

ADJOURNMENT.

The House adjourned at 10.14 o'clock, until the next day.

Contractor at the current rate of wages applicable to the trade at the place where they are so employed."

Legislative Assembly,

Thursday, 8th August, 1907.

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

Prayers.

QUESTION — HOPETOUN-RAVENSTHORPE RAILWAY, TENDERS.

Mr. HUDSON asked the Minister for Works: 1, Did the Public Works Department tender for the contract for the construction of the Hopetoun-Ravensthorpe Railway? 2, Within what period is the successful tenderer required by the contract to complete the construction of the railway? 3, Is provision made in the contract for the payment of standard or other fixed rate of wages?

The PREMIER replied: 1, A sealed estimate of cost of construction was placed in the Minister's hands by the Engineer-in-Chief previous to the opening of tenders. 2, Twelve months after acceptance of tenders. 3, Clause 26, Sub-clause 3, of General Conditions of Contract reads as follows:—"All persons paid by the Contractor on daily wages in the performance of any of the works herein referred to shall be paid by the

QUESTION — IMMIGRANTS' LUGGAGE, FREMANTLE.

Mr. ANGWIN asked the Premier: 1, Does the Government intend to call tenders for the handling and carriage of immigrants' luggage from ship, etc., at Fremantle this year? 2, If so, when; and will the tenders be open to the public to compete?

The PREMIER replied: No. Because the immigrants are free agents in the matter; but a list of prices of the different carriers will be obtained and exhibited for the information of the immigrants.

Mr. Angwin: Will the Government prepare a special list of the carriers available, as the present list mentions only one carrier?

The PREMIER: The reply is that a list of prices and of the different carriers will be obtained and exhibited.

PAPERS PRESENTED.

By the Premier: Fisheries Report, 1906.

By the Treasurer: 1, Copies of Orders in Council under Section 35 of the Audit Act, 1904. 2, Additional Regulations under Explosives Act.

BILL—STATISTICS.

Recommittal.

On the motion of Mr. Johnson, Bill re-committed for an amendment.

In Committee.

Clause 8—Statistics to be collected:

On motion by Mr. Johnson, paragraph (e.) amended by inserting after "industry" the words "detailing nationality of proprietor and the number and nationality of employees."

Bill farther reported with amendment.

BILL—VACCINATION ACT AMENDMENT.

Second Reading.

Resumed from pages 627-9 (after irregularity).

Mr. A. J. WILSON (Forrest) : In moving the second reading of this Bill I would just like to add to the remarks I made the other evening when dealing with this question. It has been urged, so far as the practice of vaccination in the State of Western Australia is concerned, that the consensus of medical opinion is against any relaxations of the conditions governing the practice of vaccination. It may be possible for the consensus of medical opinion to be against the relaxation of the practice without a relaxation of the practice necessarily adding to any danger of the evil, or being against the interests of public health. One can naturally expect that in Western Australia, where there has been practically no organised agitation for the purpose of having any repeal of our vaccination law, there would not have been the same arraignment of facts against the principle of vaccination as has taken place in England and all other portions of the British Empire, where there have been built up powerful organisations for the purpose of proving conclusively not only that there is a consensus of opinion against vaccination, but an objection to the practice. But, going farther than that, the practical ranging of facts which go to prove the whole practice in itself so far as it is efficacious is concerned, is questionable indeed; at all events I have in front of me at the present time, so far as this State is concerned, two petitions which, without any express canvassing on the part of people who are interested in anti-vaccination, without any special canvassing one of these petitions has lain for some months in the shop of Mr. Martin, in William Street, and there people have volunteered to go in and as a result some 700 have signed the petition, and another petition containing the names of another 700 odd people has also been signed, appealing practically to members of the House to grant some redress from the

compulsory sections in the Vaccination Act of 1878. At all events, whether the medical opinion of Western Australia be in favour of the relaxation of the conditions, there is no question that a very large percentage of the people are anxious to be relieved from what they think at present is an unnecessary burden on them and one which they regard as injurious to the health of their children. If one had anything like an estimate of the number of medical gentlemen in the State of Western Australia who themselves failed to put into practice the vaccination law of the State, we would probably find several medical gentlemen of this State whose children have never been submitted to the ordeal of vaccination, and that I think, if my statement in that regard be correct, is much more influential evidence as to the true feeling of the medical gentlemen in regard to this practice. A number of cases were cited by the member for Roebourne last year in opposing this measure, and amongst them he referred to the epidemic of smallpox which occurred in this State, and he stated that out of 14 fatal cases the great majority were proved to have been unvaccinated. That statement is absolutely valueless in view of the latest admission of leading medical men of the world as to vaccination; unless we are placed in possession of information as to how recent vaccination took place in the cases of those who escaped the fatal consequences of the epidemic. It is demonstrated absolutely and beyond any question of doubt, not by those who are anti-vaccinationists but by pro-vaccinationists in the old country and by members of the Jennerian Society, and it is admitted by one of the greatest authorities, Dr. Copeman, who has demonstrated beyond all question of doubt that the practice of vaccination does not grant permanent immunity against an attack of smallpox. Even admitting that it might grant immunity for a period of time there is amongst the pro-vaccinationists great diversity of opinion as to the period of time in which vaccination proves immunity. The member for Roebourne himself is prepared to admit that in his

opinion the period does not exceed 10 years, but the consensus of medical opinion of pro-vaccinationists in the United Kingdom is that the period of immunity is much shorter than 10 years, it is placed at between five years and seven years. Where the injustice comes in is in forcing the adoption of a practice which is admitted even by pro-vaccinationists themselves to give only temporary immunity from the possibility of smallpox infection. What is the utility after a period of years has elapsed? How many people in Perth to-day, having regard to the medical opinion as to immunity, would be protected in the slightest degree from the fact that they were vaccinated in infancy? Therefore what justification can there be for insisting, against the wishes and against the desire of a large section of the community on a practice which in the very nature of things cannot protect? What is the justification for forcing upon children the adoption of a practice which so far as grown up people are concerned has long since ceased to have any effect? Even if we accept the authority of those medical authorities who favour vaccination, surely no one will for a moment set up the medical opinion of Western Australia as being a higher or better one to which we should appeal on this question than medical authorities of the United Kingdom. I venture to say that at all events on account of their experience and capacity the medical profession of the United Kingdom would be a more satisfactory tribunal to appeal to than the medical profession in Western Australia; more especially when we remember that there has been for a long time a strong agitation on this question which would have necessitated the ranging of the strongest possible arguments of those who favoured vaccination against the overwhelming evidence of those opposed to the continuance of the practice. With all this up-to-date medical opinion, what was the result last month when a Bill on the lines of this now before the House was brought before the House of Commons? It passed its second reading by the overwhelming vote of 122 in favour against 14 who were opposed to it.

Here were people who were in a position to know, medical men in the House of Commons of very high standing and long experience and unquestionable ability, but notwithstanding all the medical experience against anti-vaccination we found the Bill carried by such a large vote in the House of Commons. That in my opinion should be a complete answer. Surely we cannot think for a moment that this Bill was pushed through the House of Commons in a slipshod manner? One has only to read the debates on that occasion to see the supposed case put up in favour of the continuance of the practice of compulsory vaccination, and the stronger case put forward that induced the House of Commons to vote in such an overwhelming majority for the measure on the lines of that I have introduced here, to see that the matter was not rushed through in such a manner. Perhaps of all the most significant statistics that have been collected in regard to this question those supplied by Dr. Charles Ruata, an eminent Italian medico, dealing with the case of the army in Italy, are the best. The figures he supplies deal with people under the age of 20 in one section, and with people over the age of 20 as a separate class. This is what he says:—

“There is another consideration which has a certain relation with vaccination and small-pox in the Italian army. Our young men are obliged by law to enter the army at the age of twenty, so that the greatest part of them pay this tribute to the State. The consequence is that after the age of twenty years, men are by far better vaccinated than women, and after the age of twenty small-pox should kill less men than women. I wished to ascertain if this were true, and here are the figures representing the numbers of deaths from small-pox in men and in women before and after the age of twenty during our great epidemical years, 1887-88-89.”

The total number of males who died from the effects of small-pox in the three years was 18,872, while the total number of females of the same age who died was 18,968. So in that case there was com-

paratively no difference. But in the other case among those over the age of 20 of the male section of the community, who in accordance with the rigorous principles of conscription which rules in Italy were necessarily compelled to join the army and to undergo vaccination, notwithstanding the claims made as to the immunity guaranteed by the continuance of this practice, there were 1,700 more died than among the females over the age of 20 in those three years. One would naturally have expected that if vaccination guarantees the immunity claimed for it, the figures would have been the other way round, that there would have been a higher percentage of females succumbing to the epidemic than was the case with males. Another point I may be pardoned for just briefly referring to is in regard to the administration of the law as it stands. In this State we have an officer who is responsible for the carrying out of the law, and cases have been brought under my notice which do not reflect any degree of credit on that officer. One would naturally expect at all events that an officer who has to do this class of work would at least have some little sympathy and regard for those people who have their conscientious scruples in regard to the adoption of this particular practice. When a mother who values her offspring as that to be most highly cherished in the world, honestly and conscientiously believes that the submission of her child to the practice of vaccination would materially and, probably, permanently injure the health of the child, can we wonder that she may be anxious to avoid submission to this practice? [Mr. Firing: Cannot she get a certificate to that effect?] The difficulty is that she cannot get a certificate unless a medical officer is of opinion that it would be prejudicial to the health of the child, and medical officers are not willing or freely disposed to give these certificates in view of the stringency of the law as it stands to-day. When the vaccination officer goes to a mother like that and starts bullying her, or showing any unnecessary amount of aggressiveness because the mother has not complied with the law on this particular

point, I think at all events it is a practice that might very well be put a stop to; and I think that a little more mercy and consideration and regard should be shown to the feelings of mothers in circumstances of that particular nature. One particular case was brought under my notice in which I think the officer had grossly exceeded his duties. [Mr. Bolton: He always does. It is the same at Fremantle.] On that occasion, I am informed on very reliable authority, the vaccination officer came to a lady and pestered her about getting her child vaccinated. After she had succeeded in postponing the evil day for about two years she eventually, under very severe pressure, but against her wishes and conscientious scruples, took the child to be vaccinated; and the consequence was that the child suffered from a very serious illness. To this day that child, which gave promise of being healthy and robust, has suffered seriously from the consequence of the vaccination. That very humane, obliging, and considerate vaccination officer in referring to the illness of the child said to the mother, "My good woman, that is God's punishment to you for disobeying His law of vaccination." I venture to say that whatever services that officer may be paid for, they do not include the distribution of gratuitous advice on behalf of Providence. He may be acting on behalf of the present Government, but I am afraid that many things he does do not come within the purview of the Government. If members are not prepared to pass this measure, to accept the consensus of opinion of the British House of Commons as to legislation for the observance of compulsory vaccination, I hope the administration of the existing Act will be tempered with more mercy in the future than has been the case in the past, and that people who have conscientious objections will not be liable to severe penalties and imprisonment unless they comply with the law which has been proved, as far as the old country is concerned at all events, an unsuccessful and unnecessary one. The discovery of vaccine in 1808 was looked upon as being very wonderful, but one of the most wonderful

discoveries since then, to my mind, has been the discovery that there is not so much in vaccination as was thought, and that it does a deal more harm than good. I respectfully submit this measure to the thoughtful and careful consideration of members, and trust that some regard may be paid to the conscientious scruples and the finer feelings of those people who honestly believe that the perpetuation of this practice is something which is injurious to the well-being of a large section of our community.

On motion by *Mr. Underwood*, debate adjourned.

BILL—PORT HEDLAND-MARBLE BAR RAILWAY.

Second Reading.

Debate resumed from the previous Tuesday.

