

MR. NANSON: The succeeding sub-clauses referred to indecent advertisements and so forth in newspapers.

MR. WALLACE: Quite so; but there was difficulty in discriminating between indecent matter in a newspaper and indecent matter in a book.

THE PREMIER: If it were so, why should there be any discrimination?

MR. NANSON: Why not adopt the Imperial Act?

THE PREMIER: That Act did not go far enough. At home, things were not so rabid as here.

MR. NANSON: They were worse at home.

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

Ayes	...	...	...	4
Noes	...	...	...	20

Majority against ... 16

AYES.	NOES.
Mr. Hicks	Mr. Atkins
Mr. Moran	Mr. Butcher
Mr. Nanson	Mr. Daglish
Mr. Jacoby (Teller).	Mr. Diamond
	Mr. Ewing
	Mr. Gardiner
	Mr. Gregory
	Mr. Hastie
	Mr. Hayward
	Mr. Holman
	Mr. Kingsmill
	Mr. O'Connor
	Mr. Quinlan
	Mr. Rason
	Mr. Reside
	Sir J. G. Lee Steere
	Mr. Taylor
	Mr. Thomas
	Mr. Wallace
	Mr. James (Teller).

Amendment thus negatived.

MR. NANSON moved that in Sub-clause 7 the words "or report" be struck out. There was a distinction between an indecent newspaper advertisement and a report which appeared sufficiently indecent to render the editor or proprietor liable to prosecution. By the Criminal Code, the publisher of an obscene libel could be prosecuted: there was no public duty involved in the non-publication of an advertisement. A journalist might possibly, in the execution of his duty to supply the public with news, publish details not fit for the perusal of young people, but still in the public interest. If such publication were unjustifiable, the newspaper should be punished; but it should not be left to two justices of the peace to decide the issue, which was one for a judge and a jury. The attitude of

the Committee reminded one of those who—

Compound for sins they are inclined to,
By damning those they have no mind to.

As this was a matter of great public importance, the Premier might move to report progress.

THE PREMIER: Undoubtedly, if the words "or report" were to remain, a clause must be added providing that a prosecution could not be laid unless by consent of the Attorney General; for even a perfectly fair report without any disgusting details, might by the parties affected be made the foundation for a charge. The same proviso should be applied to Sub-clause 1. He moved that progress be reported.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10:26 o'clock, until the next Tuesday.

Legislative Assembly, Tuesday, 26th August, 1902.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: 1, Plan showing proposed deviation of Perth-Fremantle Railway between East Fremantle and Cottesloe Beach. 2, Return showing works and buildings authorised

in last Estimates, not commenced or not completed.

By the COLONIAL SECRETARY: Report on the working of the Statistical Office, 1902.

By the TREASURER: Report of the West Australian Museum and Art Gallery, 1901-02.

By the MINISTER FOR MINES: 1, Return of Exemptions granted on gold-mining leases, 1901-02. 2, Report of the Department of Mines for 1901.

Ordered to lie on the table.

QUESTION—PERTH BOARD OF HEALTH, DRAIN.

MR. WALLACE asked the Colonial Secretary: 1, Whether he is aware that owing to the alleged dilatoriness of the City Board of Health in dealing with nuisances, as defined in Part IX. of the Health Act, Section 139, subsection 2, the health of the residents of Hill Street is imperilled through the condition of a certain drain. 2, If not, whether he will make inquiries with a view to having any defect remedied at once.

THE COLONIAL SECRETARY replied: 1, Inquiry has confirmed the allegation of the existence of a nuisance. 2, The owner was served with an order by the Local Board of Health on the 22nd instant to abate the nuisance within seven days.

QUESTION—CIVIL SERVICE COMMISSION, COST, ETC.

MR. NANSON, for Mr. Moran, asked the Colonial Secretary: 1, What are the financial arrangements made with the Civil Service Royal Commission as to (a) salaries; (b) allowances or other financial considerations. 2, When may the House expect the presentation of the First Interim Report.

THE COLONIAL SECRETARY replied: 1, (a) and (b) Chairman, £1,400 per annum; members, £1,250 per annum. 2, As soon as the Commission have dealt with the Treasury and its subdepartments.

CITY OF PERTH BUILDING FEES VALIDATION BILL.

THIRD READING, AMENDMENTS.

MR. W. M. PURKISS (in charge of the Bill) moved that the Bill be now read a third time.

MR. W. ATKINS (Murray): The Bill should be recommitted for the amendment of Clause 8.

THE SPEAKER: It was most unusual to move the recommitment of a Bill without notice having been given of amendments proposed to be made in it.

THE PREMIER: If the hon. member would give his reasons now, the debate might be adjourned, so that his intended amendments could be put on the Notice Paper.

MR. ATKINS: By Clause 8 the building fee was increased proportionately to the number of floors in a building. This was most unfair, for the fees were now much higher than those paid elsewhere, especially in Australia. For Sargood's warehouse there had been paid in fees £27 5s., and for additions £10 13s.; while in Fremantle the maximum for a building of any size was £10, and in Melbourne about £3. By this Bill the fees for a large building would amount to £200 or £300. The fees for a warehouse building, seven storeys high, might be £12 under the existing Act, whereas under this Bill the fees would be £84.

THE SPEAKER suggested that a member should move that the consideration of the order be postponed until tomorrow; and the hon. member could, in the meantime, put his amendments on the Notice Paper.

MR. PURKISS assented to the course suggested.

On motion by MR. STONE, the order postponed until the next Thursday.

FREMANTLE PRISON SITE BILL.

Read a third time, and *passed*.

COLLIE TO COLLIE-BOULDER RAILWAY BILL.

SECOND READING (MOVED).

THE MINISTER FOR WORKS (Hon. C. H. RASON): In moving the second reading of this short measure, I desire to point out that the Bill provides for a continuation of the existing Collie line for a distance of some $5\frac{3}{4}$ miles southward. The estimated cost of the line, including rails and fastenings, is £16,000. Not only will this extension develop the coal industry, but members will be aware that the two mines, the Collie Proprietary

and the Wallsend, having amalgamated, there exists at the present time practically a monopoly of the output of coal at the Collie. At the Collie-Boulder, to which it is sought to extend this line, there undoubtedly exist good seams of coal of first-class quality; and it will be apparent to the House, seeing how large consumers of this coal the Government are, that it is highly desirable we should bring other collieries into competition with the existing one. I have little hesitation in commending this short measure to the House, and I beg to move that it be read a second time.

MR. C. J. MORAN (West Perth): I feel perfectly certain that the House must be rather astonished at the unostentatious proposal to expend £16,000 put forward by the Minister in a speech of five and a half seconds. We have no information about the matter except this, that there are seams of coal supposed to exist, so it is said.

MINISTER FOR WORKS: Known to exist.

MR. MORAN: I do not know that they exist.

MEMBER: Seen to exist.

MR. MORAN: The House does not know they exist. Who knows anything about it, after the speech of the Minister just now? What proof is there that there are seams of coal? Surely it is rather cavalierly on the part of the Minister not to give us information on a big question like this, involving an expenditure of £16,000 on a railway. Who knows this Collie-Boulder mine? Is there a mine of this name? Is it working? Have the Government been petitioned by the owners to give these facilities? Have they promised to work the mine? Will the line be a dead-letter if built? Will there be anything for anybody? Are we to go into these public works, these public matters, in a blind way? I think that we, as sensible business men, should have the matter properly placed before the House. This is nearly as bad as the secret purchase of land for £60,000. In the one case the House was not consulted at all, and in this the House is asked to pass a Bill without any information. I am a great supporter, and always have been, of the Collie coalfield, and anything I can

do as a public man I will do to favour our own coal over the coal from elsewhere. This is my principle all along the line; but at the same time we may do this in a proper businesslike way, and we should receive information as to what trials have been made of this coal, who owns the coal, and what it is proposed shall be given to the country in return for this £16,000? Is it simply £16,000 to assist in the flotation of a coal mine? If that information be not available, I ask the Ministry to adjourn this debate for two or three days, and put up some other Minister who will give us the necessary information, and let us go to work in a business-like manner in a matter of this magnitude.

MR. J. EWING (South-West Mining): It falls to my lot to give some information to the member for West Perth (Mr. Moran), and I have pleasure in doing so. The Forrest Government, two or three years ago, in reply to a deputation introduced by Mr. Frank Wilson, promised that this extension of line should be made in the event of the Collie-Boulder Syndicate being able to get sufficient capital to open out the seams then proved to exist on its leases. I think most of the gentlemen connected with this syndicate are goldfields people and persons in the South-West. A gentleman named Walkeden was sent home by the Collie-Boulder Syndicate, and I am pleased to say they were successful in floating the company. He returned to this State and asked the Government to carry out the promise made by Sir John Forrest. I can assure members that a capital of £45,000 is available for working this coal, and I may tell the member for West Perth that at the present time this company has spent pretty well £15,000 on machinery and development work. If members went down to Collie to-day, they would be pleased to find such confidence and faith in the coal-mining industry. This money is not put in by West Australians or by people who inhabit this State, but it is English capital, thus showing that at any rate there is a fair amount of confidence as far as the coal is concerned. From my own knowledge of the Collie field, I am perfectly right in stating that there has been proved to exist on this Collie Coal Company's lease coal sufficient to last at least

100 years. There is a large quantity of coal there.

MEMBER: Will last for ever?

MR. EWING: It will last for ever, I have no doubt about it. I would like to place before the House the fact that although the company is opening out on one seam which is 7ft. 4in. in thickness, there are other seams on the property. The coal is of excellent quality, superior to any yet put on the market. Of course I may be wrong, but personally I think it is better, and tests have been made in London and elsewhere of the coal which show that it is of a superior quality. The percentage of ash is as low as 2.1, which is very good indeed. There is no doubt about the benefits which the country will derive from the opening up of this mine. The tunnel has been started within the last week, and men are employed in developing the property. I take it that the Minister did not speak at any greater length on this question because he thought, no doubt, that members of the House, having such a great interest in developing the industries of the State, would have knowledge of the facts of the case; and I feel sure that the member for West Perth (Mr. Moran) was sincere when he said that he was willing to give the industry every possible chance. There is one phase of the question which I may mention, and that is in reference to the competition coming in, as far as the coal is concerned. It has been said very often that the selling price of Collie coal is too high. Nothing will bring it down but competition, and if competition can bring it down it will benefit the State. I have no farther explanation to give, and I think none is necessary, but I can assure the House that the facts are as I have stated them.

MR. MORAN: Where is the capital—out here?

MR. EWING: The capital is absolutely out here, in the bank. The company has a capital of forty to fifty thousand pounds. Fifteen thousand pounds have already been expended on machinery and in driving the tunnel. I think it would surprise members of the House if they went to Collie for a day and saw the excellent machinery there at work. I can assure members the capital is in this country, and being expended on the property. This company has about

100 men at work, and outside this company there are 300 or 400 men actually working coal in the Wallsend, or about the Proprietary leases.

MR. TAYLOR: Spend £16,000 to employ 100 men?

MR. EWING: I can assure the hon. member that in a few years to come this company will be employing more like 1,000 men. I think the House can hardly deny to the Collie this means of developing the coal industry.

MR. MORAN: It is good news to the House that a better class of coal has been found.

MR. EWING: That is my opinion, and according to reports which I have seen I believe such is the case. By spending the money in building this railway the Collie coal will come into the market, and people will be able to get a better article at a reduced price. This will be a benefit not only to the Government but to private individuals. A large number of men will be employed, and I feel that the construction of this line is justified. It is not necessary to speak at greater length, and I assure the House that the line is necessary for the development of the coal industry.

MR. C. HARPER (Beverley): The few words which have fallen from the Minister and the member for the South-Western Mining District I think give us ground for reflection. The Minister tells us that a monopoly has been established between two companies; therefore why have a third? It strikes me there is nothing to prevent a combination among the three, after the country has spent money in building the railway. I do not see where the country will come in if that is the case. We do not know whether the coal measures in this new area are all that the hon. member has stated. If they are, there is a capital position for an entire monopoly.

THE PREMIER: The line was promised, and on the faith of that promise the company raised their money.

MR. HARPER: I understand that a promise was made. In view of the possibility of a combination between the three companies, and having had the experience of two companies combining and a considerable increase in the price of the coal, we are justified in thinking that the same thing may occur again.

MR. MORAN: Probably.

MR. HARPER: I think a contract should be made with the company prohibiting them from combining with other companies.

THE MINISTER FOR MINES: I wish we could.

MR. HARPER: I do not think the line should be built without some provision being made against a monopoly, because the Government being such large consumers of coal, they are only aiding outside people in making a profit out of a fictitious price arranged between the companies which they are assisting. I do not think that is a healthy position for the State to be in. If this Bill does pass the second reading, I hope that nothing will be done in the way of building the line until the country is secured against such a monopoly.

DR. O'CONNOR (Moore): I would like to know, in connection with this line, if the specifications have been arranged and are they available? Has the Government engineer approved of the line and the specifications? Who is going to build the line, or is it to be open to tender, or in what way is it to be built?

MR. M. H. JACOBY (Swan): I have no desire to do or say anything that is likely to curtail the industry at Collie, but it appears to me that where other firms and companies throughout the State wish to become connected with the railway system, they have to pay for their sidings. I should like to know why this system has been departed from in this particular instance. If there are several other mines within a radius of five or six miles of Collie, would it not be equally fair for the State to provide money to build sidings to these mines? I would like to know what amount of traffic there is likely to be over this line. Of course if there is likely to be an exceedingly large traffic, it might be advisable to depart from the system in this instance of making private persons build their sidings, but no information on this point has been given to the House. I understand from the member for the South-Western Mining District that competition will ensue, and that there will be a reduction in prices. Have the Government received any definite promise that they are to receive the coal at a lower figure than they are now paying for it? We

want some justification for the expenditure of this large sum of money. I understand that the line is to be built in consequence of a promise made by Sir John Forrest; but I would point out that the Government are not so very particular in keeping their own promises, or in following their own lines of policy. If the Government are anxious to carry out the promises of the Forrest Government, why is there not so much anxiety to carry out the promises of their own Government? It was announced by Mr. Leake in his policy speech that it was the intention of the Government to purchase the Canning Jarrah line. If the Collie-Boulder line is to be built because of a promise by a late Government, there is good reason why the Government's own promises should be carried out. Of course this House is not bound by the promises of a previous Government in regard to building a railway. They are not bound by the promises of a Government made three or four years ago, because we have to judge everything on its merits. I have heard nothing stated by the Minister for Railways or the member for the South-Western Mining District which will cause me to vote for this Bill. We are told that it is the policy of the Government to build lines that will pay. What have we before us to show that this line is to pay? The Government have given no indication whatever of what the possible revenue will be. I will not say that I will vote against the Bill, for I will listen to what the Minister has to say in reply and to what other members have to say; but unless the points which I have raised are sufficiently cleared up, I shall feel bound to vote against the second reading of the measure.

THE MINISTER FOR MINES (Hon. H. Gregory): I would like to inform the House that I have supported the construction of this railway on two grounds. The first one was that on taking over the reins of Government, certain negotiations were brought before us which had been made previously by the Forrest Government. We found that after a large amount of development work had taken place on an area about five miles from the Wallsend mine, some large coal measures were found, and negotiations were made with the Forrest Government

and an agreement entered into that if a certain amount of working capital was brought into the country—

MR. JACOBY: Is that agreement in writing?

THE MINISTER FOR MINES: I understand that it is so. It is an absolute agreement.

MR. JACOBY: Where is the agreement?

THE MINISTER FOR MINES: The agreement, as I was saying, was made by the Forrest Government with the attorneys of the company, to the effect that if a certain amount of capital, £45,000 or £50,000 (I am not sure which) was brought into this country for the development of the coal measures, the Government would construct this short line of railway, five miles in length, from the Wallsend mine close to this new property. That is one of the reasons that caused me to support this measure. These people have kept their agreement. The money has been provided and has come out here, and the company is prepared to develop its area.

MR. NANSON: When was it provided?

THE MINISTER FOR MINES: I think it was provided about six to eight months ago. The company advised us that it was prepared to carry out its part of the agreement, and it asked the Government to carry out their portion. The Government could do nothing without parliamentary sanction, which we are now asking for. The company is going to open up a very large area of coal country. Special mention has been made of the fact of a monopoly being created, and the member for Beverley (Mr. Harper) is anxious in regard to that monopoly. He points out that probably this new company will join the monopoly. But the coal measures mentioned exist only on the property of the company managed by Mr. Walkeden. I believe there are several very good propositions at the Collie. These coal measures have been tested to a depth of a thousand feet, and a very good class of coal has been discovered. From what I can learn, I have no doubt that if this country is developed, this short line must pay and an increased output will be given to the country by the different companies supplying coal, which will cause the price of coal to be reduced. We know that a large amount of capital is in hand for developing the

properties, and we should help in developing the industry in this direction.

