

On motion by MR. HIGHAM, debate adjourned until the next Wednesday.

ADJOURNMENT.

The House adjourned at 10-10 o'clock until the next Monday evening.

Legislative Assembly,

Monday, 30th October, 1899.

Paper presented—Statutory Declarations Amendment Bill, second reading, in Committee, reported—Cottesloe Lighting and Power (private) Bill, second reading, Committee (*pro formâ*)—Motion: Railway Administration (Censure), debate resumed and adjourned—Municipal Institutions Bill, in Committee, Clause 344, progress—Adjournment.

THE SPEAKER took the Chair at 7-30 o'clock p.m.

PRAYERS.

PAPER PRESENTED.

By the COMMISSIONER OF RAILWAYS: Fremantle Cemetery Board, balance-sheet for year ended June, 1899.

Ordered to lie on the table.

STATUTORY DECLARATIONS AMENDMENT BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather) in moving the second reading, said: This Bill consists of one clause only, and its object is to give power to the Registrar of the Department of Mines to take statutory declarations. Such a proviso should have been inserted in the Act passed about 18 months ago, which this Bill seeks to amend; but unfortunately a mistake was made, and the title of this officer was omitted.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

COTTESLOE LIGHTING AND POWER (PRIVATE) BILL.

SECOND READING.

MR. JAMES (in charge of Bill): I beg to move the second reading of this Bill, which makes provision for the establishment of electric lighting works, for the manufacture of gas, and for the distribution of gas and electric light in the suburban districts of Cottesloe and Peppermint Grove. The local authorities of those districts have conferred with the Select Committee to which this Bill was referred after its first reading, and the amendments desired by those authorities appear in the Select Committee's report. If this second reading be adopted I propose, if the House will permit, to go into Committee *pro formâ*, for the purpose of embodying those suggested amendments, and to pass the Bill through its Committee stage at a later period.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Amendments adopted *pro formâ*.

Bill reported accordingly; report adopted, and the Bill to be reprinted with amendments.

MOTION—RAILWAY ADMINISTRATION.

Debate resumed from 25th October, on motion by Mr. Holmes:

That in the opinion of this House, the present administration of the Railway Department is unsatisfactory.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse): The reason I had, in moving the adjournment of the debate on the motion by the member for East Fremantle (Mr. Holmes), was that I had not been made acquainted with the details of the charges which the hon. member intended to make against the department. Had I only had some details given me of the serious charges which the hon. member intended to make, I could no doubt have replied to him that evening, instead of having to move the adjournment for the purpose of obtaining further information. I think the hon. member might have taken a course

which perhaps was due to me, when he brought forward such a motion, and have acquainted me with some of the facts to which he intended to refer. Had he done so, it would not have robbed the motion of any of the sting which he intended to convey, and would have given me an opportunity of dealing with it then, and thus have saved the time the motion will now take up.

MR. HOLMES: Is that the usual thing to do?

THE COMMISSIONER OF RAILWAYS: I think it is, in a case of this sort. I say this, however, that notwithstanding the fact that the hon. member sought to make charges against the department I administer, I was quite prepared even then to reply to many of those charges, and further, to give such information to the House as would at once have relieved my department and my administration of the responsibility which he endeavoured to cast upon them. I will show that I do not fear any of the charges he has made, and I will leave the House to judge, after members have heard my explanation, whether the charges made by the hon. member are supported or not by the assertions to which he has given utterance. To say that I knew nothing of many of the cases which he brought before me is to say that which hon. members know is misrepresentation, because, as a matter of fact, the hon. member obtained his information from someone who knew, as the hon. member would be aware, that all these facts had been brought under my notice, and had been decided by me, with the exception of one or two, after recommendations were made by the responsible officers in my department.

MR. HOLMES: I never said you did not know.

THE COMMISSIONER OF RAILWAYS: You did.

MR. ILLINGWORTH: No.

MR. HOLMES: I said that if the hon. member did not know, he should know.

THE COMMISSIONER OF RAILWAYS: That is another way of saying I did not know. At any rate, I am ready to deal with the matter now. It will take some time to reply in detail to the various charges which have been made, and I will ask the House to bear patiently with me during the course of my

remarks to-night, because the remarks of the hon. member and the charges made would, if I were not able to give a denial to them, or an explanation satisfactory to the House, be casting a serious imputation on my administration and on the Government generally. With regard to the purchase of 40 wagons, obtained from the Seabrook Battery Company for £90 each, or a total of £3,600, I have already replied to questions put to me by the hon. member, and if he had desired to get further knowledge on this matter, further information could have been afforded; but I will say this, that although a valuation of £40 was given by the Locomotive Engineer on the occasion when he was asked to give a valuation, we must not forget that when making a valuation the Locomotive Engineer, no doubt, had before him the possibility of the department purchasing the wagons, and he put a very low estimate of value on them. I will read an extract from the report which was given by that officer, which will show you what was in his mind at the time. I will also give an extract from the minutes of a conference held subsequently, at which this officer was present. The Locomotive Engineer said in his report:

(a) On the 24th, November, 1897, District Locomotive Inspector, Northam, reported having inspected these wagons and estimated their value at £80 each. On the 2nd December, 1897, I reported concerning these trucks, and recommended that they be not purchased for reasons then stated. (b) On the 25th April, 1898, in reply to further correspondence, I stated that the value of the trucks to us would depend entirely on the use which could be made of them, but valuing them simply as a piece of constructed ironwork their value was assessed at £120 each. (c) On the 3rd May, 1899, in reply to further correspondence, I reported that, compared with our high-sided truck, the value of which is about £90, the value of these trucks to us, as they stood, and before necessary alterations were effected, would be between £30 and £40 each.

That was the valuation given by the Locomotive Engineer.

MR. VOSPER: What were the reasons then stated? He said he reported against that for reasons then stated.

THE COMMISSIONER OF RAILWAYS: I am not prepared to give those off-hand. This is a copy of a minute of proceedings on the 1st July, 1898, at the Commissioner's conference,

at which Mr. Campbell, the Locomotive Engineer, was present, and I read it now because I want to explain what took place. This is minute 644 :

Purchase of trucks from Water Trust Mining Co.—This matter was submitted for consideration of a proposal to purchase from the Water Trust Mining and Public Crushing Co. 40 iron trucks suitable for loose ore or for water traffic. The matter has been in negotiation with the company for some considerable time, and it was considered that, in the event of their purchase by the department, they would prove of service for the conveyance of loose ore from Kanowna to Kalgoorlie, and for water on return journey. There is also a prospect of an iron ore traffic developing from Baker's Hill to Fremantle in connection with the new smelting works, and in this connection also the use of these trucks would be profitable. Their value had been estimated at £120 per truck, but certain alterations would be necessary to bring them into conformity with the Government standard types, involving an expense of about £25 per truck. Pending the result of negotiations freight accounts to the value of £4,000 have been allowed to stand over, the department holding a lien upon the trucks as security. The matter was fully discussed in all its aspects, and it was decided to make the company an offer to purchase the wagons at £90 each. In the event of this offer being accepted the amount will be charged to rolling stock vote.

In regard to a remark made the other night by the hon. member, that we allowed the company to incur a liability of something over £4,000, and without taking from them the usual guarantee, I may say we had taken from them the usual guarantee; but they exceeded the amount of the guarantee, and as they were negotiating in connection with an industry which at that time meant a great deal to the goldfields, it was considered undesirable to nip that industry in the bud, and it was thought we ought to give them every assistance possible. As the company were not perhaps at that time so well able to carry on this work and provide the necessary funds at once, a lien was taken over these wagons, pending the negotiations with regard to the purchase; consequently, the Government held a lien over these wagons to the extent of £4,000. That was the amount of the liability which they had incurred, and it was only after the company had found it necessary to sell these wagons that they asked the department to purchase them. The price asked by the company was £120 per truck, and the

trucks originally cost something over £160. They were built upon a certain design, and were not constructed until after that design was approved by the Locomotive Engineer of the department, so that we were responsible for the trucks, in a measure, by having accepted that design. If there is any fault in regard to the draw-gear, which was mentioned the other night, the department had already accepted the design from the promoters of the company, and this design was in keeping with the design used by the department at that date; but subsequently, in consequence of the light material of which this draw-gear was constructed, we adopted a modification of our draw-gear, the consequence being that to-day we have principally in use throughout our system a draw-gear much heavier than that which now forms a portion of those wagons. I think members will agree with me that this explanation is satisfactory. The department had at one time agreed to this draw-gear; therefore if any alterations were to be made in the draw-gear, we were almost bound to make them in order to bring it into unison with our own system.

MR. HOLMES: Are you not altering altogether the design of these trucks?

THE COMMISSIONER OF RAILWAYS: Yes. Perhaps the hon. member is not able to go back so far as I am. All that I speak of took place before I came into office. I think a proposal was made by a company called the Seabrook Battery Company, to supply wagons of a certain type. The wagons were made to carry ore from the goldfields and water to the fields, and were constructed on a certain design to make them useful for the dual purpose. This is the reason they were constructed on this type, and hence they cost more money. When we purchased the wagons at £90, we were well aware that we would have to make some alterations, and the cost of these alterations was estimated at £12 to £15 per truck. Although the alteration has in fact cost from £10 to £15 per truck, still it must not be forgotten that these trucks are of a type which, although not of the same pattern as our own, are constructed of material which will be more durable. These people had entered into negotiations with the Government in regard to the matter, and the

Government, with a desire to help them, took a lien over the wagons, and subsequently decided to purchase them at £90 each, the money being paid from the rolling-stock vote. The money was paid to the company, and the company paid it to the Government by way of revenue. The Locomotive Engineer wanted to buy the wagons as cheaply as he could, and if he could have obtained them at the price of old iron he would have done so.

MR. ILLINGWORTH: Was the valuation of £40 right or wrong?

THE COMMISSIONER OF RAILWAYS: I consider it was wrong.

MR. HOLMES: Do you pay an officer £800 a year to mislead you?

THE COMMISSIONER OF RAILWAYS: I have nothing to say against the Locomotive Engineer, but he was present at the time the arrangement was fixed up, and no objection was offered by him to the purchase of the wagons for £90 each. He could have raised his voice, and attention would have been paid to that. If he had raised his voice, it might have gone a long way to assist us; but he did not do so. If he had done so, the fact would have been recorded in the minutes of the conference. Ordinarily we would have followed the advice of the Locomotive Engineer; but, after all, it remained for the management to consider whether, under the circumstances, we were justified or not in purchasing the wagons as we did purchase them.

