of Commons. I think these persons have no *locus standi* unless they present a petition.

MR. JAMES: The only evidence that can be given is by the promoters.

THE SPEAKER (continuing): Unless the objectors present a petition showing that they wish to bring evidence.

That ruling is undoubtedly following out the Parliamentary practice in these States and in the old country; and in the face of that knowledge, I submit to every fair-minded man in this House, whether it is not going too far to accuse a select committee of having purposely gone outside their duty, by rejecting evidence which ought to have been received? We as a committee did our duty according to the lines laid down; and if it had been possible to admit the evidence, it was the desire of the committee that the evidence should be admitted. But I do resent fellow members of Parliament being present at a public meeting where charges or insinuations of this character are lodged, and not having sufficient *esprit de corps*, not having sufficient (shall I say) love for the Assembly of which they are members to resent accusations of this sort. I am sure it will be a sorry time for Parliament, it will be a sorry time for any committee of this House, if charges of bribery and corruption are to be levelled broadcast against members of this House, while another member of Parliament is present and does not repudiate those charges.

MR. R. HASTIE (Kanowna): I agree with the remark of the member who has just spoken in expressing regret at the manner in which some people in Coolgardie spoke about certain members of this House. Unfortunately, Dr. Ellis was not specific in his charges, but very large in his insinuations: and if there is anything we can do, as a House, to stop charges of this kind being made, I think members generally will be ready to do it.

The hon. member who has just spoken also protested against the insinuation that any select committee had purposely gone beyond their duty in order to reject certain evidence. I have not yet heard that stated here. The member for Hannans (Mr. Reside) did not insinuate that the committee had purposely gone out of their way to reject evidence tendered, but he expressed great regret that the findings of this committee have been made after hearing only one side of the case. The member for Guildford (Mr. Rason) farther said that the committee would have been only too glad if they had been able to accept hostile evidence. I have read the Standing Orders, and my recollection is that the chairman of a committee has the option of applying to this House in order to get permission to receive evidence opposed to the Bill, if it be deemed by the committee desirable that such evidence should be received. The member for North Murchison (Mr. Moorhead), who was a member of the committee, also every other member of the committee, know that many thousands of people in this country are opposed to this particular private railway.

MR. MOORHEAD: I do not know anything of the sort. On the contrary, I presumed, in the absence of a petition, that everybody was in favour of it.

MR. HASTIE: I must presume then the hon. member is the most innocent-minded man I have "struck" for some time past. The majority of members of the House, I believe, know that a vast number of the people in the country object to this railway.

MR. MOORHEAD: There was not a word of objection by any party.

MR. HASTIE: Technically, the hon. member is quite right. The question before the House is: should we accept the report of the committee elected by the House for the purpose of examining the Bill? They have avowedly examined only one side of the measure, and have not taken an opportunity of examining anyone who was opposed to it.

MR. MOORHEAD: There was no opportunity.

MR. HASTIE: The committee did not embrace the opportunity. An application could have been made to the House, because there are rules authoris-

ing the chairman to do certain things. It does not matter whether there was any objection or not; it was within the option of the member for North Murchison (Mr. Moorhead) or of the member for Guildford (Mr. Rason) to ask the House, and I presume the House would have given permission —

MR. RASON: To repair other people's neglect.

MR. HASTIE: There was no neglect. The House appointed the committee to examine into the case, but the committee have not examined into the case; therefore I hope the House will not adopt the report of the committee, but ask the committee to hear the other side of the case and see if they have any farther recommendation to make. On the general question, I should like to say a word or two. The member for North Murchison said this measure was in no sense a private Bill.

MR. MOORHEAD: No, no.

MR. HASTIE: Inasmuch as it did not give land grants; but for all practical purposes it is a land grant railway. The hon. member did not tell us that the Hampton Plains people had a comparatively small portion of land as a freehold and a very large portion as pastoral lease. He did not even tell us of the two blocks the railway was going through, and which are freehold. The one has almost no timber at all upon it, and the other block has a small portion of timber on it. The principal portion of the timber that this railway will tap does not belong to the Hampton Plains Company. They hold the land on pastoral lease, which gives them no right to the timber, so that if this private railway be granted, that will to a large extent increase the company's lease and the value of the land.

MR. MOORHEAD: What freehold land have they?

MR. HASTIE: I do not know exactly the area; but a large proportion of the timber land is not freehold but pastoral lease, and that pastoral lease does not give the company the right to the timber. If the railway be granted it will enable the company to practically tap all the timber; and if the promoters of the line are such philanthropists as they represent themselves to be, if they are anxious that the mines about Boulder should have

sufficient timber, why not introduce into the Bill a provision giving people the right to cut timber on the leases and allow them to send that timber at a specified rate. Besides, if the main object is to send timber to the Golden Mile, why ask for a railway?—why not ask for a tramway?

MR. MOORHEAD: What is the difference?

MR. HASTIE: A tramway is very much cheaper to all parties, and a tramway, as a rule, does not carry powers to charge freights and fares; but the Bill asks for permission to construct a railway.

MR. MOORHEAD: Make it a tramway, if you like.

MR. HASTIE: A railway that is presumed to cost £2,000 a mile. If the main object is to send timber, why do the company want that right all to themselves? If we make it a railway it is a permanent affair; but if the company build a tramway, the course of that tramway can be altered, the same way as the Kurrawang people have been doing, nearer to the timber which the company say they wish to supply. Farther, the hon. member told us that the mines in Kalgoorlie, in a comparatively short time, would be in need of timber, and he said this line would be a good thing. He went on to say that probably the Kurrawang supply of timber will be stopped in a month or two, and it will be necessary for us to enable the Hampton Plains people to build a railway, so that they can supply timber. If the company get this permission, it is next to an impossibility for them to supply the required timber within the next 18 months: they will need to work very hard indeed to get a supply of timber within the next two years. As regards the extension of the Kurrawang line, that will not in any way interfere with the Hampton Plains people. The Kurrawang Company, in all probability, will cut out before the Hampton Plains people start cutting timber. I hope this report will not be adopted; I hope this private company will not get the running powers; but if any practical proposal is put before us by this company or, if possible, by the Government to run a tramway so that the timber from the area named may be available for the mines, I am sure every member of the House will support it.

In connection with this question of the supply of fuel for the Kalgoorlie mines, I would like to point out that in about 18 months, if this Bill be passed, the Hampton Plains people will have a line laid into one of the best belts of timber country on the goldfields, which means that they will at once have a monopoly of the timber supply.

HON. F. H. PIESSE: Is that on their own land?

MR. HASTIE: Partially on their own land and partially on leasehold land. But the leasehold land may be treated as their own, because no one could compete with them. They will have these powers, which will act as a monopoly, because it will drive away all opposition. Therefore the company will have, with an absolute certainty, all the mines in the Golden Mile at their mercy. These and other matters would have been brought before the committee if the committee had accepted the evidence. The question is really so very important that I trust, before we consider the practicability of granting the line, the House will see that farther evidence be taken. I trust the House will not adopt the report.

MR. F. WILSON (Perth): I have listened with some attention to the remarks of the member for Kanowna (Mr. Hastie) and also to those of the member for the Murray (Mr. George) in connection with this matter, and I really cannot see how these gentlemen can support their arguments against the opening up of this timber area which is largely in the possession of the Hampton Plains Company. It appears to me that the position is this. These people own a large area of country on which timber grows; they have on the southern end a freehold estate which is also covered to some extent with timber; and the company naturally wish to open up their estate and derive the benefits and profits which will accrue from putting firewood on the Kalgoorlie market. No valid objection can be taken to that so long as permission be granted on fair grounds. I have not heard one argument advanced against the principle of this matter. Members have talked in a wild way, and in a large way, about competing with the Government railways, and "cutting the throat of the Government railways." I think that term was used.

MR. GEORGE: That is mine.

MR. WILSON: The member for Kanowna talked of a huge monopoly, but no word of proof was advanced. Take the argument of the member for the Murray. He says the company are going to rob the State railways of their traffic. Do not the ordinary timber companies in the pastoral districts rob the Government railways of a similar class of traffic?

MR. GEORGE: The timber lines feed the Government railways.

MR. WILSON: The hon. member admits that the timber lines feed the Government railways, but if there are hewers of timber along the Government line, why not stop the timber companies cutting timber, because those people who construct railways to connect the forests with their own timber stations are robbing the Government lines of traffic. Why not let the licensed timber cutters do the work, and so keep the trade on the Government line? That is the argument which is advanced. The timber cutters are engaged cutting timber along the Government lines at the present time: they pay so much per month for a license.

MR. GEORGE: No; the hewers are not cutting timber along the line: they have to cart the timber to the railways.

MR. WILSON: Then my argument applies. Why not let the licensed men cut the timber in the jarrah forests and cart it to the railway lines? You cannot do that unless you injure the interests of everybody in the State. If the Hampton Plains Company get this railway, they do not injure anybody: they have a product which the mines want. That is the way to break down monopoly. Let this company open up a supply of timber and compete with others who are supplying timber. The monopoly which the Hampton Plains people wish to compete with is the Kurrawang Firewood Company between Kalgoorlie and Coolgardie. The Labour members know all about it. They want to extend the concession to the Kurrawang Company and not allow people who have a freehold estate to bring their product to market. The argument appears to be too absurd altogether. If we desire to advance the interests of the State we must encourage—

MR. TAYLOR: Private enterprise.

MR. WILSON: If we desire to encourage the enterprise of the individual,

otherwise private enterprise, if we want to encourage the investment of capital in the country—and I dare say there is not one member in the House who will object to that, not even my hon. friends behind me (Labour members)—then we must allow proper facilities to people to bring their products to market. And the only way to bring heavy timber over long distances is by the construction of a railway. If hon. members will hark back in their minds they will find, I think, that some of the mines already have tramways to bring in firewood. Several tramways of this description, I believe, have been laid down, extending over six or seven miles. On a recent trip to the Northern fields a mine manager told me that he had a project for running a tramway out six miles to bring in firewood.

MR. TAYLOR: Lines like that do not compete with the Government railways.

MR. WILSON: Of course they compete with the Government railways. You cannot get away from it. I say, the more competition the Government railways have the better.

MR. TAYLOR: What you speak of is not a railway.

MR. WILSON: I am talking about Kookynie, and I say there is a railway there.

MR. TAYLOR: How long has it been there?

MR. WILSON: The railway is there; and firewood is being hauled in to the Government line over it; and the Government lines carry the firewood into Coolgardie for the use of the mines. One of the mine managers told me that he had in contemplation the laying down of six miles of tramway to bring in firewood to his mine. If you intend to refuse the man who owns the country on which the firewood grows the privilege of laying down a line to carry the firewood, then you may just as well stop the mine manager from bringing in his firewood by tramway, or indeed even by carts, on the ground that his doing so competes with the Government railway. Such an argument will not hold water; and I venture to say that the majority of the House will refuse to adopt the arguments which the member for Kanowna (Mr. Hastie) has adduced. Now, as for the timber on these pastoral leases, the member for Kanowna has advanced as a great argu-

ment against the Bill that there is very little firewood on the freehold of the Hampton Plains Company.

MR. HASTIE: I said, on one freehold.

MR. WILSON: The greater part of the timber, the hon. member said, is on a pastoral lease, or on various pastoral leases. The hon. member maintains that the railway would be giving a monopoly to the Hampton Plains Company. How so? The House, under this Bill, will grant the Hampton Plains Company permission to construct a railway from Kalgoorlie out through their freehold estate to a point some seven or eight miles, I think, from their southern boundary. If they want to carry that railway farther into the pastoral leases, then they will have to come to this House for farther powers. Surely the House can protect itself, if it be necessary. I desire to point out, however, that no protection is required. Supposing the Hampton Plains Company do carry the railway through into the pastoral leases, that does not give them a right to cut the firewood on those leases. The Government hold the right to the firewood, and any timber-cutter with a monthly license can go on those pastoral leases and cut wood just as he does on the country alongside the Government railways. It is argued that possibly the Hampton Plains Company would refuse to carry private cutters' firewood; but we protect the private wood-cutters against that. We say, the Hampton Plains Company shall carry any traffic brought to them, and moreover that they shall carry it at Government rates. The firewood-cutter will be just as well off on the pastoral leases as he is at the present time on the Crown lands between Coolgardie and Kalgoorlie.