MR. HARPER: If it is so good, will it not shut up the other companies?

THE MINISTER FOR MINES: I do not think so, because I think the other companies are good. I do not think there are to be any negotiations like those which have occurred in the past; and when the present contract is ended, the Government will be able to call for tenders and, we believe, get coal at a price much less than what the Government are now paying for it.

MR. MORAN: What negotiations?

THE MINISTER FOR MINES: The coal negotiations, which gave the working man 6d. a ton more than he was getting, and the coal owners 2s. 1d.

MR. MORAN: Did the men get all they asked for?

THE MINISTER FOR MINES: I think they were getting enough before, from all I know. It will be of great assistance to the Government and to the country generally if we do all we can to open up these resources of ours. While undoubtedly the coal is there, the colliery cannot compete with the mines now in operation unless this short line of railway, only five miles in length, be built.

MR. MORAN: Would an expenditure of £16,000 be a bar to such a big company, with richer coal than the other companies have?

THE MINISTER FOR MINES: I think that taking £16,000 out of a working capital of £45,000 might operate as a bar.

MR. JACOBY: What is the nominal capital?

THE MINISTER FOR MINES: The amount I have mentioned is not nominal capital, but working capital. All the papers in connection with the matter were before Ministers some six months ago, but my recollection of them is not very clear. I am satisfied, nevertheless, that the House may reasonably allow the measure to pass. The proposed line will greatly benefit the Collie district, and will open up a large area of coal-bearing country. On some four different properties in the neighbourhood coal seams have been proved to a depth of 1,000 feet. The opening of these properties ought to insure the Government getting its coal supply at much lower rates than those

now obtaining. I hope, therefore, that the second reading will be allowed to pass. Hon. members may rest satisfied that the fullest possible information, not only relative to agreements made with the Government, but also relative to developments made, will be laid on the table.

MR. H. J. YELVERTON (Sussex): While I agree with the criticisms passed on the scantiness of the information given us in connection with this Bill, I intend, nevertheless, to support the second reading. In introducing a measure such as this, on which an expenditure of about £16,000 hinges, the Government ought to be prepared to give the fullest possible information.

THE PREMIER: We naturally assumed that the eyes of the whole State were always fixed on the South-West.

MR. YELVERTON: The Government might assume that; but notwithstanding the assumption, they should have given the fullest information. I do know something about this matter, having lately had several conversations with Mr. Walke-den, manager of the company, who assures me that he has at the present time available, in this country, £30,000 for the development of the mine, and that provision has been made for a working capital of £50,000. I know, also, that the machinery to be used in the working of the Collie-Boulder mine, which machinery is now being imported, is of the latest and best type. During a visit I paid to Collie some little time ago, I was particularly struck, as a practical man, by the lack of suitable machinery for the most economical conduct of mining operations. The machinery in use seemed to me by no means up to date, and such as admitted of great improvement. The machinery now being imported is, I understand, coal-cutting machinery driven by air pressure and by electricity. I am satisfied that this is a *bona fide* undertaking, based on the absolute promise that this line would be constructed. Therefore I consider it would be wrong to throw out the Bill; and I shall vote for the second reading.

MR. NANSON: In order to afford the Government an opportunity of supplying the House with the fullest information relating to this Bill, including the written agreement which has been referred to, I

move the adjournment of the debate to this day week.

Motion put and passed, and the debate adjourned.

RAILWAY AND THEATRE REFRESHMENT ROOMS LICENSING ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR WORKS AND RAILWAYS (Hon. C. H. Rason), in moving the second reading, said: I trust I shall not be accused of treating the House cavalierly if, in moving the second reading of this measure, I make a somewhat short speech. This Bill, at all events, should explain itself. It is introduced for the purpose of providing for the supplying of refreshments in refreshment cars which have been ordered by the Railway Department from England, and will be shortly on their way out. Having said so much, I think I have explained everything the measure aims at, and I accordingly move the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Amendment of 59 Vict., No. 15, s. 11:

MR. HASTIE: When were the refreshment cars likely to be available? Refreshment cars had been promised for a number of years. Perhaps the member in charge of the Bill would also state whether it was proposed to increase the facilities for obtaining refreshments along the railway lines.

THE MINISTER FOR WORKS: The refreshment cars had been ordered some three months ago, and it was anticipated that they would be in use about the middle of next year.

MR. HASTIE: Were the facilities for obtaining refreshments to be extended? At present, people travelling for 400 or 500 miles along the Eastern Railway had no opportunity to buy fruit, except at one or two stopping places where there were tea and coffee stalls.

THE MINISTER FOR WORKS: The Government were aware that provision for refreshment on our railway lines, and particularly on the Eastern Goldfields line, was not satisfactory. The subject was receiving attention, and considerable

improvement might be looked for in the near future.

MR. ILLINGWORTH: Was the intent of Clause 2 that the refreshment cars should be attached to trains actually travelling?

THE MINISTER FOR WORKS: That was the meaning.

MR. ILLINGWORTH: The words did not convey that. It would be most undesirable if the refreshment car were rushed at every stopping place where there was no public-house, by people who were not travellers; since, under these circumstances, the object of the measure, namely the accommodation of train travellers, would be defeated. In order to meet the difficulty, he moved that the words "and is in motion" be added to the clause.

MR. HOPKINS: Then the measure would be unworkable, unless the trains consisted of corridor cars.

MR. ILLINGWORTH: These refreshment cars were corridor cars.

MR. HOPKINS: What about the people in the second-class compartments?

MR. ILLINGWORTH: The manner in which refreshment cars were usually availed of was for travellers to get in at one station, obtain meals or refreshments, and get out at the next station. Just as a steam boat was compelled to close its bar when in port, so the bar of the refreshment car should be closed at stations, where, it was to be remembered, the train occasionally remained for as long as 15 or 20 minutes. Otherwise these refreshment cars were likely to become a public nuisance.

MR. HOPKINS: The amendment would be perfectly acceptable if our trains consisted of corridor cars; but how, if the amendment were carried, were second-class passengers to obtain access to the refreshment car? They could not travel along the footboard.

MR. JACOBY: And what about the people in the sleeping compartments?

MR. DIAMOND: Neither in England nor in Europe were refreshment cars attached to trains throughout the journey, but during meal hours only, and not as travelling drinking saloons. It was unnecessary that the train should consist of corridor cars.

MR. HASTIE opposed the amendment. Better prohibit the sale of liquor

to any save those travelling by the train and producing their tickets or passes. At most of the stopping stations on the Eastern Railway there was not sufficient population to rush the refreshment car.

MR. ILLINGWORTH: Intoxicants could at all times be purchased on continental trains. [MR. DIAMOND: No.] He had bought them, though not for his own consumption. In each compartment there was a wine list, though it was true the food car was attached during meal hours only. In the United States, dining and drinking cars travelled throughout the journey, and only in prohibition States was the bar closed.

MR. MORAN: Make it criminal to sell to other than travellers by the train.

MR. ILLINGWORTH: Too much had been heard of the *bona fide* traveller. On the travellers' book of a certain hotel appeared the forged signatures of himself and Sir John Forrest. Such a provision would be useless. The car should not be a travelling pub.

THE MINISTER FOR WORKS: None desired the car to be a travelling pub.; but the amendment should not be pressed, for similar accommodation was provided in all the older settled countries, where the privilege had never been abused. [MR. ILLINGWORTH: It had.] The sale of refreshments could easily be controlled by departmental regulations.

MR. TAYLOR: Would second-class passengers have access to the cars?

THE MINISTER FOR WORKS: There would be a second-class dining-room and refreshment car.

MR. STONE supported the amendment. If liquor were sold at all stations, the car would be a nuisance, and would unfairly compete with local publicans, like coastal steamers before they had been compelled to close their bars when in port.

MR. DAGLISH: There was grave need for making some provision like that suggested by the member for Cue (Mr. Illingworth). He did not believe in passing Acts, and then trusting to any Administration which might be in power to make regulations under them. Not only were there the grievances pointed out by the member for Cue, but this system would establish public-houses where no public-houses now existed, and so would increase for the time being the

number of public-houses. Moreover, it would enable liquor to be sold outside the hours at which ordinary public-houses would be open.

THE MINISTER FOR WORKS: The Government proposed to run this system themselves.

MR. DAGLISH: That was a statement he was pleased to hear, because he intended to suggest that such a course should be adopted. Still, no matter who ran the system, we wanted adequate protection against the abuses which had been suggested. Without the modifications suggested by the member for Cue the system would be unfair to the holders of licensed houses at the various places along the line. There was nothing in the Bill to show that the Railway Department itself proposed to conduct the business, and he would like to see the matter postponed in order to satisfy himself that the department would do so.

THE PREMIER: It was admitted that these cars were necessary, and most of us were agreed that there should be a license to enable liquor to be sold. The Government wanted power by this measure to enable that object to be attained. Clearly it was not desirable that the Government should in connection with this matter be compelled to amend the Licensing Act. To carry out this object, one of two Acts must be amended. Either the Railways Act must be amended, enabling the Government to treat the licenses for these cars on the same basis as licenses for refreshment rooms—that was as licenses emanating from the Government—or the Licensing Act must be amended to enable magistrates to grant licenses. He did not suppose any member disagreed with the method proposed in this measure to cast upon the Government the right to grant a license. Then the question was raised, to whom were licenses to be granted? In either case the sale must be conducted by an individual. The Government could grant licenses now on railways, and indirectly that was State nationalisation, because the State sold a privilege, and did not fix an ordinary fee as in the case of a hotel license, but sold the privilege to a man at the highest price obtainable. No member would suggest that directly a train came to a standstill the whole of the refreshment room must

be closed. He thought experience elsewhere showed that these refreshment rooms were used, as intended, for the purpose of supplying ordinary refreshments, and were only casually used for the purpose of obtaining drink. If we had a law stating that the license should cease directly the train came to a standstill, would not a difficulty at once crop up? Would there not be a question as to when the train did come to a standstill, and whether at the time when one was getting a drink he ought or ought not to be in that particular car? Under this measure the time now expended at stations would be considerably shortened. When on the train accommodation was provided for refreshments, there would be less need than at present to stay so long at stations. He believed the administration were bound to see that these cars were not used as travelling "pubs," but for the sole purpose of assisting the travelling public, removing their difficulties, and giving them greater comfort; to see that the cars should not be an abuse instead of a comfort, and that they should be a benefit and not a distinct disadvantage. If abuses did crop up, and the administration was defective, were there not members of the House and on the goldfields constantly travelling up and down who would at once call attention to abuses of that kind and see that they were rectified? There would be serious risk in adopting the amendment of the member for Cue.

MR. ILLINGWORTH: People who held licenses at the present time sold more drink to people who did not travel than to people who did. More liquor was sold to persons who came upon the stations than to persons who travelled by train. If a right the same as that given in relation to a station were given to a man to cater in this refreshment car, the person who obtained it would have to give a certain sum; he would have to make that money out of the public, and the more liquor he could sell the better would be his return, and the more he would be able to give to the department. So it became a question of increasing the sale in every possible way and at every possible station. He saw defects in this measure, and he did not see why we should not put restrictions in it. If it was the intention of the Government to

sell only in the car and to passengers on the car, why should they object to this amendment? People in the train could wait until the train started again. There were great difficulties in the way.

MR. DIAMOND: Refreshment cars were run on the trains in the United States or on the continent of Europe from start to finish. The great outcry in this State by the travelling public was for decent food at a reasonable price, and according to the Bill the travelling public were not only to be supplied with decent food, well cooked, at a reasonable price, but were to be provided with a travelling "boozing" car. This was for the convenience and safety of the people. If the refreshment cars were put on at a certain point and taken off at another point, that would meet all the necessities of the case. The chief reason for having these cars was to enable passengers to obtain food. If a number of passengers went into one of these cars to have a meal, they would not be allowed to sit there continually "boozing" as they could do in the parlour of a hotel. If persons were allowed to do this, instead of the cars being a convenience to the public they would be a curse. If drink was allowed to be served in these cars when the train was standing at a station, the result would be something disastrous and appalling. The cars should not be allowed to travel with the train from start to finish, but should be put on at a certain point and taken off at another point.

MR. HAYWARD: It was necessary for him to flatly contradict the member for South Fremantle, for when travelling in England two or three years ago from the north to the south, he got into a dining-car at the start and remained in it until he reached London.

MR. HASTIE: According to the members for Cue and South Fremantle the population of this community consisted of people who wished to be continually "boozing." That was not his experience. He had seen a lot of people in the country, and people living alongside public-houses, who did not appear to spend a great deal of their time in the hotels. It had been said that people in this country only wanted opportunities to drink. Along the Eastern railway, the only places where there were populations of any size were Northam and Southern

Cross, and each of these places was well supplied with public-houses, yet the people there were just as temperate as the people anywhere else. There would be great difficulties created if the amendment were carried. If no refreshments were to be sold while trains were standing at a station, inconvenience might be caused. This was a country of great distances and trains occasionally had to wait at stations for a considerable time. There would be no chance whatever of people waiting for hours at a railway station for the purpose of obtaining drink when the train came along, for as a rule the trains only waited at a station for five minutes. If people were to be enabled to obtain refreshment on such lines as the Eastern railway line, at least three refreshment cars would have to be put on to the train.

MR. HOPKINS: The principal object in providing the cars was to enable passengers by long-journey trains to get a meal when they required it. How would this operate? If there were 150 passengers, which was about the number to be found on a Kalgoorlie train, on arrival at Boorabbin for dinner or tea the first fifty persons to get into the car, if they only wished to get a drink, would prevent all those who wished to secure a meal from obtaining it, and at the next station the fifty would get out and another fifty would get in, and perhaps these would only require a drink, while those who were waiting for a meal would be prevented from getting it. He did not see how it would be possible to work the system of providing refreshments on the trains, if the existing system of carriages were provided. If the amendment were carried, the cars could only be used as temperance cars, and probably that was the object in view. He had no objection to that, but there were many people, especially those living on the coast, who would take exception to it.

THE COLONIAL SECRETARY: In the first place the cars were ordered with a dual object, for the comfort of the travelling public and to shorten the stopping time at stations. A sufficient supply of corridor refreshment cars, first and second class, to run the express train to and from the goldfields as a corridor train was ordered. At first it was not contemplated that the cars should be run

the whole distance; it was contemplated that dining cars should run part of the distance only, and that liquor should be sold only when attached to the travelling trains. The second object of providing the cars was to materially shorten the time of the stoppages at the various stations, so that the travelling public would have very little time for indulging in buying bottles of liquor as described by the member for Cue; and altogether the amendment was unnecessary. Nor did he think evil would result from having the cars. The result would be, possibly, that where there were at present hotels and refreshment rooms on stations, those hotels would possibly lapse, so that the sale of liquor to the non-travelling public would decrease rather than increase. While he had every sympathy with the teetotallers in the community, after all they were a minority, and this amendment was an attempt at tyranny by the minority. It was not right that such an attempt should appear in an Act of Parliament. The introduction of the cars would prove a great boon to the travelling public. When the cars were first ordered, it was only intended to run them through the unpopulated districts where there were no people, and the cars were intended to shorten the stoppage of the trains to the utmost possible limit.

MR. DAGLISH: It was outrageous that a Minister should accuse members of an attempt at teetotal tyranny. It was unfair to accuse the member for Cue and himself of such an attempt, for like other members, they did their best to safeguard the morals of the public of the State. He did not think it was right that the Premier should allow his colleague to speak of members as he had done, especially when the Premier last night posed as an apostle of temperance. One liked the Premier best when he stuck to fixed principles, and not when posing in the Town Hall one night as an advocate of temperance, and in the Legislative Assembly the next night as an advocate for the greatest facilities to be given for drinking purposes.

MR. MORAN: Why not prevent intoxicants being sold at all?

MR. DAGLISH: Such a proposal he would support. A travelling booth for the sale of liquor was certainly liable to develop into a nuisance. Among a crowd

of say 200 travellers, there would certainly be half a dozen likely to indulge to excess, and so to become a nuisance to their fellow travellers, and particularly to women and children. The amendment of the member for Cue was perhaps not the best possible; and in order to allow something to be framed which might meet the case better, and for comparing this Bill with the Act, he moved that progress be reported.