Mr. W. C. ANGWIN (East Fremantle): I wish to congratulate the Government upon introducing this Bill which has for its real object the opening up of the North-West. I cannot help thinking, however, that perhaps it would have been better had the introduction of the measure been postponed to a later date, so that members might have had the advantage of perusing the report which the State Mining Engineer (*Mr. Montgomery*) will submit to the Government; for his opinion with regard to the district to be served by the railway would be of great value. It appears to me that the Government, in deciding the route, were influenced to a considerable extent by the fact that the course which the railway is to take is the shortest of the several routes proposed. If *Mr. Montgomery's* report were available, it might be found that if a deviation could have been made, it would have been beneficial for opening up additional districts to those in the route decided upon. I hope that the construction of the line to Marble Bar will be followed by one, which is assuredly required, to Wodgina. One of the special features in connection with the new railway is the advantage that will be gained by the Government by constructing the line themselves instead of handing it over to private en-

terprise. The Premier, in the course of his remarks the other evening, clearly showed that, so far as private enterprise is concerned, the individuals who desired to construct the railway intended to look after themselves and to leave the State to do the best it could. The British Exploration Company, who have expended a large amount of money in the North-West, and will probably benefit more by the construction of the railway than any other company having property in the State, were willing to build the railway to Marble Bar themselves, provided that the Government would make them a grant of merely £700,000 for the construction. Other companies put in offers of a similar nature. The Premier, in moving the second reading of the Bill, pointed out that the Government would be prepared to construct a railway, which would be suitable for the present requirements of the district, at a cost of £225,000. This shows that although the Government who have in the past preached individualism and private enterprise, and were backed up by a special vote of members of the late Parliament, preferred, I am pleased to say, to enter upon a socialistic scheme and have agreed to construct a railway themselves for £225,000 instead of giving private enterprise £700,000 for carrying out the work. The Minister for Mines, in speaking to the second reading, said he thought that the railway took the form of a slight gamble, but I trust that the Government will continue to gamble in that way in the future in order to help the development of the North-West. It would be useless for any Government to take into consideration the development of that portion of the State unless they were prepared to gamble to some extent, and I hope that the extension of that course of action will be in the direction of providing proper and efficient shipping facilities. While the Government are taking steps to provide proper communication on land, we find some outside companies jeopardising the development of the large territory in the North-West owing to the exorbitant charges they are making for conveying goods by sea. I think the Government would

be quite justified in providing ships of their own, and thus provide a trade by sea to feed the railways in the North-West. I feel sure that every member was pleased when he heard that the Minister for Mines intended to visit the district. There is no doubt that the inspection he made resulted in expediting this scheme of railway construction. So long as members of the Ministry travel through the State with a view of gaining information, and are thus enabled to take steps to bring about the development of the districts visited, such as has been the result in the present instance, the money spent on such excursions is well spent. I trust that the Government will not adopt the course foreshadowed by the Premier the other evening and make greatly increased charges over the Port Hedland line as compared with the other lines of the State. For developmental purposes the cheapest railway rates possible should be charged, so that persons will be encouraged to go to those districts, take up country and work it. The agricultural lines which have been recently built have, I contend, kept back a certain amount of development owing to the failure on the part of the Railway Department to provide proper conveniences. The charges which have been made over these lines have been exorbitant, and the result has been that a number of persons have retained their horses and waggons, and have carted their produce to the various centres, because it did not pay them to send these articles by the railway. I trust that the Government will not continue that policy in connection with the Port Hedland Railway. I was at Wagin a little while ago, and was informed of a case in which a man came in 25 miles with his horses and waggon in order to pick up machinery for his place which was situated only 7 miles from the railway. The reason he was forced to do this was because at the nearest point of the railway to his place there were no conveniences or facilities to enable him to unload the machinery. Had these conveniences been provided he would have been able to take the machinery by railway to Dumbleyung, and the

necessity for carting from Wagin would have been obviated. Again, at the Williams, I know a man personally who carts his produce to Perth owing to the fact that the charges on the railways are so high that it pays him to do so. I hope the Government will not persist in this policy. For the Port Hedland line they should make the charges so low, that the people who are trying to develop the district will be able to rail their goods at a fair price. The Government will have my support on this Bill, and I trust that the time is not far distant when they will introduce a measure to construct a railway to Wodgina.

Mr. J. EWING (Collie): It seems that members have practically made up their minds as to this railway, hence I suppose the discussion will not be of great length. I regret that the member for Roebourne (Dr. Hicks) is not present to-night, because when the Premier finished his second-reading speech the hon. member moved the adjournment of the debate. I should have liked to hear his remarks on this railway project, for he has had great experience of that part of the country, and before deciding matters of this kind we should if possible be seized of all the facts. I wish to congratulate the Government on this portion of their policy, and more especially to point out the difference between their action and that of the Daglish Government. I remember when the latter Government decided to call for tenders for this railway, and thus caused considerable commotion on their own side of the House. However, it does not follow that they would have accepted any of the tenders, and I regret that they did not at once put in hand the building of the line. I am glad the present Government have sufficient confidence in the North-West to start the work. It has been stated by many that the line is starting from the wrong place; but though the position of the line may not be the best in the interests of the State, its construction in order to open up the country is a move in the right direction. If all we hear regarding the North-West is true,

if the Wodgina tinfield is so promising, and produces tantalite as well as tin, then we must admit the line will be at a great distance from Wodgina; and if between Marble Bar and Nullagine, which I believe is the present objective of the line, there is stanniferous and also auriferous country, it must be recognised that in the near future a great extension of the railway will be necessary if that portion of the State is to be thoroughly developed. Therefore we shall have in power a Government prepared to carry out this work when it becomes necessary. If the railway as projected brings wealth to the North-West, it will be necessary to spend a considerable sum, and not to hesitate in carrying out works which will be the salvation of Western Australia, provided always that the mineral wealth of the district is as plentiful as we are led to believe. I have not, like some hon. members, had the privilege of visiting the North-West; but we have before us the evidence of the parliamentary party, who suffered great disabilities in their trip, and reported favourably on this project. We have also the report of the Minister for Mines, the outcome of whose recent visit is I believe the early introduction of this measure. He has told us of the wealth of that country, and he is a man of great experience. The State Mining Engineer has sent in only an interim report, but we understand he considers the railway is well worthy of construction. We must recognise that there are only some 1,200 people to be benefited by the line; and unless all we are told is true, the line is not for a moment justified, for no Parliament could think of spending a quarter of a million for the benefit of 1,200 people. The crux of the whole question is: we have reports from men in a position to know the wealth of the country, whether pastoral stanniferous, or auriferous; we believe these reports, and every member feels justified in voting the sum required. The Premier has told us he intends to make inquiries as to sleepers for the railway, and it seems possible that steel sleepers may be used. I think he said they will not be used if their use can be avoided. I would urge him, in building this or any

other railway, to consider as far as possible the interests of the State; and if the line is to be of any considerable length, it is the bounden duty of the Government to use jarrah sleepers, even if they last only half so long as steel. The Government will then benefit the southern portion of the State and another of its industries, and we can pay a little more, even if we have to renew the sleepers, say in ten months' time. [Mr. Johnson: Why not ten weeks?] I am glad the hon. member is emphasising the fact that the Government take great trouble in making inquiries as to such works, and I feel sure that they will see whether it is possible by the use of some mixture to preserve sleepers from the inroads of white ants. I believe that can be done, and that men are now experimenting with such a mixture. [Mr. Bath: There is a successful process already invented.] Then I am sure the Government will give it a trial. If that is done, the South-Western portion of the State will benefit considerably. We are told that although the line is to be built on a grade of 1 in 40, the grade can if necessary be improved in years to come to 1 in 80. It would be bad policy to build on a ruling grade of 1 in 40 a railway which might be of great future importance. In my experience this is an almost impracticable grade if there is any traffic at all. In the Collie district we have a heavy mineral traffic with grades of 1 in 40; and I think those responsible for building the Collie line should have exhausted every effort to provide better grades, for the existing grades mean a heavy charge against the mineral carried. The line carries only loads of between 70 and 80 tons, whereas on a grade of 1 in 80 they could be increased to 220 or 250 tons. In the early days it would have been quite possible to select a route with grades of 1 in 80, and near the Collie River such grades are obtainable to-day. I mention this to show how foolish it is to form on such grades a line that may develop into one of great importance. We are told that the engineering difficulties are very great on routes numbered 2, 3, and 4 on the map before me; and no doubt this is one reason why the Government have decided

to build the line from Port Hedland to Marble Bar. But in his opening remarks the Premier said that for the first 70 miles there was practically no hope of any mineral or auriferous development; that the country was practically a sand-plain, none of it being fit for pastoral purposes. The present objective of the line being Marble Bar, we have to believe that in and around that centre there are very important mines, and that sufficient traffic will be forthcoming when the line is built. Of course I am ignorant of the facts, except from the reports and the statements made here; but the facts set forth by the Premier may form one reason why the member for Roebourne has now taken such strong exception to Port Hedland as a starting point. Nevertheless, I would advise him and every other member to give his earnest support to the Government proposal, which is backed up by the member for the district (Mr. Underwood), who the other evening expressed his satisfaction with the route and his confidence in the future prospects of the district. He has lived in the district for many years, and has only the best interests of its people to serve. Considering all this, those in the same position as I, practically without knowledge of the country, must accept these statements and believe that the proposition now before the House will give us the necessary communication with an important centre; and I hope it will prove the best possible communication. I know the argument will appeal to other members, as it appeals to me, that we are not building this railway for the benefit of the North-West alone; that it will benefit the whole State, and particularly the South-Western districts. If we are to open an enormous mineral territory in the North-West, we must provide it with mining timber and fuel. The mining timber can be had, in the first instance, in and around the Geraldton district, or between Geraldton and Midland Junction, whence magnificent salmon gum is now being sent to the Murchison fields, where it is used with good effect for mining purposes. In the South-Western portion of the State we have the jarrah, which will find its way to the North-West providing the

mines turn out satisfactorily. And last but not least, we have the fuel question. It is well known that fuel for the North-West must be imported from the South-West or from the Eastern States, for in that country is no timber of any value. I know I shall have the sympathy and support of every member in proposing that the fuel shall be worked by our own miners, and that the South-Western districts shall be allowed to fill the requirements of the North-West. This brings me to a question of great importance—the encouragement which should be given by the Government to the manufacture of briquettes. We all know that Collie coal to-day, though an admirable product of great advantage to the State, will not bear carriage; and it would be absolutely impossible to take that coal to the North-West in competition with Newcastle coal. We hope that the briquette industry will so develop that we shall be able to send briquettes not only to the North-West, but for maritime purposes to Bunbury and Fremantle. I hope the Government will accord hearty support to any briquette propositions coming before them—to anyone who will find out a means of making a successful briquette from Collie coal. So far, I regret to say, the briquette industry has not been a success. There have been many trials, and the difficulty is not to make a briquette that will stand ordinary wear and tear outside the furnace, but one that will not fall to pieces when put into the fire-box under great heat. All hitherto made fall to pieces, go through the fire-bars, and are therefore valueless. What is needed is an invention that will enable the briquette, when put into the fire-box, to consolidate and thus become a useful fuel. I believe that can be achieved. In Germany and elsewhere briquettes are made from inferior coal; hence we are not without hope that in a short time we shall have a briquette which will secure to us the whole of the coal-trade in the North-West of this State, and a considerable export trade from the ports of Bunbury and Fremantle. I join with the member for East Fremantle (Mr. Angwin) in the hope that the Government in opening up this territory will

not impose excessive freights and fares, so as to neutralise the advantage of the pioneer railway. My notion of railways is that the Government should provide interest and sinking fund on the capital expended, and out of earnings maintain them in proper repair. The interest and sinking fund should come from the consolidated revenue and from some form of direct taxation, so that the full benefit from the working of the railways shall be given to those who use them to endeavour to open up our country, leaving the general taxpayer to find from the consolidated revenue the necessary interest and sinking fund.