MR. TEESDALE SMITH: How are you to get to the line through the private property?

MR. WILSON: Indirectly, of course. The line is going to be carried through the pastoral leases, it is said. Of course, no one can take the firewood from the Hampton Plains Company's freehold; but the member for Kanowna (Mr. Hastie) argues that there is no firewood on the freehold, or practically none.

MR. HASTIE: I did not say that.

MR. WILSON: He said as much—that there is very little timber on the

freehold estate, and that the bulk of the firewood is on the pastoral leases. He farther said that the fact of this company having a railway over their private estate would prevent the exploitation of the timber on the pastoral leases by ordinary license men. That was the argument. I say it is nothing of the sort. The private firewood-cutter does not want to go across the private property.

MR. JOHNSON: How is he to get across the private property? Tell us that.

MR. WILSON: By taking a ticket and travelling on the company's line. The company are obliged to carry passengers under the Bill. That power is taken here; and it can be provided, if necessary, that the company shall carry the railway through to their southern boundary: it is only seven or eight miles farther. We can provide, if necessary, that they shall carry the railway right through to the country beyond. Then the private woodcutters will have the facilities they require.

MR. TEESDALE SMITH: No.

MR. HOPKINS: Carry the line out westward.

MR. WILSON: A great deal has been said about monopoly. I do not see—and I cannot for a moment conceive that the House will see—a monopoly standing out in this Bill. Here we provide—I take it, from the amendments made, that the committee have pretty well adopted the amendments which were made in the Bill last session—we provide that this company shall run a certain number of trains per day or per week; we provide that they shall carry traffic, and moreover that they shall carry it at the rates set forth in the Government tariff, unless by resolution or by permission of the Governor-in-Council, I suppose, and that is a matter that can be easily controlled by the House. How can we go farther? Surely it must be advantageous to the best interests of the State that this firewood should come in to the mines in Kalgoorlie. What is the objection to it? It simply means that you will have two companies competing with each other, instead of the total supply, or the bulk of the supply, being obtained from one company. There will be a competitor in the field, and the result must be cheaper firewood. I say

the result of competition must be cheaper firewood to the consumer.

A MEMBER: The Kurrawang people have not got a railway.

MR. WILSON: An hon. member says that the Kurrawang people have not got a railway. What is it to be called, then? There is a line over which the Government rolling-stock runs. What difference is there between a 3ft. 6in. gauge railway and a tramway of that description? It is a distinction without a difference.

MR. TAYLOR: They do nothing but shunting, on the Kurrawang line.

MR. WILSON: The only valid objection raised in the course of this debate was raised by the member for Hannans (Mr. Reside); and it certainly is one which, to my mind, requires consideration. He said that the proposed railway stops some seven or eight miles from the southern boundary of the company's freehold estate, and that the Government, if they decide to purchase the line—as they can do under the power provided in the Bill—will be blocked from carrying it any farther because of the intervention of this seven or eight miles of freehold estate. But it would be an easy matter to make provision for that in the Bill, and I hope the hon. member will move in the required direction. If he will move that the compensation shall include a strip through this seven or eight miles sufficient to carry the railway on, I am quite sure he will have the support of the House.

MEMBER: We can resume one-twentieth under the land regulations.

MR. WILSON: An hon. member says we can resume one-twentieth under the land regulations; but to make it absolutely safe, and in order to safeguard the interests of the people of the State in every way, I would suggest that an amendment of the kind indicated be made in Committee.

LABOUR MEMBERS: The Bill will be thrown out.

MR. WILSON: It is easy to talk about throwing out a Bill, but I say the Bill is going to receive fair consideration. I hope members will bring much stronger arguments against it than any they have submitted so far, if it is to be thrown out. I think I have given good reasons in its favour, reasons that its opponents cannot rebut. I presume there will be a farther

opportunity for debating the Bill, but before I close I should like to say that I do not believe any hon. member for a single moment gives the slightest credence to the slander which the member for Guildford (Mr. Rason) mentioned. I believe that even the member for Hannans (Mr. Reside)—although the language in which he referred to the matter was somewhat unfortunate—does not for a moment credit, or lend support to, any such insinuations as have been mentioned. I believe that members of select committees go to work with the intention of doing their duty, and their duty only; and I think it would take considerably more than the whole value of this railway to bribe hon. members to commit a dishonourable action, or in fact to do anything wrong in connection with the Bill. I trust that we shall all approach the matter with open minds, that each one will give his ideas and opinions. I have given mine for what they are worth; and I say that if we wish to advance the interests of this State we should not adopt the view that the Government railways must be protected at every step. The Government railway system is quite capable of competing with and holding its own against any private railways. In my opinion, a little outside competition would do the Government railways a lot of good, and would probably result in a considerable reduction of working expenses. At any rate, as in the Kalgoolie-Boulder Tramway scheme the question of competition with the Government railways arose, and it was decided by this House that the convenience and well-being of the people residing in the neighbourhood proposed to be served by the tramway must be considered even before the question of competition with the Government railways; so I take it that in this instance also, when we see that our main industry, the mining industry, is likely to be hampered in any degree for want of a firewood supply, we must consider the requirements of these mines. In considering their requirements, we also consider the best interests of the State. I hope the House will pass the report, and that when we get into Committee hon. members who think that the interests of the public are not sufficiently safeguarded by the Bill, will move farther.

MR. H. DAGLISH (Subiaco): I trust that I am approaching this subject with as open a mind as the member for Perth (Mr. Wilson). I have read very carefully the report of the select committee and the evidence on which that report is based; and I am really at a loss to understand on what grounds hon. members who formed that select committee have gone in framing their report. It is an entirely new departure that we should grant a private company the right to construct a line which will compete with the railways of the State; and in the case of such a new departure it is essential, not that those who object, but that those who advocate, shall bring evidence in justification of their position. I contend that it is not for those who oppose the Bill to bring evidence against it: it is for those who advocate the new departure to prove their case, to prove that there is good ground, and necessity, and justification, for the departure. As I say, after perusing the evidence taken by the select committee, I am utterly at a loss to understand what justification could be found or imagined for the proposal now before the House. The hon. member who last spoke has been actuated by a very worthy desire to conserve the interests of the mining industry; but it is a significant fact that so far no member representing a mining constituency in the Coolgardie-Kalgoorlie fields has risen to support the Bill. Therefore, those members most closely in touch with the mining industry in and about Kalgoorlie and Coolgardie absolutely stand as opponents to what we are told by the member for Perth (Mr. Wilson) is in the interests of their constituents. Those members take an entirely opposite position; and we are therefore warranted in assuming that the mining companies do not require this Bill to be passed in order to conserve their interests.

MR. MOORHEAD: Every one of the mining companies has petitioned in favour of the Bill.

MR. DAGLISH: I am much surprised that if there was such a strong feeling in Coolgardie and Kalgoorlie in favour of this Bill, the members representing those districts should not have been aware of that feeling, but should be here to act as opponents of a Bill which

is said to be designed to benefit their constituencies. I do not understand how, if there is this desire on the goldfields in favour of the Bill, the chairman of the select committee, who represents a constituency at a great distance from these fields, should be aware of it while members representing those constituencies are not aware of it. The members for Guildford and Perth are likewise unaware of any feeling on the goldfields against this Bill, according to their speeches this afternoon; while the members for Coolgardie, Hannans, and Boulder have never heard a word about the feeling which is said to exist on the goldfields in favour of this Bill. I am justified in assuming that the reasons put forward in favour of this Bill, and which presumably have justified the hon. member (Mr. Rason) in signing this report, are the only reasons which induced him to sign the report. If there were other reasons, he should surely have placed them before the House.

MR. RASON: I will do so at the proper time.

MR. DAGLISH: I do not know when the proper time will come, unless it is when the report of the select committee on the Bill is under consideration. I have here a report of the remarks which are reported to have been made at a public meeting in Coolgardie on this Bill, and I quite agree with the member for Perth that any member of this House who is capable of being bribed is unworthy to be a member. I regret that anyone should insinuate, much less state, such a possibility as that members of this House have been bribed. I am sorry that this issue has been confused with such a statement; but there were other remarks made at the meeting which the hon. member (Mr. Rason) did not bring before this House; remarks showing good ground for objection to the Bill, also the fact that resolutions were passed unanimously against it at that meeting. There was one statement made by the Mayor of Coolgardie, a gentleman occupying a responsible public position, to the effect that the Government would receive absolutely no revenue, but would lose about £3,000 a month they now receive for carrying firewood over the Government railway to supply the mines. A little later a gentleman was reported to have

said that the Hampton Plains Company were absolutely a monopoly, and that if the company once got this railway concession, the public would never know where the monopoly would stop.

MR. WILSON: Then you would stop them from building the railway?

MR. DAGLISH: I certainly would like to stop them. I am here to safeguard the interests of the people of the State. The chairman of the select committee I think has shown that the bulk of the evidence is against him, or he would not make so many interjections as he has done this afternoon when other members say anything in opposition to the Bill. He would not so frequently try to throw members off.

MR. MOORHEAD: I could not throw you off.

MR. DAGLISH: I do not think the hon. member could, but it was not for the want of trying. He has pointed out that the Hampton Plains Company want this railway to open up their estate and to place firewood on the market. He also pointed out that the Kurrawang Company have done the same thing. If that were all the Hampton Plains Company wanted to do, to open up their estate, they could do that without the necessity of trying to pass this Bill through the House. The company desire to do something more than place firewood on the market. Their real desire is to secure traffic of all descriptions, passengers as well as goods. The member for Perth (Mr. Wilson) told us the company want to do a certain thing, and I am pointing out that this is not what they want to do, but they really want to do this and various other things of far more importance to the company and to the State than the proposed thing.

MR. MOORHEAD: Surely they can carry their workmen and families backward and forward over the railway.

MR. DAGLISH: I assume that would be so, if there were any workmen or families to carry. I do not understand the bearing of the argument used by the member for Perth. It may have a bearing to the legal mind, but not to the lay mind. The member for Perth argued that the more competition we have in railway matters, the better it will be. I do not understand the force of that argument. Suppose there is a certain amount of traffic available, and that one railway

will carry all that traffic and can just make a small profit over working expenses, then would any member seriously argue that it would be a good thing to have two railway lines constructed at about equal cost, to carry that traffic?

MR. TEESDALE SMITH: They do that in England.

MR. DAGLISH: I understood that in England and in the United States competition in railway traffic has been carried to such extremes that there are at present many insolvent railway companies, especially in America. Competition has forced rates down sometimes so low as to be below paying point; and when that stage is reached, there comes some union or combination among certain companies to bring up rates to a paying level; this going on until fresh competition reduces the rates again, and the condition of the competing companies becomes as bad as in the first instance. The point is that if you have traffic only sufficient to pay a small profit on the working of one railway, it is the height of folly to say it would be of benefit to establish a second railway for competing against the first one for that traffic. There cannot possibly be a profit for both railways in such an instance, and it is absurd for us to make comparisons with Great Britain or the United States in regard to railway requirements and the population to be served. We want to safeguard the interests of the people here; and I contend there has been no evidence placed before us by the chairman of the select committee to convince this House that we should pass this Bill in order to safeguard the interests of the State, or to show that this railway will benefit the people in the State. I would like to hear some statement on the subject from a representative of the Government, because we ought to know how the Railway Department view this matter. I should like to see some person connected with the Railway Department giving evidence before the committee as to the effect of this railway on the traffic of that department, so that we may have some absolute knowledge from a railway point of view to guide us. The object of appointing a select committee on a private Bill is to place the fullest information before the House for the purpose of enabling members to deal intelligently with the Bill in

its several stages. Through the Standing Orders, or the lack of understanding them by one or more of the select committee, no evidence of any weight has been brought before the House by that committee; and I would, therefore, urge that at the present time it is not wise for the House, with this little information before it, to consider the Bill farther. If there be justification for the Bill, I urge that the member in charge of it should agree to have the Bill referred back to the select committee in order that this farther information may be obtained and placed before this House. I have no desire to oppose the Bill if there be a real and solid justification; but all the arguments are so far against it. The mining representatives who have spoken on the subject have all spoken against it; and this being a new departure from the principle adopted in this State in regard to the construction of railways, I say no substantial reason has been shown for departing from that principle. If any member representing a goldfields constituency, or any member who is in touch with the mining industry, will advocate the Bill, I think we should hear from him so that we may know what he has to say in its favour, and we ought to know without doubt what are really the views of the mining constituencies on the subject. If any balance of evidence can be brought forward on behalf of mining constituencies in favour of this Bill, I for one shall be prepared to modify my opinion, instead of voting against the Bill, as I intend to do unless we have some farther evidence in support of it.