Motion put and negatived.

MR. WALLACE: The member for Cue would have had his support if the amendment had taken the form of providing that no liquor whatever should be sold in restaurant cars. These cars were to be provided in order to supply food to the travelling public. It appeared that six cars had been ordered, and would be here by the middle of next year. Members representing Eastern Goldfields constituencies might ask themselves whether six restaurant cars would meet the needs of the travelling public, and also whether no improvement in the facilities for obtaining refreshments ought to be made until the middle of next year. The suggestion of the member for West Perth (Mr. Moran), that railway travellers might carry their own liquor, was one worthy of consideration.

SIR JAMES G. LEE STEERE: From the discussion which had taken place it appeared the general opinion was that no one except those travelling by a train should be supplied with liquor from the refreshment car attached to the train. There were some objections to the amendment moved by the member for Cue to effect this object, which would be easily reached by inserting in the Bill a provision that no liquor should be sold to anyone who was not a passenger by the train. Such a provision would be easily carried out, because the guard in charge of the refreshment car would simply be instructed to admit none who had not a ticket. If some such amendment were adopted, the views of the member for Cue would be carried out.

MR. HASTIE: It was to be hoped that the member for Cue would accept the suggestion, which was similar to one he (Mr. Hastie) had made half an hour ago, though perhaps not so clearly. He wished to draw attention to the circumstance that some time ago fruit was being

sold on the Kalgoorlie railway station, but that its sale had been prohibited after the business people of Kalgoorlie protested against what they termed an invasion of their vested rights. Kalgoorlie was at that time the only place between Southern Cross and Leonora at which fruit was obtainable.

THE MINISTER FOR WORKS: The amendment suggested by Mr. Speaker was an admirable one, and would surely meet the views of the whole Committee. He trusted the member for Cue would withdraw his amendment.

MR. ILLINGWORTH: If the Committee were prepared to accept the amendment suggested by Mr. Speaker, he would have no objection to withdrawing his. Under the suggested amendment, however, there was nothing to prevent a traveller by the train from buying a bottle of liquor at the refreshment car and handing it to a non-passenger on the platform. He asked leave to withdraw his amendment.

Amendment by leave withdrawn.

MR. JACOBY: The refreshment cars ought to be run only for the purpose of supplying food and temperance drinks. If they were to be used for the retailing of alcoholic liquors, a new horror would be added to travelling. Moreover, there would be a temptation to the railway officials to make use of the cars.

MR. HOPKINS: That was prohibited everywhere.

MR. JACOBY: Whether by regulation or by amendment to the Bill, that danger should be guarded against. Cases had come under his notice of drivers, firemen, and guards having too much at the refreshment bars along the line.

SIR JAMES G. LEE STEERE: In connection with the suggested amendment, it struck one whether it would not be wise to provide that no person who was not a passenger by the train should be admitted into the refreshment car at all. He thought the use of the car should be absolutely restricted to train travellers. Some farther words might be necessary in order to secure this object. Perhaps the Government would consider the matter and bring forward an amendment.

THE PREMIER: If the House agreed to the suggestion of Mr. Speaker, the Government would draw up an amend-

ment on the lines indicated. We might provide by regulation for the restriction of the use of the refreshment cars to passengers; but if a provision to that effect were inserted in the measure, the hands of the authorities would be strengthened.

At 6:30, the CHAIRMAN left the Chair.
At 7:30, Chair resumed.

MR. DAGLISH moved that all words after "car," in line 8, be struck out. This would test the question whether the Government should provide additional facilities for the sale of liquor, which were already too great, and should be curtailed rather than increased. At present, one drunken man made the journey a nuisance to his fellow passengers, and by the clause such annoyances would be augmented. Wayside refreshment rooms afforded ample accommodation. Intoxicated people were now prevented from entering trains; but how could those made drunk in travelling saloons be ejected?

MR. THOMAS opposed the amendment. Evidently the mover had a poor idea of his fellow citizens, and thought that all who were not teetotallers would take every opportunity of getting drunk. Passengers were now allowed to take liquor with them on trains, and it was absurd to provide them with food and not with drink. He would oppose any other amendment to the clause. Though he had travelled on railways in all parts of the world, he had never seen refreshment cars run as teetotal concerns, nor had he seen them abused.

THE MINISTER FOR WORKS: The amendment was in the nature of a slur on the people of the State. [MR. TAYLOR: Not necessarily.] It implied that provisions which existed elsewhere, and had not been abused, were liable to be abused if instituted in Western Australia. If that were not implied, the amendment was unnecessary. Surely our people could be trusted with privileges enjoyed by people in other civilised countries, in all of which provision was made for selling liquors in travelling refreshment cars. He hoped the Committee would not agree to the amendment, and really there was no necessity for it.

MR. HASTIE: It was to be hoped the amendment would not be carried. The member for Subiaco (Mr. Daglish) fancied that the people travelling in this country had no chance of getting liquor; but if that gentleman travelled one-tenth as much as most members had to do, he would know it was very easy to get liquor on railway journeys. The object desired would not be attained by passing the amendment. If it were passed, any man who could afford to carry a hamper or buy a bottle before he started could get refreshments, whereas a man who could not afford to be so generous to himself would be debarred from obtaining liquor. That would be unfair. If the amendment were carried, he would move an addition, and it would read thus, "That all railway passengers before starting on long journeys shall be examined, and all liquor found about their persons or amongst their luggage be confiscated and destroyed." If there were to be restrictions, let us have restrictions all round. If the Bill were passed in its present form it would tend to the comfort of people travelling on long journeys.

MR. STONE supported the amendment. To allow liquors to be supplied indiscriminately along the line would lead to great abuses, and might cause accidents. The liquor to be supplied would be supposed to be of good quality. Apparently it would be obtainable at up-country towns, and there would be abuse in that direction, by the liquor being bought by travellers and handed out to their friends. When steamers first came to this coast, people in the towns used to loiter about the wharves and jetties and drink night and day, until the authorities interfered and prevented the sale of liquor while the ship was in harbour. Ladies travelling on long railway journeys had to get in with company they did not know. A man might be sober when he started on a journey, but if allowed to have drink all along the way he might become objectionable.

MR. BUTCHER: People were not likely to drink any more if there was a refreshment car than at present; indeed, there would not be so much drinking between here and the goldfields as under the present system. If a man desired to get drink he would do it, and he would not be so likely to get drunk if there were

a refreshment car attached to the train as he was at present, because now if one wanted to drink he had to get a bottle. On long journeys people should be allowed to get drink as well as meat. He would be sorry if he could not get his whisky and soda with his luncheon when he travelled.

MR. A. E. THOMAS: France was supposed to be a very temperate country, and the people consumed very little alcohol. When he was in France 18 months ago there was provision for a drinking car on every train, even on short journeys in the suburbs of Paris, and one could get anything to eat, drink, or smoke. He had travelled up and down the Eastern Goldfields line twice a week, and had seen people in the different classes. A man would buy his bottle of whisky or his two bottles of beer. If he bought a bottle of whisky, he might, when he had half a bottle left, say, "What is the good of keeping this to the end of the journey?" If provision were made for supplying drink in the refreshment car, there would be less liquor consumed than under the present conditions. It was true we drank more whisky per head of population than was consumed anywhere else in the world, but we also drank more tea and more teetotal beverages per head than the people of any other nation.

MR. DAGLISH: This amendment presupposed that the people did not demand increased facilities for drinking, and it was rather an insult to the people to imagine they did demand them. The Minister for Works frequently brought forward proposals to increase the gaol and lock-up accommodation: why was that done? Because we recognised there were a certain number of people who were too weak to obey the laws, and were liable to temptation and did things they ought not to do. Members had told us that if we granted these increased facilities for drinking we should decrease the amount of drink consumed; but they had not cited an instance to prove that assertion; they had not yet mentioned a single State in the world where the increased facilities for the retailing of liquor had led to a decreased consumption of drink. Every writer in regard to this question agreed that where the smallest facilities and the smallest temptations existed the con-

sumption was smallest. The only way to reduce the quantity consumed and the number of drinkers and drunkards was to reduce the temptations which confronted them at every street corner, and which it was now proposed should confront them on every railway on which they travelled. It was time we tried to build up a sober, temperate, and virtuous people. His amendment aimed at that, and there had not been a single argument adduced which was capable of successfully confuting it.

MR. GORDON: There would be less drinking in a railway train if a refreshment car were attached to it than there was at the present time. The fact of knowing that they could not purchase anything on the journey induced many men to take a bottle of whisky or beer or whatever they liked with them, whereas if they knew that they could purchase liquor if they desired to do so, they might accomplish a journey without having a drink. We knew that there was a great deal of drinking done on Sundays at much risk, and that was due to the fact that in many instances people thought they could not get it, and consequently they wanted it. The worst aspect of the case, as far as he could see, was this, that now when a train was drawn up at a railway station, on a very hot day, travellers jumped out and took three or four drinks, which, instead of doing them good, in many instances did them harm; they thought they would take some in for the next stage, and this did them injury. The provision of refreshment cars would do away with a lot of the drinking at railway stations; and if the refreshment rooms at stations were done away with and no facilities were offered by having refreshment cars, it would be very inconvenient to travellers.

MR. DIAMOND: Failing an assurance from the Government that the refreshment cars would be closed after the meal-hour, even an hour and a half or two hours after that hour, he would support the amendment of the member for Subiaco.

MR. PURKISS: It was well to be consistent. Members were told by the opponents of the amendment that the travelling public were insulted because some members chose to take means to do away with the drink in the trains.

Let the Government be consistent. The other day the Government took steps to prevent a licensed house being opened at the Caves. Liquor was not to be sold in any shape or form in the Cave country; but to-night members were told that the public were insulted because drink was not to be allowed in refreshment cars. Things had been going on very nicely as far as the railways were concerned; why not let them continue? Let there be meat and bread provided, but why initiate a principle of selling liquor on all the railways of the country? If the Government were going to license the travelling trains, let them license a house in the Cave country.

THE MINISTER FOR MINES: Members should take the sense of those who did most of the travelling in the trains in this country. The travelling public desired to have facilities of obtaining refreshment when going long distances. It was very inconvenient to the travelling public when they were unable to get proper refreshment. Less drinking would be done amongst travellers if provision was made by which refreshment could be obtained on the trains. When these refreshment cars were started running, proper regulations would be made for the control of the traffic. The proposals of the Government would be found sufficient. The Government had gone to the expense of providing these cars, and now the objection was raised to refreshments being sold in them.

MR. NANSON: If the amendment of the member for Subiaco were carried, everybody would be compelled when travelling to either drink water, which in some parts of this country was none too good, or to drink tea. It was well known to medical men that some people's digestions were so constituted that it was necessary to take a little liquor to assist digestion. Because there were some weak members in the community who could not avoid temptation, liquor should not be denied to the majority of the community who did not drink to excess. A remarkable attitude was taken up by members who wished to prevent the use of intoxicants in any shape or form on the trains. These persons under no circumstances took liquor themselves, and because they did not need it they thought no one else should have it. He had had

some experience of dining cars in Europe and on the English railways, and the convenience was immense: he had never seen the convenience abused in any way. There would be strong cause for complaint if when travelling on the railways of this country one wished to have a meal, and that person was compelled to drink water, or tea, or coffee with that meal. Some doctors held that to drink tea was slow poison to some constitutions. Doctors agreed that the inordinate use of tea with heavy meals in this country produced nine-tenths of the indigestion. This was a matter of a most serious description, and unnecessarily interfered with that liberty which was given to all to regulate our habits of life according to the conditions of our health.

MR. REID: Proper facilities should be provided so that people when travelling long journeys, say between Perth and Leonora, could obtain proper refreshment. Up to the present time fairly good facilities had been provided for the people travelling long distances. There were five or six places between Perth and Coolgardie where opportunity was given for obtaining refreshment, but if the stopping time at the stations was to be shortened, unless dining cars were provided so that people could obtain refreshment on the journey, serious inconvenience would be caused. He would vote with the Government on this question. People who had spent a long time in the bush perhaps when travelling to the coast indulged freely, but he had never seen any tendency amongst ordinary passengers in a train to drink to excess. During two years' experience of railway building in South Africa, where brandy could be obtained for one shilling a bottle, he had seen only two men under the influence of liquor.

MR. ATKINS: Although a teetotaler, he liked others to get their own way even in the matter of drinking, so long as they did not cause annoyance. If the amendment were carried, the onus would lie on the Government of making proper arrangements.

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

Ayes	...	...	11
Noes	...	...	21

Majority against ... 10

AYES.
Mr. Daglish
Mr. Diamond
Mr. Foulkes
Mr. Illingworth
Mr. Jacoby
Mr. Moran
Mr. Purkiss
Mr. Beside
Mr. Stone
Mr. Taylor
Mr. Wallace (Teller).

NOES.
Mr. Atkins
Mr. Butcher
Mr. Ewing
Mr. Gardiner
Mr. Gordon
Mr. Gregory
Mr. Hastie
Mr. Hayward
Mr. Hicks
Mr. Highan
Mr. Holmes
Mr. Hutchison
Mr. James
Mr. Kingsmill
Mr. Nanson
Mr. O'Connor
Mr. Rason
Mr. Reid
Mr. Thomas
Mr. Yalverton
Mr. Hopkins (Teller).

Amendment thus negatived

MR. ILLINGWORTH moved that the words "and at no time to any person who is not travelling by such train" be added to the clause. This was the amendment which had been suggested by Mr. Speaker.

SIR J. G. LEE STEERE: The amendment as submitted would provide only against the supply of liquor to non-passengers. His had suggested that non-travellers should not be supplied with refreshments of any kind whatever at the refreshment cars.

MR. ILLINGWORTH: Such a provision would, perhaps, go a little too far. This Bill dealt with licenses which affected only the sale of liquor. A license was not required for the supply of food.

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

Clauses 3 to 5, inclusive—agreed to.

Title—agreed to.

Bill reported with amendments.

ROADS ACT AMENDMENT BILL.

SECOND READING.

Debate resumed from the 12th August.

MR. F. ILLINGWORTH (Cue): In moving the adjournment of the debate I had no other object than to allow of the discussion being continued in the presence of various members particularly qualified to deal with the subject. I refer to the member for Boulder (Mr. Hopkins), the member for the Williams (Hon. F. H. Piesse), who unfortunately is not here to-night, and others. My object was, firstly, to give those hon. members an opportunity of addressing themselves to the Bill, and, secondly, to give the roads boards an opportunity of expressing

their views. It will be remembered that we had the substance of this Bill before the House at the close of last session. In introducing that measure I had occasion to ask the House to attend only to the first few clauses, and I then promised the member for Boulder that the necessary steps would be taken to bring in the remainder of the clauses during this session. I am glad to see the Government have carried out that promise, to a large extent, in this Bill. I confess I know but little of the subject, and I therefore leave it to be dealt with by hon. members who really do understand it.

MR. J. M. HOPKINS (Boulder): I think it is accepted by both sides of the House that the subject matter of this Bill is surrounded by so many difficulties that the best course is to refer the measure to a select committee, in order that its provisions may be assimilated to the conditions of all parts of the State. I shall therefore move that the Bill be referred to a select committee.

THE PREMIER: After the second reading.

MR. HOPKINS: Very well.

MR. M. H. JACOBY (Swan): This Bill, which requires a good deal of consideration, represents a marked improvement on the existing Act. Nevertheless, many points of the present measure call for close scrutiny in order that a workable Act may result. Certain minor details need to be looked into, and I shall have various amendments to table in Committee. I object to the clause dealing with elections, which requires a deposit from candidates. In every district great advantage would result from a deeper interest in elections than obtains at present. The farther restriction of candidates likely to result from the exaction of a deposit of £5 will practically put an end to contested elections. I see absolutely no reason for the restriction. The great difficulty at the present time is not a plethora of candidates, but the difficulty of getting candidates to come forward at all for a seat on a roads board. Provision might well be made for the simplification of elections. In the case of unopposed elections, the returning officer might declare candidates elected at the expiration of the time for receiving nominations.

It frequently happens that the number of candidates nominated is just the number of vacancies; and as many of the people who sit on roads boards have to travel long distances in order to attend, I think they might well be saved one journey by candidates being declared duly elected on nomination day, as is done in the case of uncontested parliamentary elections. Clause 82 requires a slight alteration: the notice provided for should be a little longer. At least seven days' notice of the special meeting should be given. By Clause 107, power is given to the board to take from blocks adjoining a road gravel and other stone necessary for road-making; and I propose to move that the board shall not have power to take stone or other material from blocks less than 100 acres in extent. I have seen most unsightly excavations made on comparatively small blocks by the removal of gravel; and those blocks would otherwise have been utilised for planting when plantations in their neighbourhood were extended. I fancy that if the Minister will look into the matter he will find that Clause 118 comes into conflict with the Width of Tires Act, in which Act I think all the necessary powers are provided.