MR. MORGANS: He said at one time their value was £90 each?

THE COMMISSIONER OF RAILWAYS: He said "The value of the trucks"—these are his own words—"to us would depend entirely on the use which could be made of them; but valuing them simply as a piece of constructed ironwork, their value was assessed at £120 each." He put the value down at £120, but the department considered that £40 should be the value of the wagons. That was the recommendation to us. We took the question into consideration and fixed the matter up, and in the circumstances I think we were justified in doing what we did.

MR. A. FORREST: You wanted to make your debt secure also.

THE COMMISSIONER OF RAILWAYS: Yes; we had a lien on the wagons,

and we took the wagons at the price I have mentioned. With regard to Wilkie Brothers, it was mentioned by the hon. member that we wrote off a balance of £1,250 remaining on the books till June, 1898; and he stated the amount was due from Wilkie Brothers for the use of rolling-stock. I think I need only briefly reply to this, and I may say we admit that the amount was shown to be due by Wilkie Brothers on the day mentioned; but under an arrangement we had with the contractors at the time, the charge for all wagons used in the conveyance of goods from Southern Cross to the head of the line, was to be 10s. per wagon, and under the conditions of the contract we were also bound to supply ballast wagons at 4s. per wagon. When the wagons were supplied the charge at Southern Cross was made all round at 10s. per wagon, and the consequence was that when the account was rendered Wilkie Brothers naturally disputed the charge, as certain wagons should have been charged at 4s. each, whereas they were charged at 10s. The difference in this instance was accounted for by a number of the wagons being charged erroneously by the station-master at Southern Cross at 10s., when they should have been charged at 4s.

MR. HOLMES: Was 4s. specified in the conditions?

THE COMMISSIONER OF RAILWAYS: It was specified in the conditions of contract.

MR. HOLMES: Why was the amount left as a debit for 18 months?

THE COMMISSIONER OF RAILWAYS: For adjustment purposes. The rule in dealing with contractors is to leave matters of this kind to be adjusted at the termination of the contract. All amounts for rolling stock which become due are generally paid; but if a contractor thinks he is overcharged he generally refuses to pay, and the account is adjusted at the final settlement.

MR. HOLMES: But Wilkie Brothers contract terminated in 1896.

THE COMMISSIONER OF RAILWAYS: Mr. Wilkie was away from the colony, and did not return for a considerable period. When he came back this matter was adjusted. This disposes of that item. The books may be seen at any time by any member of the House who wishes to see them, and they will

show that the charge of 10s. was erroneously made; and as we could not substantiate the charge, we were bound to make the alteration in the account.

MR. HOLMES: If the charge was erroneously made, why did you stand by it for two years?

THE COMMISSIONER OF RAILWAYS: Because the contractor was away from the colony. I am dealing briefly with these matters. In regard to Hedges' account, the hon. member knows that no settlement has been made in regard to the Bridgetown railway. Certain debits stand against Hedges in the railway books, and we have made frequent applications to him to settle, although we do not resort to extreme measures in these cases. We have still claims to settle with Mr. Hedges; therefore the account has not been finally adjusted with him. In connection with this matter, Mr. Hedges informed us that Mr. Cleland, who was engaged with Mr. Hedges during the whole time of the construction of the Bridgetown line, has been so fully occupied in making up claims which have been made against the Government that this officer could not be spared to come to Perth and discuss the matter with the Traffic Department. That is the reason why delay has occurred. I can assure the hon. member we shall take the first opportunity to settle the account. If the hon. member had had as much to do with these matters as I have, he would know there is a great deal of difficulty in regard to rolling-stock. It was pointed out a little time ago that by allowing contractors the use of rolling-stock, instead of their having to provide for their work, a great deal of good has been done, as it enabled contractors to carry out work cheaper than if they had to provide their own rolling-stock; but the Railway Department have to suffer, because frequently this leads to endless claims, disputes, and trouble, which bring about the delays spoken of. In regard to the amount of £1,750 written off of Millar Brothers' account, and other sums in dispute, these consist principally of overcharges on sleepers, charged at actual weight instead of a certain number to the ton, also on long piles conveyed on three or four wagons, which were incorrectly charged by weight instead of by measurement. I may say that the whole of these

accusations which the hon. member has made against the department are all capable of explanation, are matters of adjustment; and the hon. member, as a business man, knows full well that in any large business, such as the department are engaged in, there are sure to be disputes and matters for adjustment cropping up continually. Our endeavour is, as far as possible, and there are many members of the House who know this, to endeavour to meet claimants and amicably to arrange disputes; and this is the only reason why we find ourselves in some instances having to write off accounts which at one time have been charged in the books. These disputes run on for a long time, but only until we can go into the matter thoroughly. These accounts are too long for me to go into in detail now, but I have the accounts on the table, and I will give the hon. member a copy. They show that the decisions arrived at were fair and equitable settlements. I can assure the hon. member, too, that the department have only come to the conclusions they have arrived at in justice to the people. We must take into consideration the fact that during the period in which these disputes occurred, the money paid by Millar Brothers to the Railway Department amounted to £50,000; and when we consider that such a large amount was involved, and that in the final adjustment only £1,750 was written off, I think hon. members will say that, after all, it was not a bad transaction.

MR. HOLMES: It looks very much like incompetence.

THE COMMISSIONER OF RAILWAYS: There is no incompetence. I am quite willing at this stage to say that I am ready to-morrow to have the strictest investigation made into the Railway Department; and I may say this to the hon. member, that in making these charges against us he could find no other method, only the one he has adopted, of raking up ancient history; that he went back to the period when we suffered extreme difficulty in connection with the railway block, and he has gone back to that period principally. Yet I may tell the hon. member we are ready to-day to have a board of inquiry or a board of expert accountants, whichever he likes, to inquire into these departments.

MR. HOLMES: Will you tell us what is pending now, if this is ancient history.

THE COMMISSIONER OF RAILWAYS: There is nothing pending now. With regard to the favouritism which is said to have been shown to Millar Brothers by waiving certain charges as to demurrage, we must not forget that the company own something like 300 wagons, which have constantly been travelling over our railway lines for a period of 18 months, and the accounts for demurrage are kept in the usual way, we keeping account for demurrage against them, and they keeping account against us.

MR. HOLMES: You do not undertake to return these wagons.

THE COMMISSIONER OF RAILWAYS: We do. If we take away certain wagons, we undertake to allow a certain amount for rebate, and we take care to send the wagons back within a reasonable time. If the wagons are not back—say they go to Fremantle and stay there for a certain length of time—we are responsible to the company for the return of the wagons. That is the practice which has been followed throughout: we have endeavoured to give and take in connection with these matters. When the accounts were compared, a difference of something like £60 between Millar Brothers and ourselves was found to be due to us at the final adjustment. Taking into consideration that these people have provided their own wagons—and I wish many more timber companies were able to provide their own wagons, as it would relieve the department of a heavy expenditure in rolling-stock—seeing that Millar Brothers have done so much to meet us, it is said we are favouring them when we are simply showing them that fair play which is their due. We have a debit and credit account kept, and in the end we find there is only a small difference of £60 in favour of the Government. Now we come to the 8,500 lost sleepers, in regard to the case of Baxter and Prince; and I think the hon. member was very unfair in the way he put this matter before the House.

MR. WILSON: What about the 1s. 3d. rate per truck on Millar's line?

THE COMMISSIONER OF RAILWAYS: We have entered into an arrangement by which no demurrage is

charged by them, and we do not charge them demurrage.

MR. WILSON: That is not demurrage, but truck hire.

THE COMMISSIONER OF RAILWAYS: It is a settlement in connection with that, and the matter has been adjusted by the contractors allowing our wagons on their line and the department allowing their wagons on the Government lines.

MR. HOLMES: But you charge 6d. per ton.

THE COMMISSIONER OF RAILWAYS: We do, when they run on our lines.

MR. WILSON: The 1s. 3d. was wrongly charged, then?

THE COMMISSIONER OF RAILWAYS: Why?

MR. WILSON: Because they are not within five miles of the Government line.

THE COMMISSIONER OF RAILWAYS: This is a question of demurrage. We have made an arrangement with Millar Brothers by which we take their wagons on our lines, and they take ours on theirs, and I think the Government have got the best of the arrangement. As far as that goes, the matter is receiving consideration. As to the shortage of 8,500 sleepers belonging to Baxter and Prince, the hon. member said we lost those sleepers. We did lose them; at any rate, we were not able to account for them. We do not deny being short in the number of sleepers.

MR. VOSPER: Who embezzled them?

THE COMMISSIONER OF RAILWAYS: Whether the sleepers reached the people they were consigned to is hard to say, but we could not prove delivery. The hon. member (Mr. Holmes), in making his speech the other night, said this loss was only in connection with the carriage of 20,000 sleepers. We had taken 300,000 sleepers for Baxter and Prince, during the period under review, and the claim made by Baxter and Prince was not in regard to the carriage of 20,000 sleepers. That is where the hon. member was wrong. We went into the matter, and proved we had carried from Donnybrook for Baxter and Prince, and delivered, 11,390 sleepers—to be exact in the number—leaving a balance of 8,610 sleepers unaccounted for.

MR. HOLMES: That is what I say.

THE COMMISSIONER OF RAILWAYS: It will be seen, therefore, that this claim was in regard to 20,000 sleepers; but the hon. member led the House to believe that only 20,000 sleepers altogether were involved, while, in fact, we carried for Baxter and Prince 300,000 sleepers. I say that when this large number of 300,000 sleepers is taken into consideration, along with the reasons I shall give afterwards to account for the loss, the House will probably be satisfied with the explanation. The department were then working the railway traffic under great difficulty, during 1896 and the early part of 1897, when we were short of rolling-stock and short of experienced officers, and had much difficulty in complying with the requirements of the public and of these contractors. I was continually worried by them for sleepers with which to carry out their work, and we were running trains night and day and on Sundays to get the sleepers towards Mullewa. A great many trucks were taken from the Eastern district, also from Donnybrook, the Twenty-four Mile, the Twenty-one Mile, and many other sidings where there were no station-masters. Certain numbers of sleepers were consigned in truck-loads to Mullewa, and owing to shortage of stock, a large number were discharged at Midland Junction, and many of them were subsequently reloaded into Midland Company wagons, as that company could supply them, and were conveyed to Mullewa; with the result that consequently only the first consignment went up, followed perhaps by a second, and at the end of the week we found ourselves signing for two lots of sleepers, when only one should have been signed for. I agree that was not a satisfactory state of things; but in the end we did our best to bring about a fair adjustment, and went fully into the matter with a view to lessening the claims. At that period, I say we were coping with immense difficulties in working the traffic, and were short of rolling-stock and short of experienced men for handling the traffic; and it was not until shortly afterwards, when we were able to bring about a reorganisation, that the business could be properly dealt with. Such a large number of sleepers could not have been "lost," in the literal

sense, but were probably erroneously signed for by our men; and I can only say this showed negligence, and was not in the best interests of the Government. I admit that the sleepers were lost; but they were lost under certain conditions which, in a measure, account for their loss. After all, although it was unfortunate we were not able to deliver the whole of the sleepers signed for, I think the department were excusable.