At 6:30, the SPEAKER left the Chair.

At 7:30, Chair resumed.

MR. F. REID (Mt. Burges): In the discussion on the Hampton Plains Bill to-night I have been placed in a disagreeable position by the hon. member for Guildford (Mr. Rason). I have been charged with a want of love towards the members of this House; I have been charged with having been at a public meeting at which members of this House were maligned and vilified; I have been charged with a want of *esprit de corps*, and generally with lacking in my endeavours to guard the honour and integrity of

members of this House. I do not think I have been guilty of such enormous crimes as the hon. member has charged me with. I think the hon. member has an exaggerated idea of what was said, and what was intended to be conveyed. When at that meeting I did not hear one word said about the select committee, and I feel confident that Dr. Ellis, at that meeting, did not intend to reflect in the slightest degree on the members of that select committee. What I understood Dr. Ellis to be speaking about was something in prospect, something in the far-distant future, which might occur. But, as to reflecting or saying anything against the honour of the members of the select committee, I think, from what I know of Dr. Ellis—and I have known him for some years—that he would not be guilty of such conduct. I am here to-night as an opponent of the Bill, and I sincerely trust that members of the House are so fully seised of the importance of throwing out the measure that its career will be cut short. The member for Perth (Mr. Wilson) stated that no arguments had been brought forward against the Bill. I think many arguments can be adduced against the passage of the measure. The duplication of the Coolgardie-Kalgoorlie line cost a little over £56,000, and if the Hampton Plains Bill be allowed to pass, I take it that in a short time the Hampton Plains Company will be in a position to supply all the firewood required by the Kalgoorlie and Boulder mines. That being so, the Hampton Plains Company will render useless that piece of Government line so lately duplicated, inasmuch as it will deprive that line of the traffic to which it is justly entitled, and which it is receiving at the present time. I understand that the freight for the carriage of timber, for one year, amounts to something like £50,000, and, according to the estimate placed before the House, I am of opinion that £50,000 would be about sufficient to build at least 25 miles of railway. If a line were constructed, say, from Coolgardie down to Widgemooltha, where there is one of the finest belts of timber, an almost illimitable supply for mining purposes, and firewood which we have on the goldfields, and which is on Crown lands—if that line were constructed, in the first year there would be sufficient

revenue to pay for the 25 miles of railway. On the other hand, if the Hampton Plains Company are allowed to supply the Kalgoorlie and Boulder mines with firewood, they will just have to compete with those who are supplying firewood at the present time to the mines: but we know the position the Hampton Company will be in, seeing that they will be so close to the Boulder mines. They would be able to land firewood at Boulder at so much less cost than those who are supplying firewood at present, that in a short time the Hampton Plains Company would gain a monopoly of the firewood trade on the goldfields. And we know what these monopolies are. As the old saying has it, "they have neither souls to be saved nor bodies to be kicked." If we pass this Bill and give the Hampton Plains people the right to supply firewood, they will take full advantage of their opportunities, and charge what they like for the firewood. With regard to the Kurrawang line, I and the member for Hannans (Mr. Reside) have been twitted to-night with being the champions of the Kurrawang Syndicate, and with trying to obtain more country for this company. It is a fact that I introduced a deputation to the Minister for Lands, asking that farther concessions be granted to the Kurrawang Company, and I will explain why I was on that deputation, and if any member of this House had been placed in a similar position to mine at that time, no matter what his private opinions were he would have acted as I did, and as the members who were with me acted on that occasion. I received a petition signed by 480 persons in my electorate, asking me to do a certain thing; and other members, the member for Hannans (Mr. Reside), for instance, also received petitions. I put myself in this position: I was returned by the people who signed that petition; they are my masters, I being here simply as their representative and servant to see their wishes carried out in Parliament. I consider, no matter what may be said of me elsewhere, no matter how I may be taken to task by the electors of any other constituency, that while I have the honour of a seat in this House I shall fearlessly advocate the interests of those who sent me here. [OPPOSITION MEMBERS: Hear, hear.] If it be possible to

do anything for another electorate while serving my own constituency, I shall be only too pleased to do it; but I claim that I have a right to see, indeed that I must see, that the wishes of my constituents are carried out, that being the purpose for which I am sent here. I take it that it is necessary the Kurrawang Company should be granted farther concessions—necessary if the work at present being done at Kalgoorlie and Boulder is not to be interrupted. An adequate supply of timber must be maintained without interruption; and if the Kurrawang Company were suspended at the present time, there would also be a suspension of the industries on the fields; and that undoubtedly would be a calamity, not only to the goldfields themselves, but to the whole of the State. I should therefore do all in my power to prevent any stoppage of those industries. I desire to point out very briefly—I should be very pleased if I had a map here, so that I might show exactly what I mean—that if this Bill be passed, it will mean that the Hampton Plains Company will really in a very short time be in a position to divert the trade from districts where at the present time timber is being cut. I refer to the country between Coolgardie and Widgemooltha, where the company would build the first 27 miles of their line. I say "the first 27 miles," because this is only the thin end of the wedge, the intention being to carry the line right on to Esperance. [Several MEMBERS: Hear, hear.] If the company succeed in getting this first 27 miles by the Bill, it will mean that they will be within a few miles of the magnificent belt of timber I mentioned previously. They will be within easy distance of that belt, and instead of that wood being brought to Kalgoorlie on the Government line, and particularly that part of the line which has so recently been duplicated, it will be carried on the private line, which will thus be depriving the State railway of the traffic which naturally belongs to it. I think it would be most improper on the part of the House to sanction the construction of this railway knowing that it will divert a great amount of traffic from the Government line. I take it we are here to do our best to make the country great and prosperous, and I certainly hope that in dealing with this Hampton

Plains Bill every member will realise his responsibility and do his best to kick the Bill out.

HON. F. H. PIESSE (Williams): It is my intention to approve of the adoption of the select committee's report. Before adding the few remarks which I have to add to the debate on the question to-night, I would like to say that when the matter came before the House last year I made some observations on it, which being very brief I will just read for the information of hon. members. They are to be found on page 1743 of last year's *Hansard*, and read as follows:

None had a stronger objection than he to private Bills of this kind, if there were a possibility of avoiding the construction of a railway by private enterprise; and in this case he had been most careful to ascertain that hon. members could consistently agree to the second reading, and could consider the proposals of the promoters, subject to the amendments of the select committee. This was a line of a kind not likely to be constructed by the Government, and one which would open up private lands of large area, would cross a section of Crown lands of only nine miles in extent, and would then pass through 18 miles of the company's lands; therefore it appeared to be a proposal which might fairly be submitted to hon. members for acceptance or rejection. With much diffidence, and after full inquiry, he had agreed that the Bill might fairly be submitted to the House.

I see no reason to alter the opinion I held last year.

MR. DAGLISH: Did you say that then?

HON. F. H. PIESSE: I am just pointing out that I held certain opinions last year. I was a member of the select committee which sat on the Bill. Evidence was adduced by the promoters; and ample opportunity was given to those who objected to the construction of the line, to bring evidence against it; but, as on this occasion, no evidence in opposition was adduced. I certainly think however that an opportunity should have been given—

[MR. HASTIE: Will you give it us now?]
—to those who were opposed to the Bill to bring evidence forward. I certainly consider that the amendments made in the Bill last year improved it and made it more acceptable. If it had been introduced and passed in its first form, it would have been most objectionable. I gave a great deal of attention to it, my desire being to see it introduced in the proper form and submitted to the House

for consideration. No one has a stronger objection to the promotion of private railways than I have. [SEVERAL MEMBERS: Hear, hear.] I have been alluded to as one who has on many occasions advocated the construction of private railways; but I say that on every occasion when I have spoken on private railways, except on lines such as this, I have strongly objected to them, believing, as I have always believed, that it is better to have lines built and owned by the State where possible. The reason why I agreed on that occasion to the matter coming before the House for discussion, is the same reason why I agree to its coming before the House now. Certain amendments have been proposed and embodied in the Bill. There are farther amendments which I think will tend still farther to safeguard the interests of the country; and those farther improvements may yet be made in Committee; even if we go so far as to say that this company shall not carry goods or passengers, but shall build this line for the sole purpose of conveying wood. We can add almost any restrictions—restrictions which might perhaps not be considered satisfactory by the company, and on the imposition of which the company might perhaps not be inclined to carry out the work. If it is a question of supplying firewood to the mines, I say we should not oppose the Bill; because there are already lines existing for a similar purpose. There is, for instance, the much-talked-of Kurrawang railway, of which we have heard such a great deal recently. That line has filled a great want on the goldfields in supplying wood to the mines. If it were not for the work done by the Kurrawang Company we should not perhaps see so much progress on the fields as we see to-day. The Kurrawang line may be looked on as a competitor of the Government lines. No doubt it is in some respects; but I take it that the Government lines are able to do business as well as the Kurrawang line, or say as well as the Kurrawang line and the Hampton Plains railway. From what I learn, I think it is probable that developments in the Golden Mile are likely to be such that in a year or two, instead of requiring the same quantity of firewood as to-day, the mines will require three or four times as much. If firewood supplies be required, I see no

objection to this private railway, which runs over only nine miles of Crown lands, the remainder being on the company's own land.

MR. DOHERTY: Even if they get authority to travel on the leaseholds?

HON. F. H. PIESSE: If the company felt inclined to start the construction near Coolgardie, they would be within only half a mile of the Government railway; and then they could build a line running over 40 miles of their private property. No objection could be raised to that; because if a man owning land wishes to develop it by means of a railway and has 40 miles of freehold on which to build a railway, what objection can be offered by Parliament to the construction of a line on that land? In this instance there is not likely to be any detrimental effect to the country from the construction of the private line proposed. We may impose certain reservations. Let them be as strong as we can make them. There were reservations in the old Bill which I still think ought to be embodied in this new Bill. There was for instance in the former Bill the right to purchase at any time, whereas under the present proposal the company wish to limit the right of purchase by a provision that it shall be restricted to a certain period, and shall not be exercisable within a period of 10 or 15 years.

SEVERAL MEMBERS: No.

MR. MONGER: Not within 12 months.

HON. F. H. PIESSE: In bringing it down to 12 months, we should safeguard the interests of the country. As regards the contention that the route of this proposed line would be that which a line from Kalgoorlie to Esperance should traverse—

THE COLONIAL TREASURER: That is the point.

HON. F. H. PIESSE: No doubt it will take that route; but to get from Esperance to the nearest point on the Eastern railway is to go from Esperance to Norseman, and from Norseman to Coolgardie. In that way Coolgardie and Esperance would be connected by a shorter line than that from Esperance to Kalgoorlie. If we took the latter route, we should be travelling over a distance of 25 miles parallel with the present Government railway, and should therefore be constructing a line certainly

unjustifiable. In this instance the company are prepared to build a railway under certain conditions, conditions which can be inserted in the Bill by the House; and should the Bill reach the Committee stage—should hon. members allow it to go so far—I for one will do my best to assist in imposing such conditions as will protect the interests of the country. There is no great objection to the line in the circumstance that it will come into competition with the Government line. [SEVERAL MEMBERS: Oh!] I do not see it at all; because I think after all the Government have as much to do as they can in carrying the existing traffic. The Kurrawang Company, for instance, has tapped country which the Government lines do not reach, and would not reach unless we expended large sums of money on railway construction. From my knowledge of the system of construction by Government, I am confident that the State would not be able to build a line for anything like the money for which the private companies can build it. I have heard it asked, why did not the Government construct a line of railway from Sutherland's Siding up to the 42-mile Dam, and so take advantage of the firewood and water traffic? I say that this railway if constructed by the Government would have cost four times what it cost the company.