THE PREMIER: This is a better way of dealing with the matter.

MR. JACOBY: Do you intend altogether to supersede the Width of Tires Act?

THE MINISTER FOR WORKS: No. We propose to extend the powers of the boards.

MR. JACOBY: The system in that Act is different from this Bill. In any case, I hope steps will be taken to bring the Width of Tires Act into operation all over the country. Again, I consider it is time some effect was given to the wishes expressed by many roads boards, in conference and in other ways, that they should have power to rate on the unimproved value; and I intend to move a new clause to that effect when in Committee. I am not quite sure whether such a permit would be utilised by all the roads boards in the country, but it would undoubtedly be utilised by the three boards in my own electorate; and I believe a great proportion of the roads boards in the South-Western District

would prefer to tax on the unimproved instead of as at present on the annual value. It is an anomaly which should no longer exist, that large estates, which have absolutely nothing done to them, and are paying practically nothing to the roads board, should go free, while the man next door who takes up his block and starts to work energetically to develop his property, is rated so heavily that the harder he works and the more improvements he makes, the more he has to pay. Some more equitable system should be put in force; and I trust the present opportunity will be taken to carry into effect this much desired reform. I believe it is intended to refer this Bill to a select committee; but there are many members in the House who are acquainted with the work of roads boards, and I think the measure might well be left to the Committee of the whole. I should like to see the fullest possible discussion. If a select committee sit, the whole discussion must be gone over again when it reports. I would suggest that the best method for us is to pass the second reading and get into Committee on the Bill; and I feel sure the work then done will be far better than any which could be effected by a select committee.

MR. HOPKINS: Pass the second reading, and then refer the Bill to a select committee.

MR. JACOBY: We must pass the second reading in any case; but I think the questions involved could be worked out just as well on the floor of the House. I shall have much pleasure in voting for the second reading.

Question put and passed.

Bill read a second time.

SELECT COMMITTEE.

MR. J. M. HOPKINS (Boulder): I move that the Bill be referred to a select committee. My reason is principally to enable the Bill to be thoroughly overhauled and examined by a committee, which I hope will comprise some of those members who have had considerable experience of the working of the Roads Act. My object is to do the best I can in the interests of the local government of this country; and I undertake to say there is no question of greater importance, no question which so strongly

affects the interests of this country, as the wellbeing of its local government. I am able to say that the Roads Act in its application to thickly populated centres has on more than one occasion been almost unanimously condemned by the Municipal Conference which sits in this State. That is one reason. I have not had much time to go through the Bill; but a little while ago, when I held the position of mayor of Boulder, I devoted considerable time to the question of local government; and I feel that if the measure be referred to a select committee, we shall be able to make some alterations in the Bill which will help to harmonise it and bring it into accordance with the requirements of the country. It appears to me that by the Bill we are giving to roads boards all the privileges now enjoyed by municipalities; but we do not bestow upon them also the responsibilities which we place on municipalities. That is probably one of the most serious aspects of the problem. For example, the roads board "may" strike a rate; the municipality "shall" strike a rate. That in itself is a startling difference; and we must consider that on the Eastern Goldfields the bulk of the people live outside the small restricted areas which are termed municipalities. A large population lives immediately outside the municipal boundary, and we cannot get the boundary extended to bring those people within the scope of local government. In the past, the few people within the boundary have had to pay the general rate, the health rate, and the loan rate to cover the expense of introducing electric lighting, and affording all the other privileges of local government, such as free reading rooms and mechanics' institutes; while the people outside the boundaries have been provided with all these benefits and have paid nothing in return, because none of them are rated excepting, perhaps, the mine manager living in his house on a lease. These difficulties exist, and will be perpetuated by this Bill; and there are numerous others to which I might refer, but I do not think it necessary at this stage. The Bill requires serious consideration from the House; and for that reason, with confidence that the proposition will be carried, I move that it be referred to a select committee.

MR. T. F. QUINLAN (Toodyay): I second the motion.

Question put and passed.

Ballot taken and a committee appointed, comprising Mr. Ewing, Mr. Butcher, Mr. Foulkes, Hon. F. H. Piesse, also Mr. Hopkins as mover.

MR. HOPKINS farther moved that the committee have power to call for persons and papers, and to sit on days on which the House stands adjourned; also to report on the 16th September.

THE PREMIER: Would it be in order to suggest that the committee should not go to the expense of taking evidence and having it printed? All that was wanted was the value of the committee's opinion on the various clauses as they cropped up. If the committee liked to call for persons and hear expressions of opinion, the opinion obtained would be that of the witnesses called. What was wanted by the House was the opinion of the select committee.

MR. HOPKINS: Should this be taken as a direction by the House, or should he simply make this request to the committee?

THE SPEAKER: The select committee must decide for themselves.

Question put and passed.

RAILWAY ACTS AMENDMENT BILL.

SECOND READING.

Debate resumed from the previous day.

MR. C. HARPER (Beverly): I consider this question so fraught with the destinies of Western Australia, that it should be as little as possible submitted to the turmoil of party warfare. I hope that, as far as possible, parties will be kept out of it, and that we shall enter into the discussion as free as we can from those tactics, and seek to establish some method by which the railways of this State may be carried out on a better system than has hitherto prevailed, not only in this State but in the whole of Australasia. I think there can be no question that the railway management is costing too much. The proportion of expenses to receipts is simply appalling, to judge from the ordinary business standpoint and the experience of other parts of the world; and it is obvious that something sooner or later must be done to bring about an amendment in that direction. The Government by their Bill have

proposed to place the management of the railways in the hands of three commissioners, and it is around this question that the most contentious opinions in this House exist. It appears to me that the more heads we have, the more expensive the system becomes. I think it is an acknowledged fact in all businesses that the more heads you have the more you have to pay, and the more difficult it is to deal with things promptly. A line should be definitely laid down, and I consider that the management should be, as far as possible, focussed on one person, who should be held as far as possible responsible. There seems to be very considerable agreement that three commissioners are not as desirable as one, judging from the opinions which have been enunciated in this House. And the question then becomes one of whether the Commissioner already appointed is fit and capable of that serious responsibility. Many have hurled anathemas at the Government for appointing a man who is not an expert in railway business. There may be something to be said in that respect, but if we look at business transactions all over the world we constantly find that a great deal of success has been achieved by men who have not been brought up to manage the thing they have been put to, and so much depends, in fact everything depends, upon the character of the man. He may be a finished expert, and yet he may be a great failure; and the contrary also is the case, that a man is often put into a position for which he has had little training, and yet he makes it a success.

THE PREMIER: Mr. Olliver, of New South Wales.

MR. HARPER: We see it every day in our experience of life. Then one may also say that if we condemn that principle in the management of a railway, we condemn the principle in the management of a country, because heaps of men are made Ministers to control a department which they know nothing about.

THE PREMIER: It must necessarily be so.

MR. HARPER: And in this very case a Minister who has had less experience than the present Commissioner is put over him, so that on principle I cannot see any ground to object to a man being put into a position in regard to which he

has not had long years of experience. He must have a staff under him who are capable; but he should be able, if he is any good at all, to pick up the threads of the business, and if he is a genius at the work he will succeed. To my mind, the great difficulty and the source of all the trouble in the management of railways in Australia is just that one we have heard a good deal about in other spheres, that of Government day labour. In speaking the other night the member for Cue (Mr. Illingworth) pointed out what a very little sin it was considered for ordinary men to take advantage of the Government. It was not considered an equal crime, it was not considered a crime at all, to be a little loose in the management of Government affairs when it would be a crime in private life. That to a certain extent runs through the whole community, and I am confident it has a great deal to do with the management of Australian railways. We know the trouble is often due to the want of sufficient supervision, and the same trouble arises in the supervision of those who supervise. There is less earnestness in carrying out Government business than private business, therefore it is particularly desirable that the House should so support the Commissioner in carrying out his duties that he will be put as near as possible in a position similar to that of a man controlling a private business. One matter in particular that has struck me as being most unsatisfactory, and one that cannot but result in much maladministration, is the difference in pay between the officers of the railway and the wages staff. It seems monstrous when one comes to analyse the positions the men occupy, that it should have been so long continued. I find the position between guards and officers in charge of stations and station-masters is most anomalous. A guard has to have a knowledge of shunting and of the management of trains; but a station-master or officer in charge has to be an expert guard, an expert signalman, has to have a thorough knowledge of all the workings of a station, also a thorough knowledge of keeping railway accounts. Under the present arrangement a guard receives from £2 11s. to £4 13s. 6d. per week of 48 hours, according to his class; he receives time and a half for Sunday work;

and if he has to work on a proclaimed holiday that day is made up to him. But an officer in charge or a station-master has to work 84 hours a week. There are, roughly, three grades in the service: the officer in charge, the night officer, and the station-master. On an average, the officer in charge gets from £3 to £3 15s. per week, taking into consideration his house allowance. That is all he gets, and he has to work 84 hours a week, also on Sundays, for which he gets no extra allowance. This officer works 12 hours a day, and often receives less than the guard who works about half that time. Considering this officer has to work up from a guard, it seems that there is some extraordinary anomaly in the management of this business. The question arises, if Parliament were to decide that the railway staff were to be classed and paid according to class, the officers in charge would get a much higher salary than they do now, and it is only right that they should do so, considering the responsibilities attached to their position. But it is obvious the railway receipts would not meet the expenditure if we took the lower grades for a basis and worked up. It strikes me instead of the expenses being 85 per cent. they would be 99 or something like that. What strikes one in reviewing this matter is that if the railway officers had formed a union and brought pressure to bear on the Government and on this House, they would have got these advantages long ago. It is only because those in the lower grades have been able to use the power of their associations that they have been able to force up their rates to a much higher degree than the officers have. This condition has arisen, and surely to goodness it is time Parliament looked into the matter and the Government took some steps to enable the commissioner or commissioners, or whoever is in power over these men, to remove the anomaly. I do not think it would be exaggerating the position at all to say that the railway associations in this case are very much like the cuckoo and the nest. They make those above them support them, and that is the position they seem to have worked into. I have this much to say in favour of the action of the associations. I am quite certain the men very often suffer from the incom-

petence or favouritism, or something of that kind, of those immediately over them. Very much of the trouble has arisen through junior officers in different localities. The conditions have entirely altered now because of the Arbitration Act. Whatever grievances the men have, there is an opportunity and a court ready to deal with them; therefore the condition is entirely altered; and the sooner the Government and Parliament take up the line that the associations of the railways are not going to control them, the better; for if the influence the associations have been able to use in the past is to be used in the future, something very serious will happen to the railways. I do not know that I can cite anything better than what I read the other day in the draft industrial agreement which was forwarded to the Government by the railway association for signature. In that draft I notice it is provided that if an officer of the Government is elected general secretary of the associations, he is to have six weeks leave, I think, on full pay to look after the interests of the associations. That is that the Government have to pay the secretary of the men for six weeks at a stretch. I think this indicates that it is quite time the House realised that we cannot permit the railway management to drift any longer. With regard to the position the Government have taken up, I am not quite clear on one or two points, and I would like when a Minister speaks for a definite statement to be made whether we are to understand the Government do not stand by the provision of three commissioners. I would like the Government to state definitely whether they intend to stand or fall by the provision of three commissioners, or whether they are prepared to submit to any amendment to the effect that there shall be only one commissioner; also I should like to know if the Government are prepared to give the commissioner or commissioners more extended powers than are given under the present Bill, because I think it is absolutely necessary for the well-being of the State and for every man concerned in the railways that the head of the railways should have control of the business. Until that is done I am sure success cannot ensue. I feel that unless the Government are prepared to intimate that they are willing to act in

this direction, many members will be prepared to vote against the second reading of the Bill, because the Bill in its present form is not satisfactory to many in the House. The Government have taken the responsibility of appointing one commissioner, and I think the House will do well to accept their act in that respect and let it be tried. The Government have taken the responsibility and put on one man: let us see how the system works. To appoint three commissioners will not be altogether acceptable to many members in the House, and I am very doubtful as to the result. If the Government can assure the House that they are prepared to accept this amendment, and that there will be one commissioner instead of three, and are also prepared to give the commissioner extended powers in dealing with the work under him, I shall support the Bill.

MR. J. J. HOLMES (East Fremantle): I would like to claim the attention of the House for a few moments on this very important Bill. I agree with the last speaker that first of all the working expenses of the railways are far too high, and some drastic steps must be taken to bring about reform in this direction. The railways of the State, on which the bulk of our loan money has been expended, will either break us if they are not properly controlled, or they will go a long way towards making the country and building it up if they are placed under proper control. The matter is in our hands to legislate in such a way that the railways will be a success or a non-success. To my mind the only way out of the difficulty is to appoint commissioners. I am not wedded to three commissioners; I am satisfied to accept one for the time being; to appoint a commissioner and let that commissioner have absolute control. The railway department of the State has drifted into such a condition, such a state of chaos, that someone must be given absolute control to do as he thinks fit and run the railways on commercial principles. If at a later stage we think we have given too much control to the management, an amending Bill can be passed to withdraw some of those powers for the time being; but at the present time those in control must have absolute power. To my mind, this Bill does not give

absolute power. The dual control here proposed will, I think, bring about worse disasters than the railways have yet experienced. The Minister is to control a certain section of the railways, and Parliament is to control another section. The commissioner, it seems to me, is to be armed with a gun, but is not to be allowed to have ammunition, or, if he have ammunition, is not to be allowed to shoot. Now, if I armed a man with a gun, I should give him both ammunition and the right to shoot. That is the only way to bring about reform. I gather from the Bill that the control of the railway employees is to be in the hands of the Minister. The Colonial Secretary, in introducing the measure, stated that the present method of dealing with the employees is not to be interfered with. I contend that the present method is satisfactory neither to the State nor to the employees themselves. My experience of the railway servants is that they want only fair treatment, to be dealt with promptly, and to know exactly where they stand. These conditions do not obtain at the present time; but they would obtain if some one at the head of affairs had full control over, and full power to deal with, the railway employees. The rates, it appears, are to be controlled by Parliament; but the commissioner is to be expected to make the railways pay.

MR. MORAN: It is a half-and-half measure even there—Parliament and the Minister. The Minister is to control rates when Parliament is not sitting.

MR. HOLMES: I take it that Parliament will control the rates. Here you have the commissioner controlling only one section, with a vengeance: a train parting on an incline would be absolutely nothing to this. The last state of things will undoubtedly be worse than the first. Someone must have control, and I say, let us give it to the commissioner for the time being. If the commissioner abuse his power, we can easily pass remedial legislation. The rates, I repeat, are to be controlled by Parliament and the Minister of the day; and yet the commissioner is to make the railways pay. I maintain no commissioner can bring about a satisfactory result under such conditions. Who is to control the train service? When the Minister wants a train run for political purposes, when

the Minister, let me say, wants to give certain people a train for political purposes —

MR. HOPKINS: For purposes of policy.

MR. HOLMES: Yes, policy—and the commissioner does not approve of the running of that train, whilst the Minister insists on its being run, who is to decide the question?

MINISTERIAL MEMBER: The commissioner.

MR. HOLMES: The commissioner is subject to the Minister. As for improvements to existing lines, the commissioner, according to this Bill, is to suggest improvements, but the consent of the Minister has to be obtained before anything can be done. The commissioner might have only sufficient money available to build one station, which in the interests of the service he thinks should be placed at one spot, whilst the Minister, say for political purposes, wants it put at another spot. Now who is to decide such a question, whether the station shall be so located as to serve the interests of the service, or so located as to farther the interests of the Minister for the time being?

MR. HOPKINS: Policy again.

MR. HOLMES: This is not policy, but administration. In my opinion, the policy of the railways should be controlled by Parliament. Parliament should control the policy, and the policy alone. What I mean by policy is that Parliament should decide such questions as whether the railways should be so worked as to return a profit over and above working expenses, or whether the railways should be worked even at a loss in order to develop various industries of the State. Questions of policy for Parliament to decide are whether the railways may lose fifty thousand pounds a year in order to develop agriculture, and whether they must make twenty or thirty thousand pounds a year from the carriage of timber. In such cases the responsibility of Parliament comes in, the duty of the commissioner being merely to bring about the result which Parliament desires. The Bill, again, provides that no member of Parliament is to attend a deputation which waits on the commissioner, though a member of Parliament may approach a Minister with a deputation. My view is that members should be allowed to inter-

view the commissioner, but not the Minister. I take the reverse view of the situation. The commissioner being altogether outside political control and influence, there should be no objection to his being interviewed by members of Parliament. If the commissioner cannot grant what any member wants, no harm will be done.