MR. ILLINGWORTH: Did they receive the sleepers? Did the department lose them?

THE COMMISSIONER OF RAILWAYS: How can I answer that question? We did our best to find the sleepers; but we believe we signed for more than we received, and that some miscarried, in the same way as we "lost" 60 bags of oats, such disappearances being common occurrences on railways; and when it is considered we were dealing with such a large number of sleepers, although the loss of a certain number is to be regretted, and we had to pay for them, yet I think that under the circumstances we could not well help it. But all this is ancient history; and I shall show that, since then we have made a very great change in regard to claims of this kind made upon us.

MR. ILLINGWORTH: "Open confession is good for the soul."

THE COMMISSIONER OF RAILWAYS: We do not want to hide anything. The original claim for this shortage of sleepers was a speculative one, as such claims generally are; for with all due deference to the good intentions of contractors, they no doubt endeavour to make the best claims they can. This claim was for £10,000 as the value of the lost sleepers; but the amount was subsequently reduced, after a good deal of negotiation, and by our placing men to look after the work, to £2,456, of which amount £650 was for the lost sleepers and £334 for the difference in freight which could not be charged if the sleepers were not carried; therefore, we had to allow £964 for the loss of sleepers and freight. The hon. member (Mr. Holmes) told the House that the department had to pay between £900 and £1,000 for the sleepers; but he ought to have taken into consideration that included in the £900 was the

amount of £334 for freight. There were also other charges in connection with the claim, amounting to £1,492, which were allowed, bringing the total allowed for the claim of £10,000 to £2,456. Taking into consideration that contractors generally make the best of a claim, I think we ought to congratulate ourselves on that settlement.

MR. HOLMES: I suppose if they had made the claim £20,000, you would have given them £5,000.

THE COMMISSIONER OF RAILWAYS: Although I do not know whether we shall be able to substantiate it, we have a claim against the Midland Company for £1,000 in connection with the loss of the sleepers, and we are now pressing forward that claim with a view of recouping ourselves for the amount we have had to pay.

MR. ROBSON: I suppose the company look on that as ancient history, too.

THE COMMISSIONER OF RAILWAYS: The department's transactions with Baxter and Prince, who paid us a large amount of money for work done, amounted to something like £40,000 during the period under review; so it will be seen that we had a fairly large business with them, and if we did lose £1,000, that is not a very serious amount, and was a matter for final adjustment, which we carried out in the best way we could. I now come to the question of claims generally, and I must say these are about the most paltry matters that a member could bring before a Legislative Assembly. That a member should bring forward those paltry little claims, and ask a deliberative body such as this to waste time over them, seems beyond conception. This is just the same sort of thing as is going on day after day in the business of the member for East Fremantle, who no doubt has claims which require adjustment; and he knows that in connection with such a large business as that of the Railway Department, small claims of that character should never have been mentioned in this House.

MR. ILLINGWORTH: You must remember that the Reid Ministry in New South Wales fell over an item of £150.

THE COMMISSIONER OF RAILWAYS: That has nothing to do with the present case, and the Government

are not going to fall over these matters. The member for East Fremantle referred to the claim of Rosser for £27 10s. for the loss of a windmill. We admit the loss of two packages of material for a windmill, and we had to replace them at the cost mentioned; but we subsequently found the packages, and we have them to-day, though they are of no use to us.

MR. HOLMES: Then you did not lose them.

THE COMMISSIONER OF RAILWAYS: We certainly lost them at the time. Then in regard to the claim of Climie, Eastwood, and Co. for five bags of bacon which went astray, and for which there was a small claim of £60 13s. 1d., we found out where the bacon had been wrongly sent, and we recovered £27 15s. by its sale, so that we lost only £32 7s. 9d. over the transaction.

MR. VOSPER: Then you sold the bacon at half price?

THE COMMISSIONER OF RAILWAYS: The bacon was damaged, and we sold it for what we could get. As to the poultry belonging to the Fresh Food and Ice Company, who made a claim of £148, the department on that occasion were forwarding four trucks of frozen meat, including the poultry, and three of these trucks were delivered in time, but owing to some delay in transit during the water trouble, one of the trucks did not arrive when it should have done, and as Christmas intervened and the weather was very hot, the supply of ice melted, and consequently the poultry was not in a fit condition to deliver. The Railway Department made a loss, which could not well be helped.

MR. CONNOR: What became of the poultry?

THE COMMISSIONER OF RAILWAYS: I do not know what became of the poultry. In regard to the truck of oats belonging to Willshire and Feely, the department admitted the loss to the amount of £50, and paid; but in all probability those oats were signed for erroneously by one of the clerks, and the department could not deliver when called on to do so. As to the machinery belonging to Messrs. Henderson and George, who made a claim of £204, the member for East Fremantle got hold of the figures fairly accurately, but he does not appear to have got all the facts of

the case, for in this instance we have not paid the claim, and, with the usual pertinacity of Railway Departments, we do not intend to pay until we are compelled. Anyone who has had to do with claims against the Railway Department knows the difficulty of enforcing them; and previously, in my own private business, I had grown grey in waiting for settlements which were long delayed. I know something about Messrs. Gull & Company's chaff-cutter, which went astray. That chaff-cutter was trucked at York and brought to Midland Junction, and, in consequence of its being loaded too high, it would not pass under the gauge, and ran into the verandah at Midland Junction and received some damage. A claim was made, and we had to pay; but we subsequently sold the machinery for £100, so that the total loss to the department was only £49 10s. 0d., though this chaff-cutter is represented by the member for East Fremantle as one of those things which has gone no one knows where, and which represents a dead loss to the department. I think hon. members will be satisfied that the department has kept in touch with most of these small claims, which should never have formed a portion of a serious charge against the Railway Department.

MR. VOSPER: What did it cost to repair the Midland Junction station?

THE COMMISSIONER OF RAILWAYS: With regard to the losses in general, I will give hon. members some idea of what we are doing. The member for East Fremantle went into ancient history, and I will also go into ancient history to some extent. In 1896-7, the total claims paid for goods not delivered amounted to £3,744 less salvage £63 19s. 11d., leaving a balance of £3,580 2s. 10d.; in 1897, the amount paid was £3,883 7s. 7d., the salvage £540 8s. 10d., leaving a loss of £3,342 18s. 9d.; and in 1898-9, the amount was £1,175 19s. 3d., salvage £728 12s. 4d., leaving a net loss to the department of £447 6s. 11d. These results will show what the department are doing to-day; and last quarter the claims made were only £262; so no doubt there is a much better system now than we had at the time when, as most of us know, things were booming and rushing. We then could not keep control of the goods, and

we were in many instances robbed by persons in charge. Goods were stolen after they were thrown off at Kalgoorlie and Coolgardie, though we endeavoured as far as possible to keep the run of them. I can assure hon. members great difficulty was experienced, and it was only by the strictest and most severe measures we were able to reduce the total claims to the amount at which they stand to-day. I now come to the cheque which is said to have been lost; and though this is ancient history too, I must deal with it since it has been referred to by the hon. member. He told the House that a cheque for £339 was paid by C. and R. Knight, some three or four years ago to the station-master at Southern Cross, and that it was forwarded to Perth and subsequently lost. The amount was paid to the credit of an account with the Western Australian Bank at Northam. The hon. member did not mention the name of the place, but it was Northam; and the hon. member said the amount had only recently been discovered. Well, the hon. member is in the main correct. It was on the 24th September, 1895, that a cheque for £339 12s. 8d. was paid to the station-master at Southern Cross by Messrs. C. and R. Knight; it was sent on to the office of the cashier at Perth on the same day; and when it reached Perth an error was discovered in the indorsement. The cheque was returned to Northam by the late chief accountant—and I wish hon. members to recollect that I am not speaking of the present chief accountant—for correction by Mr. Knight. It was received by the station-master at Northam, who obtained the necessary correction and who paid the cheque to the credit of the Commissioner of Railways' account with the Western Australian Bank at Northam. The station-master then forwarded the receipt given him by the bank for that payment to the chief traffic manager in Perth. It is evident that the station-master, at the time he paid the cheque into the bank at Northam, was under the impression that the bank would transfer the amount to the credit of the Commissioner of Railways' account at Perth, while no doubt the Chief Traffic Manager and his officials in Perth were under the impression that the amount had been so transferred, and that the matter had thus been finally adjusted.

Still, there is no excuse for the negligence shown in regard to this cheque. It was certainly received and paid in, as I have said.

MR. A. FORREST: Where were the the auditors?

THE COMMISSIONER OF RAILWAYS: At that time we had what was called a Commissioner of Railways advance account, an account I shall explain later on, because there is something about it which I wish to tell hon. members; and there was at the time a balance standing to the credit of that account of some £500 to £600; and the officer at Perth, the late chief accountant who had control of this account at the time, drew a cheque for £339 on the Commissioner of Railways advance account, which was signed by the late Commissioner in the ordinary way, just as I would probably sign a cheque sent on to me; and this cheque was paid to the credit of the general revenue account, and debited to the Commissioner of Railways advance account. There was doubtless great negligence in that manner of doing business, as we admit, and the late chief accountant should have cleared up the matter at the time, and should have perceived that the amount which he had drawn from the Commissioner of Railways advance account had not been refunded.

MR. ILLINGWORTH: How many more transactions are there of that sort?