MINISTERIAL MEMBER: You had not the rails, had you?

HON. F. H. PIESSE: I do not defend either the Public Works Department or the Railway Department. I say that all public works carried out by the Government cost more than if done by a private company. During the whole time I have been in office, I fought hard against the system of departmental work. There is not much likelihood of the railway proposed in this Bill being constructed by the Government, I think. We must ask ourselves the question, are the Government inclined to agree to a proposal to construct a line of railway along the route which it is proposed this line shall take? If they are, then I say at once that I am ready to move that this report be not agreed to, and that the Government proceed with the construction of the line if there be sufficient inducement to justify it, and the Government are prepared to undertake the work.

But I take it that the Government are not prepared to undertake it, and that it is not a line which the Government should build, because it is not in the direction that the Government should construct a line, but is in the direction in which private companies should construct it. If constructed as a light railway for carrying firewood, then it is our duty, in the interests of the mines and the development of the country, to as far as possible encourage the construction. I am not in favour of private railways as a rule, but if it came to a question of constructing a trunk line of railway by a private company, and if the country were in a position to construct that railway, I say it should be constructed by the country in preference to leaving it to private enterprise; but in a matter of this kind we may use our discretion, and permit the company to carry out this work. In regard to monopoly, which has been so much referred to, I think that if the company have an immense reserve of firewood on the land, it will probably be better in the interests of the company to let that reserve remain as it is, and not ask this House to pass a Bill to enable the company to bring that firewood to the mines, because in course of time no doubt that reserve of firewood will become a most valuable asset; and when the wood is cut out for miles over other land, the Hampton Plains Company will be able to sell the firewood off their land to better advantage than they can sell it now. I say this in regard to remarks made as to this line being a monopoly; and I think also that competition would bring down the price of wood and thereby prevent a monopoly. This is a matter I have previously looked into closely, having been one of the much-maligned select committee who inquired into the Bill of last year. I still take an interest in the subject, and I think it will be preferable to allow this Bill to be discussed farther in the House by agreeing to the adoption of the report; therefore I intend to support its adoption.

THE PREMIER (Hon. G. Leake): It seems to me a good deal of this discussion arises from the fact that by reason of ignorance of the Standing Orders, the parties opposing the measure did not take the steps which are laid down in our procedure, and did not bring

forward evidence against the Bill. Had evidence, both for and against the measure, been before the select committee, possibly we should have had additional light thrown on the subject. I do not suggest there is any reflection on the select committee: they did what was absolutely incumbent on them in following the Standing Orders. The Bill being at the time, so far as they were concerned, an unopposed Bill, the chairman had no other course open than to say, "I cannot take evidence against the measure." The report of the committee has consequently been made, and no evidence was before it against the Bill. I am going to show how we can overcome that difficulty. I suggest that the debate be proceeded with on the question of adopting this report, and that afterwards the Bill can be considered in Committee of the whole House in the ordinary course, and the Bill can then be referred again to the select committee for taking farther evidence. If we take this course, Standing Order No. 32, dealing with Private Bills, may be brought into force, and the Chairman of Committees of the whole House may be urged to report to the House the special circumstances of the case, with a view to the Bill being treated as an opposed Bill, and that the evidence which up to the present has been excluded may be taken against the Bill. In this way the House can be well advised by people who understand the circumstances. If that be done, I think nobody will have a grievance so far as procedure is concerned. If there be objections to a private Bill, those objections certainly should be stated; and I will support any hon. member who will suggest or take steps for evidence to be taken in opposition to the Bill, so that both sides may be heard. I do not approve of this House determining a big question like this on the evidence of one side only.

MR. MOOREHEAD: That is tantamount to saying that we (the select committee) were wrong in our action. You won't get me to sit again as chairman.

THE PREMIER: I say the hon. member, as chairman of the select committee, did exactly what he ought to have done and what he was bound to do, that is to treat the Bill as unopposed so far as the committee were concerned. The

hon. member could not have reported to the House that the Bill should be treated as an opposed private Bill, because it was not then in his province so to do. It is not the chairman of a select committee that can so report to the House—it is the Chairman of Committees of the whole House; consequently, the hon. member's hands were actually tied, and he did exactly what he ought to have done in the circumstances.

MR. MOORHEAD: I can say that the Chairman of Committees of the whole House approved of the ruling.

THE PREMIER: I say the hon. member was absolutely right; and since the parties interested in opposing the Bill had failed to lodge objections to it, the select committee could not treat it as an opposed Bill.

MR. MOORHEAD: What is the object of publishing notices, if parties interested do not take action?

THE PREMIER: I say, therefore, that the proper course is that we should allow the Bill to pass the second reading, and then ask the Chairman of Committees of the whole House to treat the Bill as an opposed private Bill, and thus have done what was not done in the past. I submit this for the consideration of hon. members. So far as the Government are concerned they will not take any particular stand on this Bill, and the probability is that there may be a difference of opinion amongst Ministers on the subject.

MR. HASTIE: Would not that be adopting the principle of the Bill?

THE PREMIER: Under those circumstances you would be adopting the principle with a qualification. If after reading the Bill a second time it goes into Committee of the whole of the House, you can get farther evidence on it, and having got it you can then so mutilate the Bill in Committee of the whole House as to render it perfectly useless, or you can throw it out on the third reading.

MR. TAYLOR: Why take up the time of the House on a Bill of that sort?

THE PREMIER: I understood that the hon. member and those sitting near him were under the impression that a wrong had been done because evidence against the Bill was not admitted by the select committee. I am pointing out a way by

which that evidence can be taken and the objections to the Bill be made known to us.

MR. MOORHEAD: We do not know what they are.

THE PREMIER: That is so. And unfortunately by the Standing Orders those people were excluded because they had not taken the proper steps. I am saying how the evidence can be admitted. It is perhaps a rather roundabout procedure and may cause delay, but we shall arrive at the truth all the same; and I consequently say that we should proceed with the Bill and thresh it out on the second reading, and when we come to the Committee stage (Committee of the whole House), we can refer the Bill as an opposed measure to the select committee to take evidence against it, in order that the evidence may be reported to the House.

MR. J. M. HOPKINS (Boulder): I cannot say I altogether concur in the Premier's recommendation, inasmuch as it is almost thought necessary by the Premier to refer the matter again to a committee for taking farther evidence. What are the goldfields representatives sent to this House for, if they are not in a position to give that evidence? If they are not, they ought to be. One thing clearly demonstrated is that the Standing Orders require amendment, and the sooner the better. I must say I have in the past been rather disappointed at the manner in which select committees are appointed by this House. I have seen select committees appointed, even during my short time here, in which certain names of members on each side were given as those from which the committee should be selected, by arrangement before the ballot was formally taken. I do not think that is desirable. I would not care from which side of the House the members were to be chosen, so long as the best and most experienced were selected to take part in the inquiry. If the choice were made from the whole of the members, it would be preferable. In connection with the evidence taken by the select committee, members will find, on page 14 of the printed report, the evidence of Mr. Edward Graham Price, manager for the Hampton Properties (Limited), who in reply to a question said:

The directors cabled me instructions.

Then I put this to members: Whose evidence have we before us? Is it the evidence of Mr. Price, or is it the evidence of his directors or employers in London? That is one of the difficulties we have to face in securing recommendations from mining managers. At page 7 of the report we find a letter to the Premier, put before the committee as having been signed by the managers of the chief mines at Kalgoorlie, as follows:—

Sir,—In the matter of an application by the Hampton Plains Estate (Limited) for a private railway from Lakeside to Wollubar, we, the undersigned managers of the principal mining companies carrying on operations on the East Coolgardie goldfield, being of the opinion that the construction of the above railway will be of considerable advantage and assistance to us and to the companies we severally represent, in the successful conducting of our work, respectfully request your consideration of the following reasons in support of the granting of permission for the line.

Whose views are these? Are they the views of the mine managers who sent the letter, or the views of their directors employing them from London, those directors probably being shareholders in the Hampton Plains Estate. The member for Guildford (Mr. Rason) has told us it showed neglect on the part of those persons on the goldfields who had not entered their protest against the granting of the provisional order for this railway. I do not think it is a right thing for this Parliament to throw on outsiders in the country the expense and necessity of formally protesting against such a proposal as this. I think it devolves on representatives of those constituencies in this House to carry out such duties in regard to a projected work of this kind; and it should not be expected that people living 400 miles inland should have to engage solicitors for the lodging of objections against the granting of a provisional order. The fact of the Kurrawang siding being in existence at the present time is no justification for the granting of this provisional order: no two wrongs have yet been proved to make one right. We have found, moreover, that the railway concessions granted in Western Australia have been attended by the most deplorable results, so far as the interests of Western Australia are concerned. In not one particular instance has a concession which has been granted been attended by other

than evil results. There was the Great Southern Railway, which we had to buy back again; there is the Midland Railway, which we shall have to buy back again; there is the Perth Tramways Company over which the Government are losing £25,000 to £30,000 a year, which should have gone into the pockets of the people of the State to reduce their burdens. Then there are the Kalgoorlie tramways, which were granted to run in direct opposition to the State railways: in all these instances the privileges of the country have been thrown away. I will ask the member for the Williams (Hon. F. H. Piesse): if he owned these privileges, and they were sought after by people, would he be the man to present them to the first person who asked for them? In regard to the disposition of his products, the hon. member reserves to himself the right to sell to the highest bidder; and if these privileges which are sought for are of value, we are only following out sound business principles by selling the privileges to the highest bidder.

HON. F. H. PIESSE: Call for tenders for them.

MR. HOPKINS: I take it that the Hampton Plains Company are not philanthropists: they do not come here for our special benefit, but they wish to benefit from the working of their property. My constituency is the one in Western Australia that should benefit most by this particular concession being granted, yet I stand here to-night, as a matter of duty, to oppose it. Only recently we had a general election, and did any of the mining managers come forward then to ask the candidates to support a railway to the place suggested. The first thing to prove is that the railway is wanted, and that has not been done. When any railway is required, the Government should first be appealed to to build it. We have constructed 400 miles of trunk line from the coast to the interior of this country, and when we come to add on a few miles in the direction of the port of Esperance, this is to be handed to a syndicate. There is another question. When people are parting with tenements they usually get the contract drawn up by their own solicitors; but we find the basis of this contract drawn up by the concessionaires, and it is sent to the

House to knock about and alter so as to suit the various members. The fundamental principle laid down by the solicitors of the State, when deciding to part with a concession, is to safeguard the interests of the people. The member for the Williams (Hon. F. H. Piesse) sees no harm in persons building railways into their private estates. How do we know that there are not many Golden Miles to be developed on the Hampton Plains Estate? And when these places have been developed, if this concession to the Hampton Plains Company be granted, look at the difficulties which will surround the whole state of affairs. The company will take care that fictitious values are placed on the property. We are already pulling up 48lb. rails on our lines for the purpose of putting down heavier ones, yet the Hampton Plains Company are to build their line in accordance with their own ideas: they can put down 48lb. rails which are now being condemned on the Government lines.

MR. MOORHEAD: Perhaps you prefer a tramway.

MR. HOPKINS: I am not in favour of the present concession being granted to any person. Only on one occasion during the election was this question referred to me, and I said that I was opposed to the granting of any concession. As soon as it is demonstrated that a railway is needed, then people should approach the Government and lay their case before them. We have duplicated the line from Kalgoorlie to Coolgardie, yet we have a single line of railway to carry goods from Fremantle to Kalgoorlie. Surely a single line would have carried the goods another 24 miles, yet at a cost of several thousand pounds the line from Kalgoorlie to Coolgardie has been duplicated, and now we are about to take away the traffic for which that line was duplicated. This is a serious matter, and I must oppose the adoption of the report. I am sorry that differences have risen amongst the members of the committee. I would be the last to impute wrong motives to the members of the committee, as suggested by Dr. Ellis. I believe some unsavoury incident was connected with the Bill when it was before the Legislative Council on a previous occasion: that is to be regretted, and it is to be sincerely hoped that no such

incident will occur again in connection with this Parliament. It has been stated that railways very often pay when conducted by private companies, but they will not pay when conducted by the State. If a railway be built by the State it is only expected to pay interest and the sinking fund, but if a line be built by a company, what is it expected to pay?

