

Legislative Assembly,

Thursday, 26th August, 1897.

Question: Railway and Tramway to Owen's Anchorage - Paper Presented—Hainault Gold Mine Bill: second reading and other stages—Roads and Streets Bill; discharge of order—Motions withdrawn: Hainault Lease, Coolgardie Water Supply (Select Committee), Taxation on Food—Message: Prorogation; Assent to Bills.

THE SPEAKER took the chair at 11 o'clock a.m.

PRAYERS.

QUESTION—RAILWAY AND TRAMWAY TO OWEN'S ANCHORAGE.

MR. HIGHAM (for Mr. Locke), in accordance with notice, asked the Premier,—(1.) Whether the Government had decided to build a railway or tramway to Owen's Anchorage? (2.) If not, when a decision would be arrived at?

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piessé) replied:—(1.) A survey has been made and estimates have been prepared, as promised. The matter is now being considered. (2.) When the financial arrangements for the year are completed, that is to say, when the Estimates are prepared.

PAPER PRESENTED.

THE PREMIER laid on the Table the Gold Mining Statistics for the half-year ended 30th June, 1897.

HAINAULT GOLD MINE BILL.

SECOND READING.

THE PREMIER (Rt. Hon. Sir J. Forrest) moved the second reading of this Bill, which, he said, would not require any more explanation than he had given on the previous evening. He altogether agreed with hon. members who regarded it as undesirable that Bills of this character should be introduced into Parliament, and only great necessity made the Government take the course of asking the House to pass the measure. He felt that it was asking a great deal of hon. members to agree to passing a Bill so hurriedly, but he appealed with confidence to them to assist the Government in the matter. He

had had to ask hon. members to do a great many things during the last few days which, had it not been for pressure of time and exceptional circumstances, he would certainly not have asked them to do. The Government and himself were under great obligations to the House for such assistance rendered during the last week; but hon. members, in assisting himself or the Government, were assisting the country. He was sure that when the time came that the positions in that House might be reversed—[MR. ILLINGWORTH: Never]—when he and those with him would occupy the seats now filled by hon. members opposite, he hoped he would endeavour to assist the Government then in power whenever necessity arose, as he should do when he remembered how the present Opposition had assisted the Government. In introducing this Bill, the Government had no desire to take away the rights of any people without some compensation. The object was to do justice to the holders of the Hainault lease. He believed the legislation now proposed would have a very good effect, perhaps a greater effect than was to-day imagined, upon the general mining business of the colony. It would show capitalists in England, and in other parts of the world, that the Parliament of Western Australia was, above all things, desirous of protecting people who invested their money in the colony, and that under no circumstances would any interference be permitted, so far as the Government could prevent it, with the title of persons whose property, through no fault of their own, had become unsafe. The Government would deal with the question of compensation, and the only reason that a provision in that direction was not included in the Bill was, if that were done, this would become a money Bill, which would render it necessary to commence the special legislation all over again, seeing that a money Bill could not be introduced in the Upper House. He had informed hon. members who knew a good deal about the matter, what the Government were prepared to do, and what they took the responsibility of doing.

MR. SIMPSON supported the second reading of the Bill. It was fortunate the House took the action it did on the previous night, as that action distinctly

cleared the air in connection with this matter, which had now been explained to Parliament and to the people of the country. He expressed a general desire when he said that the people in London or anywhere else should be absolutely sure that property in which they had invested would not be forfeited for a mere technicality; and the passing of the Bill would establish that precedent. He understood a wrong had been done, and that for what appeared to him to be a very small amount, the claim which certain people thought they had on the Government would be settled. On the previous night he thought the Government were going to be mulcted in tens of thousands of pounds. He now regretted that this wretched little matter should ever have been brought before Parliament in the form of a claim for compensation, which would only amount to a few hundred pounds. If the Premier had been in the colony, the claim would never have been dragged into Parliament, but would have been settled in a reasonable way long ago. He (Mr. Simpson) would do everything he could to facilitate the passing of the Bill, happy as he was to see that for a very small amount justice would be done, and security of tenure given to *bona fide* investors in the country.

MR. MORAN said that notwithstanding the fact that many urgent wires had been flying about that morning, and that the question as to whether the rent of this lease had been paid was still unsettled, he was, after the action he took on the previous night, not going any further in the matter. He endorsed what had been said by the hon. member for Geraldton, and thought that perhaps it would have been better if this matter had been settled out of Parliament altogether. But the principle for which he had fought had been established, namely the principle laid down in the Goldfields Act that land could not, without compensation, be leased over the heads of miners who had pegged out. Apart from that, he did not say he had the slightest sympathy whatever with the parties to the suit. Nothing could justify a wrong being done by a deliberative body like Parliament, which was now admitting that the law must be upheld for rich and poor alike.

Question put and passed.

Bill read a second time.

The Standing Orders having been suspended by resolution, the Bill went through its remaining stages without amendment, and was *passed*.

ROADS AND STREETS BILL.

DISCHARGE OF ORDER.

On the motion of the PREMIER, the Order of the Day for the second reading of this Bill was discharged.

MOTIONS WITHDRAWN.

Notices of motion read.

HAINAULT LEASE.

MR. MORAN withdrew the notice of motion for the production of documents, etc., relating to the Hainault mining lease. Notice withdrawn.

COOLGARDIE WATER SUPPLY (SELECT COMMITTEE).

MR. ILLINGWORTH withdrew the notice of motion for the appointment of a select committee *re* Coolgardie water supply scheme, conditionally; and the PREMIER readily complied with the condition, by promising that no contract should be entered into, relating to the scheme, before Parliament met again.

Notice withdrawn.

TAXATION ON FOOD.

MR. SIMPSON (for Mr. Leake) withdrew the notice of motion for reduction of the taxation on food immediately; this course being taken in view of the state of public business.

Notice withdrawn.

At 11:20 a.m. (the business of the session being concluded), the Speaker left the Chair.

At 11:45 a.m. the Speaker resumed the Chair.

MESSAGE—PROROGATION.

ASSENT TO BILLS.

A Message from the Governor, proroguing Parliament, was read as follows:—

“GERARD SMITH,
Governor.

“The Governor has the honour to transmit, herewith, a Proclamation under his hand and the seal of the Colony, proroguing the Legislative Council and the

Legislative Assembly to Wednesday, the 6th day of October next.

“The Governor thanks your Honourable House for the attention which you have given to the Bill to constitute the Commonwealth of Australia, and in Her Majesty’s name hereby assents to the following Bills which you have passed:—

“1. ‘An Act to amend the Act of the 57th Victoria, No. 2, authorising the Issue of Treasury Bills.’

“2. ‘An Act to apply out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund the sum of Eight Hundred and Fifty Thousand

Pounds to the Service of the Year ending 30th June, 1898.’

“3. ‘An Act for the Election of a Representative of Western Australia in the Convention provided for by The Australasian Federation Enabling Act of 1896.’

“4. ‘An Act to re-establish the title of the Hainault Gold Mine, Limited, to the Gold Mining Lease No. 81 E.’

“Government House, Perth, 26th August, 1897.”

Proclamation read.

The session then closed.