THE COMMISSIONER OF RAILWAYS: Well, as I said before, you can come to the department and inquire. This is the only one I know of, and I am telling the House exactly how it took place; I am giving all the information so far as I know, and all the circumstances surrounding this matter came under my notice some three or four weeks ago. The hon. member said that here was an opportunity for someone who knew the circumstances to have drawn this money out of the bank at Northam; but that is not so: the amount could not have been drawn out of the bank without the signature of the Commissioner of Railways, because it was paid to the credit of the Commissioner's account, so in that instance the department were protected. The first time I knew of this money being to our credit at Northam was one day when I met the general manager of the Western Australian Bank in Perth, who told me an

amount had been lying to the credit of the Commissioner of Railways in the branch of his bank at Northam for four or five years. I immediately instituted inquiries, with the result that the amount has since been drawn from the bank by a cheque that I signed, and has been paid into the general revenue of the colony. Of course that does not exonerate the department from the blame which should attach to it through its chief accountant of the day. I say it does not exonerate that officer, because there was no doubt a careless system of book-keeping. But I do say that nothing of this sort can occur to-day. We have a system to-day which in efficiency is second to none in Australia, and no such error can now take place. At the time the error did occur, there were probably some excuses for the officer in fault, because there is no doubt the chief accountant at the time was a good deal pressed, that a good deal of work had been thrust upon him, and that in all probability assistance which should have been given him was not afforded, with the consequence that we got ourselves and our accounts into a difficulty.

MR. HOLMES: Where were the auditors?

MR. VOSPER: It is not you; it is the other fellow.

THE COMMISSIONER OF RAILWAYS: The hon. member (Mr. Holmes) said that the Commissioner of Railways advance account had not been balanced, and that since I came into office an attempt had been made to balance it, but without success. I came into office in April, 1896; the particular account was balanced on the 22nd December of that year; and I find a certificate from the Auditor General stating that the account had been closed. This Commissioner of Railways advance account was actually closed on the 22nd December, 1896: there is no such account to-day; and no account has since been opened in the name of the Commissioner of Railways as an advance account. To-day all accounts are kept by the paymaster of railways; and therefore the remarks made by the hon. member, that we had not closed the account and that the account might be used for the purpose of hoodwinking the Auditor General —

MR. HOLMES: The Auditor General said "hoodwink"—not I.

THE COMMISSIONER OF RAILWAYS: No; he did not; and I will prove that he did not say so.

MR. ILLINGWORTH: What sort of a balance was it when it was struck?

THE COMMISSIONER OF RAILWAYS: At all events, I have shown that the account was closed. There was no possibility of anyone operating upon it, as alleged by the hon. member; and with the present system there is no such account at all.

MR. HOLMES: How did you balance the account, with £300 or £400 short?

THE COMMISSIONER OF RAILWAYS: I have nothing to do with that.

MR. HOLMES: But the House has.

THE COMMISSIONER OF RAILWAYS: I say I have got a clearance in the shape of a certificate.

MR. HOLMES: How could you balance the account, if it were £300 or £400 short?

THE COMMISSIONER OF RAILWAYS: I do not know how it was balanced.

MR. HOLMES: It was made to balance.

THE COMMISSIONER OF RAILWAYS: All I know is that it occurred in 1896. The account was closed on the 22nd December, 1896; the credit balance of £194 9s. was paid to the credit of the general revenue account at the Treasury; and the following is an extract from a minute addressed by the Auditor General to the Under Treasurer, dated 10/5/98:

I have investigated this matter, and find that the transfers referred to are correct, and that the Commissioner of Railways' old advance account can now be closed. "No debits" are payments to the account for which no debits have been previously made.

I cannot come before the House to-night and go into the details of every item; but I am ready to place these accounts before any committee which may be appointed, or before any experts who may come forward to examine them. I cannot come here and read out the whole of these accounts, because if I did so I should take up the time of hon. members longer than they would feel disposed to allow, and hon. members who desire to do so should, I think, look into these matters for themselves.

MR. ROBSON: Where did the credits come from which were paid into that account?

THE COMMISSIONER OF RAILWAYS: From various sales. For instance, it appears that at that time there was a system of charging for work done, say by the locomotive department; that work was carried out and an account rendered for the work. Such accounts were subsequently collected, probably by some officer of the department; or, if the debtor were not a public department, it was forwarded to the accountant and by him placed to the credit of the Commissioner of Railways advance account. I am not responsible for that system. It was a system in vogue at the time, and was probably not a correct and proper system; but there it is, and that is how matters stood at the time. It was in this way that numbers of small accounts were received to the credit of what was then termed the Commissioner of Railways advance account, and these amounts were subsequently drawn out again by cheque, and paid in to the credit of the general revenue of the colony at the Treasury.

MR. ROBSON: And the debits were probably charged up to the locomotive department?

THE COMMISSIONER OF RAILWAYS: Well, it was not a proper system: still, we are not practising that method to-day, and I wish hon. members to understand that I am now endeavouring to deal with a matter which occurred long before I came into office; and I do not want to say too much about it, because I think it is ancient history. I am dealing with this cheque transaction, which did not occur in my time, and I regret very much that a mistake of the kind should have been possible, yet I do not see that the present administration should be held responsible for it.

MR. VOSPER: It is the same old Government.

THE COMMISSIONER OF RAILWAYS: The hon. member (Mr. Holmes) stated that it came as a surprise to him to find that the Auditor General did not audit the railway accounts, and could not do so unless his staff were increased, which increase the Government had refused to grant. Now we know very well that the hon. member must have

been under some sort of misapprehension when he made that statement, because the Auditor General in his own report has stated that he does deal with the railway accounts of the chief office; that the paymaster's account is audited, and audited regularly at certain periods; that tests are made daily, as I shall prove afterwards. What the hon. member no doubt referred to was the question of the audit of the detailed receipts in country districts, which audit is carried out by our own auditors. We have the same system as that ruling in every one of the colonies except New South Wales: our own departmental auditors deal with the up-country business, and carry out our own audit. But there is no doubt whatever that the receipts and expenditure must and do come under the view of the Auditor General through the Treasury, because everything has to be carried out in a businesslike way, and the accounts of the railway department could not be kept in a slipshod manner. The system has been carried on with the knowledge of the Under-Treasurer and with the final supervision of the Auditor General; and I think the Auditor General has gone into the audit of the head office, which is his business, but has not dealt, nor is he able to deal (through his present staff) with the auditing of the detailed accounts of country districts. I think there is nothing to justify the statement that the Government refused to give the Auditor General the staff he asked for. If the Auditor General had considered it necessary that his staff should be increased, he would probably have asked for an increase, and the officers, if required, would have been appointed.

MR. VOSPER: But he did ask: he says he did.

THE COMMISSIONER OF RAILWAYS: He said that with his present staff he was not able to go as extensively into the detailed accounts as he would be if his staff were larger. It is for that officer to ask for a larger staff, if he requires it.

MR. VOSPER: But he has done so.

THE COMMISSIONER OF RAILWAYS: I take it he knows his duty, and I think as a rule we know that the Auditor General has been most energetic in looking into these railway accounts.

We find up to within the last few years that my department has come in for a good many remarks which have not always been so complimentary and so satisfactory to us as we would like them to be. But subsequently, during the last few years, with the change of administration and the reorganisation that has taken place, we have a very much better account to give of ourselves, and I think the Auditor General has supported the statement that the departmental accounts have much improved.

MR. VOSPER: His report appeared to be truthful, anyhow.

THE COMMISSIONER OF RAILWAYS: I am glad if that is so, because I do not want anything else but the truth. The hon. member (Mr. Holmes) said that the Auditor General had remarked that the management of the railways had been guilty of misappropriation of money, and that the management had attempted to hoodwink the audit department. Of all the charges that have been made by the hon. member, this is the most serious. Looking at them all, the others are capable of explanation in connection with a great business concern; but such a charge as this, would if supported, no doubt land us in great difficulty; for the heads of the department, if it were true, would not be fit to fill the positions they hold to-day; and we of course fully recognise the seriousness of such an accusation, which, however, was never made by the Auditor General.

MR. HOLMES: It was made by his officer.

THE COMMISSIONER OF RAILWAYS: It was never made by the Auditor General. It simply came up in a correspondence between the General Manager of Railways and the Auditor General in regard to an account called, the "Sidings deposit and other works account." The whole of that correspondence is on page 280 of the Auditor General's report, and the remark in question was made in a report made by the officer of the Audit Department who was deputed to inquire into this account. This is really the outcome of correspondence between the General Manager and the Auditor General; and the General Manager, writing to the Auditor General, asks him to call upon his officer to withdraw these two remarks, and suggests a

conference, but owing to some cause this conference was not held prior to the issue of the Auditor General's report: hence the reason nothing has been done since. Members will know that a large amount of correspondence has taken place in connection with this matter, and it forms the subject of many communications which have been addressed by the Premier through the Colonial Secretary to the Auditor General, the Crown Solicitor, and others, with regard to the system in vogue in connection with the charging of certain items. Therefore the statement made by this officer is not one from which the public should infer that any misappropriation has taken place. I think it would have been more in keeping with what should have been said, and would have conveyed what the officer intended, if he had said the money had been wrongly allocated or incorrectly charged, or something to that effect.

MR. VOSPER: The Auditor General confirms that report.

THE COMMISSIONER OF RAILWAYS: He does not confirm it. I admit the Auditor General is still of the same opinion as before, that the practice is not a right one; but he suggests a remedy by proposing that a certain clause should be inserted in an amending Audit Bill, which would meet that case. He has the Audit Act to administer, and no doubt he administers it to the best of his ability, and in his opinion in the way it was intended by Parliament. Those who disagree with him have placed on record their disagreement; but to say we have misappropriated is—taking the word in its literal sense—a charge which might imply we had taken the money and put it in our pockets. It is simply a question of an incorrect system, and we should be relieved from the charge of misappropriation, because I must point out to hon. members that this "Sidings deposit and other works account" is an account opened for the purpose of dealing with receipts which are paid by persons who require a siding to be constructed, or by others who require work to be done by the department. For the time being that money is paid in to this account, but the money received is all lodged with the Treasury, and cannot be drawn out without the consent of the Treasury. It is only the system that may be at fault;

and this is not done with any motive of attempting to defraud, or to wilfully make a balance-sheet which is not correct, because that is far from the intention of the department. It is only a misconception probably as to the right system to follow, and we have followed the system which we think is the correct one. We still maintain that we are following the right course, and the Auditor General has gone so far as to say, "I do not agree with you; but if the system you speak of is to be introduced and continued, then let us have an amendment of the Audit Act for the purpose of making it legal for you to do that which I maintain is not now legal." When we come to look at it from that standpoint, I think the remarks of the hon. member are not borne out by the facts before us.