MR. DOHERTY: A 10 per cent. dividend.

MR. HOPKINS: And the company take good care that the line pays the dividend, to maintain the upkeep and suite of offices in this country, and pay the fees and upkeep of a London office and directors in London. It must be remembered that every pound that is taken from this country will make this country one pound the poorer, and if sent to the old country it makes that country one pound the richer. Until such time as it can be demonstrated that the people of Western Australia are going to give up the policy of State railways, it is not advisable to consider the question of granting, in a haphazard manner, a provisional order such as is applied for in this case.

MR. TEESDALE SMITH (Wellington): The question members have to decide is whether the mines at Kalgoorlie require firewood; and if so, is it not better for the mines to have two or three companies supplying firewood than only one? I think if the Government allow all the timber surrounding Kalgoorlie and Coolgardie, and as far as Boorabbin, Widgemooltha, and Londonderry to be cut out, and not let the Hampton Plains Syndicate supply firewood, the mines will have to pay 4s. to 4s. 6d. per ton more than they do at the present time for timber. The Kurrawang Company has practically cut out: now all the timber will have to come from the Perth side of Boorabbin. From Boorabbin to the fields it costs £2 per truck for firewood as against 10s. from Kurrawang. Is it fair to put this impost on the mines? I think not. I think a provision should be inserted in this Railway Bill that carters or woodcutters should be allowed to have sidings erected on this railway, and where cutters obtain timber from Crown leases they should be allowed to carry it through private property and get it conveyed at Government rates to the mines. The Government can declare a road here and

there, but these roads will be of no use to the carters. They want to get a road to where the timber is being cut. If cheap timber is required it must be carried at as little cost as possible. It is contended that the Government should build the railway, but it is absolutely absurd for the Government to attempt to do it. If the line be built by the Government and laid down as a trunk line, carters could cart two miles on either side of it; after that carting becomes impracticable and too costly. Now the Hampton Plains Company have 29 miles of line, out of which nine miles will run through Government land: that will leave the company 20 miles, and to cut for two miles on either side means about 3,000 tons. Beyond two miles the company or the Government, whoever owns the timber line, must lay down feeders, so that the timber can be brought in cheaply. The Kurrawang Company have 32 miles of trunk line, but they have 60 odd miles of feeders in addition.

MR. HOPKINS: But it does not pay them.

MR. TEESDALE SMITH: It will not pay the Government.

MR. HOPKINS: How do you know?

MR. TEESDALE SMITH: I have been 36 years in the business and I know something about it. I wish to take exception to the remarks of the members for North Murchison and Perth in dealing with the question of the deputation which waited on the Minister for Lands. I think it is unfair for gentlemen to twit the Labour members as being interested in the deputation to the Minister for Lands. Members should give those who sit on the Labour bench every credit for being as honest as they are themselves.

MR. WILSON: We did not twit them.

MR. TEESDALE SMITH: You did, for being members of the deputation.

MR. WILSON: You do not understand it.

MR. TEESDALE SMITH: That is how I took it. I am going to support the measure.

MR. F. C. MONGER (York): I suppose as one of the members of the select committee I am expected to say a few words. I must in the first instance express my pleasure at the absolute innocence exhibited by the Labour members. For days past I have seen those

gentlemen making a study of the newspapers, yet those members appear before us and say they were not aware that this private Bill was to be considered. Nevertheless the fact remains that when the gentlemen who sit on the Labour benches, who read the *Kalgoorlie Miner* every day, the *Sunday Sun*, and other respectable newspapers, more particularly the *Kalgoorlie Miner*, say that an advertisement occupying more than half a column in a prominent part of the *Kalgoorlie Miner* escaped their notice, it seems to me to be inconceivable.

MR. TAYLOR: In what newspaper?

MR. MONGER: It appeared day after day for weeks. The same opportunities were offered to them as were offered to the people interested in the Bill, to give evidence.

MR. DOHERTY: Does the advertisement say that?

MR. MONGER: I must also point out that a petition went round Kalgoorlie and Boulder, and was signed by every prominent mining manager in those localities. It does seem strange to me, therefore, that the members for Kalgoorlie, Hannans, and Boulder can say they never heard of this petition being got up.

MR. HOPKINS: I never heard of it.

MR. RESIDE and MR. JOHNSON: Neither did we.

MR. MONGER: It seems to me a very strange thing that a petition should have been signed by almost every leading mining manager in those centres in response to the advertisement I am now referring to—[SEVERAL MEMBERS: Oh, no!]—and that these members nevertheless should say they knew nothing about the advertisement.

LABOUR MEMBER: The Hampton Plains Syndicate got it up.

MR. MONGER: Do these hon. members mean to tell us that they were ignorant of the circulation of this petition?

SEVERAL MEMBERS: Yes.

MR. JOHNSON: They did things very quietly.

MR. MONGER: Every right-minded man in the House will agree that all publicity that could possibly be expected has been given to this Bill. The question has been debated at considerable length, and it appears to me that every

hon. member has virtually made up his mind as to the way in which he intends to vote. [SEVERAL MEMBERS: Against the Bill.] Before bringing my remarks to a conclusion, I want to refer to an observation which fell from the member for Hannans (Mr. Reside). That hon. member said the committee were not "game" to call evidence on the other side.

LABOUR MEMBER: Did he say that?

MR. MONGER: Those are his exact words. As a member of that committee, I desire to inform the member for Hannans with every possible respect, that small perhaps as some of the members of that committee are, not one of them but is "game" to meet the member for Hannans in any capacity he may choose.

MR. RESIDE: All right: I'll meet you outside.

MR. MONGER: Very strong reference has been made to the Kurrawang Syndicate in the course of this debate. I would like the goldfields representatives to tell us honestly what would be the position of some of the big Kalgoorlie mines had it not been for this syndicate. But if opposition to the syndicate should be created for the benefit of the big mines, then I say it must be in the interests of the constituents of the goldfields representatives to support a measure which has the creation of competition in view. One of the particular objects of this Bill is that of reducing the cost of firewood to the mines at our biggest gold centre; and it gives me, therefore, particular pleasure at this stage to support the adoption of the select committee's report.

MR. W. D. JOHNSON (Kalgoorlie): As a goldfields representative I desire to thank those hon. members who, for the last hour or so, have displayed such a deep interest in the mining industry. There is an old saying about going from home to hear news. I have to-night learned a great deal about the Kalgoorlie mines that I never heard of before. The coastal representatives, on this occasion, are taking a great deal of interest in Kalgoorlie and the Golden Mile; and they appear to think—

MR. DOHERTY: They have shares in some of the mines, you know.

MR. JOHNSON: That there is a big chance of the mines being short of fire-

wood. I do not think there is any need for alarm at present. Certainly the mine managers on the Hannans belt will sign any petition, sign anything, to get cheap firewood. But there is, as I say, no occasion for alarm at present. The supply of firewood around the mines will last them for the next few years; and the hon. member—I was going to say, for the Collie railway—for the South-West Mining District (Mr. Ewing) tells us that Collie coal can be supplied when firewood runs short. As a goldfields representative, I shall oppose the Bill. I take it that at the present time we are discussing the advisability or otherwise of adopting the select committee's report. But it seems to me that the debate is proceeding as though the question of the second reading of the Bill were before us. I did not intend to speak until the second-reading stage was reached, as I do not desire to oppose the adoption of the committee's report, though I am sorry that people opposed to the measure were not called to give evidence. However, now that the report is in, the best thing is to adopt it, and deal with the Bill on the second reading. I shall do my little best to have it defeated, as I consider that the line is not needed, and that the mines at the present time are not so badly in want of firewood as some hon. members would have us believe. Consequently, I say the time has not arrived for granting this concession to the Hampton Plains Company. I shall have something more to say on the second reading when I shall deal with the committee's report, and with several pieces of evidence in favour of the Bill brought before that committee.

MR. A. J. DIAMOND (South Fremantle): I shall support the motion for the adoption of the report, reserving to myself the right to deal freely with the Bill on the second reading. One phase of the debate I look on with regret, and that is the prominence, the advertisement I may say, which has been given to a certain gentleman on the goldfields who is reported to have used some language derogatory to the dignity of the House and impugning the honesty of some of its members. The member for Mt. Burges (Mr. Reid) said that he had known this gentleman for many years. I think I have known the gentleman ever since he

came to the goldfields; and I can state that his utterances always were irresponsible and unworthy of the slightest attention on the part of sensible men.

MR. REID: Why then take so much notice of him now?

MR. DIAMOND: I am finding fault with this House—I have not mentioned his name yet, remember—for bringing him into such prominence. His utterances, I repeat, are absolutely unworthy of any notice whatever; and I trust that he will now be allowed to sink into the oblivion he deserves. I shall support the adoption of the report in order to enable the House to discuss the whole Bill. I agree to a certain extent with the member for Kalgoorlie (Mr. Johnson). The course suggested will give us an opportunity of hearing evidence on the other side; and I, for one, am anxious to hear everything that can be said on both sides. If evidence can be brought forward in the House, on the second reading, to show me that the line is not required, I am prepared to assist to throw the Bill out. At the same time on the present position I shall vote for the adoption of the report.

MR. D. J. DOHERTY (North Fremantle): It seems somewhat strange to a coastal representative like myself, that this report should be adopted without challenge. Indeed, I think the demand of the goldfields members that the Bill should be thrown out is a just one. It does not altogether remain with members representing coastal districts, to dictate to the House what is or is not good for the fields. I think we should take our opinions on that point from, or rather our opinions should be coloured by, the utterances of the goldfields members. At any rate we should take advice from the representatives of goldfields districts. If any argument was ever brought forward in this House to prove that we should try to alter the existing condition of affairs in the railways, it is the utterances of the gentleman who leads this party (Hon. F. H. Piesse). The hon. gentleman admitted that for five years he was the head of the department which controls the railways, and that the work of that department costs 50 per cent. more than it should cost. I have never heard a more disgraceful argument or admission from a man who says he is a statesman. [GOVERNMENT MEMBERS: Hear, hear.]

Wherever a railway is to be made, no matter how light the construction may be, that railway I say should be built and owned by the State. It is very easy for members to get up in this House and say that private enterprise always pays. Yes, it pays in this way, that private companies charge excessive rates. The Government, borrowing as they have done in the past—not as the present Government are borrowing, but borrowing as in the past, on reasonable terms, at 3 per cent.—can construct railways more cheaply than any syndicate that ever yet came to Western Australia.

A MEMBER: More satisfactorily, too.

MR. WILSON: Why do the Government not do it?

MR. DOHERTY: The member who represents private enterprise always chips in with “why do they not do it?” It is quite within the province of this House for any member to bring forward a motion urging the Government to construct a line to supply firewood to the mines. Not in this instance alone, but in every instance where private enterprise of this description is brought before the House, I shall oppose it; and I hope that the good sense of the House will be with the feeling of the people on the goldfields, and that this measure will be thrown out.

Question (to adopt report) put, and a division taken with the following result:—

Ayes	...	...	...	17
Noes	...	...	...	19

Majority against ... 2

AYES.	NOES.
Mr. Butcher	Mr. English
Mr. Connor	Mr. Doherty
Mr. Ewing	Mr. Gardiner
Mr. Gregory	Mr. George
Mr. Hayward	Mr. Hastie
Mr. Jacoby	Mr. Hicks
Mr. Monger	Mr. Higham
Mr. Moorhead	Mr. Hopkins
Mr. Piesse	Mr. Hutchinson
Mr. Pigott	Mr. Illingworth
Mr. Quinlan	Mr. James
Mr. Rason	Mr. Johnson
Mr. Sayer	Mr. O'Connor
Mr. Smith	Mr. Reid
Mr. Wilson	Mr. Reside
Mr. Yelverton	Mr. Stone
Mr. Diamond (Teller).	Mr. Taylor
	Mr. Wallace
	Mr. Nanson (Teller).