Mr. Bath : Multiply that a few times and you will soon make the burden prohibitive.

Mr. EWING : I do not think so. I believe not a penny of profit made from the railways, except for the necessary maintenance of the railway and for interest, should be used. We should let the sinking fund come from other revenue, and use the whole of what previously had been given to the sinking fund in reduction of freights. That is the great hope for Western Australia.

Mr. Bath : You do not make the general taxpayer pay for the work.

Mr. EWING : To make myself clear, I will give an illustration. The year before last we had something like £90,000 over and above interest and sinking fund from the railways, and that was used to pay portion of the sinking fund—not pay the whole, but about 84 per cent., and I think the sinking fund was £100,000 ; but I would take that £84,000 or £100,000 and use it for a reduction of the freights throughout Western Australia, so as to assist those who are developing the industries of the State. If we do that, we shall have some hope of assisting our industries and developing them. I did not intend to speak at length on this matter, because I think members will have made up their minds. The Bill will be carried, and if it is it will assist in developing the northern portion of the State to such a degree that we shall in the near future reap a benefit from the work.

Mr. A. MALE (Kimberley) : I have much pleasure in rising to support this Bill and I congratulate the Government on having the courage of their convictions and introducing the Bill with so little delay. It is very pleasing indeed to find this Bill again receiving the support of all sections of the House, as well as of the country generally. I do not think it is necessary for me to say much either as to the necessity for the railway, the route, or the cost and the nature of its construction. These questions have been discussed so often both in and outside this House, and have afforded so much material for the newspapers for many years past that both members of the House and the public are well conversant with the facts. It appears to me the principal bone of contention has been the question of route. The rivalry displayed by the ports of Cossack and Hedland has had more to do with keeping back the railway than anything else, and I think these two ports have both been very unfair to the mines and the miners and the principal parties concerned. I think if they had considered the mines and the miners more and not their respective ports, this railway would have been already constructed. It seems to me the question is that of constructing a railway from the mines to the coast, either from the port of Hedland or Cossack to some point inland.

Mr. Bath : You have to take the question of route into consideration, and we want information on that point from those who know something about it.

Mr. MALE : It appears to me when the question of the necessity was decided, as it has been decided by the House on several occasions, and by the public generally, it is only fair that we as laymen should leave the matter of port and route to the expert engineers who are in a better position to offer an opinion on these matters than we are. As to the respective merits of the ports, that certainly is a matter for the engineers to decide and I think the same to a very great extent also applies to the route. At any rate it does appear to me the balance of opinion is in favour of Port Hedland as the starting point. Per-

sonally I consider that Balla Balla is much more favourably situated geographically than Port Hedland or Cossack, for the reason that by starting the railway from Balla Balla, it means tapping the mineral country straight away. But there again we meet with engineering difficulties. It has been pointed out that the cost of construction between the island of Depuch and the mainland will be considerable. I regret that a more full report has not been given on the cost of construction of such connection; I think it would have been useful to the House and the public generally if we had been supplied with a more full report; but as I said before, the question has been stuck up on the point of route too many times, and it appears to me that it is better now to drop the wrangle of the route and accept the Bill as placed before the House.

Mr. Taylor: That is the easiest way to get through the work.

Mr. MALE: It is not the easiest way to get through the work, but we must give the Government some credit for obtaining all the information from their expert engineers. If that is so we are justified in accepting the route mentioned in the Bill. I am prepared to accept the expert opinions of engineers who have reported on the rival routes, as I consider they are in a better position to offer an opinion than I or any other layman can be. The railway being a mining railway must naturally be a speculative railway; all mining railways are; and I think in this instance it will not be found that this is a more speculative railway than the line which was constructed to Kalgoorlie and the Eastern Goldfields, at the time it was constructed. We have a certain amount of data to go on. We know a lot about the mineral resources of the district to be opened up and we also know we are tapping a fine pastoral district, which was not the case with the other railway to which I have referred. The pastoral district itself must give a certain amount of traffic to the railway in addition to what will accrue from the mining industry. The Premier, in introducing the Bill, estimated that the loss on the railway at

the present time would be about £5,000, that is working it out on the amount of traffic that now exists in that district. If the amount of loss is only to be represented by £5,000, I think the Government are fully justified in going on with the work; for we understand that the policy of this country is a policy for the development of our mineral resources. That is an accepted fact on this and on the other side of the House, and in the course of the year we spend many five thousand pounds in endeavouring to develop the mineral resources of the country; and I venture to say many of the five thousand pounds are spent on much less promising propositions than the one that this railway will open up. This district when I first knew it some 15 years ago was in a much more flourishing condition from a mineral point of view than it is to-day. Prospectors were landing in large numbers by all the boats; but what do we find? Owing to the excessive cost of carting material inland and the difficulties of opening up the mines, the result was that the miners simply picked out the eyes of any shows they found and were unable to work any of the lower grade shows. If they got the railway through to the fields and cheap freights and easy means of communication, it certainly stands to reason they would be able to develop the lower grade shows which they previously were unable to exploit, and they will also be able to prospect the country in a manner which it was not possible to do before.

Mr. Johnson: Do you imply the high grade shows of 15 years ago are worked out?

Mr. MALE: They simply worked them awhile and then left them. They could not get timber carted at a reasonable rate, and there was no local timber. The means of transit made it impossible to follow the mines without a large expenditure of money.

Mr. Ewing: The gold will still be there.

Mr. MALE: The gold will still be there. Regarding the question of construction, being a speculative and mining railway, I certainly would have preferred the Government start-

ing with a 2ft. gauge rather than a 3ft. 6in. gauge. That would have reduced the capital cost of construction. All that is required is to give an easy means of transit to and fro. It is not a trunk line. I think it will be many years before it is possible to connect this line with any of our main lines, and it will simply be a railway line on its own; and by that fact a 2ft. gauge would not make a material difference, but it would make a material difference in the capital cost of construction. The question of sleepers has been referred to and in that connection I advise the Government to use steel sleepers. As a resident of the North-West for many years I say that jarrah is one of the first timbers attacked by white ants. I think the Public Works Department have already seen the folly of using jarrah in the North to their cost. The wharves are riddled with white ants; the stockyards and other works have been completely destroyed. At Broome the stockyards are a total wreck, in fact I well remember when the contractor was building the yards he had to replace many of the posts before he could hand the work over to the Government in good order and condition. It is only a matter of months, not years, before jarrah is eaten right out by the white ants, and the extra cost of putting in steel sleepers would be saved in a very few years. I trust the Government, once they receive the necessary permission of the House to go on with the work, will go on with the line as speedily as they have introduced this Bill. And when they get the necessary permission to go on with the work I suggest if possible that they get some 16 miles of old railway material and rails, and run a temporary line out some 16 miles from Port Hedland, so that they will have an easy means of handling the railway material when it arrives. The space available at Port Hedland for storing and stacking up large consignments is very limited, and unless some provision is made the whole place will very soon get congested, not only hindering the construction of the railway but also doing considerable harm to the

residents and squatters around by blocking them from getting necessary food and supplies. I trust the Bill will receive the support of the whole of the House and that the work will be constructed with as little delay as possible.

Dr. J. S. HICKS (Roebourne): I remember 15 or 16 years ago, when Marble Bar was first started as a gold mining centre, an agitation was started for this railway. In my opinion, seeing the very rich clutes of gold they had in those days, any Government would have been pardoned for building a railway as a gamble or on the off chance; but now, seeing the major portion of the gold in the North-West has petered out, I think that for gold alone there is no justification whatever for building a railway. The other night the Minister for Mines referred to the fact that very rich gold had been found at a considerable depth, at 400 feet. I can instance one centre that we always considered was the best place in the Pilbarra Goldfield, that is Bamboo Creek. It gave a higher return per ton for gold than any other centre in the North, but unfortunately when they went down to 60 or 70 feet the gold petered out absolutely. There are several companies there who have put down shafts. One of the deepest is 400 feet I believe, but the Bamboo Creek Company had a shaft down 300 feet odd and put in a crosscut to the vein and drove along the vein but found no values. It was not a question of the value of the ore getting lower, but the gold went out altogether. The manager of a company owning a rich property at Bamboo Creek in conversation with me the other day said that, though he got five ounces to six ounces per ton in the show at the start, when they got to 70 feet the gold itself petered out. This company put down a shaft for 200 feet, crosscut on the reef and drove on it only to find no values. The fissure was there, but there was nothing but quartz veins. That is one centre in the North-West proved to have no gold. It was the same with the other places. As I said before, for gold alone there is no justification for the railway. In West Pil-

barra it is the same. When they first found gold the ore was rich with small chutes, but when they went down to 50 feet or 100 feet the gold was all gone. It was not a question of the values being poorer but the gold had gone altogether. When certain companies will put down a shaft to 400 feet and cannot find values I think they are justified in saying that there is no gold there. At present there is only one mine working at Bamboo Creek. That is sufficient evidence. [*Mr. Underwood*: They never cut the reef.] The man who had the richest show in Bamboo Creek assured me that the gold cut out at 70 feet. They put down a shaft 236 feet, crosscut the reef and drove on it, but there was no gold in it, and they had naturally to abandon the mine. The same thing happens throughout the North-West. All the properties when first found are of good value and pay men exceedingly well until they get down to about 50 feet, and then the values go. The same thing has happened at Marble Bar. There is nothing done at Marble Bar at present. At Bamboo Creek there is only one mine working and it is let on tribute, though owned by a man who is a thorough miner and a speculator, who would, if he thought there was a possibility of gold being derived from the mine, work it himself. At Mosquito Creek also it is the same. As I said before, so far as gold is concerned, there is no justification for the railway. In regard to tin, that we have heard so much about, with the exception of one or two cases at Wodgina, which are doubtful, there is no lode tin in the North-West of a payable character. All the tin is now coming practically from Moolyella. At present they are shipping about 60 tons a month, but seeing that it is alluvial it will not last long.

The Premier: What about Greenbushes? They have been working on alluvial for 20 years and the place is better than ever.

Dr. HICKS: We have heard conflicting accounts of Greenbushes. The only thing to my mind likely to help the North-West is copper. There are large quantities of it there, but whether the copper will peter out at a depth I cannot say. Very likely it will. It seems

to be the fate of the North-West that when you go to only a reasonable depth you get no values. It is not that the values are poorer, but they go altogether. A lot was made the other night about a very valuable mineral called tantalum. It was very valuable when first found in the North-West. It fetched something like £2,000 a ton, but they found so much and put so much of it on the market that they knocked the bottom out of the market and tantalum is now down to £70 to £100 a ton; and seeing that the world's demand for tantalum is only about 10 tons a year I do not see how it is going to help the railway. The member for Pilbarra and the Minister for Mines dealt largely with tantalum, else I would not have touched on the subject. In regard to the route chosen by the Government I am very much surprised indeed. They propose to start from Port Hedland and go within 20 miles or 30 miles of Wodgina and then on to Marble Bar. [*Mr. Gordon*: Over 40 miles from Wodgina.] That is worse still. Along that route there is not one ounce of mineral from Port Hedland to Marble Bar within 10 miles of the railway, and all the figures the Premier gave the other night were figures dealing with places beyond Marble Bar. [*The Premier*: Beyond the 70-mile peg from Port Hedland.] The Premier refers to the Lalla Rookh, but that mine is at present not working. There is nothing but sand and spinifex between Port Hedland and Marble Bar. It may not be known to members that Port Hedland is not a port that can be approached at any time by steamers. It can only be approached about 12 days in every month by steamers drawing from 16 to 18 feet. That is on account of the bars. There are two bars at Port Hedland, one is a sandy bar and the other I believe is a rocky bar. At any rate for about five or six days only at high spring tide can vessels enter Port Hedland, and that gives about 12 days a month. Not only that, but there is not a boat travelling on the North-West coast but has not been aground at Port Hedland, and had to stay aground about 24 hours at a time. Port Hedland is all right when you are there, but the trouble is getting in: and

then, as I say, it is only available for about 12 days in the month. Of course I do not know what the Government intend to do—whether they intend to dredge or blow away the rock ; but so far as Port Hedland is concerned, it is not a most perfect port.