MR. HOLMES: They are not my remarks.

THE COMMISSIONER OF RAILWAYS: You father them on the Auditor General. They were made by one of his officers.

MR. HOLMES: I said an officer.

THE COMMISSIONER OF RAILWAYS: They occur in connection with a correspondence not completed, and although the Auditor General brought this correspondence into his report that year, still the matter is, in a measure, in abeyance: we are still writing, and a great deal of correspondence has taken place in regard to it.

MR. HOLMES: Has he withdrawn it?

THE COMMISSIONER OF RAILWAYS: No. This conference which it was proposed should be held was not held, because we had not time to hold it; but I say that misappropriation or an attempt to hoodwink the department never existed. There are the plain facts of the report. The report of that officer can be called for, and members may see whether we have attempted to hoodwink. I repeat we have not attempted to hoodwink. It is an attempt to get an alteration of the method of keeping the account, which the Auditor General considers is not now kept on a proper system. If the system be not proper, let us see what is proper, and abide by it.

MR. HOLMES: Are you arguing that the Auditor General is not correct?

THE COMMISSIONER OF RAILWAYS: He is quite correct so far as he

is concerned, but the hon. member the other night wished it to be inferred that it was the Auditor General who made that remark. The correspondence is that which has taken place with the General Manager, and is inserted in the report as an extract. It would never have appeared at all in the Auditor General's report, had it not been for the question raised by the General Manager, who asked the Auditor General to withdraw it. The Auditor General, no doubt to support his own contention, published the correspondence *in extenso*; hence the reason it appears. I am convinced the Auditor General does not confirm that statement as to misappropriation or hoodwinking, because he knows there is no attempt on the part of the department to adopt such means.

MR. MORGANS: Who made the statement?

THE COMMISSIONER OF RAILWAYS: Mr. Smyth, an auditor of the department, who periodically visits—

MR. LEAKE: Make a scapegoat of the small man.

MR. MORGANS: That is not necessary.

MR. HOLMES: The Auditor General will not withdraw his remark.

THE COMMISSIONER OF RAILWAYS: I would like to point out that evidently the Auditor General has a good opinion of the accounts of the railway. If members like to refer to his report for the last two years, they will find that in July, 1897, he said:

It is again my pleasing duty to place on record the fact that the improved system of keeping the railway accounts is working satisfactorily, as far as I am able to gather from a railway expert now attached to my department, in the person of Mr. J. R. Thomson, whose duty it is to visit the chief accountant's office daily, and I avail myself of this opportunity of congratulating the general manager (Mr. John Davies) upon the success that has attended his efforts in securing such a practical and, let me add, effectual system as that now in force, and for which he deserves much praise.

MR. MORGANS: Why did not the member for East Fremantle quote that?

MR. HOLMES: I could not quote everything.

THE COMMISSIONER OF RAILWAYS: The Auditor General says in the report for the year ending June, 1898:

It is my pleasing duty to record the fact that this important account has, after careful

examination, been found to have been kept in a very satisfactory manner, and I may add that a special report, dated September 20, 1898, together with my covering minute thereon, were forwarded to the honourable the Colonial Secretary (*vide* papers A2420/98), which I now beg to quote *in extenso*.

So I think that is a satisfactory account of the system. This also we find in that report:

As pointed out in my previous report to Parliament, it has been only possible for me to undertake test audits in connection with these important accounts, in addition to which an officer attached to my department visits the central station daily, where all cash receipts connected with the railway system are required to be received and brought to account. It has been my pleasing duty to receive and forward to the Minister satisfactory reports (*vide* papers A2011/98, A2255/98, A2377/98, and A2620/98) on these important accounts as far as the Perth and Fremantle stations are concerned, and it would be wrong on my part not to record the fact that the general manager and his staff were very prompt and ready to furnish any information or explanation required by my department.

I think these extracts speak for themselves, and that the country is to be congratulated on having such an officer as the present Chief Accountant, who has done a very great deal to bring these accounts into the state in which they are to-day, and I am confident also that the system at present adopted is one which will bear scrutiny, and will show to the public of the country, and to the House, that we have a proper system of account-keeping, which probably has not been the case heretofore.

MR. LEAKE: One gentleman got away successfully with £400 the other day.

THE COMMISSIONER OF RAILWAYS: He has not got away yet.

MR. LEAKE: He has the £400.

MR. ILLINGWORTH: He has the money, anyhow.

THE COMMISSIONER OF RAILWAYS: With regard to the case of Henn, mentioned the other night, I do not now intend to deal with it, because it is *sub judice*, and I think that is the proper course to take. I believe the next question touched upon by the member was that of the construction of new works on new railways. I have already dealt so fully with this subject hitherto, that in my opinion it is needless for me to go over these matters again, except to

say that the remark of the hon. member with regard to buildings not being occupied has not been borne out. The whole of the buildings, with the exception of one or two on the Bridgetown line, which are six or eight miles from Bridgetown, are occupied. On the Kalgoorlie and Menzies line, every building is occupied. All these buildings which at one time it was said would not be used are utilised, and are serving the purpose for which they were intended. With regard to interlocking at the Perth station, I would like to deal with the subject, because this interlocking question has been raised so frequently. I am sure the statement made the other night by the hon. member cannot be confirmed. There is no doubt he had some authority for his figures; but, as in regard to many more of the figures he obtained, he did not go far enough and did not get all that could have been given by the individual who furnished the information to the hon. member.

MR. HOLMES: I did very well, I think.

THE COMMISSIONER OF RAILWAYS: Yes. Now with regard to interlocking at Perth:

The first signal cabin was erected on the east side of the Beaufort Street Bridge, in April, 1896. This cabin contained 33 levers, and was designed in 1895 for working the station, as it then existed. The new cabin was erected in March, 1898, nearly two years afterwards, and contains 85 levers, 32 more than the old one. The old one was in an unsuitable place for the new station, and it was necessary to shift it as it occupied space required for lines of way. It could not be moved while it was in use, so a new one was built, and the old one taken to and used at Northam.

Really, instead of making a patch of the Perth cabin, and building a new one at Northam—not at Kalgoorlie, as the hon. member said—a new one was built at Perth of the necessary size, and the old one taken to Northam, for which place it was suitable. This, and several like matters, enabled £521 to be saved on the Northam authority. Perth has had two separate installations, not three, as stated. The expenditure of the first interlocking of Perth was £6,054, not £10,000 to £12,000.

As explained above, only part of the material from Perth was used at Kalgoorlie, but if all the material originally fixed at Perth had

been taken to Kalgoorlie, it would not have been sufficient, as Kalgoorlie was a larger installation than Perth. It is not correct that the gear taken up at Perth was unsuitable for Kalgoorlie, in proof of which the latter place was fully equipped for an expenditure of £3,539, whereas, had the whole of the material been purchased new, it is estimated that the cost would have been £5,560. The apparent discrepancy between the latter figures and the cost of the first installation at Perth is explained by the fact that during the time from the ordering of the material and same being fixed, Perth yard was considerably altered, notably double-line working was instituted between Perth and East Perth, instead of two single lines, and these alterations necessarily increased the cost.

So that the hon. member will see the remarks he made the other evening, attributing great cost and waste to the department, are not justified or supported by fact. We had, as hon. members know, in 1895 a vote of £5,000 for interlocking at the Perth station, and we all know the increase which has taken place in the Perth station and on the whole of the railway lines of the colony since that time; consequently we have had to keep pace with the increase of traffic, and have erected new interlocking cabins. But I have already made a statement in connection with that matter which shows that the figures the hon. member quoted are not accurate. In regard to the charge of shortage in rolling-stock, and the rolling-stock not being kept in proper condition, on the 30th October the total number of wagons available for goods traffic was equal to 5,313 four-wheeled vehicles, of this number, equal to 177 four-wheeled vehicles were in repair sidings, or undergoing repairs. I think this is a very creditable state of things; and although it is possible there may be stock needing repairs, those vehicles will come in as soon as they can be spared, and I may inform the House that the question of keeping the stock in repair is one that is not lost sight of. I would like to point out to the hon. member that he is quite wrong in his assumption that we are letting stock get into disrepair, and purchasing new stock for the purpose of assisting maintenance, thus increasing our earnings. It is absurd to think that could be done. We have rolling-stock which must be kept in repair, is being so kept, and will be maintained in a proper and satisfactory state. As to the cost of maintenance, taking the colonies right

through, we find that in South Australia for the year 1896-7 the cost of maintenance of rolling-stock to percentage of earnings was 28·85, in 1898 it was 28·76; in New South Wales, in 1898, the cost was 24·34, in 1899 it was 24·71; in Victoria, in 1898, the cost was 21·89, in 1899 it was 22·04; in Western Australia, in 1898, the cost was 30·89, and in 1899 it was 29·61. Hon. members will see that we spend more money on the upkeep of stock here than is spent in any other colony, comparatively; consequently the hon. member's assumption is not borne out by fact. It is hardly necessary for me to deal further with the question of stock, except as to one point raised by the hon. member in regard to the cool-storage vans. He inferred that the vans were constructed too heavily, and were entirely unsuited for the purpose intended. No doubt the vans are heavy, but they must be constructed in a manner which insures insulation; therefore that entails a large expenditure and the use of a great deal of material to insulate the vans in a proper way. The vans were built from a design submitted by the Engineer-in-Chief after consultation with the Locomotive Engineer, and the design was approved of by the Consulting Engineer at home; and the vans were constructed there and sent out to this colony. The vans are being used for the purpose for which they were intended; therefore that point is answered satisfactorily. At the same time, we would be better satisfied if the same conditions could be obtained with less weight. We know the hon. member made a statement as to the quantity of material carried, and I would like to point out to him that we have eight cool-storage vans, and these carrying an average load of five tons per van would give a return of £402 for a trip with the express from Fremantle to Kalgoorlie, 387 miles, being £50 5s. per car at full parcels rate, £10 1s. per ton. Eight cool-storage cars on a similar journey attached to a passenger train (other than the express) would bring in £201. Rates charged are much higher when the vans are conveyed by passenger and express trains than if taken as ordinary freight; and only special articles are conveyed in the cool-storage vans, and these articles are such as can afford to pay the higher

rates charged. We have also to provide 8cwt. of ice for each van, necessary to ensure the insulation and retain the temperature during the journey to Kalgoorlie, and this also adds to the weight. The total weight of a van is 17 tons 12 cwt.; with the ice, the weight goes up to about 18 tons per van; and even this is one ton short of the weight mentioned by the hon. member. As to the vans carrying only five tons, they are built to carry 10 tons, and if we received sufficient stuff to carry in these vans, 10 tons could be got into a van; but ordinarily these vans do not carry more than five or six tons.