Question thus negatived.

CHAIRMAN OF COMMITTEES (ACTING).

SIR JAMES G. LEE STEERE was appointed to act as Chairman of Committees of the whole House at this sitting,

in the unavoidable absence of the Chairman, Mr. Harper.

MUNICIPAL INSTITUTIONS AMENDMENT BILL.
IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Farther amendment of Section 222 of 64 Vict., No. 8:

MR. DOHERTY (in charge of the Bill): This clause was not required, the necessary power being already provided in Clause 2. He therefore moved that the clause be struck out.

Question put and passed, and the clause struck out.

New Clause:

MR. GARDINER (for Mr. McDonald) moved that the following be added, to stand as Clause 3:—

Notwithstanding any provisions to the contrary in The Municipal Institutions Act 1900, the Council of the Municipality of East Fremantle shall be entitled, by writing under the common seal of the municipality, to declare the street or way known as Reserve Street to be a public street; and such street shall therefore become a public street, and thereafter be under the management of the said council.

Question put and passed, and the clause added to the Bill.

THE PREMIER moved that progress be reported, there being several other amendments in preparation.

Progress reported, and leave given to sit again.

TRADE UNIONS REGULATION BILL.
RECOMMITTAL.

On motion by MR. HASTIE Bill recommitted for certain amendments.

Clause 8—Registry of trade unions:

MR. HASTIE moved that the following be inserted as Sub-clause (2):—

(2.) Any council or other body, however designated, representing not less than two registered trade unions, may be registered as a trade union under this Act.

When the Bill was last before the House it was pointed out that provision should be made for enabling two or more unions which might be amalgamated, each union holding property, to be registered under the Bill. He understood that the Minister in charge of the Bill (Hon. W. H. James) did not object to this amendment.

Question put and passed, and the sub-clause inserted.

Clause 19—Registered office of trade union:

MR. F. REID moved that in line 4, after "union," the words "and every officer thereof" be struck out. The object was to reduce the penalty for omission to register the office of the union, the penalty in the Bill applying to each of several officers, and amounting to £25.

MR. HOPKINS: Not exceeding £25.

MR. REID: The practice of trade unions was that only the secretary was a salaried officer, the other officers being honorary. If the secretary neglected to register the office, after having been instructed by the other officers to register it, the effect of the clause would be that not only he but the other officers would be each liable to a fine of £5 per day, or £25 in all, for the neglect of this simple act. A new union might in this way be wiped out. The amendment would still leave the union liable to a fine of £5 per day.

HON. W. H. JAMES (Minister): There was no reason why, if the duties created by Clause 19 were not carried out, the officers should not be liable to this fine. The matter was mentioned when the Bill was going through Committee, and he stated then that the clause cast on the officers a certain duty. Why should not the officers become liable if that duty was not carried out? The officers should not be able to say the union should pay the fine. The wording was similar to that of other Acts of Parliament, and this amendment should not be made.

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

Ayes	...	...	...	7
Noes	...	...	...	19
Majority against				12

AYES.
Mr. Daglish
Mr. Johnson
Mr. Nanson
Mr. Reid
Mr. Reside
Mr. Taylor
Mr. Rason (Teller).

NOES.
Mr. Butcher
Mr. Gardiner
Mr. Gregory
Mr. Hastie
Mr. Hayward
Mr. Hicks
Mr. Higham
Mr. Hopkins
Mr. Hutchinson
Mr. Illingworth
Mr. Jacoby
Mr. James
Mr. Kingemill
Mr. Leake
Mr. Monger
Mr. Pigott
Mr. Quinlan
Mr. Sayer
Mr. Wilson (Teller).

Amendment thus negatived.

Clause 23—Nominee of deceased member may receive under £50:

MR. F. REID moved that in line 7 the words "one hundred and" be inserted before "fifty." This clause limited the amount which a union might pay in the case of a fatality to £50. The North Coolgardie branch of the A.W.A. was liable for £200 in the case of a fatality, and this amount was paid to the widow or family of the deceased. If the clause passed without the amendment, the usefulness of the Workers' Association would be limited to a great extent. The widow or family of the man who met with a fatal accident could receive only £50, if the clause were passed as printed.

HON. W. H. JAMES: There was no objection to the amendment. By Clause 23 provision was made that any member of a registered trade union above the age of 16 had a right, by writing under his hand, to nominate any person to whom any moneys becoming due should be paid. The clause provided for £50: the hon. member now proposed to make the amount £150. The amendment was a good one.

MR. R. HASTIE: If the clause were passed as it stood, it would not be possible for unions to pay more than £50. It was understood that £50 could be paid on the nomination of a person to a particular individual, but the unions could pay more if they thought fit. It seemed a pity that the amount should be limited to £50, because some unions paid £200 to the relatives of a deceased member. Would the unions be prohibited from paying more than £50 if the limit were fixed at that amount?

HON. W. H. JAMES: The clause did not limit the amount. Whatever amount became due by virtue of the rules would be paid; but the clause provided a simple method by which a sum up to £50 could be paid.

MR. G. TAYLOR: There were unions run on benefit principles. One of the rules of the A.W.A. stated that £200 should be paid to the relatives of a man meeting with a fatal accident. If a society were registered under the Bill, would the rules have to be altered to conform with the Bill?

HON. W. H. JAMES: The clause would not interfere with the rules of a

society at all. It did not limit the right of a union to pay any sum mentioned. The clause provided a simple and summary method by which a society could pay a sum up to £50 on the death of a man from an accident.

MR. W. F. SAYER: This clause was equivalent to the provision in the Savings Bank Act. If there was a small amount to the credit of a depositor, it could be paid without administration being obtained; so that if there was £50 or £150 to be paid on note of hand, it could be paid without probate or administration. The clause was to enable the formality of proving a will or taking out letters of administration to be dispensed with.

MR. F. REID: It would be well if the amendment were carried, as it would simplify matters and satisfy the members of the A.W.A.

HON. W. H. JAMES: There was no objection to the amendment.

Amendment put and passed.

Clause 29—Annual returns to be prepared as Registrar may direct:

MR. REID moved that in Sub-clause (3) the words "and also every officer of the trade union" be struck out. He desired to make the unions alone liable, and not the officers, the unions being generally officered by men having other matters to attend to. The officers might give the secretary an instruction, which might possibly be neglected by him; and it would bear very hardly on those officers to be held to a responsibility of £5 per day on account of the neglect of their secretary.

MR. JOHNSON: Most of them were honorary officers.

HON. W. H. JAMES: The provision seemed to him eminently fair, and he would oppose the amendment. This sub-clause said that every trade union failing to comply with or acting in contravention of the Bill, and every officer of the trade union so failing or neglecting, should be liable to a penalty. The clause imposed a penalty, and there was no reason why the officers should not be liable.

MR. JOHNSON: A fine under this clause would often fall on the shoulders of the innocent officers.

HON. W. H. JAMES: Not innocent officers; guilty officers.

MR. JOHNSON: If the secretary received instructions and neglected to carry

them out, it was unfair that the officers who gave him those instructions should be fined.

MR. TAYLOR: The officers of unions were generally purely honorary, and he thought it unfair that they should be liable to a penalty in the event of neglect on the part of a paid secretary, the guilty person. The secretary alone was the person to be punished in such case.

HON. W. H. JAMES: If it was the duty of the paid secretary to make a return as required by the clause, he would be the only officer who could fail to perform that duty. If the making of the return was not the duty of any other officer, then no other officer would be failing in his duty if no return were made, and no other officer would be liable to punishment for the neglect. The Act had been in existence over 30 years elsewhere, and this provision had not been objected to. The clause threw the duty on no particular officer. It did not say that every officer should forward a certain statement, but that the statement must be forwarded by some officer; because a union being a corporate body, it must be done by some officer. The clause did not say that every officer should be liable.

MR. NANSON: The amendment followed the usual course of making the employer responsible for the acts of his servants; and it would therefore have his support. It would be a very easy matter for unions to punish and deal with any union official who neglected his duty. There was no reason for departing from the usual practice, by making the employer in the first instance responsible for the mistakes of his employees.

MR. HOPKINS: The clause as it stood would have his support. Probably only the executive officers of most unions would see the Act if this Bill were passed: the general run of unionists would never come across it. The opinion given by the member for East Perth (Hon. W. H. James), who was in charge of the Bill, appeared correct. If any particular officer neglected to perform the duty he was paid to perform, it was right that he should incur a penalty, which should not be settled on members of unions, who might never see the Act.

Amendment put and negatived.

Bill reported with a farther amendment.

CRIMINAL CODE BILL.

SECOND READING.

HON. W. H. JAMES (Minister), in moving the second reading, said: I do not propose to speak at length on this Bill. As we go through it in Committee, we shall no doubt have an opportunity of dealing with the various questions that arise on it. Hon. members will see that the Bill purports to incorporate within its four corners all the Acts dealing with criminal acts, other of course than the criminal acts punishable by summary conviction. In other words, this Bill purports to include all the offences which we lawyers know as felonies and misdemeanours. In addition hon. members will find in various parts of the Bill references to certain summary offences. These summary offences are embodied in the Bill because they are of the nature of and analogous to the more serious offences with which they are coupled. It has been thought desirable that these analogous summary offences should appear in the same Bill as the more serious offences. The Bill itself is founded on the criminal code of Queensland. I wish to mention that nearly all the work in connection with this Bill has been done by the member for Claremont (Mr. Sayer); and I think that this House and also the community owe a debt of gratitude to the hon. member for having taken this Bill up whilst in office, and for having continued it under his own control ever since. It has been a great pleasure to me to render the very small assistance I have been able to give the hon. member. I anticipate that in the course of the second reading the hon. member himself will lay more fully before the House the principles of the Bill. I thought that as he is the author of the Bill, the member to whom its existence is due, it should be his privilege to make the main second reading speech. Perhaps the one great departure which hon. members will find in the whole Bill, a departure distinguishing this Bill from the Queensland Act, is that the measure now proposed practically abolishes the punishment of solitary confinement. The Bill leaves solitary confinement to be dealt with as a matter of prison discipline, and prison discipline only. Then throughout the various clauses it will be found that the punish-

ments are somewhat modified. Hon. members will see that the punishment of whipping does not appear so frequently in this Bill as in some other similar measures; and they will see that the sentences as a whole are lighter. All these, however, are matters which will crop up and be disposed of in Committee. One general question which may arise for discussion in the consideration of this Bill, is whether we should or should not abolish capital punishment. I will ask hon. members, if they desire to raise that question, to do so on the first clause which imposes capital punishment, and to avoid as far as possible on the second reading discussions which will arise when the Bill passes into Committee and we deal with the various clauses. I have very great pleasure in moving the second reading of the Bill, and in repeating that we owe thanks to the member for Claremont (Mr. Sayer) for the great care, industry, and energy shown by him in bringing the Bill to the state in which we now find it.

THE PREMIER (Hon. G. Leake): I wish to acknowledge on behalf of the Government, and I think I may say on behalf of this House, the excellent service which has been rendered by the member for Claremont (Mr. W. F. Sayer) in the preparation of this very comprehensive Bill. As the member for East Perth has already pointed out, it is a codification and consolidation of our criminal law, which is to be found in a great variety of statutes, as will be seen by reference to the schedule. Indeed, it would be almost impossible for any person who is not a trained lawyer to follow all the intricacies of legislation dealing with crimes and misdemeanours. This Bill, however, simplifies matters immensely, and not only magistrates and the police but the general public, in taking up this Bill, will be able to find out a great deal which they otherwise may not know or possibly cannot find without taking professional advice. There are several alterations in the law proposed in the Bill; I think particularly in regard to the question, amongst other things, of capital punishment and dealing summarily with offences. Under the criminal law at present, if a man is charged with simple larceny he has a right to be tried before a jury; and in certain instances if a man desires to

plead guilty before a magistrate, he cannot then be dealt with, but has to be committed for trial in the Supreme Court.