The Premier : Over 70 steamers with an average of 2,000 tons went there last year.

Dr. HICKS : How many were grounded going in or going out ? I maintain that if the gold were there, even in certain values so that low-grade propositions might be worked, the Government might be justified in regard to this railway, but I feel certain that the values are absolutely gone. Had the Government done what any good business man would have done they would have started the railway from a point—

The Premier : From Roebourne.

Dr. HICKS : Not necessarily ; I am not altogether in favour of a railway for the North-West, but I say that if we are going to build a railway we should build it from a place where we can get the most feeders. Had the Government acted as any business man would have done they would have built the railway from a good port and carried it through the mineral belt. I regret there is not a map here so that members might follow me in regard to the mineral belt of the North-West. That mineral belt starts from the south of Roebourne to a little north of Balla Balla, and then eastward to Nullagine. To get at the most of that belt the proper place to start from would be Balla Balla, making Nullagine the objective as was originally intended in this Assembly. Marble Bar has nothing there to-day. There would not be a resident there to-day but for the public buildings in the place. Supposing the line started from Balla Balla, we have an excellent harbour there. Vessels drawing considerably over the draught of the vessels on the trade could go into Depuch Island. Of course the island would have to be connected with the mainland. I believe the cost is mentioned as £200,000, but that is excessive to my mind. I am sure that £50,000 would make Depuch a valuable harbour where boats could come

in at any time. While I am dealing with this subject, I may say that, although we hear so much of Port Hedland as a harbour, it will be necessary to spend at least £30,000 to enlarge the jetty there ; so there is not so much difference. I say there is at Depuch a harbour good at any time and available for the largest ships afloat at the present day. Even now there is a jetty at Balla Balla and ships come in. If the railway started from Balla Balla it would touch all the minerals of the North-West. The member for Pilbarra (Mr. Underwood) replying to an interjection of mine the other night said that there was as much mineral between Port Hedland and Marble Bar as between Roebourne and Marble Bar. I contend there is absolutely none between Port Hedland and Marble Bar, whereas at the present time one mine alone at Roebourne is turning out £5,000 worth of copper and another one is turning out £1,000 worth. [*Mr. Underwood :* But that is at Roebourne.] I am only dealing with the hon. member's reply. If we go farther and go along the route I have suggested towards Nullagine, there is the Whim Creek copper mine at present sending away about £8,000 worth of copper a month, and from there the richest copper ore ever found in the North-West is being obtained. If the Government were thorough business men would they not have kept the tram-line from Whim Creek to Balla Balla to themselves, instead of allowing a private company to run it ? Such a proposition as that would pay the State handsomely, whereas we are going to build a line from Port Hedland to Marble Bar which will mean a loss of thousands of pounds per annum to the State. It is a disgrace that the Government did not build the tramway but are allowing a private company to construct it. [*Mr. Scaddan :* Is it a concession ?] The Whim Creek copper mine company are building the tramway. I have not seen it since the construction was begun, but it is going on and members will have noticed that there has been a strike there. [*Mr. Scaddan :* You are against private enterprise then ?] Yes, entirely. In addition to what they are sending away, the company have also

from 8,000 to 10,000 tons of fine payable smelting ore which must be transported from Whim Creek to Balla Balla. Were the Government in possession of the tramway a handsome profit would have been derived from that trade. Such a scheme would have paid very much better than their railway. There is no doubt that the mine will be kept going for many years to come, for it is the biggest copper mine in Western Australia, and I have been told by a person high in authority—I will not mention names—that it is a better property than all the mines in Phillips River put together. A Government who have thrown away a chance like this deserve the censure of the House. [Mr. Piesse: What would be the distance of the line to Marble Bar which you propose?] Had the line been constructed from Balla Balla to Marble Bar it would have meant a distance of between 20 and 30 miles farther than the Port Hedland line. I am giving these figures from memory, being not quite certain of the actual distance. Had the line started from Balla Balla and gone to Marble Bar, mineral country would have been traversed all the way. It would not have been, as is the case with the Port Hedland line, that a lengthy distance of country having no minerals whatever would have to be traversed. The Government have also given the manager of the Whim Creek company the full right over the Balla Balla jetty for two years and nine months. [Mr. Scaddan: When did they do this?] Quite recently. For every other jetty the rights are given for twelve months only, and I should like to know why this company obtains possession for two years and nine months. The Minister for Mines stated that later on, there might be a necessity to construct a line from Balla Balla. If they did this they would pass over a large quantity of valuable mineral country. There would be the Whim Creek country, where the best copper in the country is found; there is Mallina, where, as everyone knows there are very fair deposits of antimony in addition to gold; and there is Egina, where there is both copper and gold, and Wodgina. In this connection the Minister for Mines said the other

night that on one of the mines he visited there were only three men at work, and he expressed surprise that such was the case. The reason for such a state of affairs was clear, for it did not pay the proprietors to work mines under any conditions; when you get down a certain depth in that country the gold goes. There is only one justification for the proposed line, and that is that possibly copper mining might assist in promoting its success. I will not express an opinion on that point. There is no doubt that if the Government desire to build a line to Marble Bar they should make it take a course where the greatest number of feeders exist. If the line went from Balla Balla there would be feeders from Whim Creek, Mallina, Egina and Wodgina. [Mr. Scaddan: Are you advocating that line?] I am advocating no line in the North-West. By having feeders to a railway there are some chances provided for the line eventually paying. My chief reason for protesting against this line so strongly is that once it is built and has proved—as in my opinion it will prove—an absolute failure, it will be used as an argument against building a line in the North-West from any other point. If you want to gamble in a matter like this take the greatest number of chances you can get. The time for gambling however is over. Fourteen years ago, when things were looking fairly well in the North, the Government might have had a gamble; but the day has passed. If the Government intend in future to start a line from Balla Balla, they should connect up that place with Roebourne. They are only about 40 miles distant one from the other, and then the difference between the present line from Port Hedland to Marble Bar and the one from Roebourne to Marble Bar would be only 80 miles. A feature in favour of the latter route would be that, with the exception of about 20 miles, the whole of the country traversed would be mineral. [The Attorney General: What kind of a harbour is there at Roebourne?] At Cossack there is a fair jetty, known as the Point Sampson jetty, and it was predicted that it would be blown down the first time a willy-willy

came along. That jetty, however, is still there, and is likely to remain. Any steamer with a draught of 26 feet can go alongside that jetty at any time day or night with perfect safety, although in the Indian Ocean a mile out, vessels cannot lie safely when it is blowing strongly. A steamer can go alongside the Point Sampson jetty at such a time without even having to use a hawser and can continue loading or unloading without interference from the weather. I am not too sweet on the railway at all; but if the Government are going to build one, let it be over the best route. The Minister for Mines, in referring to different persons who had advocated the building of the proposed line, mentioned the Government Geologist. I read that official's report, and the impression it gave me was that he was not in favour of building a line, but rather advocated the spending of money in proving some of the deposits in the North. That is what I believe in and have advocated times without number. Before building a railway the Government should spend say £50,000 on one property in going down 1,000 or 2,000 feet, so as to prove whether the values live to that depth. This would be far better than throwing away, as I think would be the case, £250,000. In all probability this sum will run into £500,000. [*Mr. Butcher*: It will cost nearly that much to make Port Hedland a port.] It has been said that the pastoral industry will greatly assist the railway, but I do not for a moment think it will. There are a few stations, such as Mundabullanganna and De Grey, which might be of some assistance. The latter, however, is some 50 or 80 miles away, and they will not send their stock or cattle to a point of intersection which is only comparatively a few miles from the port. The squatting industry will not help the railway. If the line were 200 miles away it would be a different thing. I wish to enter my protest against this scheme, for I think the country should be spared this huge expense. If the Government wish to speculate let them take the line over a route which might offer some prospects of paying.

At 6.15, the *Speaker* left the Chair.
At 7.30, Chair resumed.

Mr. H. E. BOLTON (North Fremantle): When opportunity offers to congratulate the Government on bringing in a measure that is commendable, I think the opportunity should be seized by everybody, whether in Opposition or on the Government side. I believe the Government proposal for a railway from Port Hedland to Marble Bar is decidedly sensible, and I should not be going too far if I said it was, if not the best, nearly the best part of their programme. This project is in a somewhat unfortunate predicament from the fact that so few members have any personal knowledge of the district; and I am bound to admit that the flying visit made by the parliamentary party of which I formed one has not perhaps resulted in sufficient information, but it has at least given the members of the party a little more information than is possessed by those who have never seen the North-West. And if those members who went there did gain any information, they should give the benefit of it to the other members of this House. I frankly admit that before starting on the trip I did not think there would be much justification for the railway. I do not intend to be enthusiastic now by saying that the railway when constructed will be a paying concern. I do not think it will pay at the start, nor do I think it reasonable for anyone inside or outside the House to expect it to pay from the start. I regard the project as largely in the nature of a gamble. [*Mr. Troy*: I am against gambling.] I would suggest to those who are against gambling that when this State was practically governed by Sir John Forrest alone, he gambled in the Eastern Goldfields Railway. When the member for Roebourne (Dr. Hicks) was speaking he referred to the area between Port Hedland and Marble Bar as being nothing but sand-patch and spinifex. [*Dr. Hicks*: He said, "a portion of it."] Well, most of it, a portion of it, half of it—anything to be correct. I would ask the hon. member, When the Government decided to build the line from Northam to

Southern Cross, what settlement was there between those places? After passing, say, Meekering, was there any settlement at all? None whatever. Was there any justification for believing there would be any settlement? None whatever. [*Member*: Two wrongs do not make a right.] No; but two rights added are certainly of more importance than one right. The first gamble happened to be a right, not a wrong; and it is only reasonable to expect that this gamble will be as right as the first gamble. [*Dr. Hicks*: We are not gambling; we have a certainty.] I am not so enthusiastic as to say that, but I believe that the railway will be successful, and I am glad the hon. member believes it will be a certainty. The railway must bring increased prosperity to the metropolitan area. There is no question, when a progressive movement is made in the North, the city of Perth, the port of Fremantle, and the surrounding districts will feel the benefit. Not the North alone but the metropolitan area must partake of the resulting prosperity. It is well known to members that the merchants of Perth and Fremantle—and I refer to Perth and Fremantle not in any parochial spirit but because they happen to be the capital and the port respectively—are anxiously looking forward to the time when the Government will complete the construction of this railway, which construction they believe spells renewed prosperity to them, if only by reason of the increased population which must flow to the North. It stands to reason that the Perth and the Fremantle merchants favour the line. It stands to reason also that, when a movement is made to develop the North, benefits will accrue to those merchants, because the demand for provisions must follow the opening up of the country. We know the difficulty that existed when the Eastern Goldfields Railway was opened, and even before it was opened—when it had been partly constructed under contract and various camps were formed. We know that the head of the line was kept, perhaps for some months, at a certain place to suit the contractor. I remember when Burracoppin was the head of the line, and