MR. VOSPER: Do you use them at all?

THE COMMISSIONER OF RAILWAYS: I am surprised that the hon. member should ask a question of that character, when these vans were built for the special purpose, and at a cost to the country of some thousands of pounds, to supply fresh food to people on the goldfields! The hon. member knows very well that the vans do carry these articles, because food preserved in this way does go into consumption on the goldfields.

MR. HOLMES: How often have these vans been to the goldfields?

THE COMMISSIONER OF RAILWAYS: There is a limit to answering questions of that sort. I have dealt pretty well with all the points touched by the hon. member, and I would like to say that, as far as I am able, I have answered all the charges, and I think I have justified the action of the department in every instance. I have dealt with the matter as fully as I could deal with it, and where we are to blame I admit it. But while admitting this, yet the facts of the case are not of the present day; for, profiting by the experience in the past, we are bettering our position every day, and are doing the best we can to meet the convenience of the public and to work the railways on the most satisfactory system. Where hundreds of employees are engaged and large sums of money are dealt with, it is impossible to avoid such contingencies as have been mentioned, and when we consider that during the period under review the revenue has run up to nearly three millions sterling, we ought to congratulate the country on having so few losses, considering the con-

ditions under which the railways have been worked. The hon. member must find in his own business regrettable instances where he has difficulty in looking after his own men; and when we consider that we have so many men employed in the railway business, difficulties will crop up, and I am sure the hon. member will agree with me that although the cases which he has pointed out may appear to him to be serious, they are all capable of explanation. I may say this, too, that the hon. member has become a confirmed fault-finder: he has adopted this attitude from the earliest days of his entering this House. I cannot understand the reason for his adopting this course. No doubt the hon. member takes a course which he probably thinks is the right one. I do not wish to argue that point with the hon. member, but I think his attitude is frequently unreasonable. The remarks which he has made about myself have been unreasonable. The hon. member has said things about my departments—the Public Works Department and the Railway Department—which have not been supported; he has sweepingly condemned my departments, and I think his remarks are rather the outcome of spleen than of anything else, because frequently the hon. member has gone out of his way to look up what he may term “facts,” to hurl them at me. But I do not care what the hon. member may bring forward as to the administration of my departments. When I am in the wrong, I am willing to admit it, and am ready to amend my ways if necessary and do my best to serve the country; but I cannot admit the challenge of the hon. member as to the incapability of the administration or the manner in which the officers in connection with the department have conducted the management of railways. The way in which the officers have dealt with this vast concern ought to be satisfactory to the country. On the whole, they have done their very best, and with great success have carried out the work entrusted to them. There is one other point I would like to refer to. The hon. member said, in the course of his remarks, that he had great difficulty in obtaining his information. With all due deference to the hon. member, I may say he has adopted a most undignified method in

obtaining information. I say it is a most undignified way of obtaining information; and unless the hon. member was willing to receive statements, he would not have been able to find anyone eager to communicate such matters to him. The hon. member must have gone very considerably out of his way to induce someone to become disloyal to the department. To-day in the department of the railways in the colony there is someone who has been disloyal, because the information which the hon. member obtained could not have been obtained without some employee of the department giving the information to him. I say that, in fairness and justice to the employees of that great department, the name of anyone who should so prove himself to be disloyal ought to be given to the head of the department, and the man should be at once dismissed from the service; because I consider it unfair to the remaining officers of the department who may be working with that man shoulder-to-shoulder, for on some innocent person the imputation may be cast. Therefore it is not fair that other officers in the department should have an imputation or a slur cast on them because they may be working side-by-side with a disloyal individual. One officer has so far forgotten himself and his duty to the department, and his loyalty to the service, as to communicate to the hon. member certain information. I do not know how the hon. member obtained the information of which he made use in this Chamber. In conclusion, I would like to thank hon. members for the most generous support given me from time to time in connection with my departments. I had not a full opportunity the other evening, in speaking during the debate on the Address-in-Reply, in consequence of wishing to close the debate early; but several members referred to the departments I administer, and spoke in a generous way of the methods I have adopted, by recognising the successes which have been obtained in connection with the administration. All I can say, even to both sides of the House, is that I thank hon. members for their kind consideration from time to time; and taking into consideration the large amount of work carried out by these departments, I only hope I may be able always to justify

the methods we have adopted to bring about the success which has attended the working of these departments. I make no claim to perfection, but considering the large amount of work carried out, I hope the House and the country will consider that the departments have been managed satisfactorily. I do not think we shall see the time when there are no regrettable circumstances, although I shall always endeavour to prevent them occurring, and I shall endeavour always to enjoy the confidence of the House and the public generally.

MR. LEAKE (Albany): The Commissioner of Railways has entered on a very elaborate defence, which really seems to me to amount to a plea of guilty, because he has not refuted the charges made against the department by the member for East Fremantle (Mr. Holmes). The Commissioner admits the Railway Department are to blame; but, as is usual with the Government, it is said: "Do not blame us, but blame the other man; blame the small man in the department who made the mistake, or blame, if you like, my predecessor," the poor harmless, innocent member for Wellington (Hon. H. W. Venn).

MR. A. FORREST: The Commissioner of Railways never said a word about the member for Wellington.

MR. LEAKE: I am sorry the member for Wellington is not in his place to answer the suggestion thrown out by the Minister. Whatever may be the result of this discussion, the thanks of the House and of the community are due to the member for East Fremantle for having brought this matter forward. Had there been absolutely nothing in the accusations, members might well have turned round on the member for East Fremantle and blamed him for intermeddling and bringing charges not well founded on fact. But in regard to the very first item, that of the Seabrook Battery trucks, the Commissioner of Railways admits the truth of the statement made by the member for East Fremantle to the effect that these trucks were valued at £40 each by a responsible officer of the department, and yet were taken into account at the very high price of £90 each. Is that not a proper matter for the member for East Fremantle to bring before hon. members? If the whole

43 members of the House are satisfied with the explanation given by the Commissioner, I do not hesitate to say that I am not satisfied. The excuse—because it is no more than an excuse that has been brought forward by the Minister—is not sufficient to justify the payment, or what is equivalent to the payment, of £90 for trucks which were valued by the department's responsible servant at £40 each.

THE COMMISSIONER OF RAILWAYS: The officer wanted to make the best bargain he could.

MR. LEAKE: Here is an instance of blaming the small man.

THE COMMISSIONER OF RAILWAYS: I do not blame him at all.

MR. LEAKE: I am glad of that.

THE COMMISSIONER OF RAILWAYS: The department take the responsibility.

MR. LEAKE: If the department commend this officer they must approve his valuation and report, and place themselves in a difficult position.

MR. A. FORREST: Which valuation?

MR. HARPER: The trucks were valued at £125.

MR. LEAKE: Then the officer made two valuations, one at £40 and one at £125, and still the department approve him. It seems that every step we take justifies the motion of the member for East Fremantle, which is, "That in the opinion of this House the present administration of the Railway Department is unsatisfactory." I would remind hon. members that no personal attack is made here. There is nothing about the "misappropriation" of moneys, or "hoodwinking" the Auditor General; and what the member for East Fremantle has said is nothing like so condemnatory as the remarks made by the Auditor General and his staff. It is curious how this valuation of trucks became necessary, much less justifiable, because the Commissioner tells the House that the company had given the usual guarantee; that is the freight guarantee, which I believe amounts to £500, though I hope the Commissioner will correct me if I am wrong.

THE COMMISSIONER OF RAILWAYS: It all depends upon the amount of business done.

MR. LEAKE: I believe the member for West Kimberley (Mr. A. Forrest)

and also the member for East Fremantle (Mr. Holmes) each give a guarantee of £500 to the Railway Department in connection with their own businesses.

MR. HOLMES: No; the guarantee is to the amount of the freight.

MR. LEAKE: At any rate, in this case the department ought to have taken security for something like £4,000 or £5,000, and they evidently did not do so, because when they came to adjust these accounts, they had to take these trucks at the excessive valuation of £90.

MR. ILLINGWORTH: They had to get a revised valuation.

MR. LEAKE: As the member for Central Murchison (Mr. Illingworth) says, the department had to get a revised valuation.

MR. VOSPER: The Commissioner said the trucks were worth only £40 to the department.

MR. LEAKE: That one statement of the member for East Fremantle would alone justify his submitting this motion, and it is a pity we have not had a more favourable reply from the Minister. The matter of the claims of Messrs. Wilkie Bros. and Messrs. Millar Brothers may be better dealt with by members like the member for West Kimberley than by members like myself, who are not interested in the timber business. But there is one item which was not replied to satisfactorily by the Commissioner. Whilst it seems there is a difference in the charge for trucks running within a radius of five miles and that for trucks used outside that radius, the latter charge being double the former, the Commissioner did not meet that point, although it was suggested by the interjections of hon. members that he might do so. I am glad to hear the Commissioner is ready to submit to an inquiry into the administration of the Railway Department generally, and I hope some member will move an amendment to that effect if necessary.

THE COMMISSIONER OF RAILWAYS: There is a board now dealing with one section of the department.

MR. LEAKE: It is a pity we have not the report of that board before us, and it is to be hoped that if this motion be not carried, an amendment or some substantive motion will be submitted to the effect that there should be a strict

inquiry into the administration of the department, because I believe that if we had a committee or commission of three experts we should get a very valuable and interesting report.

MR. HARPER: That would be a vote of censure on the Auditor General.

MR. LEAKE: The member for Beverley (Mr. Harper) suggests there should be a vote of censure on the Auditor General.

MR. HARPER: No; I said that an inquiry would be a vote of censure.

MR. LEAKE: That is backing up the policy of the Government, namely, hit the smaller man.

THE COMMISSIONER OF RAILWAYS: The member for Beverley did not say that.

MR. LEAKE: It is suggested that an understrapper, or someone in the department who has not the same amount of responsibility as the Commissioner, should be blamed.