MR. HOPKINS: The member would not think so.

MR. HOLMES: It is quite possible that a member of Parliament might get from some Minister for Railways—I do not say from the present Minister for Railways, but from some future Minister for Railways—an undue advantage. The Colonial Secretary, in moving the second reading of the Bill, said that in New South Wales, the Act of which was practically copied by Queensland and South Australia, the railways were absolutely and entirely under the control of the railway commissioners. That is the position I want the railways of this State to be in—absolutely and entirely under the control of the railway commissioners. The Colonial Secretary contended that this was the position in New South Wales, and that it had resulted in great advantage to the State. Yet we do not find that position backed up by the Bill. I think, therefore, that it is the duty of the House to amend the Bill and bring about such a position. Any assistance I can lend towards that end I shall be most happy to render. The commissioners should be armed with unlimited authority. We can leave it, I am sure, to their good sense and judgment to do what is right and fair. If it should transpire that the commissioners exceed due bounds and take undue advantage of the power vested in them, then it will be an easy matter to introduce at a later stage a measure restricting them within reasonable limits. I repeat, only the policy of the railway—and I have defined what I mean by policy in this connection—should be controlled by Parliament. The commissioners should have a free hand to control the railways on commercial lines, and I shall do all in my power to amend the Bill so as to bring about this result.

THE PREMIER (Hon. Walter James): I have but a few words to say on this Bill. The measure is absolutely essential

if for no other purpose than for the purposes of investing the present commissioner with the necessary authority, and of separating the constructing authority enjoyed by the commissioner under that title under existing legislation, and vesting it in the Minister for Railways. In the past we have carried on the administration of the railways under the name of the Minister, who however really discharged the duties which by the Acts are cast on the Commissioner for Railways. As members are no doubt aware, the commissioner was created in the first instance to manage the railway system in the ordinary way; to carry on its traffic arrangements, and also to construct new lines. The power to construct arises only when a special Act has been passed by Parliament, the constructing authority, however, when an Act has been passed, is the Commissioner of Railways for the time being. Hon. members will see, therefore, that whether Mr. George or any other person be commissioner the separation of powers contained in this Bill is essential.

MR. MORAN: The Executive Council controls the commissioner just the same: his acts must be approved by the Executive Council.

THE PREMIER: No; not by this Bill. I shall endeavour to make myself clear. The Bill seeks to separate the powers of the commissioner—for the purpose of argument he may be called the general manager if you like—exercised for the purpose of carrying on the ordinary control and traffic, from the constructing powers of the commissioner as they exist to-day. It is the Minister for Railways who ought to be, and must be, the constructing authority. It is the Commissioner of Railways who should take charge of the traffic, and whether you call him commissioner or general manager is immaterial so far as this point is concerned. Even if a large majority of the House disagree with the appointment of Mr. George, yet I think the majority will agree that the person who is to be appointed, whether as commissioner or as general manager, to take charge of our railways should be appointed to discharge recognised statutory duties, in respect of which Parliament can cast on his shoulders full responsibility. The bulk of this Bill, therefore,

is necessary whether we appoint one commissioner or three. If members will look at the Bill, they will see that the Government do not propose to appoint three commissioners at once; but merely reserve the right to appoint two additional commissioners. No intention is expressed of appointing three commissioners.

MR. MORAN: Why didn't you let us know the truth of this matter before? Why didn't you say that on the second reading?

THE PREMIER: This is the second reading. If the hon. member will look at the particular clause, he will see it is so worded as to give merely the power to appoint two additional commissioners. Our intention was not to appoint three commissioners without consulting Parliament.

MR. HOLMES: Does that mean that if one commissioner prove a failure you will bring in two more commissioners to help him?

THE PREMIER: No. We reserve the power to appoint two additional commissioners. What we believe in is the alteration of the system of control by placing the responsibility for actual traffic arrangements, and the actual control and management of the railways and their working, directly on the shoulders of a commissioner, and placing the responsibility for the construction of lines on the shoulders of the Minister. That is what we seek to achieve, and that is the policy we are committed to by the appointment of Mr. George. Beyond that matter I think it is our duty, as the member for Beverley (Mr. Harper) has said, to approach the question with minds quite free from party bias and party feeling. This is far too important a question to be dealt with in a party spirit. I believe that there will be in connection with the railway management of the future difficulties which it will require the united effort of members of this House to overcome. If we are to meet successfully the difficulties which are ahead of us we must use our united efforts and avoid party tactics. I can only express the hope that my fears will not be realised. The greatest difficulty we have had in the past has been that this House has never been behind the Minister for Railways for the time being with suffi-

cient strength and persistency. And whatever Act of Parliament we pass, that difficulty may always exist. If members of this House be not prepared to support the Minister, whether acting directly through a general manager or through a commissioner, there will always be a want of strength and a vacillation in the administration of the department unless the manager or commissioner enjoys independence by statute.

MR. HARPER: What if the Minister first gives away the decision?

THE PREMIER: That would simply take us a step farther back; because the Minister would not give way if he could rely on members on both sides of the House to sink all party differences and to realise the great interests involved. Where we are controlling a large department it is essential that the man in charge, whether as a Minister or a commissioner, should have behind him the loyal support of the great majority of the members of this House, and we should not be too critical in examining his actions. It is because I believe that Parliament, in the last resort, must control the question of policy that the Government, by this Bill, say that Parliament, through its Minister, shall control the question of the rates. That is really the policy of all railway administrations. It cannot seriously be suggested that we should appoint a commissioner whose sole duty it shall be to make the railways pay, and should leave to him the sole power of controlling rates. There must be some power of control left to Parliament, whether that power be exercised in the ordinary way by Act of Parliament or through the by-laws. But if we once gave the commissioner absolute control of the rates, he would say, "I want to make these railways pay;" and he would make them pay by raising the rates without regard to efficiency or business principles because he would have no competition with other railways which might check his rates and show them to be unfair.

MR. MORAN: What is the New South Wales law?

THE PREMIER: There the commissioners fix the rates; but there is in the Act a special section providing that both the commissioners and Parliament can fix special rates.

MR. NANSON: And cannot the New South Wales commissioners make special rates for large customers?

THE PREMIER: Yes; and that can be done here also. But in approaching this question, I am not so much impressed with the experience of New South Wales, because it seems to me quite an elementary principle that we cannot leave the absolute and final fixing of rates to any commissioner, however good a man he may be. The railway rates so vitally affect the industries and development of the State that even if we were not using the railways as part of our land policy, it would be necessary to retain parliamentary control on this one matter of rates. It must be obvious that where we place a commissioner in charge of railways that come into competition with other lines, then the competition with other lines will always exercise a certain restraint upon him; and the customer for the time being will be able to see which of the competing lines has the most effective tariff. There is that check, therefore, upon extravagance or want of due care on the part of the manager for the time being, because excessive rates would mean that the competing line would get the trade. But here, where we have no competitors, the commissioner can readily afford to impose rates which may bring him a good profit, which rates would, in the case of lines exposed to competition and by virtue of that competition, be shown to represent very bad management. I therefore think this provision of the Bill should commend itself to the House. We cast upon the commissioner the responsibility for taking the initiative. The initiative rests upon him for making regulations as to rates, and by these means we throw upon the Minister for Railways the direct responsibility to Parliament for failing to agree with any recommendation of the commissioner. There is therefore, for the commissioner's protection, always the opportunity of saying: "I presented a certain regulation in connection with fares and rates, and the Minister modified it in this way or in that way."

MR. MORAN: That has been strictly the law in the past. Look at Mr. John Davies's reports.

THE PREMIER: No. In the past, the general manager could always shelter

himself under the protection of the Minister; he was a mere subordinate officer with no statutory duties or powers, and there was nothing to bring home to him his responsibility. That is a matter of vital importance. Where a regulation comes out in the future, purporting to come from the Commissioner of Railways, and the result of it is either that the rates charged are excessive, or are too low, resulting in a loss, it will at once be the duty of the commissioner, which he is sure to exercise, to point out who is responsible for the result. It would be an entirely different matter if the regulations came out in the name of the Minister. Then, of course, the country would say that, *prima facie*, the Minister was to blame; but when they come out in the name of the commissioner, he will be held in the eyes of Parliament, and in the eyes of those who read the regulations or deal with the railways as *prima facie* responsible. In such circumstances we may depend upon it we shall not have the experience of the past, where the responsible man stood aside and allowed things to drift; for he will at once make his voice heard in protest through the proper channels, no doubt by means of his annual report to Parliament, and will point out who was responsible for any interference with the recommendations or the regulations suggested by him, and for which the public would otherwise hold him responsible. Then we deal in this Bill with the question of the men also. At present the power to dismiss is contained in the amending Act of 1887, by which the Commissioner of Railways has the power of appointing, fining, and dismissing, whether summarily or otherwise, any class of railway servant mentioned in the schedule. It is a most peculiar Act; for after giving power to appoint, to fine, and to dismiss, it provides that appointments, fines, and dismissals shall be subject to the approval of the Governor. But in the Bill we say simply that the railway servants for the time being shall be subject to any future Classification Act, if there be any. If Parliament passes any law for the purpose of classifying the railway servants, it is well to make it clear that this present Act will not prevent the application of such classification to the railway servants.

MR. MORAN: The commissioner also is bound. How would that affect dismissals?

THE PREMIER: Most of the classification Acts deal with that question.

MR. MORAN: That is a very open point. The Bill is indistinct.

THE PREMIER: No. I think the Bill leaves matters where they are now; and it is right that they should be so left, for otherwise we shall be called upon, during the discussion on this Bill, either on the second reading or in Committee, to deal with the whole question as in a Classification Bill. Now if we, in this Bill, break as little new ground as possible, it saves dispute, and prevents the raising of contentious matter that ought not to be raised in connection with the measure, which deals with other far more important principles. We introduce this simply as a short Bill; we do not consolidate the law, because we want this principle of commissioners dealt with first, and consolidation will then come forward next year. Members have drawn attention to the provision as to deputations. That is a new clause, and one for which I am responsible. In reading the debates that took place in the Victorian Legislature, I noticed that in 1898 a discussion arose—I am not quite sure whether it was by substantive motion—when complaints were made that deputations headed by members of Parliament, and sometimes entirely composed of members of Parliament, waited upon the commissioner; and members of Parliament inside the House complained of this practice, as did present and past Ministers. Attention was drawn to this; and it was admitted that when the prior amending Railway Act was passed for the purpose of dealing with the appointment of Mr. Mathieson, the intention and the expressed intention then was that members of Parliament should not take part in deputations to the commissioner. Mr. Deakin, the present Federal Attorney General, said during the discussion, that he thought that provision ought to have been inserted; it was much to be regretted it had not been; and he hoped the Minister for Railways would use all his influence for the purpose of preventing members of Parliament taking part in any deputation waiting upon the commissioner. It is from reading those

remarks that this clause emanated; and they commend themselves to me, because if we have a political head in our Minister for Railways, why should not he be the proper channel through which political communications shall come, and through which political influence shall be exerted, if at all? Our Commissioner of Railways is in office, not for the purpose of directly or indirectly being influenced by political feeling; and I hope members will not think me discourteous towards them if I say that members of Parliament are brought into deputations almost solely for the purpose of exerting the political influence that their name or their presence carries. We cannot have such a great opinion of ourselves as to believe that we are chosen on deputations because of our superior personal abilities. We are chosen simply because we are members of Parliament, and because it is thought that a member at the head of a deputation carries more weight with a Minister or any public officer than would a private person. I think the clause is a good one if it tends, as I believe it will tend, to put the commissioner in a position to say: "By Act of Parliament a member has no right to introduce a deputation or to take part in it; and I refuse to see him." It keeps the commissioner entirely free from that political influence which is sure to be exerted when a member heads a deputation.

MR. MORAN: Would you apply that to the Works Department as well?

THE PREMIER: In the Works Department there is no departmental head to whom deputations come.

MR. MORAN: The Engineer-in-Chief.

MINISTER FOR WORKS: Not now.

THE PREMIER: Not for years past.

MR. HARPER: Could you not exclude deputations of every kind?

THE PREMIER: No. There is and should be always a right to send a deputation to the commissioner to enable those who use the railways to interview the managing head. The difficulty occasioned by political influence arose in Victoria, because when they passed the first Commissioners Bill they gave the commissioners entire control of the railways, their construction and working. Much has been said in criticism of the effect of the commissioner system in Victoria, but I think any

Victorian who complains of that system in Victoria is an ungenerous man. I believe there would have been exactly the same experience in that country if there had never been commissioners at all. We know that on every side during the boom period, public moneys were lavishly expended on public works; and it always strikes me as unfair towards Mr. Speight and his fellow commissioners to throw on their shoulders all the blame for that extravagance which was found not only in the Railway Department, but in every other department also. At that time there was in the atmosphere all round a strong faith in the future of Melbourne and of Victoria, and an expenditure based upon that faith. Will not everyone who has studied the question agree with me that much of the railway difficulty in Victoria to-day arises from the vast number of cockspur lines which cannot pay?

MR. ILLINGWORTH: All political lines.

MR. HOPKINS: They have closed several.

THE PREMIER: No doubt they are political; but when built in the boom period everyone supported them, but it is hardly fair to blame the commissioners for politicians' faults, because exactly the same thing would have happened had there been no commissioners.

MR. ILLINGWORTH: That is not provable.

THE PREMIER: It is not absolutely provable, but commends itself to our sense of fairness based on knowledge of the facts. It was the will of the people that such lines should be constructed. When I read the accusations against Mr. Speight in Parliament in Victoria that thought was first in my mind. Members blamed the railway commissioners, not realising that Parliament itself, in public works outside of railways, had been guilty of just as much extravagance as the railway commissioners.

MR. ILLINGWORTH: You argue that there was not political influence.

THE PREMIER: No; I do not.

MR. ILLINGWORTH: Why do you introduce the Bill, then?

THE PREMIER: I was dealing with Victoria and its first Act, not the present Bill. Moreover, you cannot anywhere have a system of State railway administration which will altogether do away

with political influence, but you can have a system which will give a man who will be free from political influence power to do the ordinary traffic work. We must have political influence to some extent, but there are certain things which must be done outside politics, and certain matters which must be controlled inside Parliament. Parliament has no right to get hold of a commissioner and say, "You shall not start a train at a certain time," but Parliament has a right to say, "You shall not charge an extortionate rate." The question of policy involved in rates must rest with Parliament, but the question of management should rest entirely with the independent commissioner. That is a position we have never had before—a position this Bill will give us. Even assuming that we had one commissioner, we should need this Bill, defining the duties arising between the commissioner, who is working manager, and the Minister, who takes care of construction. An objection has been taken by the member for East Fremantle (Mr. Holmes) that the Minister controls one section of railway management. So he does when, as the mouthpiece of this House, he controls rates. It is said that the commissioner controls only one section. So he does. He controls the question of traffic. I submit to this House with the utmost respect that is exactly the division we desire.

MR. HOLMES: Who draws the line?

THE PREMIER: The Bill. If the member suggests clearer language without going into too much detail, I shall be glad to obtain his assistance, but this measure gives the commissioner power to have the management, maintenance, and control of all Government railways open for traffic. If the hon. member, with his experience of the department, thinks those words too vague, I shall be glad to have the benefit of his experience; but I hope he will not, by endeavouring to make them too definite, make them too narrow. I thought the words "management, maintenance, and control" conveyed to a business man what was intended.

MR. MORAN: You modify all that by subsequent clauses.

MR. HOLMES: The Minister controls the staff.

THE PREMIER: The Minister does not control the staff. The position to-day is this: The staff is controlled by existing

Acts. There is power to employ and dismiss vested in the commissioner subject to the approval of the Governor-in-Council. That is the position to-day.

MR. MOHAN: That will be the position under this Bill.