thousands of tons of provisions were stored there, and were carted away as quickly as possible by teams. Does it not stand to reason that when the Port Hedland line is started increased population must be attracted if only to build the line? and though there may be a danger that a considerable number of those people will be taken from the goldfields centres and the metropolitan area, notwithstanding that danger, it seems remarkable and yet it is true that wherever one or a hundred men move out, one or a hundred men move in to fill the crevice, which thus becomes hardly traceable. So, even if the population which will in the immediate future be attracted to the North happen to leave the metropolitan area or the Eastern Goldfields, the population of those centres will not be permanently diminished. The speech of the member for Roebourne included one wail—that the mines would peter out at 80 feet. The difficulty is, he did not give us any evidence of a mine having petered out at 80 feet. [*Dr. Hicks*: I did.] The one argument he used was that the mines did not work after sinking to 80 feet; they seemed to throw up the job. That is a most peculiar argument; that because a mine is down 80 feet, and the owner tries in another position on the same plane, the gold has petered out. I do not know whether the hon. member has visited the district; but I have, and I can tell him that when a shaft is sunk there for 80 feet, it is under present conditions almost impossible to sink any lower. The ground is treacherous; and, as has been pointed out by previous speakers, the water supply is so plentiful that first-class machinery is required to cope with the water, and there is no such machinery on the fields. Not one, two, or a dozen but more mines are on good gold at 80 or less than 80 feet, but cannot cope with the water and cannot timber their shafts; consequently they have had to cease operations, for they cannot pay 2s. a running foot for timbering, and that is the cost of timbering to-day. [*Mr. Angwin*: What about the mines that are down 250 feet?] I will refer to one or two which have worked for a few years, showing that the gold has not petered out so far

in them. [Mr. Angwin : You said they could not go down beyond 80 feet.] The difficulty has been, throughout Marble Bar and right through to the Nullagine district, to get timber and get rid of the water—not that the gold has petered out. I should not like to say that the gold will not peter out at a certain depth ; but I should have as much justification for saying so as has the member for Roebourne for saying that it peters out at 80 feet. I am not a mineralogist, and do not know whether it will ; but there has never been a test to prove whether it will, and the hon. member cannot give one instance of its petering out at that depth. I should like also to refer him to a claim at Thebarton. The claim is between Nullagine and Sandy Creek. [The Minister for Mines : Down 190 feet.] This mine has been working for some years, and is in every way successful. The owners were at first a company of five ; but I believe the company now comprises only three members, all of whom work in the mine as ordinary miners, with no overseer. This work has gone on for nearly ten years ; and the money taken from the mine, except what is needed to keep the company going, is used for mining development. The mine is down 190 feet and is still on good gold ; so good that when the parliamentary party visited the North, the members of the company, who, with one possible exception, had been there for five years, were desirous of coming South, and leaving others to work their claim, the owners proposing to do nothing but draw dividends. At 190 feet the gold did not peter out. On my return to the South I had the pleasure of meeting one member of the company.

Mr. Butcher : The railway will not serve that place.

Mr. BOLTON : The line does not serve that place. But as to the argument that has been used, which I am trying to refute, that the gold has petered out at 80ft. I say if the line did serve that place all the better for the place, and instead of having to depend on 2 or 2½oz. stone, the owners would possibly be able to make 1oz. stuff pay very well at that place.

Mr. Underwood : The line does most undoubtedly serve it.

Mr. Butcher : Ninety miles from it.

Mr. BOLTON : The argument has been used that it is sandy plain, spinifex country, nothing but spinifex, from Port Hedland to Marble Bar. Although the greatest part of the auriferous country is beyond Marble Bar, it goes right through to Mosquito Creek. It is not too much to say that those situated at Mosquito Creek or Nullagine would then be 90 miles nearer a port and would benefit considerably. Shall we not find repeated what took place in connection with the Eastern Goldfields Railway ? When the line was taken to Southern Cross, it was not completed that distance before it was decided to carry it on to Coolgardie, and before the line was completed to Coolgardie it was decided to take it on to Kalgoorlie, and later on to Menzies and so on. The hon. member knows the possibilities of the North-West thoroughly ; and when the line has reached a certain point it will come home to members and the public that it is desirable to go farther. It took 160 miles of the Eastern Railway to prove the country beyond that distance.

Mr. Taylor : They found the country first.

Mr. BOLTON : And they have found it in the North-West ; but it is so sparsely populated, and the country is so much unknown to members, that they do not credit that there is good country beyond. The member for Roebourne said nothing was being done at Marble Bar. Nobody can dispute that. It hardly pays to work the mines at Marble Bar, and little was being done when we were there ; at any rate, nothing to what should be going on. The hon. member might tell the House that in the shows at Marble Bar there is 3oz. stone, and plenty of it ; yet people will not bother to work it. That should tell its own story.

Mr. Walker : What do you call "plenty" of it ?

Mr. BOLTON : I think the Minister for Railways will be able to answer that question. The hon. member will be able to get the information from the report

of Mr. Montgomery when laid on the table. He will then be able to know the size of the ore bodies and the amount of stone, to see the result of the assays ; and members will be surprised at the extent of the ore bodies. It was very judicious on the part of the Minister to put the interim report by Mr. Montgomery on the table when the Bill was introduced. There is an interim report on the table that clearly points out that the line is justifiable. Mr. Montgomery's interim report shows that he has a mass of information collected, and if members receive that information they will have no word against the line. The interim report is very emphatic. I cannot do better than follow the remarks of the member for Kimberley (Mr. Male), who said he was prepared to take the report of expert officers, who know which is the best route to adopt. If that applies to the route, it must also apply in the case of the State Mining Engineer's report. There was another point mentioned by the member for Roebourne. That gentleman referred to the remarks of the member for Pilbarra (Mr. Underwood) as to tantalite ; and he said that the world's supply was ten tons.

Dr. Hicks : I did not say the world's supply ; I said the world's demand.

Mr. BOLTON : I beg pardon ; that is what I meant. But the market was glutted, and the price of tantalite dropped to £70 a ton. If the world's demand for tantalite is ten tons to-day, are we not right in assuming that ten tons will not supply the demand in a year or two? We know experiments are now taking place which show that tantalite can be used for many purposes, and in a few years it may be that tantalite will be in such demand that not only will the first price be maintained, but there will be a great difficulty in supplying the demand of the world. There is very little tantalite on hand, because the price dropped so suddenly that people in the North would not buy it.

Mr. Layman : It is worth £800 or £900 a ton now.

Mr. BOLTON : The hon. member is wrong. The member for Roebourne referred to the Port Hedland harbour. If

he reads the report of the Parliamentary Committee, he will find they went rather fully into that question. There is an inner and an outer harbour and the committee had the honour of inserting in their report the statement that it would take very little expenditure to remove the inner bar altogether or partly. This bar is in a peculiar position. It runs out to a jutting point, and it is purely a sandy bar. If the point of the bar were removed it would allow vessels of almost any draft to enter the harbour. The difficulty is that ships have to go round the bar and then retrace their course to get into the harbour. The Minister for Mines walked on that bar when he visited Port Hedland. It would not cost a great deal to remove that bar ; and if Mr. Montgomery, or an officer bearing equal rank, reported on that bank, the report would surprise members as to what it would cost to remove that bar. We were told that the Government had to spend £30,000 on the Port Hedland jetty, whereas the suggested route from Balla Balla, connecting the Depuch Island, would have obviated this expenditure. The Government have not to spend this money on the jetty at Port Hedland because it has been decided to run the railway from that place. Such a proposition is ridiculous ; for it is known that the jetty has not been able to cope with the ordinary traffic of the port for many years, and the people resident in that locality have appealed for farther accommodation quite apart from the railway being started from that port. The expenditure of money has been urgently needed at that port for a long time, and the money cannot be debited against the cost of the railway. The member for Roebourne treated very lightly the few miles difference between a line from Balla Balla, *via* Whim Creek, as against a Port Hedland line. Are we justified in expending an additional £30,000 to run a railway from a different point to arrive at another point when, instead of spending the £30,000 on the deviation we can reach that same point with a 12-mile tramway? The member said that to serve Whim Creek Copper Mine, if the line started from Balla Balla it would go 12 miles farther. It is far

better for the line to start where the Government propose to start it—Port Hedland, and give the Whim Creek people a tramway of 12 miles from Balla Balla, rather than start from Balla Balla. I am decidedly in favour of the Port Hedland starting place. I think the Government should have the tramway built, and if necessary they should build it for that district. If that district can put out what the hon. member said is being put out monthly, and can continue that output for some years, there is justification for a tramway.

The Minister for Mines: There is only one company working there.

Mr. BOLTON: I was going to refer to the fact that when I visited the North the Whim Creek Copper Mine was idle, and had been idle or many years. The mine is on private property, and the mine can cease operations to-morrow if the owners so desire. It is very peculiar—there being no labour conditions attaching to the Whim Creek Copper Mine—that if the Government did construct the twelve miles of tramway to this mine, the company could then demand their own conditions or close down, for there are no labour conditions to make them work. I sincerely hope the output from the mine and the revenue received from that output will encourage the owners to go on for years, and never close down. From what I saw of it, not knowing much about it, and from the information I gathered, it is one of the richest copper mines in Australia; and I was going to say unlimited in its extent. I compliment the Government on deciding to construct the railway themselves. I know that previous Governments received offers from gentlemen to construct the line; but after a good deal of thought, and from information received, I think the Government are doing the right thing in constructing the line. I rather regret the Premier has not decided whether he will use steel or jarrah sleepers. I know from the evidence of my own eye-sight when I visited the North-West that the white ants are something terrible in that district. It is a pity there should be any doubt as to whether the jarrah sleepers will stand;

and if it is possible at all for the Government to use jarrah sleepers they should do so, for I recognise there is a difficulty with steel sleepers over such country. They will have little bearing on the ground. Steel sleepers will not be so successful in that country as they might be in different country.

Mr. A. J. Wilson: Is there any salt in the soil?

Mr. BOLTON: I do not believe so. I do not remember meeting with any salt ground at all; but the sandy nature of some portions of the soil is against the use of steel sleepers. If jarrah sleepers would last for five years I think the Government would be justified in putting them down. Some member interjected "They will not." I know exactly what happened in connection with some of the spur lines which have been built during the last year or two. We know the route was ant-infested, and yet the sleepers put down have not been touched. We cannot get away from it. Facts speak for themselves. They are in an ant-infested district; but the sleepers that were examined by the member for East Fremantle, composed of detached timber, were eaten through by the ants while the sleepers that were laid under the metal were not touched by the ants. There is a probability that while the jarrah sleepers will not be altogether immune from white ants they will not be attacked so much as people believe, and if there is a chance of using them at all the Government should use them. The Premier mentioned that the Government will have the right to deviate 20 miles in any direction. I approach this matter with an open mind, but I should not like to think the Government have already decided to deviate 20 miles from the No. 1 surveyed route. I believe they should as closely as possible follow that route, because it seems to me that the deviation will only be for the purpose of preventing the Wodgina people from growling as much as they might be justified in doing. I believe that Wodgina is only in its infancy and that before long the Government will find it necessary to give the place railway facilities; if necessary by a branch from this rail-

way, or by a line from some other direction. A deviation 20 miles south will not satisfy the people of Wodgina; if it does it cannot be for long. Wodgina is worth satisfying; it is a little jeweller's shop; no doubt it is one of the richest places one could find. The Minister for Mines has said the Government have decided to issue the information collected in regard to the North-West in pamphlet form. There is one thing; with all the lantern lectures and Melbourne dépôts and Agent General's offices, nothing is better than advertising in pamphlet form such as this, and I believe the Government are doing the right thing in advertising the North-West world-wide, because it will attract people there and then there will be no stopping the progress of that portion of the State. There is one difficulty that confronts a Government as a rule in constructing railways, that is the matter of water supply. But the Government are most fortunate in this case because there is a good supply of water along the whole route and it is only necessary in most places, in fact almost all the places, to go to a depth of 40 feet to get as much water as it is possible to get away with. So the Government will have no difficulty there. The Marble Bar district we are told would not have a solitary individual because there is nothing doing at the Bar if it was not for the public buildings; but as it happens, there is just about one public building at Marble Bar. The warden's court, the post office, the hospital, and at that time the doctor's residence—as he is a warden now I suppose he has got a different residence—are all about in one spot; but the township, if it can be termed a township, of Marble Bar is on the other side of the creek in a different place altogether. What keeps Marble Bar as it is is the Moolyella tinfield. Moolyella is about 12 miles from Marble Bar, and all the trade is done from the Bar to this field. The member for Roebourne need not refer to Moolyella being only surface tin, and need not say that it will only last a little while. I believe that if he saw the field or if he only read the reports, he would realise that