THE COMMISSIONER OF RAILWAYS: The member for Beverley did not say that.

MR. HARPER: The member for Albany (Mr. Leake) is misrepresenting what I said.

MR. LEAKE: I will pause a moment for the member for Beverley to explain.

MR. HARPER: Your contention would amount to a censure on the Auditor General.

MR. LEAKE: I hope the member for Beverley will explain what he means more fully, in a moment. The member for East Fremantle made some very apt remarks regarding certain goods which were lost or went astray, and his remarks were justified, because the Minister was forced to admit 8,500 sleepers had been lost.

THE COMMISSIONER OF RAILWAYS: Is that loss a subject for such a motion as this?

MR. LEAKE: I think so. I do not believe the Commissioner has read the motion, which is, "That, in the opinion of this House, the present administration of the Railway Department is unsatisfactory," and the Commissioner admits the department are to blame.

MR. ILLINGWORTH: The Commissioner says so.

MR. LEAKE: The Commissioner said so two or three times, so that there was no slip of the tongue, and therefore the motion is justified.

THE COMMISSIONER OF RAILWAYS: We admit the loss, and justify it by the circumstances.

MR. LEAKE: Justify losing 8,500 sleepers? That is splendid! The department, it seems to me, lose anything it is possible to lose; they repudiate the idea of losing anything small, but take a pride in losing something big. If there is a truck the department at once say, "That is the sort of thing we can lose," and promptly lose it; and they had a truck full of poultry, and they could lose that. This reminds one of the picture in *Punch* of an inebriated bandsman returning from a review, who, when he was asked by the ticket collector for his ticket, explained that he had lost it. "But," said the ticket collector, "you cannot have lost your ticket," to which the bandsman replied, "Cannot have lost my ticket! Why, I have lost the big drum." And so it is with the Commissioner. He cannot lose anything that is small: the department must always act on a magnificent scale. The Commissioner complains that the member for East Fremantle should bring forward those charges, and waxes almost indignant over what he stigmatises as "paltry remarks," explaining "We did lose a truck of poultry, but that was because we did not put enough ice in the truck, and the food went bad."

THE COMMISSIONER OF RAILWAYS: I say the poultry were in the truck too long.

MR. ILLINGWORTH: The Commissioner said the poultry were kept in the truck until after Christmas.

MR. LEAKE: The department did not know Christmas was coming, and as it came as a surprise, they forgot the extra ice. At any rate, the poultry were lost, and it was a big order, because it ran into £200 or £300, which the department had to pay. Surely to goodness that shows the management of the Railway Department is unsatisfactory, and that there is a lack of supervision or organisation! I am not going to be so ungenerous as to say of the Commissioner and the heads of the staff that they are a pack of thieves, who put their hands into the money box and help themselves. That no hon. member of the House would suggest; but it is a very different thing to say that the organisation and administration of the department are not complete,

that you have not done that which the country has expected of you, nor have you done that which you have constantly vaunted that you have done. How frequently have the Government boasted on the floor of this House that the administration of the Railway Department reflects the greatest possible credit upon the Minister and on every member of his staff.

MR. HARPER: The member for Central Murchison (Mr. Illingworth) said that.

MR. LEAKE: Well, I do not say so; and the House, I think, will not say so. However, here is the member for Beverley (Mr. Harper) to the rescue again.

MR. HARPER: I am reminding you of what your own side said.

MR. LEAKE: Why, the member for Beverley himself pointed out an egregious mistake made by the department when they charged for a wrong weight in respect of their trucks.

MR. HARPER: Quite true.

MR. LEAKE: And made the unfortunate farmer who was sending produce to market pay 30 per cent. or 40 per cent., and I do not know how much more, on his produce, because they put the produce into a truck which had, if not a false, a misleading tare marked upon it.

MR. HARPER: Quite right.

MR. LEAKE: Well, that shows there is something wrong in the organisation of this department, and the House will not, I am sure, dismiss from their consideration these charges on the suggestion of the Minister that they are paltry, or these claims for goods on the ground that they are paltry. Perhaps the most important of all the matters referred to by the member for East Fremantle (Mr. Holmes) is that which concerns the audit of these railway accounts. If there be one department which requires a perfect audit it is the Railway Department, and the Minister admits there is no such audit: he is bound to admit it.

MR. MORGANS: That is not the fault of the Railway Department, you know.

MR. LEAKE: Oh! Is it not indeed? How is that, sir? Perhaps I should more properly address the Chair. If it were permissible for me to ask you, Mr. Speaker, to interrogate the hon. member for Coolgardie (Mr. Morgans), I should request you to do so.

MR. MORGANS : I will tell you later on, when I speak.

MR. LEAKE : I notice the hon. member always takes very great care to let me speak first, and to reply to me afterwards. However, he is at liberty to take advantage of that position in this instance. I now hope that he will reply to me.

MR. MORGANS : I will.

MR. LEAKE : It is the fault of the department. It is admitted that the Auditor General informed the Administration that his staff was not sufficient to enable him to carry out a perfect audit of the railway accounts. What happens? They do not increase the staff, but they permit the Commissioner of Railways to have an audit staff in his own department.

MR. ILLINGWORTH : Which would cost more.

MR. LEAKE : Well, if it does not cost more, it costs quite as much ; and those auditors are not under the control of the Auditor General, but are under the control of the very gentleman whose accounts are being audited.

THE COMMISSIONER OF RAILWAYS : That is a mistake which I meant to have corrected. The hon. member (Mr. Holmes) said that the railway auditors were under the control of the Chief Traffic Manager ; but they are under the control of the chief accountant.

MR. LEAKE : But that is all under the control of the Minister. I am not going to be misled into trying to fix blame on a chief accountant, a chief traffic manager, or a third-class clerk. In this House we are dealing with the Commissioner, who is the public head of the department, and he must be held responsible. It is not open to a Minister to come down to the House and say, " I am not responsible : it is my leading man, or it is my inferior men." We say naturally to such a Minister, " Well, get rid of those men if they are no good ; or if you will not do that, we will get rid of you." It is a very simple process : the doctrine of selection comes in, and the principle of the survival of the fittest. We cannot pass over lightly the statement which is published in so solemn a document as the Auditor General's report, namely that the management, that is, the railway management, have been guilty of misappropriating moneys, and that the

management have attempted to hoodwink the Audit Department. It is only quibbling to say that the statement is not made by the Auditor General. If it be not a statement made by him as an original piece of writing or of composition, it is adopted by him and is embodied in his report. The Auditor General evidently thought that report of his subordinate was of sufficient importance to be placed before Parliament ; and up to the present moment there has been no satisfactory explanation of that charge, except that the Minister has said that it is not made by the Auditor General, but by an officer named Smyth. Well, the Auditor General would not have put it in his report unless he had believed it, and it is a very extraordinary thing that the Auditor General, after having made that remark, exists to-day in a constitutional sense, if the remark be untrue. It seems to me that here is the gauntlet thrown down by the Auditor General to the Commissioner of Railways. I believe hon. members will say, " Well, of course, one of them is wrong ; but in case we should do wrong to the wrong party, we will retain the services of both gentlemen." I think that at all events we should have been told that the Auditor General had been made to substantiate his remarks, or, on the other hand, that he had received a pretty severe rap over the knuckles ; and he should have been reported to this House for making so sweeping a statement against a Minister. But there is not a word said. There is nothing to show that this statement has been explained. It has gone forth to the public that the Auditor General, one of the principal officers of Parliament, we may say, in the colony, said of the Railway Department that the management have been guilty of misappropriating moneys, and that the management have attempted to hoodwink the Audit Department. Well, as regards the hoodwinking, it would look very much as if there were something more than substance in what has been said ; because, whilst the Auditor General was refused a staff sufficient for the purpose of railway auditing, the same assistance refused him was granted to one of the subordinate departments of the Railway Department. What nonsense it is to ask us to believe that a proper and efficient audit can be

carried on in any one department by officers of that department—officers who may, perhaps, themselves be delinquents. It is not only absurd, but it is practically a violation of the provisions of the Audit Act, an Act which was passed to protect the public, and to ensure that Ministers did not, in financial matters, altogether “kick over the traces.” If nothing else would justify the hon. member's motion, this alone would do so; nor is the Minister's reply or explanation on that head sufficient to justify us in saying that the present administration of the Railway Department is satisfactory. I do not propose to say anything about the interlocking gear in Perth. I dare say the member for East Fremantle (Mr. Holmes) can explain away the supposed explanation that the Minister gave. I do not altogether appreciate the explanation, so I had better leave the subject alone. But it is very curious that we have had no better explanation about those trucks. I am told by people who know something of the subject that those trucks will carry next to nothing; that a truck of 19 tons will only carry something like three or four tons.

MR. A. FORREST: Five or six tons.

MR. LEAKE: Well, hon. members on this (the Opposition) side of the House say the trucks have never yet been seen on the goldfields. I do not know how true that may be; but it seems to me that when the trucks have got up to the fields, all the stuff carried has had to be thrown away.

MR. MORGANS: You have eaten lots of the stuff that has been carried by those trucks.

MR. LEAKE: The hon. member is going to reply to me by interjections. What I understand is that the weight of these trucks makes the freight almost prohibitive on the goldfields. I do not propose to say much more, but I do not know that the Commissioner of Railways was justified in attacking the member for East Fremantle, and in saying that the hon. member had resorted to an undignified way of obtaining information, and had gone out of his way to induce someone to be disloyal. And then the Commissioner demanded the name of the officer in question; but the Commissioner himself was then fishing for information.

MR. A. FORREST: He did not demand the name.

MR. LEAKE: The Commissioner of Railways did.

MR. HOLMES: Yes; he did.

MR. A. FORREST: No.

MR. LEAKE: Excuse me: he said, “Give me the name of that man.” He said he had a right to demand the man's name.

THE COMMISSIONER OF RAILWAYS: No; I said the name ought to be disclosed.

MR. LEAKE: Yes; you said the name ought to be disclosed, and that if you knew who it was you would dismiss him. That is what Ministers like. That is why hon. members on this side of the House cannot get information.

THE COMMISSIONER OF RAILWAYS: The hon. member (Mr. Holmes) could have got all the information from me.

MR. A. FORREST: We know the man now. We can put our fingers on the papers.

MR. LEAKE: Are not Ministers always pluming themselves on the fact that they have nothing to hide; always telling us of their wonderful management?