THE PREMIER: That is the position under this Bill. I have already said, that it is not desirable that in addition to the contentious matter we have involved in this Bill we should open farther contentious matter by interfering with the present relations between the department and the men. That is a matter which involves consideration of the point whether we should or should not have a Classification Act with a board. That question may crop up and may have to be determined on, but why should we anticipate it? It cannot be said that we are doing wrong to the commissioner by letting things in this respect stand as they are to-day, and as they have stood for the last twelve years. It cannot be urged that we are doing wrong in that particular respect. In the other matters referred to, such as extra works to lines, it surely must be admitted that the power of the purse must rest with Parliament as to whether these additional requirements are to be entertained. One and perhaps more members have objected that the power given by Clause 23 is somewhat too strong, that it confers upon the Commissioner of Railways too supreme and too strong a position. I think there is a very great deal of force in that. Perhaps some of those provisions want simplifying, but whilst I say that, I think every member will agree with me as to the need of putting our commissioner into such a position that he will be independent for a term of office sufficiently long to enable him to begin works and to see them go through with a chance of their coming to a successful issue, before he is ejected from office. I hope the House will pass this Bill. I shall go into Committee quite free from party bias and party feeling. I ask members on both sides of the House to see if we cannot by a joint effort pass a Bill which, if it does not remove all difficulties, will tend to remove most of the existing difficulties, and which will give us a means for smoother work, with more satisfaction to the servants employed, to

the public who use the railways, and above all to the State. I submit that the railway system in the past has not met those ends. It has been carried on by Ministers who have had to devote the whole of their time and to sacrifice their business to the work, year after year without success. I believe that under this new system we have a chance of success, and I hope members will assist the Treasury benches to make the Bill such a measure that when it passes from us it will be recognised as an honest *bona fide* and reasonable attempt to overcome this very great difficulty of railway management.

MR. G. TAYLOR (Mount Margaret): I desire to oppose the Bill, and would move that it be read this day six months; but after hearing all the speeches, I do not think that motion would meet with much success. I oppose the Bill on the ground that the system should not be under the control of commissioners. Every clause in the Bill deals with commissioners and their powers. The Premier, or the Minister in charge of the Bill, pointed out that they had power to appoint a commissioner, and they acted on that power when they appointed the present commissioner. If that be so, unless there is a strong desire to appoint three commissioners, the Government should apply the provisions under the old measure to conduct the railway system by a commissioner. While I think it is the desire of the House that the railway system should be conducted by one commissioner, I see no necessity for this Bill at all. I am very sorry that when the members on the Labour bench were speaking on the Bill they did not advocate that the measure be read "this day six months;" but the idea was that there was no possible chance of carrying it, and the objection was raised to three commissioners, referred to in Clause 3. From my experience of commissioners in the Eastern States, I feel sure that all the abuses that crept in while the railways were managed by the Minister of the Crown will still creep in under commissioners, and none of the virtues. I have good reasons for what I say with reference to the other States I was in. I know that commissioners could be reached by certain people who were not so successful with the Minister, and the working

classes had no possible chance of reaching the commissioners in the same way. On those grounds I base my remarks about abuses still creeping in. I intend, if the Bill passes the second reading and goes into Committee, to move the insertion of the classification of the railway association employees, as drawn up by that body, though I suppose there will be a strong feeling to modify it a great deal. I also think it will be necessary to move an amending Classification Bill, to get the classification inserted. I suppose the hon. gentleman in charge of this Bill will be able to make that point clear; but if we are going to place our railways under the control of a commissioner, I hope there is no possible chance of the railways ever being under the control of more than one commissioner. It is necessary that an amending Classification Act should be passed, and that the classification should be inserted on similar lines to those existing in Victoria.

MR. A. E. THOMAS (Dundas): I intend to vote against the second reading of this Bill because of the remarks which the Premier has just made. In speaking the other day the member for Subiaco (Mr. Daglish) opposed the placing of our railways under non-political control, and said that the members of this House were quite competent to take charge of our railways. I do not want to see our railways managed by fifty men. I want to see them managed in the best interests of those railways, apart absolutely from political control. In speaking on the Address-in-reply, I stated then that from what I could gather from the speeches of Ministers, they intended to have a half or portion of our railway management under non-political control, and to retain a portion of the control in the hands of this House. I stated then emphatically that if such were the intention, and if the Bill showed it to be so, I would oppose the measure to the utmost of my power. I claim that in any business, if we have a man to manage it we have to give him absolute and sole control. If he does not satisfy us in the management of our business, we dismiss him and put someone else there who we think will give us satisfaction. On a mine, the manager has the control of his men and of everything in connection with the mine. If the directors are not satisfied

they do not go and deal with the men, but they deal with the manager and dismiss him, and put someone else in his place. I maintain that the men should be under the management and control—apart from political influence altogether—of an independent commissioner. The men have their unions to protect them if an injustice is done. From the remarks of the Premier I can only gather that it is the intention of the Government to keep that portion of the management, at any rate, under Parliament, and not give it to commissioners.

THE PREMIER: Leaving the position as it has stood for the last 12 years.

MR. THOMAS: If that is the case, we are wasting the time of the House in discussing the Bill at all.

THE PREMIER: I think you are.

MR. THOMAS: The Government introduced the Bill. The Bill is neither one thing nor the other. The Premier says there is no alteration in what we have at the present time. The Bill neither means keeping the railways under political control, nor taking them absolutely away from political control; therefore I intend to vote for no half measure. I will support any Government and any measure which will place the railways outside of political control, but I will vote for nothing short of that. From the remarks of the Premier, I see there is no chance of amendment on the lines which I would like, therefore I shall vote against the second reading.

MR. J. RESIDE (Hannans): As far as the Bill is concerned, I think we could do with one Commissioner: there is no necessity to appoint three. As to the remarks of the member for Dundas, I do not believe in absolute control being handed over to a board of commissioners. When the hon. member tells the House that a mining manager is in charge of a mine and not under the direction of a board of directors, then I say he is wrong. This House should be the board of directors, and the Commissioner should be the manager under the control of the board of directors, which is Parliament. I think the time has arrived when some alteration should be made. We know in times past the general manager system has not been successful, inasmuch as the manager has not had sufficient responsibility placed on

him. I consider he should be compelled to shoulder much of the responsibility as to the details of the railway.

MR. MORAN : Give us some instance of the power you would give him.

MR. RESIDE : I would make him responsible for his actions in connection with details.

MR. MORAN : Would you give him power to deal with the men ?

MR. RESIDE : In reading the report of the inquiry into the late General Manager, we find there are many instances in which the General Manager suggested many things to which the political head agreed, but because the political head agreed to these things which he did not understand, he had to shoulder the responsibility, and the General Manager was found not to be in the wrong. I would make the General Manager shoulder the details of management which the political head does not understand. I think this Bill is a step in the right direction. I am not in favour of the absolute control of the railways being handed over to the management, and I shall oppose that in Committee. The House should control the policy, and I think it should control the men as a body. I hope a Classification Bill will be introduced at once. I have complained before that the country should have had a Classification Bill, to deal with the men, before this. It would have been far better if we had had a Classification Act in force to-day, and I hope such a measure will be introduced as soon as possible. It will produce more harmonious working as far as the men employed are concerned. There is one thing that I would like to refer to, and that is the reference which the member for the Williams made the other night. He thought fit to make an attack upon me for the reference I made to the Chief Mechanical Engineer. The hon. member said I had no right to criticise any high public official, but that I should be sure of my information, and only give it to the House when it was authenticated. As far as I am concerned, I was perfectly satisfied with the information I received, and I gave it to the House as authentic. I court the fullest inquiry into the matter, and if the Government do not take action and inquire into the criticisms which I have

passed, I certainly will endeavour to move Parliament to have a full inquiry made. It is the duty of any member of Parliament to bring forward anything he sees going on to the detriment of the State, especially in regard to our railways. There is one matter which has not only been referred to in this House, but has been referred to in the Press of this country and in the old country. It is a matter on which the Government should have the fullest inquiry made. I refer to the specifications which were sent home, and which the Agent General referred to in his last report. A certain kind of axle-box was specified as a patent, and when it went home this patent was found not to be in existence. The report of the Agent General should be inquired into, and we should know who was responsible for the whole thing. I have only referred to one or two matters, but I have more in my mind, and I am certain that if I am given an opportunity I can prove them. There are men with practical knowledge of the work who are prepared to give evidence to prove what I have said in the matter. I do not wish to take up the time of the House to-night; but I thought it advisable to make the remarks I have made in reference to what was said by previous speakers on the question.

[The SPEAKER rose to put the question.]

MR. MORAN : Is there a quorum present ?

THE SPEAKER : No ; there is not.

MR. MORAN : I draw attention to the want of a quorum, because it is a scandal that a big measure like this should be passed in a dead House.

[Quorum formed.]

[The SPEAKER again rose and was putting the question.]

[MR. MORAN rose to speak.]

THE SPEAKER : I have a good mind not to allow the hon. member to go on, when I have risen and am putting the question.

MR. MORAN : Am I entitled to go on ?

THE SPEAKER : You may go on ; but you ought not to have risen when I was putting the question.

MR. MORAN (proceeding to speak at length) : There was a strong objection to the dawdling attitude of the Assembly in dealing with an important measure like this. If we were going to get into this dead-and-alive state, which was more

akin to a morgue than a House of Parliament, then the sooner the Government brought in a Redistribution of Seats Bill and let us go the country, the better. Unless there was keen, caustic debate on big matters like this Bill the country would not get at the truth. This was a gigantic subject, and the country was not being treated fairly by the Ministry in their slipshod and sketchy speeches on this big subject. The only speech that could be called comprehensive was made by the Colonial Secretary in introducing the measure. It was an honest attempt to place the Bill before the House from his point of view in a fairly clear and concise manner. The one fault one had to find with the Colonial Secretary was that while he so eloquently advocated the rights of commissioners and the advisability of removing the railways at once from political control, he gave no earthly reason why the Government should not stick to that platform. The Government had climbed down, and after all the talk and the trip to the East, and the praising of the commissioner system, it was nothing more than a sham, a snare, and a delusion to appoint Mr. George as manager, and call him a commissioner. One challenged the Government to prove, with the legal knowledge they had, that there was any change in the system, except in the fact that Mr. George was to be called a commissioner and not a general manager. Barring the speech of the Colonial Secretary, we had not heard that intelligent and statesmanlike exposition of the subject from the head of the railways and the Government which we were entitled to. He admired and respected the manly stand which had been taken by the member for East Fremantle. That hon. member in plain language, which could not be misunderstood, said that from his experience of the railways of Western Australia, the commissioner system was the right one; not the hybrid system, but the commissioner system as it was known by the Government and as propounded by the Colonial Secretary. Votes would be obtained where least expected for the absolute commissioner control of the railways. He did not like this worn-out, tired-looking House dealing with this matter. Members ought not to be tired, as we were in the first fresh vigour of the session, and we ought to be sitting

five days a week, legislating like men all the time. Members ought to be led by the Government, led with strong fearless speeches like those by Sir John Forrest in the past and by Mr. Leake when he was Premier. There should be something strong and vigorous, and not the dwindling down into a sort of roads board committee. As a West Australian he regretted this, because he wanted to see this Parliament remain proud, strong, and vigorous, and worthy the respect of the people. Its usefulness ought not to be impinged on or endangered by any lack of energy in itself, by any lack of a proper appreciation of the importance of big subjects. We ought to have had a first-rate speech from the member for East Perth as Premier, and also from the Minister for Railways. The country was entitled to be told the exact position by the Government; but although the late Minister for Railways and present Colonial Secretary strongly advocated the commissioner system, and although a Bill for the appointment of commissioners was introduced, yet in reality the measure proposed only the appointment of commissioners in name. The Government appeared to have discovered that the commissioner system was wrong and bad; but they must have discovered it since the Colonial Secretary spoke, or else that hon. gentleman had not seen the Bill for which he stood sponsor. In view of that speech, the Bill should have been drawn on parallel lines to those of the Act of New South Wales. If such a Bill had been introduced, there would have been a fight in the House, there would have been such a discussion, such a threshing out of the matter as would have put it on a firm basis for many years to come. As we had an Arbitration Act and as a classification scheme had been decided on, the time had come for us to decide whether our railways should be put into commission, or should remain under the old system. For whichever was done, however this great question was decided, good could result. It would not be very much to the detriment of the railway employees if they were placed under the control of commissioners to-morrow. Were the railway servants going to destroy the Arbitration Act altogether and pronounce it of no value now? Was not the Act there to protect them, and

was it not a big factor in the consideration of the question of commissionership from the standpoint of the employees? Would this not have been the proper time to debate the matter from that aspect, on a Bill of this kind? The whole business might have been discussed at length, and then, if necessary, the Bill might have been withdrawn in order that the country might express, at a general election, its feeling on the great problem of political control *versus* control by commissioners. The Government committed a wrong in appointing Mr. George so shortly before the meeting of Parliament. The Government at the present moment lacked the confidence of the people, as had been made evident by the words of the Premier himself. Mr. Short would have done the work better than Mr. George for the time being, because Mr. Short was an experienced man, while Mr. George was not. The Government were committing a wrong, in view of their expressed determination to appeal to the country very soon, in once more taking up this great question. A political wrong would be committed even if the thing in itself were right, for the feeling of the country had never been taken on it. The proper method to adopt was to discuss this question on the Estimates, to educate the people on it, and then to let matters rest with the appointment of a general manager as head of the railways, go to the people, and let them decide one way or the other. It would be a crime to allow the second reading of the Bill to go through after what could not be dignified by the name of debate or discussion at all. Were the Premier unfettered, were he free, were he forming a new party now, had it fallen to his lot, or had he grasped the opportunity as he might have done to take an independent course, what a different address his would have been! However, fettered as he was by the action of four colleagues—who had placed him in a position he could not get out of—his speech lacked sincerity. Had the present Minister for Railways spoken? One almost forgot. In a year or two, when the question was looked into, people would turn up *Hansard* to see what the present Minister for Railways had said on this great question of a change of system, to

find a little sketch of a speech of the most humble, meek, and lowly order, touching no great principle. Was not the hon. gentleman capable of a better deliverance? The Colonial Secretary came back from the Eastern States enamoured of the commissioner system. When did the process of attrition commence, reducing the magnificent mountain of the Ministry's determination to the paltry little dunghill represented by the Bill? Who was responsible for the attrition? He would not magnify the importance of any party in this House by stating the answer to the question. Suffice it to say this was a shadow, a semblance of a Bill, which ought never to have been brought before Parliament. There was some legal quibble about defining the powers of Mr. George as commissioner under the old Act and under this new Bill; but was it worthy of this House or of the great onward move of the Government that such an explanation should be given of the introduction of this Bill? If there was any great difficulty under the existing Act, why did the Government appoint Mr. George as commissioner in the first place? Why did they not follow the sensible course, the line which they now proposed to get back to, by appointing Mr. George general manager of railways, as Mr. Davies was? The old appointment of commissioner, he maintained, was not a political appointment at all. The old commissioner of railways was a civil servant under the direct control of the Executive of the day, which, in so far as its control of the commissioner of railways was concerned, differed neither in formation nor in power from the Executive of to-day. Now when Mr. George had been irretrievably appointed, the desire was to allow him to remain as commissioner. How could the Labour party attain their object of allowing Mr. George to remain as general manager of railways? By throwing out this Bill. If this Bill passed the second reading, no one could guarantee that the full authority of commissionership would not be vested in Mr. George. If that should happen, the Labour party would be practically responsible. We had heard wild and woolly assertions from the member for Hannans (Mr. Reside) about the necessity for placing

the responsibility for details on somebody; but the hon. member had given no instance or illustration of these details. Was this the hon. member's only excuse for voting for the second reading? The fullest responsibility rested on Mr. John Davies, and would rest on Mr. George, whom existing legislation constituted the adviser of the Minister. Mr. John Davies had applied for adequate rolling-stock and general equipment, over and over again. Mr. Davies never shrank from responsibility. All this talk about the necessity for fixing on someone responsibility for details was a mere cover, a blind, a get-out, a subterfuge to allow certain people to square the compass by voting for the Government on this Bill, while reserving the right to oppose the commissioner system. When the Bill went into Committee, he would probably part company with many of his colleagues. The member for Que (Mr. Illingworth) should have persisted in moving his "six months" amendment; but the better plan now was simply to vote against the second reading, and tell the Government to bring in something better.

MR. ILLINGWORTH: That could not be done were the Bill rejected.

MR. MORAN: Yes. The Speaker said it could.

MR. HOLMES: Would not members assist to amend this Bill?

MR. NATION: No. It was too bad.