Moolyella will outlive the life of Greenbushes, and that it will take many years to see the end of the yield of tin from Moolyella. Though an extension of the line to Nullagine at present is not warranted, the terminus at Marble Bar will be only 75 miles, taking the team track, from Nullagine, and the people at Nullagine will be immensely satisfied to have that 115 miles of road cut out. They will only travel 75 miles instead of roughly 200 miles by road, and they will be able to carry on some of their mines because they are brought so much nearer the coast. A great many of the shows have been bought by the British Exploration Company. Mines at Nullagine, Lalla Rookh, and elsewhere have been bought up, but unfortunately they are not worked. I think that when railway facilities are given the Government will do right in practically ceasing to take notice of any suspension of the labour conditions and in forcing these companies to work their properties. But as it is now, it does not pay to work them. There is no fear of other people jumping the shows because they cannot work them if the British Exploration Company cannot. One or two of the mines are being worked, but most of them are closed down. [*The Minister for Mines: The conglomerates at Nullagine cannot be worked without a railway.*] The Minister probably knows that if the railway arrives at Marble Bar some of those conglomerates at Nullagine will start working at once, because they can get the timber there. In conclusion I wish to say that I do not think it would be right for the Government to depend on the pastoralists to bring in any revenue for this line at all. It happens that most of the country from Port Hedland towards Marble Bar is really good feeding country, and it follows that the pastoralists would far rather travel their cattle or sheep to the port than entrain them; because as a matter of fact the stock will fatten on their journey to the port because the country is so good; and it necessarily follows that the pastoralists will hardly use the railway unless it is for the sake of saving time. [*Mem-*

ber: That is news to me.] It will not be news on reading twelve months later that the pastoralists are travelling stock to the port instead of entraining it. This railway will not go through very many sheep and cattle stations; it will hardly serve them; they will have to travel almost as many miles to reach the railway as to reach the port. [Mr. Butcher: It will not serve them at all; that is one of the arguments against the railway.] That makes my remark all the more forcible. The Government will not get revenue from the pastoralists. Before I close, I desire to mention a few mines over the depth mentioned by the member for Roebourne. There is the Galtee More, which is down 220 feet. The last crushing went 2 ozs. 18 dwts. per ton.

Mr. Bath : What is the size of the reef?

Mr BOLTON : It is a very good property.

Mr. Underwood : It was a 200 tons crushing.

Mr. BOLTON : That is from a fairly reliable authority on the Galtee More. The Ardpatrik is down 200 feet. It is not far from the Galtee More. The last crushing was four ounces to the ton.

Member : What level?

Mr. Underwood : Two hundred feet.

Mr. BOLTON : Then there is the Bulletin, 250 feet, and the last crushing was over two ounces.

The Minister for Mines : The Bulletin is down 400 feet.

Mr. BOLTON : I think that speaks for itself. The same old argument will be hurled against the North-West mining field as it was against the Eastern Goldfields. For years it was hurled against the Eastern Goldfields, even by papers on the fields, that the gold would peter out and that it would never go down; but the mines there are just as good as ever they were, though perhaps not so rich. I hope that as they go down on the mining fields of the North-West, they will get richer and richer ore; at any rate I hope they will give more confidence than they have up to the present. It is not that the gold has petered out but that under present conditions it does not pay to work

them. I believe that as they go down they will give more satisfaction in time. I support the proposition. I hope the Government will push on with the work and I believe they will be repaid by the increased population that will go to the North.

Mr. J. E. HARDWICK (East Perth) : As one of the Parliamentary Party that travelled during the hot months of January and February of last year through the North-West, I feel it incumbent on myself to say a few words on this subject. Perhaps it is well within the recollection of members that the Rason policy speech included a railway to Marble Bar, but there was a difference of opinion in the House as to where the starting point for that railway should be; and acting upon the suggestion, I think, of the late Premier (Mr. Rason) it was thought advisable that a number of experts (as a member suggests) should leave Perth and go to Port Hedland and make an inspection of the two routes. From what I can understand, the report we were to bring back to the Premier was only as to which route we would suggest, and I well remember that the report recommended the route from Port Hedland, but my impressions were that this railway would be purely a mining developmental railway. As far as the pastoralists were concerned, I heard many of them express the opinion that they could not see where the railway was going to directly benefit the pastoral industry, because, as the member for North Fremantle has just remarked, they will drive their stock to the port. Also as each station embraces such a large area of country, running into hundreds of thousands of acres, it will be clearly seen that it will be impossible for a railway to run immediately close to many of the stations. On the other hand, the support given to the railway in the shape of travellers from these stations will be very small, because in most cases a station would not have more than three or four white men on it, the balance of the hands being blacks. From the information I received in that particular district, and from what I

saw, the success of the railway will in a large degree depend upon the mines going down. We had not the opportunity of going down to any great depth in any particular mine, and in nearly every centre we inspected we found that the mines were most inactive. This especially applies to the gold mines, for there was a deal of mining activity in regard to tin. In many cases the tin mines even were at a very shallow depth, ranging at from 10 to 20 feet and no deeper. [Mr. Collier : Was there any lode tin?] Yes a good many lodes of tin. In many cases we came across batteries that were dismantled and did not look as if they would be started again in the near future. On making inquiries as to the reason for the desertion of these plants we were told that it was due to the cost of living and the scarcity of fuel supplies. Nulagine and many other mining centres which have made great names for themselves in the past, owing to the amount of gold won from them, were almost deserted, being given up to a few old men and dry-blowers. The copper shows which we inspected seemed to be very good, but in nearly every case these properties were within a fairly easy distance of the coast. So far as I can remember we did not see what one could call an excellent copper show inland. Travelling facilities in that district are very bad and it is a difficult matter for men to get about the country, practically no facilities being afforded for the travelling public, or for those men who are anxious to go into the back country in order to make a living for themselves. The temperature also is very high throughout the whole district, ranging as it does from 115 degrees to 120 degrees in the shade. As the member for North Fremantle (Mr. Bolton) says, mining timber is conspicuous by its absence. There are miles and miles of plains, and only here and there in isolated places along the gullies is any timber more than one foot in diameter to be seen; even then the supplies are very scarce. While I was in the district I saw some of the invoices of miners who were living at Marble Bar, and from these it was seen

that potatoes cost 10s. for 12 pounds and that onions were about the same price. Nearly every commodity was double or treble the price that we pay in Perth. [Dr. Hicks : What does it cost a man a week to live?] Owing to the price of vegetables and other commodities I do not think a man could live and work well under 30s. a week at the very least. The country is very rich in grasses and good water is abundant at an easy depth. The country abounds in game. I am inclined to think that any progressive Government, or any Government who would earn for themselves the name of being progressive, should make an effort to open up and develop that great country. I intend to vote for the construction of the line but at the same time I regret that it will be something in the nature of a plunge. That plunge, however, is a justifiable one. The success of the line will depend upon whether the mines go down. [Mr. Bath : You are hedging now.] I have expressed the same opinions as I do now ever since I visited that district. I have always intended to support the railway, as the outward indications of that country with its tin, tantalum, gold and other minerals, justify the construction of a line. [Mr. Taylor : What about the route?] I think that Port Hedland is the place where the line should start. That was the decision embodied in the report of the "heroes" who went into that country during the hot time of the year. [Mr. A. J. Wilson : What do you think of the Balla Balla route?] That route was not mentioned when we left Perth and we were practically restricted to two routes; one from Port Hedland and the other from Roebourne. We heard more about Balla Balla after we had expressed an opinion in favour of the Port Hedland route. We determined upon Port Hedland owing to the port facilities there and the easy distance to Marble Bar as compared with the Roebourne route. I am inclined to think that we shall have to rely upon that infallible test, time, to say whether the railway will be the service to the country we hope for and whether it will be a payable proposition or not.

I think with the member for North Fremantle that the line is not going to be a financial proposition for many years to come. There is a population of some 1,200 souls and, as one speaker remarked, it is only natural to suppose that probably not more than one-third of those people will travel over the railway. The mining development should be of such a nature that people would be warranted in going to that part of the country, and if they do so and a large influx sets in there then there is a chance of the railway becoming a payable proposition. I trust that the Minister for Mines, when he speaks, will be able to give us the reports of the experts. [Mr. Taylor : He has already spoken and has put the show away.] I must have been absent when he spoke. I am satisfied that if the reports of the geologists and the experts are to the effect that in their opinion the mines will go down, the Government should proceed with constructing the railway as early as possible. I spent a number of years on the Eastern goldfields, and there seemed to me a great difference between the country there and that of the North-West. [Mr. Taylor : How do the auriferous belts in the North-West compare with those of the Eastern goldfields ?] More than excellently. The country in the North-West evidently has been subjected to a great volcanic upheaval and it presents nothing like the settled appearance of the auriferous areas on the Eastern fields. I do not intend to express an opinion on the question of steel sleepers for I do not know much about it, but I can say that the white ants are very bad indeed in the North-West. In fact, they seem to monopolise the place and I am inclined to think that timber sleepers would be at their merey. [Mr. Underwood : They are no worse than they are at Nanmine.] We saw very few bones of animals on the plains owing to the fact that white ants always eat them up. The only things they will not tackle are the empty bottles about which so much has been said. I have expressed my ideas on this subject and would advise the Government to exercise every caution, as it is a plunge they are about to take. I hope that they are in posses-

sion of that information which will prove beyond all doubt that they are right in proceeding with this great work.

On motion by Mr. Butcher, debate adjourned.

STANDING ORDERS REVISION.

Council's Requests when insisted on.

Resumed from pages 534-47.

Mr. H. DAGLISH (Subiaco) : Following up the discussion that took place last week on the report of the Standing Orders Committee, I have to state that as yet the matters referred back to that committee have not been dealt with, but I beg now to submit for the consideration of the House the following motion standing in my name on the notice paper :—

“That in communications between the two Houses with respect to Bills in which amendments are requested by the Legislative Council, this House cannot agree to take into consideration any Message in which a request is pressed or insisted upon.”