MR. F. W. SAYER: Where the magistrate deems the sentence he is able to inflict inadequate to the offence, he can commit the prisoner for sentence in the Supreme Court.

THE PREMIER: And, consequently, a great deal of time, trouble, and expense will be saved to the community by this proposed amendment of the law. With regard to capital punishment, I believe the Bill as presented to the House contemplates capital punishment only in cases of treason and murder. Under our present criminal law, there are certain offences which are punishable with death: wounding with intent to murder, and the crime of rape; also several crimes attended with violence, and particularly what would be a minor offence by an ordinary individual is treated as a capital charge if committed by a convict. All these distinctions are to be done away with, as proposed in the Bill, and capital punishment is to be inflicted only in cases of murder or treason. It will be for the House to consider, on the question of capital punishment, whether it would not be right to inflict capital punishment in cases of wounding with intent to murder. Wounding with intent to murder may be, in its character, as heinous an offence and as wicked as murder itself. For instance, if the crime is of such a nature that although it does not cause death immediately, yet its practical effect is to cripple a man, to render his life perhaps worse than death itself, then capital punishment under such circumstances would not be too severe, any more than it would be in cases where actual murder had been committed. I do not know what the feeling of the House is on the subject, but I think it right that this very important alteration in the law, as proposed in the Bill, should be pointed out. I do not mean to say that in cases of wounding with intent to murder, though a sentence of capital punishment may be inflicted, that it would be necessarily carried out. I cannot remember, for the moment, a case in this State in which a person has been executed for wounding with intent to murder, although the extreme penalty has frequently been car-

ried out in cases of actual murder. But it is a question which the House should consider, whether in the interest of public safety and morality, and as a safeguard, capital punishment should or should not be retained. I mention this fact to draw the special attention of members to the alteration, in order that the question may be considered if necessary during the progress of the Bill in Committee. If there are any other alterations of an important character which the member for Claremont (Mr. Sayer) thinks might properly be drawn attention to, I hope he will have a word to say on them, because I am satisfied that no hon. member will think of reading this voluminous Bill through, clause by clause, particularly when they understand that it is really a consolidation of the law as it stands at present. The alterations which have been made will facilitate the administration of the criminal law, and the Bill imposes no harsher restrictions on the liberty of the subject or the risks that criminals run than at present.

MR. TAYLOR: No harsher than the law as it exists.

THE PREMIER: No. The tendency nowadays is not towards harshness, but towards mercy. I have pointed out one great alteration which members ought to know. Some person might think he would prefer penal servitude to hard labour. All these distinctions should be abolished. Members will find that sometimes hard labour is given for a very lengthy period, whilst under the criminal law you never give hard labour for more than two years; but while penal servitude is given sometimes up to the extent of life, yet the distinction between hard labour and penal servitude is merely a prison distinction.

MR. TAYLOR: A distinction without a difference.

THE PREMIER: No. The distinction has never obtained in this State, but in England, under the prison discipline, a man who is sentenced for two years' hard labour has to do a little work for the privilege of being in prison; and I believe that at the end of the two years he is rather sorry he ever went there, and perhaps he would prefer a more extended term of penal servitude, where the work is lighter and more agreeable.

MR. TAYLOR: Then penal servitude carries more liberty and less hard labour.

THE PREMIER: No; the other way. Under hard labour a person has to work for it; but under penal servitude he is allowed such exercise as is considered to be conducive to good health.

MR. W. F. SAYER (Claremont): I would like to say, in reference to an observation made by the Premier, that I shall take care, as this Bill passes through Committee, to draw attention to every instance where there is any material departure from the law as it is now. The greatest need for the passing of this Bill is that the bulk of our criminal law is not to be found in our statutes, because the Imperial statutes were adopted in this country at a time when printing here was a material consideration, and the laws of England were adopted by the summary process, of passing an Act stating that "the criminal statutes designated in this Act are hereby adopted." Therefore anyone desiring to know what is the criminal law, for instance, in reference to offences against the person or in reference to coinage, will find it is useless to go to the Government Printer here, and that he must apply to the Queen's Printers in England for copies of the particular statutes. Therefore, when we look for an example to such a ruler as Caligula, who was supposed to be a great tyrant in Rome, and whose practice was to decree certain laws and affix them to posts for the information of the people, we may consider that Caligula need not have taken even that trouble to make his laws known if he had done in Rome as was done in Western Australia; that (as in our adopting English statutes) he need not have exhibited his laws at all. That is one strong reason why, if we desire our criminal law to be a written law, we should pass this code and enable every person to ascertain what the law is, which he cannot do except by getting text books and copies of the English statutes.

HON. W. H. JAMES (in reply): As this is a very long Bill, I hope hon. members who desire to move amendments will place them on the Notice Paper, so that they may be considered in anticipation.

Question put and passed.

Bill read a second time.

BRANDS ACT AMENDMENT BILL.
SECOND READING.

HON. W. H. JAMES (Minister) in moving the second reading, said: This is a Bill for amending the existing law relating to brands on stock. It is a Bill which is of special interest to those engaged in agricultural and pastoral pursuits; and in the preparation of the Bill I have been assisted by members of the House who represent those industries. The measure provides, for the first time, rules for a system of brands, and prevents the haphazard, go-as-you-please system that prevails at present. A Bill similar to the present measure was introduced into Parliament a few years ago, and if my memory serves me right, it did not succeed in passing the House. The difficulty always has been this. We have brands at present which have been used for some years, and those who use them have a natural reluctance to make a change; naturally there is a tendency on their part to find difficulties, whether needless or well-grounded I cannot say, when such legislation is introduced. It is provided in the Bill that so far as the actual brands are concerned, they consist of a combination of three letters, and under that combination it is possible to get a much larger variety than we need for this State. So far as the brands on sheep are concerned, these also are limited. It is provided by one clause of the Bill that no stock shall be branded in such a way, except as provided by the Bill. The second part of the measure deals with the inspector of brands; part 3 deals with the brands and part 4 with their registration; part 5 deals with transfers and cancellation; and part 6 with the rules of branding so far as the branding of cattle and horses is concerned. The Bill provides that the brands shall be on a certain portion of the animal and in a certain location, so that if a beast be branded properly anyone will be able to tell which is the last brand and who is the registered owner for the time being. Part 7 deals with straying stock, and enables a justice of the peace to grant authority to an individual to collect straying stock, and it farther provides what is to be done with straying stock. The animals can be placed in a public pound and in some cases in a private pound, and sold after due notice.

Part 8 deals with miscellaneous matters, and part 9 with procedure. As this is a Bill which concerns more particularly the agriculturist and pastoralist, and one which it is the desire of the great majority of the members of the House should be placed on the statute book, it is intended to ask the House to refer the Bill to a committee of members who represent the pastoral and agricultural interests. I beg to move the second reading of the measure.

MR. F. CONNOR (East Kimberley): I thought the hon. gentleman in charge of the Bill asked that the measure might be referred to a select committee.

THE SPEAKER: He cannot do that until after the Bill has been read a second time.

MR. F. CONNOR: Then I move the adjournment of the debate.

HON. W. H. JAMES: For what reason?

MR. F. CONNOR: There are many reasons.

MR. J. J. HIGHAM (Fremantle): There are a good many matters in connection with the Bill which require consideration.

HON. F. H. PIESSE (Williams): Before the second reading is passed, on the assurance that the Bill be referred to a select committee, there is no necessity to move the adjournment of the debate, for we shall have all the information placed before us as the result of the select committee's work, and after that we shall be able in Committee of the whole House to deal with the matter. But if the select committee's report receives the same consideration at the hands of the members as a select committee's report received this evening, all the work will be in vain.

HON. W. H. JAMES: It will save time in the long run.

MR. F. WALLACE (Mt. Magnet): Having promised the member for East Perth that I would not debate the Bill on the second reading, I only wish to emphasise the point which was raised by the member for Boulder this evening in relation to the election of select committees. Having a great interest in the passing of this measure, I desire that the select committee appointed to inquire into it be elected, if the rules of the House will allow, according to a different system from that adopted heretofore.

It has been the rule for the House to ask the mover whom he wants on the committee. I have objected to that system before; and seeing that the member for Boulder is with me, I shall now ask each member to ballot for the men best suited to go on the committee. I hope that this will be the first step to the selection of select committees in that manner.

THE SPEAKER: That is the rule now. All select committees are elected by ballot.

MR. WALLACE: That may be the rule, but the custom has been different. It has been the practice to ask the mover of that motion whom he wishes on the committee.

THE SPEAKER: I do not know how you are going to prevent that. The rule is all right.

MR. WALLACE: Instead of asking a member whom he wants on the committee, I ask members not to be dictated to but to vote for the best member. There has always been a packing of committees in the past. I was not sure if the Standing Orders prevented my making such a suggestion. Members will understand that in voting for members of a select committee they may vote for whom they think fit, and not be dictated to.

THE SPEAKER: There is nothing to prevent any member voting for whom he thinks proper.

MR. WALLACE: I have taken this course to indicate what I think should be the proper method of electing a select committee. When the Bill is in Committee I shall make a few remarks. The member in charge of the Bill said that the measure provides for a system of branding whereby it will be possible to trace the ownership of stock; but this Bill does not introduce that system, and when in Committee, with the assistance of other members, I shall endeavour to make the Bill something like the Queensland Brands Act.

Question put and passed.

Bill read a second time.

Ballot taken, and a committee elected as follows:—Mr. Butcher, Mr. Connor, Mr. Harper, and Mr. Wallace, with Hon. W. H. James as mover; to have power to call for persons and papers, and to sit during any adjournment of the House; the committee to report on 15th October.

INDUSTRIAL AND PROVIDENT SOCIETIES BILL.

SECOND READING.

HON. W. H. JAMES (Minister), in moving the second reading, said: This is a Bill for the purpose of providing facilities for the registration of co-operative, industrial, and provident societies. It is founded on, and is almost a copy of, the Imperial Acts of 1893 and 1894. Those Imperial Acts were themselves founded on earlier Acts dealing with the same subject. The Bill deals with the incorporation of not less than seven persons as a society. That society will have the right to carry on any industry, trade, or business, and the right to use the word "limited"; and the liability of members is limited to the amount of their shares. There is this restriction, however, that no member shall have or claim any interest or share in the society exceeding £200. The measure thus provides for a numerous body of small shareholders, not one of whom has an interest to a larger extent than £200. Nearly the whole of the Bill is machinery. It provides for a registered office, for accounts to be audited, for annual returns to be made, and so on. It also provides conditions under which registration can be suspended; and it deals with rules. Clause 8 indicates the duties and obligations a society has to discharge. It has to submit its accounts to audit, and it has to send to the Registrar General a statement of its receipts and expenditure, and of all its funds. It has to keep a copy of the annual balance sheet, together with the auditors' report, always in a conspicuous part of its office. Clause 9 makes special provision that "no registered society which has withdrawable share capital shall carry on the business of banking." The clause thus limits the right of these societies to carry on banking. From Clause 10 onwards we deal with the privileges of societies. A society incorporated with limited capital has power to pass rules to bind members; and the society has a lien on the shares of members for money due. Again, under Sub-clause 5 of Clause 10, there is the same provision as was discussed in connection with the Trades Union Bill this evening, that there is to be a penalty of £5. This is the same provision as in the Trades

Union Bill when it passed through its first reading. The clause provides that a list of members or register of shareholders shall be kept. It provides how contracts shall be made, the society under this clause having the same right to make contracts as an ordinary individual and other corporations have. Clause 11 provides the manner in which societies incorporated under this measure shall invest their funds, and limits their power to invest funds, the object being to provide that these particular bodies shall be industrial societies, not having the right to speculate in any sort of investment they like. The effect of the clause will be to limit the societies to investing in what may be called "trustee investments," thus securing their permanency and preventing rash speculation. Clause 13 deals with the disputes which may arise between members: its object is to prevent the need of going to a court of law for the settlement of such disputes. Clauses 14 and 15 provide for a system of inspection. The books may, at the instance of any number of members not less than a tenth of the total, be inspected: the Minister has power to appoint an inspector to go into the whole of the books and accounts of the society to see how it stands. Thus a very firm control will be exercised over these societies. Clause 16 deals with special resolutions, power to change a name, power of amalgamation, and power of converting into a company. Then follows a sub-section providing what is to be done when a society is converted into a company. This sub-clause saves the rights of creditors. Clause 17 deals with the dissolution of these societies. Clause 18 provides penalties to be enforced in certain cases. Clauses 20 and 21 are really only formal, as to the question of evidence. The remainder of the clauses come under the heading of "miscellaneous."