MR. MORAN: Vote against the second reading in the hope that there the matter would rest until the country decided it. Let Mr. George have twelve months' administration of these railways. He had ample power to show of what mettle he was made; he could suggest to the Minister to dismiss 500 men if he liked, and if the Minister did not consent, that would be one more evidence of the blessings of governmental control as proposed by the present Ministry. Mr. George had the power of suggestion and the power of recommendation. Let him recommend the dismissal of any man, and let the Government take the responsibility, if they liked, of not dismissing that man. Mr. George was placed in a position better than Mr. Davies ever occupied, for by his agreement he could not be shifted as Mr. Davies was shifted by the Ministry. The Bill would not make Mr. George's position one whit

more secure. He had his agreement; he would have the record of the Minister's refusal to carry out his recommendations; and if destruction came upon the railways, the Government would be to blame, and not Mr. George. We should not help Ministers to allow Mr. George to crawl out of his responsibilities because he was not vested with the plenitude of power of a czar. He had enough power to prove his capability. The real question had been stated by the member for East Fremantle, and was quite apart from Mr. George, his powers or his position. This, the most important political problem of the present day, should be left to the people to decide. The Government were not the democratic party in the House. Every single action this session had proved them to be destroyers of responsible government. It was undemocratic to seek to make a mighty change by appointing Mr. George with a firm agreement for six years at £1,500 a year. The Government meant from the start to appoint three commissioners, and their denial of that was useless. They meant three commissioners when they appointed Mr. George. Why, the Bill said the chairman should have £1,500 and the other two £1,000 each. Now who was meant to be chairman of the commission? Was the chairman to get £1,000 and Mr. George £1,500? No. It was meant to appoint three commissioners, and Mr. George was given the position of chairman in any event, and without any trial. There was no use in the Government saying they might get a better man for chairman. They had fixed Mr. George's salary in accordance with the Bill, which was only the second step in the grand scheme for appointing three commissioners, if a docile and dormant House would allow them to do so. It was regrettable that the Premier was not in his place. What was suggested by the Premier? That Parliament should control the rates, the earning power of the railways. He defied the Premier to prove that the earning power was any more important than the spending power. One was entirely destructive of the other. This great commissioner system would consist of putting a man in on his trial, and asking him to show a credit balance while robbing him of the power to do so.

How could we hold our commissioner responsible for a credit balance at the end of the year, when he had nothing to say as to the earnings? This was practically compelling the commissioner to show a profit by cutting down the wages of the men.

MR. HOLMES: The Government would have to cut down the wages.

MR. MORAN: Not on the Premier's hypothesis. The provisions in the Bill were neither those proposed by the Colonial Secretary nor that foreshadowed this evening by the Premier.

MR. HOLMES: Pass the second reading, and amend it.

MR. MORAN: Certainly not. The proper time to discuss great principles was on the motion for the second reading. We were getting too much into the system of slipping into Committee with Bills, and into this slipshod fashion of shelving the whole of our responsibilities in the House. We shirked second-reading debates. What was responsible government coming to in Western Australia? Would the people stand this sort of thing? Animation was almost gone. The Premier said Parliament should control the rates of the country. But Parliament would not control the rates. Under this Bill, six months' rates might be imposed by the Minister before Parliament had a word to say on the matter at all, and then the decision could be revoked, and it would be battle-door and shuttle-cock between Parliament and the Minister. The consumers would never know where they were. The other night the member for Wellington (Mr. Teesdale Smith) said he was a straight-out supporter of commissioners. That hon. member was worth listening to, and was an abler man than Mr. Commissioner George. Here we had a gentleman who was associated, as Minister, with the most trying and critical time in the railway history of Australia, going for commissioners; and we also found an experienced man in this Government going for commissioners, and all the Government supporters were nowhere. There was no such thing as a Government policy before the country at all. The Government sought the lines of least resistance, and it might be said they were being blown about by every wind. The member for Subiaco (Mr. Daglish) said the other night that this

Bill was a farce; that the Ministry had utterly failed to prove the necessity for this Bill. It was a particularly unhappy state of affairs when an intelligent member like the member for Subiaco rose in his place and said the Ministry had utterly failed to prove the necessity for this Bill.

MR. DAGLISH: For three commissioners.

MR. MORAN: The hon. member said the Ministry had utterly failed to prove the necessity for this Bill; and that being so, nothing was left for the hon. member but to vote for this Bill for the purpose of calling Mr. George a commissioner instead of calling him a general manager. The Premier said there was something in this Bill which laid down the difference between the power of Mr. George as commissioner and the power of the Minister for Railways; construction powers. What a farce that was. We knew that Mr. George was as subject for his action to the Executive as commissioner, as he would be as general manager of railways, and as the member for Subiaco said the Government had utterly failed to prove the necessity for this Bill, his distinct line of action was to vote against the second reading. If there was no necessity for the Bill, there was no necessity to vote for it, and this did not mean a direct want of confidence in the administration of the present Government, since it would leave the road open to them to withdraw the Bill altogether or to bring in another Bill, as had been said by the Premier, on better lines for a codification of the law, in the same way as there was a codification in regard to the Public Works Bill brought forward. We had been told in lugubrious tones by the present Colonial Secretary that for twelve long years the railway system had been going from bad to worse under political control; that for twelve years good men and true wore their lives out and did not make the railways a success, because the system was wrong. The principal material of his speech consisted of an attack on political control, and of holding up for the admiration of this House the system of commissioner control. If it was not that, what was it? Did not the hon. gentleman give us the history of the railway management of the Eastern States which led up to the appoint-

ment of commissioners? The direct reason given by the late commissioner was the failure of political control. We had the history of the South Australian railway system, and the reasons for the appointment of commissioners there was the failure of political control. Then the Colonial Secretary instanced New South Wales as the one State to be admired; at present as in the past, the perfection of the commissioner system. The duty of the House was not to let the Bill get into Committee at all. The Bill was redundant to say the least of it, because it proposed to do something which was already done. It proposed to confer powers upon somebody which that person already enjoyed. It proposed to draw a red-herring across the track and give the system of commissioners without the substance. What led the present Government to come to a decision to appoint commissioners instead of a general manager? The railways were going from bad to worse under political control for 12 years, therefore the Government said, "Let us change this system and have one of non-political control." "But," said somebody, "we won't have this." Then the Government replied, "Commissioners are very good; we will give the control of the details of the railways into the hands of commissioners, and keep away from their control the rates, which will be for the House to decide." Then they went a step farther and said, "We won't give them the control of the men." The Government would neither give the commissioners the control of the rates nor the men. The commissioner knew what the rates were and what he had to base his estimate on, but the Government would not give him the control of the expenditure. He was to have no more control than the present general manager had, yet he was called a commissioner. This was the sort of thing which was going to satisfy a big majority in the House. The interjection was made that members were at liberty to choose between two evils, the question being that the present Government should be kept in because there might be a worse Government.

MR. HOLMES: There was no "might" about it.

MR. MORAN: Let members go to the country and find out who was best, who was right and who was wrong. This was

not a fair get-out over the Bill. There was another alternative, or another get-out: leave matters where they were, and go to the country on the whole question.

MR. HOLMES: Would the hon. member go to the country on every subject?

MR. MORAN: On every possible subject. That was the meaning of responsible government. What might be a noble suggestion, and in keeping with the actions of the present Government, would be to appoint a Royal Commission to decide whether the commissioners system or the political control of the railways was better. Hustings pledges, if they were faithfully kept, were the bone and sinew of responsible government. There was too much nonsense talked about prejudice and vested interests. Was not the whole theory of government the dealing with vested interests—the vested interests of the labour man, of capitalists, of settlement, and of population? Why not refer all these matters to Royal Commissions? Send for the best men to inquire into the system of commissioner-ship in the Eastern States. This Chamber was the best and highest court of inquiry in the State. That was the reply to anybody who suggested a Royal Commission. He objected to hand over to a Royal Commission such a big question as the railway problem.

MR. HOPKINS: Parliament would surrender nothing.

MR. MORAN: If it were good policy to get away from the question of constructing a great main railroad on the advice of a Royal Commission, surely it was sound policy to refer this great question also to a Royal Commission, to fill up the gaps and—

MR. HASTIE rose to a point of order. Was the hon. member in order in referring to a debate which took place a week ago, and which was to be continued to-morrow night?

THE SPEAKER: The hon. member was in order.

MR. MORAN: We were getting some life into this debate now. He was simply putting his view before the country. [MR. HASTIE: What view?] The view which the hon. member tried to obfuscate on every possible occasion. If we must deal with this great question of control by Parliament against control by commissioners, we should do it on the Esti-

mates, or by means of some theoretical discussion which would not bind Parliament or the country to any important principle. No possible harm could result to Western Australia from Mr. George being called General Manager of Railways instead of Commissioner of Railways, for a year or so. Was it not a pleasure, in view of the desirability of full and open discussion on a great question, to listen to the member for Cue (Mr. Illingworth) when he dealt with the Bill from his standpoint as the champion of responsible government in the details of railway management? We had had a perfectly fair and clear statement of the other aspect of the question from the offside supporters of the Government, the member for East Fremantle (Mr. Holmes) and the member for Wellington (Mr. Teesdale Smith), who spoke as the champions of the commissioner system. Many points of importance in the Bill had not been touched by Ministers. The Government dared not say so openly, but wanted us to infer that the destruction of the remunerative railway system of Western Australia was due to the railway employees, to the tyrannical organisations of railway men which brought pressure to bear on the Government. Ministers wanted it to be believed that they wished to free the railways entirely from the pernicious influence exercised by the railway organisations. The Government meant it to be inferred that the railway employees alone were responsible for the destruction of Western Australia's paying railway system. But, while believing this or knowing this, the Government still desired to leave the whole system exactly as they found it. The Colonial Secretary's speech was "high-falutin," but it said nothing; his trip to the East was as nothing; his convictions were as nothing. The speech of the Premier himself meant nothing; and his conviction of the danger of political interference in railway management, if he ever held it, had passed away, or else the hon. gentleman had seen the error of it. Under the dual system, Parliament had control of the men; and we were either strong enough to govern the men or weak enough to be governed by them. If the dominant factor in the prosperity and success of our railways were the railway employees themselves, then either we must

govern them or they must govern us. The Government had pronounced that the men were ruling us, but they should not do so in future. The member for Cue (Mr. Illingworth) had said that Parliament was a weakling, and had failed in its duty. Under the system propounded by the member for East Fremantle (Mr. Holmes) and the member for Wellington (Mr. Teesdale Smith), the commissioners would have entire control over the rates and over the men. But still, there was that grand institution, the creation of the Forrest Government, fought for by the Labour party for so many years, that high and irreproachable tribunal, the Arbitration Court. The men had an independent tribunal, before which their case could be tried; and surely they would not now declare the Arbitration Court, the child of their dearest affections, a failure? From that point of view, the position of the men was clear; but their position under the Bill could not be made out by anyone. In the first place there was the Minister, and in the second place a commissioner, who was supposed to have the management of the railways in his hands, and would all the time be striving to get it, to justify himself. Beside, there would be Classification Acts, and the Arbitration Board. Where would the men be? A Minister, a commissioner, a general manager doing the work done in the past by Mr. John Davies. An Arbitration Board, a Classification Act, and a Public Service Act governing some of the civil servants of the clerical branch. Would any member assert that he understood the exact trend of the Bill? Certainly it had not been explained by the Ministry. What was proposed if we passed the Bill? In the past, we had John Davies with £1,500 a year, and the Minister with £1,000. Under the Bill we should still have the Minister with £1,000 a year, Mr. George with his £1,500, and a general manager under him again with another £1,000 a year. That was £3,500—three men doing the work done in the past by two, and three men with divided and mutilated powers, not in any way well defined. Clause 11 proposed that the Commissioners should have the management and maintenance of all Government railways open for traffic, and with the approval of the Minister might make alterations and

improvements. What was there new in that? The Government proposed, by a conspiracy of silence, to gloze over great matters like this without giving the people the opportunity of hearing them discussed in the House. He (Mr. Moran) objected to the House meeting and going home in the early hours of the evening, without doing half-a-day's work. The salary of a member was small; but still, he ought to earn it. The clause provided that the commissioners should manage and control the opened railways; but how could they do that, when they did not control the rates nor the men? They could not build even a latrine without Ministerial sanction. That was exactly the existing law. The general manager did the whole of the executive work, and formally passed on his recommendations for ministerial approval, which he invariably got on minor matters, while on larger matters Parliament was consulted, and the Minister perhaps took an independent stand. Therefore, what was all the talk about giving extra power to the commissioners to stop this political interference with the railways? What was it when melted down? Nothing at all. After looking at Clause 11, look at Clause 15; for the two clauses must be read together. "The Commissioners may apply in writing to the Minister for additional stores," etc. They might apply to the Minister! That was a tremendous power to stop political interference! Had the patient Government majority read this Bill through? Doubtless the member for East Fremantle had and saw its utter absurdity; but as *amicus curie* the hon. member said: "Pass the second reading, and we shall absolutely disfigure the whole measure when we go into Committee." And what for? For the purpose of defeating the ends of the Labour party in this House; for the purpose of removing for five years from the purview of Parliament every vestige of control over the railways. He (Mr. Moran) joined issue with the hon. member. Whilst agreeing with the stand he took as being one of the only possible stands, he ought not to be allowed to take it unless it were found impossible to put the second reading aside and let the matter rest. If the second reading passed he (Mr. Moran) would not pledge himself not to go heart and soul for absolute

commissioner control. He was doing his best to prevent Parliament from dealing with this mighty principle. There was no occasion for it. He wished the Bill to go to the people, and to put his views before them; but if the Bill went into Committee, then he would say, if we must have an evil, let us have the least possible evil. Did the Premier desire the adjournment of the debate?

THE PREMIER: The hon. member could not move the adjournment.

MR. MORAN: Then one must go on.

THE PREMIER: The hon. member had asked for an adjournment at five minutes past 10. That was too early.

MR. MORAN: At five minutes past 10 there was plenty of other legislation on the Notice Paper, which could have been proceeded with. No. On this matter the Government wished to play the old game. They were strong and confident in their big majority, and thought Opposition members were not prepared to speak.

THE PREMIER: All were quite sure of a speaker when the hon. member was present.

MR. MORAN: Any member who had been doing his duty had his mind made up on the railway question, and must have strong views and strong convictions on it. And the Government might have consented to that adjournment, and have gone on with other business.

THE PREMIER: It was too early.

MR. MORAN: However, now that he was dealing with the matter he did not propose to be hurried in the slightest degree by anybody or anything. [THE PREMIER: Hear, hear.] The Labour party could avert what they sought to have averted, and that was the placing of the railways of Western Australia under an irresponsible commissioner. He made a direct appeal to the member for Subiaco as the only remnant of the faithful Labour party left in this Chamber, and he wanted it to be on the pages of *Hansard* in order that at the next election it might be turned up plainly. But Mr. George was in the position, and let him remain. There was no need for legislation of this kind. But once this Bill got into Committee, the Labour party would no longer be solid. [MR. DAGLISH: The Labour party had not the

balance of power.] The Labour members would alone be responsible if the commissionership system was carried in this House. They had the balance of power on this question. [MR. DAGLISH: No.] Yes; the Labour members had it in their power to vote against the second reading of the Bill. Whatever abuses Opposition members had attacked, they had been deserted by those calling themselves the people's elected representatives. The leader of the Labour party (Mr. Hastie) had left the Chamber. He knew he was not doing his duty, and he did not like to sit and listen and be told he was not doing it. There was opportunity to-night to stave off until next general election the question of the great change in the railway administration of Western Australia, and the Labour party could grasp it or let it pass, if they liked. If the Bill passed the second reading, members might say "We have done our best on the constitutional aspect, and cannot do more. Now we must make the best of a bad bargain and give to somebody the responsibility, and give it to Mr. George in full." It was very inadvisable for the members for Fremantle to go home yet. They could never tell what would happen to this Government. Members on the Opposition side were pretty determined men. They did not stop at trifles, and were fully prepared to take the consequence of their rash action. They were fearless, and took the responsibility of what happened. They would not shirk duties, even if their action sent them back to election next week, which was not a very pleasant anticipation for him or for anybody else. Still, stern duty demanded it, and he was prepared to take that position, if it came along on a question like this.

MR. NANSON called attention to the state of the House.

[Bells rung and quorum formed.]