THE COMMISSIONER OF RAILWAYS: Why did not the hon. member ask for those papers to be laid on the table of the House?

MR. HOLMES: I had asked too many questions already.

THE COMMISSIONER OF RAILWAYS: I would have laid the papers on the table—any of them.

MR. LEAKE: I do not think it would be at all right for the hon. member (Mr. Holmes) to give the source of his information. There may be several people involved: and I do not suppose anybody knows who the man is.

MR. MORGANS: The hon. member (Mr. Holmes) knows.

MR. A. FORREST: The giving of such information is a very dangerous practice.

MR. LEAKE: But I understood the hon. member (Mr. Forrest) to say that he knew the man.

MR. A. FORREST: Yes.

MR. LEAKE: Then if that be so, the unfortunate man will be dismissed within a week, because that hon. member will not keep the man's name quiet. If he does know the name he had better men-

tion it now, for we will thus have an opportunity, when the House is in session, of defending the officer in question; because the chances are that, directly Parliament prorogues, away that poor fellow will go.

MR. A. FORREST: And quite right, too.

MR. LEAKE: The hon. member is going to justify the ultimate dismissal of this unfortunate officer?

MR. A. FORREST: What would you do in your office, if you found one of your men giving information outside?

MR. LEAKE: Well, my office would not be so mismanaged; and I am certain no member of Parliament would propose that the present administration of my office was, in the opinion of this House, unsatisfactory. Besides, the public are not sufficiently interested in the administration of my department. After all, suppose this man did give the information, suppose officers in public departments do give valuable and truthful information, or such information as they know to be true, why should they not do so? They are as much interested in the administration of public affairs as we; and it is that very practice which we have a right to object to—that system by which the mouths of public officers are closed when they ought to be allowed to speak, and by which the fear of dismissal is constantly held over them in order to prevent them, perhaps, from speaking with members of Parliament. When they do speak with hon. members, suspicion is at once aroused, and if a member does disclose something of importance in the House, an unfortunate officer with whom he was seen to speak a day or two before is branded as a disloyal servant and is liable to dismissal. I say the Government ought not to have information which they desire to withhold, or which they are afraid of announcing to the public. They are ready enough to say, "We are glad of a searching inquiry"; but directly information gets out, they want to know who gave it. They say, "Tell us the man, and we will have him dismissed for being disloyal." Whilst the Minister has not vindicated his position, I am certain the hon. member for East Fremantle (Mr. Holmes) has fully justified his motion. He has brought forward matters which

have been floating in the air for a considerable time, and unfortunately he has not been able to have access to all books and papers, in order perhaps to bring forward crushing evidence, but he has got hold of certain facts—facts that are admitted; facts which force the Commissioner to say, "We admit we are to blame."

THE COMMISSIONER OF RAILWAYS: Yes; in two instances.

MR. LEAKE: Half of any one of these instances is enough to crush the hon. the Minister and his department. They admit two of these clauses in the indictment, so to speak; but any one of them is sufficient to justify the condemnation of the Minister. We do not want more than two. Two are quite enough, and I really cannot understand hon. members on the Government side of the House who, although so constantly almost bellowing outside the House about the iniquities of the Railway Department, are absolutely silent, and are like dumb driven cattle, when they come inside the House. They are the loudest in condemnation of the administration of this department anywhere but in Parliament, where they should speak, but they leave it to us to make these statements in Parliament, and to blame the administration when the circumstances justify it. They do not stand up, and assist us. No. They either, by keeping silent, support the Minister, or turn round and abuse the Opposition. If any of them speak, that is what happens; but really I do not think they will have the temerity to get up and justify the Minister this evening.

MR. ILLINGWORTH: The member for Coolgardie (Mr. Morgans) will.

MR. LEAKE: Oh, no. I do not think even the member for Coolgardie will have the temerity to get up and protect the Minister on this occasion. If he will take my advice, which I do not often give, he will record a silent "no" when the motion is put from the Chair. I say again the thanks of the House are due to the member for East Fremantle for having brought this matter forward; and we must all regret that the Commissioner of Railways has not amply refuted the statements which have been brought forward, and nothing has been said by him to justify members in saying the hon. gentleman's administra-

tion of the railways is absolutely satisfactory. That is what we must say impliedly, if we vote "no" against this motion. Members have heard the member for East Fremantle and the excuse of the Minister, and it is for them to decide. Of course we cannot compel votes: we have not the power of the Premier or Ministers to compel any to vote as they do not like, and consequently we shall have to leave members to vote according to their ideas.

MR. VOSPER: I move that the debate be adjourned.

Motion put and passed, and the debate adjourned.

MUNICIPAL INSTITUTIONS BILL.

IN COMMITTEE.

Consideration resumed from 27th September, at Clause 344.

Clause 344—Separate rates:

MR. A. FORREST (in charge of the Bill) said the clauses from 332 onward had been submitted to the Crown Law Department and to the gentleman who drafted the Bill, and he (Mr. Forrest) thought the amendments on the Notice Paper would meet with the general approval of the Committee. He had a letter from Mr. Sayer, who was well known to members of the Committee, saying the Bill was now well drafted, that it embodied the wishes of the Committee, and that no fault could be found with the Bill from Clause 332 onward. If the Committee would agree to the amendments, he (Mr. Forrest) intended moving to have the Bill recommitted for dealing with certain clauses and meeting the wishes of the Committee as indicated in the discussions. He hoped the Committee would agree to the Bill being passed, and that it should be sent to the other House at an early date. If it could not be sent at an early date, the Bill would have to be dropped for this session. Parliament had been sitting nearly five months, and he presumed the session would not last more than another month or six weeks. He moved that Clauses 344 to 352, inclusive, be struck out.

MR. ILLINGWORTH: The position of the Bill was, in his opinion, most unsatisfactory. There had been statements, especially from the member for the Ash-

burton (Hon. S. Burt) condemning the drafting of the Bill from end to end. Now we were asked to accept the statement of Mr. Sayers that all the mistakes and errors pointed out by legal gentlemen had been rectified, and we were also asked to carry the Bill at this late stage of the session. His opinion was that it could not possibly be put into satisfactory shape, so that it would be a useful piece of legislation to the country. If the hon. member really wished to conserve the interests of municipalities, he would act more wisely in withdrawing the Bill altogether this session, and having it properly drafted and introduced next session. There was no chance whatever of getting the Bill through the House at the present stage.

MR. A. FORREST: The Bill was one which he felt compelled to go on with. The present Act was unworkable, one point of importance for the city and other municipalities being that it was questionable whether a man who did not pay his rates within the year could be compelled to pay them.

MR. ILLINGWORTH: Rates which had been owing for six years were asked for.

MR. FORREST: That was so, and there were some persons honourable enough to pay them, but there were others who would not pay. This did not take effect on vacant land, but on house property. The question was a very difficult one, which would have to be fought out in the law courts. There was a great difference of opinion, many lawyers saying that such persons as those referred to could not be compelled to pay, whilst others asserted they could, and it was one of those points it was necessary to have cleared up. There were many other faults in the old Act. The amendments he had placed on the Notice Paper met the wishes of every hon. member. To try to throw out the Bill now, after the labour which had been expended on it, was not fair. The measure had been brought forward at the express wish of the whole municipalities of the colony; it was practically their Bill, and to throw the Bill out would not be considered treating them with due respect. The present Act was so absurd, and unworkable, that the municipalities could not continue to work under it. If the Committee threw the Bill out, he would not

be very sorry because he did not want to stop here night after night watching the Bill; the responsibility of the action would rest with hon. members.

MR. WOOD: A great deal of labour had been expended on the Bill, not only by the municipal councils, but by the Committee, and we ought not to sacrifice the Bill for the sake of a little more exertion. Perhaps the hon. member might meet the views of the Committee by withdrawing the Bill, and bringing in a measure containing one or two amendments to meet the cases he had mentioned, for it was utterly impossible to deal with a Bill of this character this session. The hon. member (Mr. A. Forrest) might bring in an amended Bill dealing with the levying of distress, the collection of rates and the appointment of city valuers. With the federal question before hon. members, and other matters of importance, it was impossible to deal with such a large Bill as this one during this session. To enable the member in charge of the Bill to reconsider the position, he moved that progress be reported.

Motion put and passed.

THE SPEAKER: On what day did the hon. member wish the Committee to sit again?

MR. HARPER: The Committee had decided only to report progress.

THE SPEAKER: The Chairman had reported that the Committee had only decided to report progress.

MR. WOOD: The motion he intended to make was that the Committee report progress, and ask leave to sit again. He would be obliged if a concession were made, and the motion be put again that the Committee report progress and ask leave to sit again on Wednesday next.

THE SPEAKER: It was not for him to make the concession. He simply received the report from the Chairman of Committees.

MR. WOOD: The Chairman might not have heard the motion, but he (Mr. Wood) thought the motion he made was that progress be reported and leave asked to sit again.

MR. HARPER: The hon. member had distinctly moved that progress be reported.

MR. WOOD: Then it was quite an omission on his part not to ask leave to sit again.

MR. HIGHAM: The remarks of the mover did not indicate that he wished to throw the Bill out.

THE SPEAKER: In that case he would ask the hon. member to state on what day he wished the Committee to meet again.

MR. WOOD: On Wednesday next.

Motion—that the Committee have leave to sit again on Wednesday next—put and passed.

ADJOURNMENT.

The House adjourned at 10·7 o'clock until the next day.

Legislative Council,

Tuesday, 31st October, 1899.

Message: Transvaal, W.A. Contingent—Message: Assent to Bill Papers presented Patents, Designs, and Trade Marks Bill, recommittal, reported—Bills of Sale Bill, recommittal, further recommittal, reported—Pharmacy and Poisons Act Amendment Bill, first reading—Statutory Declarations Amendment Bill, first reading—Excess Bill (1898-9), second reading—Bank Note Protection Bill, in Committee, recommittal, reported—Constitution Acts Amendment Bill, second reading (Amendment), debate resumed and adjourned—Dentists Act Amendment Bill, second reading, in Committee, reported—Electoral Bill, postponement—Adjournment.

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

PRAYERS.

MESSAGE—TRANSVAAL, W.A. CONTINGENT.

Message from the Governor received and read, stating the following reply had been received from the Secretary of State for the Colonies:

Her Majesty's Government have learnt with much satisfaction resolution passed by Legislative Council.