MR. THOMAS: Does the Bill refer to mining companies?

HON. W. H. JAMES: No; not at all.

MR. THOMAS: This is the first time I have seen the Bill.

HON. W. H. JAMES: It has been on the Notice Paper. Clause 4 provides that—

A society which may be registered under this Act (herein called an industrial and provi-

dent society) is a society for carrying on any industries, businesses, or trades specified in or authorised by its rules, whether wholesale or retail, and including dealings of any description with land: Provided that—(a.) No member other than a registered society shall have or claim any interest in the shares of the society exceeding two hundred pounds; and (b.) In regard to the business of banking, the society shall be subject to the provisions hereinafter contained.

Those are the provisions I have previously referred to.

DR. O'CONNOR: Would a building society come under this Bill?

HON. W. H. JAMES: Yes; a building society and any industrial or provident society as described. The Bill merely provides the machinery by which an industrial or provident society can be registered under the Act without going to the expense of registration under the Companies Act, and without submitting to the restrictions imposed by that Act. On the other hand, as the Bill is intended to serve the interests of comparatively small shareholders, supervision is given to the registrar for the time being to see that the funds are used in a proper manner. The measure exists in the old country, and it has been asked for here. I have pleasure in moving the second reading of the Bill.

HON. F. H. PRIESSE: Before the hon. member sits down I would like him to state what is the object of the Bill, and what is the reason for its introduction.

HON. W. H. JAMES: A request has been made from at least one body who desire to form a co-operative society, to become an industrial body. They asked whether there was provision for incorporation here, as in the old country. We said at once there was no such provision; and for the purpose of meeting that difficulty this Bill is introduced. I think the measure is needed, because these co-operative societies can be encouraged, and should be encouraged as far as lies in our power. The legislation is on very safe lines, and there is nothing experimental in it. Although the present English Acts are dated 1893 and 1894, they are founded on much earlier legislation—the legislation under which co-operative societies in the old country exist now.

On motion by HON. F. H. PRIESSE, debate adjourned.

CUSTOMS (REIMPOSITION) DUTIES BILL.
SECOND READING.

THE COLONIAL TREASURER (Hon. F. Illingworth), in moving the second reading, said: I intend to ask the indulgence of the House in regard to a matter of considerable importance. The Government have reason to believe that the announcement made in the Press last week, that the Federal Government will have introduced and laid on the table to-day the new Commonwealth Tariff Bill, is correct. Hon. members will remember that under Section 95 of the Commonwealth Act the State of Western Australia is empowered, if it so desire, to continue the customs duties now existing in this State for a period of five years, subject to a 20 per cent. reduction during the last four years.

MR. J. J. HIGHAM: Duties on what? Not the full tariff; not the tariff on every article.

THE COLONIAL TREASURER: That is not the question. In order that we may collect our duties legally, it is necessary to continue the existence of our own tariff. The object of this Bill is simply to continue the duties we have on the statute book. There is an Act to this effect now on the statute book, but it is practically inoperative, because until the Federal Bill is laid on the table of the Commonwealth Parliament, we in this Parliament are not empowered to act in the matter. I believe the Bill has been laid on the table in the Federal Parliament, and therefore I ask the House to pass this Bill for continuing the existing duties in this State. I think there was a very general understanding throughout the State during the federal contests that this State should take advantage of Section 95 of the Commonwealth Act, which granted to us the power to continue the existing duties in this State according to the sliding scale. Most members who are here did practically express what we meant when we said we went for the Bill, the whole Bill, and nothing but the Bill. I think we were pledged on this matter, especially in regard to the agricultural portion of the community, to maintain intact those duties which protect our agriculturists in regard to the importation of produce from other States. If the House desire

that this State should be placed in a position to maintain these duties, we should pass this Bill for continuing the duties as provided in Section 95 of the Commonwealth Act. I hope the House will pass the Bill through its second reading to-night; and, in fact, if we have a sufficient number of members present, I will urge the House to suspend the Standing Orders with a view of passing the measure through all its stages to-night. That however is a matter for the House. It is necessary to pass the Bill quickly, because we cannot legally collect the duties to-morrow. I believe the other House has already adjourned, but it is desirable at any rate that we should get through the whole stages of the Bill in this House to-night. I therefore move the second reading of the Bill.

MR. J. J. HIGHAM (Fremantle): I would like to draw the attention of members to Section 95 of the Commonwealth Act; and I think that after the explanation I intend to give, members will realise that it is impossible for this State to maintain the present tariff. Section 95 says:—

Notwithstanding anything in this Constitution, the Parliament of the State of Western Australia, if that State be an Original State, may, during the first five years after the imposition of uniform duties of customs, impose duties of customs on goods passing into that State and not originally imported from beyond the limits of the Commonwealth; and such duties shall be collected by the Commonwealth.

But any duty so imposed on any goods shall not exceed, during the first of such years, the duty chargeable on the goods under the law of Western Australia in force at the imposition of uniform duties; and shall not exceed during the second, third, fourth, and fifth of such years respectively, four-fifths, three-fifths, two-fifths, and one-fifth of such latter duty...

THE COLONIAL TREASURER: Read the next paragraph.

MR. HIGHAM: The next paragraph is:—

If at any time during the five years the duty on any goods is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.

This section only means that so far as the outside goods are concerned we may not charge more than the other States do.

THE COLONIAL TREASURER: It gives you your tariff. What is the use of disputing it?

MR. F. WILSON: Is the hon. member opposing the second reading?

MR. HIGHAM: I am opposing it, because there is a great deal of misconception as to the power which this State can exercise under Section 95, in regard to reimposing the whole of our tariff. We cannot reimpose it: the Commonwealth may. So far as all those goods imported into this State are concerned and not originating in the Commonwealth, we will have to accept the Commonwealth tariff to-morrow.

THE COLONIAL TREASURER: You are wrong.

MR. WILSON: Then the hon. member means that the Bill is not necessary.

MR. HIGHAM: This State has got to impose it with the rest. This Bill proposes to deal with the whole Commonwealth tariff.

MR. GARDINER: This State has exemption under Section 95.

MR. HIGHAM: Take the article of sugar: it comes in free to-day; but the Commonwealth tariff will come into operation to-morrow, and we ought to impose to-morrow the duties which the Commonwealth imposes. To-morrow there will be a duty on tea.

A MEMBER: It will be imposed to-morrow whether we like it or not.

MR. HIGHAM: It may be. The Colonial Treasurer has asked us to reimpose the duties existing under our tariff. I say this cannot be done. I will not pursue the matter now, but will have something to say in Committee.

MR. R. HASTIE (Kanowna): I understand the meaning of the Bill is that we adopt the sliding scale. I wish to call attention to one remark made by the Treasurer, when he said that during the federal contest there was a general understanding that we all agreed to adopt the sliding scale. I dare say, speaking generally, that is correct. Very many who advocated federation agreed to that, and promised to use their influence in Parliament to get this done; but some of us who took part in federal matters did not agree, but protested against such a promise, and declared we would take the first opportunity of stopping the collection of duties on intercolonial goods.

Therefore I shall oppose the second reading of the Bill, and if there is voting I shall vote against it. At the same time, from what I know of the opinion of members in this House, I feel confident they will carry the Bill.

THE COLONIAL TREASURER (in reply): I wish to explain what I understand to be the effect of Section 95 of the Commonwealth Act. This Bill, if we pass it, will enable us to collect the duties on the present scale in our tariff on goods coming from the other States when produced in those States. The Bill will also enable us to collect our own duty on goods coming here from places outside of Australia, if the duty happen to be higher than the Commonwealth duty. But of course the Commonwealth duties will prevail in regard to all other goods. In the case of those goods which now come in free, we shall have to collect the new duty imposed by the Commonwealth; that is, we shall have to collect on the higher duty. The privilege we get by this Bill is to continue to collect the duties on produce from the other States, subject to the sliding scale. The Bill also gives the privilege of collecting a higher duty if our present duty is higher than the new one fixed by the federal tariff on goods coming from outside of Australia. The hon. member (Mr. Higham) is right in saying we shall have to collect the federal duties on goods that are free, to collect the duties which may be imposed by the Commonwealth.

Question put and passed, without dissent.

Bill read a second time.

IN COMMITTEE.

Clause 1—Certain duties of Western Australia to continue in force:

MR. H. DAGLISH expressed regret that the time was not favourable for obtaining an expression of opinion from the Committee in regard to the excision of the duty on foodstuffs coming here.

THE COLONIAL TREASURER: The hon. member could move to report progress, if he liked. The Government did not want to hurry the Bill through.

MR. DAGLISH: One must recognise that the occasion was not opportune for getting an expression of opinion on the subject. He must, therefore, express his view that such articles as potatoes, bacon,

flour, eggs, and other necessities of life should come in free. If the time had been opportune he would have made a proposal to obtain an expression of opinion in regard to the food duties.

MR. W. J. GEORGE: The hon. member would go back on federation.

MR. DAGLISH: As a representative in this House, he had not committed himself to certain opinions which had been stated by other members in seeking election. He was committed only on those points to which he pledged himself before the electors. He was returned to vote against the food duties, if opportunity offered, and he would do so.

MR. J. GARDINER: The Bill would receive his support. He had taken as much interest in federation as any member, and right through he had said that he would not interfere with the sliding scale, but would give Western Australia every benefit conceded under that section. He would like to insert the third Sub-section of Section 5 of the Commonwealth Act, as the clause did not cover the intention of that section. The sub-section read:—

If at any time during the five years the duty on any goods under this section is higher than the duty imposed by the Commonwealth on the importation of the like goods, then such higher duty shall be collected on the goods when imported into Western Australia from beyond the limits of the Commonwealth.

He had always been an opponent of what were known as the food duties, but he was pledged during the federal campaign to keep that section in its entirety; and seeing that the referendum in favour of the Commonwealth Act was supported by people who changed their views on the assurance of a large number of members, we would be acting unwisely if we went back and tried to take advantage and reduce the duties on food. It was an honourable compact that had been entered into, although the members from the fields were not pledged in the same way as we were on the coast.

THE PREMIER moved that progress be reported. He regretted to announce to the House that he had received some intelligence which, in the circumstances, justified the motion. He regretted to say that an hon. member of the Legislative Council had just died.

Motion put and passed.

Progress reported, and leave given to sit again.

OBITUARY—HON. H. LUKIN, M.L.C.

THE PREMIER (Hon. G. Leake): I regret to inform the House that news has just been received by me from Beverley, that the Hon. H. Lukin died this afternoon. It is within the knowledge of hon. members that the hon. gentleman has been dangerously ill for the last few days, and it was only yesterday that I myself, in response to a special message which I sent to his wife, was informed by her that Mr. Lukin was still in a very critical condition. A few moments ago a telephone message reached me from the member for Beverley (Mr. C. Harper), saying that the Hon. H. Lukin had passed away this afternoon. Under the circumstances I ask the House not to continue its sitting farther this evening. It is seldom, I know, that in Parliament reference has been made twice on one day to deaths within our ranks. It is almost a unique occasion, it is a solemn one. I consequently move the adjournment of the House.

Question put and passed.

ADJOURNMENT.

The House accordingly adjourned at 10:30 o'clock, until the next day.

Legislative Council, Wednesday, 25th September, 1901.

Obituary: Hon. Henry Lukin—Adjournment.

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

PRAYERS.

OBITUARY—HON. HENRY LUKIN.

THE MINISTER FOR LANDS (Hon. C. Sommers): I deeply regret that since