MR. MORAN: It was a very early hour for members, and particularly members of the Labour party, to swear away the very existence of the men they were supposed to represent, by refusing to watch their interests and listen. He was saying a moment ago to the leader of the Labour party, hoping to reach him where he was, that on his head—[at this stage Mr. Hastie again left the House]—the

hon. member could not stand it. On his head would be the responsibility if honest men, having made their protest, were at all influenced by the member for East Fremantle, and followed him in this matter. He (Mr. Moran) would rather follow a man who was earnest from conviction than dilly-dally about between opinions such as those which the Bill proposed. He had done, and was doing his best to prevent its coming to that issue, to prevent the Government from perpetrating this abortion. He was doing his best to point out that Mr. George had full power, that he had not too much power, that he had no power which was not consistent with responsible government, that this Bill going into Committee with the names of commissioners might be made into a commissioners Bill, and the Government were winking at that scheme; that the Government were hoping there was a majority which would alter the Bill in Committee, because their main desire was to dish the Labour party. It was the desire of the late Mr. Leake, who was a clever tactician, when he schemed with leading members of the country party on this side of the House to form a coalition. The late Premier was prepared to accept a coalition, to get rid of what to him was a noxious tyranny in political matters, the Labour party. The Colonial Secretary, the Minister for Railways, and the State Treasurer to-day would hail with delight a non-party move in the House that would place the Labour party out of calculation. Was the member for East Fremantle at variance with his late chief? We should have the Labour party getting up directly in mock heroics.

THE PREMIER: Was there no limit to this sort of stuff? We were discussing the Railways Amendment Bill, and for the last quarter of an hour the hon. member had been discussing what the late Premier did or did not do.

THE SPEAKER: The hon. member was irrelevant.

MR. NANSON: Was not the hon. member in order in seeking for the motives which actuated the Government in bringing in the Bill?

THE SPEAKER: The hon. member was not relevant to the question before the House.

MR. MORAN: The motives the Government had in introducing the Bill were the same as those of the late Government. Why did the Premier get up in his place and say they were not? Why did the Premier say this was not a party question? To the Labour party it was life or death; but the Premier simply said "If I can get support without your support, I do not want it." Members had been taught to believe in party government. He was seeking, by all means in his power, to stir up public feeling on this question and to stir up the members of the Labour party. Why did the leader of the Labour party resent any reference to the Labour party? Was the Labour party so sacred that they were not to be touched? If they thought so, they had come to the wrong man when they came to him. He had no more respect for the Labour party than he had for any other party in the House. He bumped against their prejudices as he bumped against the prejudices of anybody else. The Labour party were the most conservative party in the country, because they were absolutely bound before they come into the House. This Bill did not belong to the present Government at all. The Premier came in when the Government were pledged to this measure, and probably the influence of the present Premier had whittled this great mountain of the commissioner system down to the paltry level of the dunghill of the present Bill. Probably the influence of the Premier and his love for responsible government had whittled this question down in order not to give his railway commissioner too severe a bump, and in order not to degrade the Colonial Secretary. The Premier has introduced a Bill which he had thought would give the people of the Eastern States the idea that the James Government had brought about a mighty change and had followed in the wake of the Eastern States in introducing the system of commissioners. The Bill was an absolute abortion. The hon. member for East Fremantle had said that the Government were tricking the country.

MR. HOLMES: Nothing of the kind.

MR. MORAN: It meant the same thing. The commissioner was put before the country as a warrior, as a dangerous man with power to kill; but to all intents and purposes he might as well be armed

with a quill and potatoes. The Government had promised a gun and given a gas-pipe.

MR. STONE called attention to the state of the House.

[Bells rung and quorum formed.]

MR. MORAN: One was glad to gain his point. He now learned that he could have an adjournment whenever he wanted it.

THE PREMIER: That statement was not made with his authority. He had told the leader of the Opposition half an hour ago to move the adjournment.

MR. MORAN: Had the hon. gentleman changed his mind?

THE PREMIER: The hon. member individually could not have an adjournment.

MR. MORAN: It was most unpleasant to be compelled to take these measures in order to awaken interest in a big political question. The Bill proposed that a statement of dismissals and removals should be laid before the Minister every year; but what was the necessity for such a statement in view of the circumstance that no employee could be removed or dismissed without ministerial sanction? More sham, more delusion, more snare. Had the Government arrived at a decision to drop the commissioner Bill, the House and the country would have respected them. Why should the Government climb down in an unconstitutional and undignified manner when a dignified and constitutional retreat was open to them? This speech was not stonewalling. If members new to the House would refer to some debates of the past in which the member for East Perth had taken a leading part, they would find examples of stonewalling. He (Mr. Moran) had taken a moderate course in order to secure strong and intelligent debate on an important question. The Opposition were actuated by no desire to take possession of the Treasury benches, recognising that a change of Government, in view of the probability of an early appeal to the country, was altogether undesirable. Let hon. members generally vote against this tinkering Bill, so that we might have another measure on well-defined lines. The matter should be let alone until the country had spoken on it. The Government had practically made this Bill a non-party question by giving their

supporters a free hand. Moreover, if the measure were thrown out Mr. George would still be General Manager of Railways, guaranteed for five years in his position. We should have Mr. George's report next year, we should have a good notion whether he was capable of managing the railways, and should then be able at the general elections to make up our minds on the question.

MR. NANSON called attention to the state of the House.

THE PREMIER: The hon. member had sent out his own men.

MR. MORAN: No.

MR. NANSON: Opposition members could not be ordered to remain.

[Bells rung and quorum formed.]

MR. MORAN: The Government should keep a House.

THE PREMIER: The Opposition should assist.

MR. MORAN: Things were getting to a stage when members would have to sit in their seats and earn their £200 a year.

MR. JACOBY called attention to the state of the House.

[Bells rung and quorum formed.]

MR. MORAN: Both the member for East Fremantle (Mr. J. J. Holmes) and the member for Dundas (Mr. Thomas) were enthusiastic supporters of the commissioner system. The latter was a little more logical than the former.

THE PREMIER: Mr. Holmes thought it unfair to try to count out a Bill like this, whatever might be his views on the second reading.

MR. MORAN: What a learned disquisition on the powers of British Parliaments! It was not fair to make use of what was held as a sacred gift of liberty in all Parliaments. Did the Premier wish to impugn the fairness of the standing orders of all Parliaments the world over? Then it was time to remove such a standing order. It was fair to use every constitutional plan to frustrate improper legislation on high political questions.

MR. JACOBY called attention to the state of the House.

[Bells rung and quorum formed.]

SPEAKER'S RULING.

THE SPEAKER: There was a quorum here now; but he would not subsequently stop the debate for want of a quorum.

In this he followed the example of the Speaker of the House of Commons, who declined to count the House after a recent count when he found a quorum present. This repeated calling attention to the state of the House was an abuse of privilege, and was, in his opinion, an organised obstruction to debate.

MR. MORAN: To keep a House together was the duty of the Government, the dominant party in the House.

THE SPEAKER: Well, the Government had certainly tried to keep the House together, and the number of members present on the Government side had been much larger than those attending in Opposition.

DEBATE.

MR. MORAN: It was satisfactory to know that the Bill had been saved by the members for Kanowna (Mr. Hastie) and Hannans (Mr. Reside), who stuck manfully to their guns. But for the Labour party, the Bill would not have been brought in; and but for those two members, it would have been counted out and the country would have had a chance of deciding on it. Was that in keeping with those hon. members' pledges? The member for East Fremantle had said he believed in three commissioners and a general manager. That would be an aggravation of the present system of a commissioner and a Minister. The hon. member would have three more men than had been doing the work in the past, and three more men than the Labour party believed necessary to do the work. It would be well to have a ruling on this question of a quorum. Would the member for the Swan (Mr. Jacoby) call attention to the state of the House?

POINT OF ORDER.

THE SPEAKER: The hon. member should not speak in that manner. It was most disrespectful to the Chair.

MR. MORAN: The desire was merely to have a record made of a new rule.

THE PREMIER: The ruling had been given five minutes ago.

MR. NANSON called attention to the state of the House.

THE SPEAKER: No notice would be taken of the hon. member's point of order.

MR. NANSON: Would the Speaker give a ruling on the point?

THE SPEAKER: A ruling had been given.

MR. MORAN: With that ruling he disagreed.

THE SPEAKER: It was, he had stated, an abuse of the privileges of this House to constantly call attention to the want of a quorum, for the purpose of obstructing debate. Members absented themselves from the House on purpose that there should not be a quorum.

DEBATE.

MR. MORAN said he did not know. Anyhow, he had that ruling, which was all he required, and he should use it most liberally on every possible occasion when a quorum was absent from the House. By that time we should have arrived at the stage when a most sacred principle of this House would have been violated, and a small minority would be able to carry a Bill. He wanted to have that recorded and put into history. He was aware of his responsibilities as one of the people's representatives, and he did not propose to lose one tittle of them except in a proper authorised way, so that he could point to the fact that it was not his fault it was lost. The Government party were united in one thing, and that was to keep together and to hold power, no matter how much they might differ on policy. What line of policy would they stick to? They would not stick to the question of parliamentary control of the rates, because they voted to keep in power the present Government, who had increased the rates to the goldfields. The goldfields members battled for the Government who increased the railway rates, and came down and asked the House to build another line to reduce rates. What a number of geniuses there were from the goldfields at the present day! He excused the member for Boulder (Mr. Hopkins), who was ill in bed at the time. [Interjection by Mr. HASTIE.] He had nothing to be ashamed of in his representation of the goldfields, and, if he had to fight to-morrow, he would as soon fight the member for Kanowna as anyone.

MR. HASTIE: Why did not the hon. member do so?

MR. MORAN said he was always game to take the responsibility of his actions.

POINT OF ORDER.

MR. NANSON called attention to the state of the House, a quorum not being present.

THE SPEAKER: A ruling had been given by him, and he did not intend to take any notice of this.

MR. NANSON read Standing Order 140:—

Upon a question of order being raised, the member called to order shall resume his seat, and after the question of order has been stated to the Speaker by the member rising to the question of order, the Speaker shall give his opinion thereon; but it shall be competent for any member to take the sense of the House after the Speaker has given his opinion, and in that case any member may address the House upon the question.

He would have to dispute the Speaker's ruling.

THE SPEAKER: Very well. Then the hon. member must make a motion to that effect.

MR. NANSON said he would like to address the House with regard to the question.

THE SPEAKER: The hon. member could make a motion, if he liked, that the House disagree with his ruling.

MR. NANSON: Very well; he would make the motion. The motion he wished to submit was:—

That the House do disagree with the ruling of the hon. the Speaker on the question of a quorum.

THE PREMIER: That ruling was given some minutes ago, and it was disposed of. It was now too late to raise the question.

MR. MORAN: There was no discussion on it.

THE PREMIER: This was a motion of disrespect. He was supporting the ruling of the Speaker. He had some respect for the Speaker, if for nobody else. The Speaker's ruling was given some minutes ago, and the debate had been proceeding since that time. It was not competent now for a member to raise objection.

MR. NANSON: The ruling had been re-obtained.

THE PREMIER: It would be childish to say, when a ruling had been given five minutes before saying a certain thing

could not be done, that the objection could be repeated.

MR. MORAN: The standing order was not quoted.

THE PREMIER: It was too late now. The ruling was given on the point, and debate proceeded.

THE SPEAKER: The objection should, he thought, have been taken at the time he gave the ruling, and not afterwards.

MR. NANSON: Of course there were other means of calling attention to this matter. He would take the first opportunity of doing so by moving the adjournment of the House.

THE SPEAKER: The hon. member could not do that whilst another member was speaking.

MR. NANSON said he would have a means of doing so at the beginning of the next sitting.

THE PREMIER asked the hon. member not to use idle threats, but wait till tomorrow, when he would be cooler.

THE SPEAKER: The member for West Perth (Mr. Moran) was in possession of the House, and the hon. member (Mr. Nanson) could not make a motion whilst the member for West Perth was speaking.

DEBATE.

MR. MORAN said he was delighted to see the tactics of the leader of the House, who dared not commit himself to a vote on the Speaker's ruling. Was it well that a Government, with an overwhelming majority, should be unable to have 17 members present? Were the other members of the majority tame cats?

POINT OF ORDER.

MR. NANSON rose to a point of order. He said he desired to dispute the Speaker's last ruling.

THE SPEAKER: The hon. member could not dispute it.

MR. NANSON: By rule 140 he could, he thought, dispute the Speaker's ruling.

THE SPEAKER: These were merely obstructive tactics.

MR. NANSON quoted Standing Order 140. The hon. the Speaker had, he observed, just given his opinion.

THE SPEAKER: The ruling was given just now that the hon. member could not bring forward this question, as he did not make an objection to it at the time the ruling was given.

MR. NANSON: Then the Speaker raised another question.

THE SPEAKER: Another question was not raised by him at all. He ruled that the hon. member was out of order.

MR. NANSON said he could only submit.

DEBATE.

MR. MORAN (resuming) said he would prove what he had stated, that this Bill was exactly the law as it existed in the past. Railway reports would show that Mr. Davies always asked for goods and supplies of stores, and the Government now proposed to pass a clause which was already in existence. The Government did not dispute that. They had no policy to dispute about. It was lack of policy on the part of the Government which was leading the House where it was going. Had the Government gone for three commissioners or one, there would have been a distinct line of policy. The Government had said that the wretched Labour organisations were to blame; but now the Government went to the Labour party and made friends with them. Had there not been a secret conversation between the Premier and the member for Kanowna? The member for Kanowna on the Address-in-reply excused the Government, and then when the danger was past he fired blank cartridge at them. The Government told the member for Kanowna to allow the Bill to pass the second reading, as it would be a nasty thing to have it thrown out; but the Government had made a promise that in Committee the dragon should have every tooth drawn, so that it would not hurt anybody. Mr. Commissioner George was to have no control over the men or the rates. Look at Clause 17, which meant that if one of the commissioners was sick or away on a holiday, and that the two other commissioners differed, the whole caboose was locked up. If one man was away, and a big question of a strike cropped up, that question would be locked up. There were to be three figure-heads, powerless to do good, but powerful to do harm. Supposing one commissioner was away gathering information in the East, was there power to appoint one commissioner in his absence?

THE MINISTER FOR MINES: The Bill gave that power.

MR. MORAN: That was a point he wished to get from the Government. If the head serang was away on some important business in the East, and the two lesser lights disagreed, everything would be locked up unless the head commissioner was sent for: But according to Clause 10, there was a means of getting over the difficulty, as the Government could, on a big question, bring in an outsider to settle the difference. The Bill gave power to appoint a commissioner temporarily; but should a temporary man be appointed when there was a difference of opinion between two commissioners?

SPEAKER'S RULING, SUSPENSION.

THE SPEAKER: Will the hon. member please sit down?

[Mr. Moran remained standing.]

THE SPEAKER: The hon. member must sit down. I will read out what is the practice of the House of Commons in a case of this kind, and I am going to put it into practice:—

That Mr. Speaker or the Chairman, having called the attention of the House or of the Committee to the conduct of a member who persists in irrelevant or tedious repetition, either of his own argument or the argument of other members used in the debate, may direct him to discontinue his speech.

If the hon. member does not talk relevantly to the question before the House, I must ask the hon. member to discontinue his speech.

MR. MORAN: The Speaker has his privileges, and I have mine.

MEMBERS: Chair!

MR. MORAN: The highest privileges of Parliament are the people's rights, and I am doing my best to protect them. I am not afraid, and if the axe is to fall, let it fall straight away. I am quite prepared to sit down at once.

THE SPEAKER: I have called the attention of the House to the conduct of the hon. member.

MR. MORAN: Certainly.

THE SPEAKER: I consider the conduct of the hon. member has been highly disorderly.

MR. MORAN: Let the axe fall at once. If the Speaker considers I have been highly disorderly, it is time I was ordered to discontinue my remarks.

THE SPEAKER: I order the hon. member in consequence of his grossly disorderly

conduct, to withdraw from the House during the remainder of this day's sitting.

MR. MORAN: Certainly. Will that mean for the whole of the sitting, until half-past four to-morrow?

THE SPEAKER: The hon. member is suspended for the sitting.

[Mr. Moran retired to the door.]

THE SPEAKER: The hon. member must leave the House.

MR. MORAN (at the door): May I be allowed to get my papers [walking towards his desk and removing papers].

On motion by MR. WALLACE, debate adjourned.

ADJOURNMENT.

The House adjourned at 22 minutes past twelve midnight, until Wednesday afternoon.

Legislative Assembly,

Wednesday, 27th August, 1902.

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THE SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.

QUORUM IN DEBATE—PROCEDURE.

[Mr. Speaker having, at the previous night's sitting, refused to count the House again after attention had been called repeatedly to the state of the House, and a member having been suspended, the matter was now brought up as one of "urgency."]

MR. J. L. NANSON (Murchison): I wish to call attention to a matter of