Up to the present time, as the report indicates, no specific Standing Orders dealing with money Bills have existed. At the end of last session a proposal was made that our Standing Orders Committee should be temporarily strengthened in numbers and authorised to confer with the committee of another place for the purpose of dealing with Standing Orders generally. In consequence of that during the recess the committee of each House held sittings, and the committee of the Legislative Council drew up a list of the revised Standing Orders, of which your committee were furnished with copies. Subsequently to discussing the matter as a separate committee the representatives of this House met the representatives of another place at a joint meeting, and discussed one or two of the Standing Orders proposed for the Legislative Council, that were of a debatable character. There were practically only three on which any great difference of opinion existed. They were in relation to messages between the two Houses as to the final stages of Bills. The most important of these clauses was the one dealt with in the motion I have

just read and am now proposing. In that connection I may read, to refresh the memories of members, the words of your committee:—

"The principal object of the conference was to settle the procedure to be followed in the case of money Bills, as to which no Standing Orders have up to the present existed. It is the opinion of your committee that the Standing Orders proposed by the Legislative Council, though copied from those in use in the Federal Senate, encroach more upon the privileges of the Legislative Assembly than was intended. by Section 46 of the Constitution Act Amendment Act, 1899. The provision objected to is that enabling a request for an amendment to be pressed. This, in the opinion of your committee, transfers the responsibility of the loss of the Bill, if the request is still refused, from the Council to the Assembly. The question arose last session in connection with the Perth Town Hall Bill, and consideration of the Council's message insisting on its request was disallowed by Mr. Speaker for reasons explained in his ruling, to which the attention of hon. members is directed. The position is made more clear by the following extract from *Quick and Garran*:—'A House which can make an amendment can insist on the amendment which it has made; but a House which can only request the other House to make amendments cannot insist upon anything. If its request is not complied with, it can reject the Bill or shelve it; but it must take the full responsibility of its action.' While it cannot be denied that the section is so worded as to admit the interpretation placed upon it by the committee of the Council, it is fair to assume that a more than nominal difference was intended in the procedure laid down from that of ordinary Bills. Your committee feels strongly that a direct expression of opinion should be given by the House for the guidance of Mr. Speaker in cases which may arise in the future." Since that report was framed the Standing Order to which it particularly refers

has been submitted to the Legislative Council and has received adoption by that body. It therefore becomes essential that this House should express some opinion on the Standing Order; should intimate its willingness to adopt such an amendment of its own Standing Orders as will give effect to the Standing Order of the Council if this House approves of it, or if this House disapproves, that it should avoid the possibility of a sudden expression of opinion being sprung upon another place at a time when an important measure is under discussion, by a refusal to act in such a fashion as the Standing Order of the Council would require this House to do if the order were to have any effect. In that connection I desire to read the precise wording of the Standing Order referred to:—

"If a Bill is returned to the Council by the Assembly with any request not agreed to, or agreed to with modifications, any of the following motions may be moved: 1, that the request be pressed. 2, That the request be not pressed. 3, That the modifications be agreed to. 4, That some other modifications be not agreed to. 5, That some other modifications of the original request be made. 6, That the request be not pressed or be agreed to as modified, subject to a request on some other clause or item which the committee may order to be reconsidered being complied with."

This Standing Order, if enforced, would involve a considerable alteration of the powers and privileges of both Houses of Parliament. It would mean on the part of this House a great sacrifice of its powers, and on the part of another place a corresponding increase of power. I venture the opinion right here that a question of this sort should be looked at purely from the point of view of one Chamber or the other, should not be viewed at all, I may say, from the point of view of one Chamber or the other. The dignity and the powers of this House are important, not so far as they confer any added dignity or honour on the members of the House, but so far only as they conserve the rights of the people we represent; and it is because the

adoption of any Standing Order in accordance with this which has been submitted to and debated by the Council would take away from the power of this House to fulfil its duty to its electors that I have submitted the motion before the House. The practice of this House has hitherto been to follow the rules and practice of the House of Commons. The rules and the practice of the House of Commons are that it alone shall have the right to deal with financial propositions; that it alone shall have the right to impose taxation; that the second Chamber shall have the right to reject such proposals, but shall have no right of amendment. That procedure, with a slight modification, has been followed in Western Australia during the whole time of our possessing Responsible Government, and that course has been recognised as based on an axiom governing the powers and rights of Constitutional Chambers: that the power to tax shall exist only where there is direct representation of the people taxed, and that therefore the popular Chamber, because it represents the people as a whole—the full body of the people—alone has the right to deal with the taxation of the people as a whole. But if this Standing Order were enforced, it would give to the second Chamber, the Legislative Council, representing one-fourth to one-fifth of the people of this State, a power of taxing the whole body of the people equal to that which this Chamber itself possesses; and there would be no corresponding responsibility. There could be no responsibility except to that section of electors which returned the members to another place; but even that responsibility would not exist as we in this Chamber are responsible to our electors—for this reason. The legislative Council is a body which is never dissolved, which under our Constitution is indissoluble, and which therefore can never be sent to its constituents unless by the passing of a new Act of Parliament; whereas from time to time this Chamber is necessarily sent to its constituents, in order that its members as a whole may take the responsibility that naturally and properly falls upon them

for their action in fulfilling their trust to the electors. This principle that the second Chamber shall have no right of amendment of measures dealing with taxation, in regard to money Bills generally, was somewhat modified so far as Western Australia is concerned by the passing, in 1893 in the first instance, of what is now Section 46 of the Constitution Act of 1899, the section under which, it is stated, this new Standing Order 243 of the Legislative Council has been framed. But that section when introduced was not intended to alter materially the practice that previously prevailed. That practice was to give no absolute right of suggestion. That section has been held until now to give to the Council a right of suggestion to this Chamber in regard to the amendment of a money Bill, which suggestion might or might not be accepted by this Chamber. If that suggestion or request were agreed to by this Chamber, then a corresponding amendment would be made in the money Bill, and the Bill would be returned to another place, which would then pass it: or if this Chamber refused to act upon the request referred to it, then the Bill would be returned without the amendment, and the Legislative Council would be under the necessity of rejecting the Bill, laying it aside, deferring it, or accepting it without the amendment that had been requested or suggested. That has always been done since the present Section 46 was placed in our Constitution; and in order to show that its introduction did not contemplate any sweeping change in our Constitution, did not contemplate any vital change in our practice, I desire to submit a quotation from the words of the Hon. Dr. Hackett, who moved the introduction of the section. The section was not in the original Constitution Act of Western Australia, passed in 1899; it was not in the amending Constitution Bill introduced in 1893; but it was introduced to that Bill as an amendment by Dr. Hackett in the Legislative Council, and in moving the clause Dr. Hackett said—

“The clause I propose really does nothing more than provide machinery. It introduces no new principle or set

of principles. It does not ask that this House shall have the right to amend money Bills. It only provides that this House may return a Bill which originated in the Assembly, requesting the omission or amendment of any of its items or provisions. The Bill can then be returned to this House."

That is the statement of the purpose which actuated the mover of this clause. He added:—

"The sole virtue of this is that the Assembly may themselves make the amendments, instead of this House laying the Bill aside and the Assembly having to pass a fresh Bill through all its stages. It is, as I say, really a question of machinery, and I only introduce the clause in order to avoid that friction which has caused so much trouble times out of number in Victoria, and which has acted so injuriously to the welfare of that community."

That was the gist of a very short speech made by the hon. member when introducing the clause. The clause was adopted practically without discussion, and the only other speaker in the Legislative Council was the then Colonial Secretary, Mr. S. H. Parker, now Chief Justice, who said—

"I think this committee should be thankful to my hon. friend for having introduced this clause, for if it becomes law it will prevent friction between the two Houses. We know that only last year there was almost a collision with the Lower House as to whether we had the right to interfere with a money Bill. If the Lower House will only accept the clause, I think it will work well, and be of great benefit to the colony."

That was all the discussion that took place on this clause, a clause intended by the mover not to materially affect the relations of the two Houses, not to confer any new or large powers on another place: it is described as a machinery clause, to prevent friction, nothing more. In the Legislative Assembly of that day the clause was viewed also as unimportant; the only word spoken on it was

spoken by the then Premier, Sir John Forrest, and he dismisses it with a very few words, thus:—

"In respect to the new clause contained in amendment No. 12, there was no objection by the Government."

Amendment No. 12 was this particular clause. He goes on to say:—

"He did not look upon it as any great concession. In fact for his own part he regarded it as more of a concession to this House than otherwise. He had no doubt that those in another place looked upon it as a concession to themselves, and, if they thought so, they were quite welcome to it."

That was the whole discussion in this Chamber in regard to the passage of that clause through the House. The then Premier was convinced it was a mere machinery clause. There was nothing in it, no concession to another place, and he just passed it with a few words as an utterly unimportant proposition. That clearly establishes the intention of the Parliament in both Houses in adopting the clause. It was not intended to make any vital difference in the constitution of West Australia. It was intended as a little bit of machinery to make the Constitution work more smoothly, to remove any friction that might occur between the two Houses. And the subsequent practice in the two Houses has entirely justified my contention based on the words of those members as to what was their intention, because immediately after it became embodied in our Constitution, there was no material change in the practice in either House; there was no attempted material change, and it is first urged as a reason for material change now, fourteen years since the clause became part of our Constitution. I believe the Attorney General will admit that not merely the verbiage of a section of an Act of Parliament has to be considered, but the intention of those who pass that section. I believe that one of the considerations that have to be weighed when a decision is arrived at on a legal point, and certainly on a constitutional point, is that it is most important that the will, the desire, and the intention of those who framed the section, those who

pass it, shall be taken into consideration in regard to its enforcement. But there are other sections in our Constitution Act which provide for the relations between the two Houses, and one of these is Section 34 of the original Constitution Act of 1889 which provides for the making of Standing Orders, and in which it is said :—

“The Legislative Council and Legislative Assembly, in their first session, and from time to time afterwards as there shall be occasion, shall each adopt Standing Rules and Orders, joint as well as otherwise for the regulation and orderly conduct of their proceedings and the despatch of business, and for the manner in which the said Council and Assembly shall be presided over in the absence of the President or the Speaker, and for the mode in which the said Council and Assembly shall confer, correspond, and communicate with each other, and for the passing, intituling, and numbering of Bills.”

It is obvious from that section that where no change is contemplated in the methods of one House dealing with another, where no change of procedure is desired by one House, it becomes necessary that there shall be a meeting of the Standing Orders Committees of both Houses, and before a change can be brought about there shall be an agreement between the representatives of both Houses that there is need, or at all events justification for the change. And recognising that, the procedure adopted last session in arranging for this joint meeting was no doubt perfectly correct. At the outset it was recognised by members, I think representing both Houses, that a Standing Order such as this dealing with Messages between the two Houses, and the procedure to be adopted in the final stages of the Bills passing from one House to another should be jointly made, if not a Joint Standing Order. That is the reason why our committee was asked to sit with the committee of the Legislative Council as a joint committee. We all agreed when the statement came from a representative of the Legislative Council that this Standing Order must be the result of a

joint agreement; but later on when it had been found that your representatives were not prepared to forego the rights of the Chamber by agreeing to this particular Standing Order, then it was that those hon. members who at the outset did recognise by their words as well as by their actions in attending the joint meeting that there was necessity for an agreement, explained that it did not matter what view the Legislative Assembly committee took of this Standing Order, as the Legislative Council had power to adopt it as one of their Standing Orders, and therefore, the concurrence of your committee was not necessary in the matter at all. We are told one of the reasons why this Standing Order should be adopted is that it is a new method of conciliation—a new method of conciliation which begins first of all by an attempted transfer of rights from us to the Legislative Council, and in the second place which ends by a refusal to listen to arguments from this Chamber, and insists on the right of another place to make what is admittedly more properly the subject of a Joint Standing Order without regard to the views of this House at all. [*Mr. Walker*: Told us we were there on terms.] That is the beginning of the conciliation, one of the methods for reducing the friction between the two Houses. I want to avoid saying anything which will cause friction on the part of one House. I am prepared to sink the dignity of the two Houses, to help to sink the dignity, the rights, the powers of both Houses if any good can accrue. I only wish to retain the rights and privileges of the House and of hon. members in order that the public can be more efficiently served. I think sometimes in a battle between the Chambers there is a liability on the part of members to forget that whatever rights they enjoy, and whatever powers they possess, any rights and powers they have they hold in trust for the welfare of the general community, and should only be exercised so long as they are in the best interests of the people themselves, and so long as we use them for the benefit of the people. I think if conciliation is to begin it should begin at

once by the joint adoption of Standing Orders which will be in unison one with another, so that the procedure in both Houses will run harmoniously as it has done in the past, from the fact that we are working under Standing Orders identical in character, that we jointly agree to, and although not standing as Joint Standing Orders and are not intitled Joint Standing Orders having been jointly agreed to, they are identical in character which have enabled us to work harmoniously. Now the Legislative Council has adopted a Standing Order that absolutely conflicts not only with past practice here, with past practice in the bulk of the Australian States, with past practice in Great Britain itself, but conflicts with the first basic principal of representative Government, with the views expressed even by the members of the Standing Orders Committee of the Legislative Council, as expressed at the joint gathering. But a great stress has been laid in regard to this Standing Order on the fact that it was identical with a Standing Order passed by the Federal Senate; it was identical with a Standing Order that has existed in South Australia for years, and it was in accord with the methods adopted in Tasmania. These two States are the only two States that can be quoted in Australia where there can be any precedent in the Legislative Council for the adoption of such a Standing Order, which has any precedent in the Standing Orders or practice of the Legislature for the adoption of such a proposition. And these, significantly enough, are the States smallest in population of the Eastern States and the least important of the Eastern States, but in both cases the practice has been adopted by the concurrence of both Houses, and in one State, South Australia, as the result of conference and compromise, and the position therefore is not analogous to ours in Western Australia where there has been what is called a conference, but certainly no compromise attempted, and no compromise made. The mere expression of opinion so far on the part of one Chamber through its representative committee

has been adverse to the claims of the other Chamber. That the power of the Council would be as great in dealing with money Bills as the power of the Assembly if this clause be allowed might, I think, be shown by a few words which were spoken at a gathering of the Federal Convention in Adelaide in 1897, where Mr. Reid very pithily dealt with the proposal to repeat requests and to press requests. Mr. Reid, speaking in regard to the proposed constitution of the Federal Senate which it was expected at that time would work under a clause similar to Clause 46, says—

"Any person in a letter to a newspaper might suggest to the House of Representatives that certain items might be omitted in the Appropriation Bill. That is the only power the Senate has in this, the power that any outside person—

"Sir Joseph Abbott : It has the power of rejection.

"Mr. Reid : Now that is exactly the point. My friend Sir Joseph Abbott has pointed to the very thing I am anxious to bring under the notice of this Convention. The honourable gentleman says, 'But, oh, the Senate is not in the position of a writer to a newspaper. It has the power of rejection.' That shows the gravity of this proposal, that although the law says it is only to have the power of a person who writes to a newspaper, in point of fact, because it has got another power—the power of total rejection—it can put the financial House in such a position that there is an implied threat. [Member : Oh, no.] According to the argument which has been suggested to me, there is an implied threat that the Bill will be thrown out, and 'if you go on neglecting these suggestions, it may be our duty to assert that power.'"

That is the position in which the Legislative Council would under this Standing Order have a power fully equal to the power of the Legislative Assembly. The Legislative Assembly passes a measure—it may be even an Appropriation Bill, it may be a measure to impose a land tax—the Legislative Council re-

turns the Appropriation Bill with a suggestion or a request that a certain item be struck out ; the Legislative Assembly refuses to strike out the item, refuses to make the amendment ; and then the Legislative Council does what, under this Standing Order, would be equal to pressing the request ; it returns the Bill again and presses the request. And how can a request be pressed except by an insistence on the request by a demand ? In the first instance a request, it becomes a demand ; and the threat behind the demand is very obvious. The demand can only be enforced by a threat. Inasmuch as the Legislative Assembly twice has decided on the merits of the case that the amendment is wrong, twice has considered the matter coolly—because it has considered the matter without a threat—in the first instance before the measure went up to the Legislative Council, and in the second instance when the request has first been made, when the request is insisted on, the Legislative Assembly may, under intimidation, for the purpose of getting the Appropriation Bill through to carry on the expenses of administration, agree to that to which it has refused to assent before ; that is, after intimidation is employed. That is where the second Chamber, representing only a fraction of the electors, would have as great a power, if not a greater power than the Legislative Assembly itself over the financial management and over the taxation of the whole body of the people of the State. I venture to submit that this Standing Order is not in accordance with the section of the Constitution Act which has been quoted as the authority for its introduction. The section of the Constitution Act provides :—

“ In the case of a proposed Bill which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly, with a message requesting the omission or amendment of any items or provisions therein ; and the Legislative Assembly may, if it thinks fit, make such omissions or amend-

ments, or any of them, with or without modifications.”

There is a power there to make a request ; but there is no power whatever to press a request conferred by this section ; there is no reference in that section to a request being pressed, or even a second time preferred. But the Standing Order provides that the request may be made, and after being made, if it be not agreed to, may be pressed. In other words it proposes to do something altogether outside the powers conferred by this particular section of the Constitution Act. Then the section provides the right of this House (Legislative Assembly), when a request has been preferred, to agree to it, to reject it, or to agree to it with modifications ; but the Standing Order proposes not only that the request may be pressed after it has been refused, not only that modifications may be agreed to if modifications have been made in the amendment, but that some other modification of the original request may likewise be made. Now, under this section of the Constitution Act the only House that has any power to make any modification at all is the Legislative Assembly ; and yet the Standing Order of the Legislative Council proposes to give to the Legislative Council a power that under the Constitution Act itself is given over to the Legislative Assembly, the power to agree to a request with modifications instead of agreeing to it in its entirety. Here again will be seen a farther encroachment on the powers possessed by the House in regard to money Bills. Mr. Higgins, when speaking at the Adelaide Convention on this very question, held that, “there was power to insist on an amendment but not on a suggestion,” thereby clearly laying down the rule that a request could not be pressed. Sir Edmund Barton, who has been quoted as one of the authorities relied upon for the introduction of this Standing Order, so far from justifying a desire to press a request, says that he “has not even considered whether a request may be repeated.” He had not considered the matter ; yet he is given as the authority for this Standing

Order in which it is desired that power should be taken to press, or repeat, or enforce a request which has been once refused. If we refer to the Federal Convention debates, which have been so extensively quoted as justifying the new Standing Order, we can find a number of expressions of opinion that, so far from justifying, absolutely condemn this proposal. I may take the words of Sir Edmund Barton which I indicated just now—

“Whether it (the Senate) would have the power to repeat some suggestion is a matter I have not considered.”

This very speech in which those words occur has been used as a justification for the introduction and application of this Standing Order. [*The Attorney General*: He was a member of the sub-committee, was he not?] He was a member of the drafting committee. But it was recognised right through, when dealing with the powers of the Senate, that the Senate was to be an altogether different body from a Legislative Council; and whatever powers it was intended to confer upon that body would have been powers of a larger class, because of the more representative character of the Chamber itself. To quote from Sir Edmund Barton himself as the recognised authority I think is rather interesting on this point; because he says:—

“It seems to me that constitutional rights given to the Senate, or constitutional rights given to the House of Representatives, under this Constitution, cannot for a moment be dealt with, or thought of, or spoken of as rights given to this Chamber or to that Chamber. They are rights given to the people in the two different aspects in which the people stand under a Federal Constitution—one set of rights given to the people as a constitutional whole at large in proportion to numbers, the other set given to the persons who form the whole entity of a State and who elect a contingent to the Senate. So that there is no question of taking away rights from the House of Representatives and conferring rights

upon the Senate. We are not here to deal with the particular rights of particular Chambers; we are here to deal with popular rights, and to see that those popular rights find expression in adequate language.”

That was the spirit that animated members of the Federal Conventions in drawing up a Constitution and defining the powers, responsibilities and rights of the two different Houses. These remarks were made at a Federal Convention sitting in Melbourne in 1898. Sir Joseph Abbott spoke somewhat on the same subject at the first Convention held in Adelaide in 1897. He said:—

“I say that that body (the Senate) will be in no sense similar to the existing Legislative Council; we will have an enormous constituency returning representatives to the Senate. What are Legislative Councils at the present time? Some are nominee Houses, and in no case is there manhood suffrage. The Senate would be returned on the basis of one man one vote.”

There again the principle is laid down for an altogether different body, with a different constituency and with larger powers because that difference of constituency should be established. Mr. Deakin expressed a similar view in a debate which took place on the Senate's powers in 1902 in the House of Representatives. What Mr. Deakin said was:—

“What we have to recollect, and what I think we should not forget, is that in dealing with the Senate under the Commonwealth we are by no means dealing with an ordinary Upper House of the Australian States. We must remember that we are dealing with men who, like ourselves, are directly chosen by the people. [Mr. Watson : By a section of the people.] By the whole of the people, although they vote for the Senate in different groupings, which render it possible that at times a majority may represent a minority of the electors.”

Later on Mr. Deakin pointed out that the Senate of that date was in a somewhat

similar position to the House of Representatives. He said :—

"The Senate to-day is in the same position, and no better than the Senate will always be in after a double dissolution at which particular questions have been submitted and the whole community has simultaneously returned members to the two Chambers. An ordinary Senate may not occupy so strong a position when only half its members have been recently elected and the other half have not seen their constituents for five or six years. There is a difference, and a notable difference, between a Senate created at the same time with ourselves and a Senate as it may be in the future, not so created, when dealing with a particular issue before it."

And again in the same speech he says :—

"If it is ever sought to reduce the Senate to the position occupied by the Upper Houses of the Parliaments of the States, it will be necessary for the people to signify that they are in favour of such a change in the Constitution. In the meantime we have to deal with a second Chamber such as has hitherto been unknown in Australia."

These extracts all show that the Senate was not intended to be a replica of any Legislative Council, but was intended, because of its more representative character, to hold and wield a larger power and greater influence. And even Sir Josiah Symon himself took the same view in a speech in the Senate he delivered in September, 1902. He says :—

"That we may veto the whole of a Bill is of course clear—that we may reject or disaffirm a Bill is undoubted. But that is a very unsatisfactory way, calculated to precipitate conflicts in relation to Bills of this description. What the framers of the Constitution asked themselves was—Is there another way out? Surely it is better that one item in 10,000 should be taken exception to, and if the Senate feels strongly, its omission insisted on, than that the Senate, in order to give effect to a principle, should be driven to reject the whole Bill?"

This gentleman hails from South Australia, where the Legislature had worked under a similar provision to Section 46 and under a similar Standing Order to Standing Order 243, and he says in reply to an interjection by Senator Fraser that "surely the greater includes the lesser"—

"It does not in the case of Legislative Councils. But where this constitutional control is given to a Federal Senate, it follows, as the night the day, that there should be what the lawyers call a *via media*—an effective middle course."

There again it is shown that even in the Senate itself it was recognised that the practices, procedure and powers of that body were not analogous to the practices procedure and powers of a Legislative Council, and speech after speech could be quoted from other Senators on this very question of the powers of their House. In the course of these speeches the Senators claimed larger powers than the Legislative Councils possess, because of the mere fact that they represented the whole body of electors of the Commonwealth, as did the House of Representatives, and therefore they were entitled to larger powers than should be conferred upon any legislative body that represented but a section of the community. But in spite of this, we have been told publicly that the practice of the Senate should govern, and does govern, the practice of our Legislative Council, and I saw recently published a letter from Mr. E. G. Blackmore to the following effect :—

"Touching our (Senate) Standing Orders and procedure on money Bills, we have had no difficulty or collision with the House. No attempt has ever been made to contend that our orders and practices have in any way exceeded our powers under the Constitution. We never conferred with the House or in any way sought the concurrence of that body or their sanction and ratification for the orders or procedure in this connection, namely, that of money Bills. The actual *modus operandi* as to requests for amendment was based on the practice which experi-

ence had taught in South Australia was convenient and satisfactory to both Houses."

You will see it is alleged that this power of the Senate so exercised in the adoption of a Standing Order identical in its terms with the one under discussion, has never been questioned, but in 1902 the powers of the Senate in regard to this Standing Order were questioned. A message was received from the Senate in regard to the Customs Tariff Bill, on the 3rd September, 1902, again requesting certain amendments and modifying other requests. Mr. Mauger then asked for the Speaker's ruling as to whether the message complied with the provisions of the Constitution and the Standing Orders of the House of Representatives. He said it seemed to him that former requests were being repeated instead of new requests being made. Mr. Speaker then said:—

"I have realised the importance of the matter which is now before the House and have conceived it possible that an appeal might be made to me for a ruling upon the point mentioned by the honourable member for Melbourne Ports. Having considered the matter carefully, I have devoted special attention to the questions (a), Whether the Message just read is one we should receive; and (b), Under what authority we may deal with the Message. Our practice in matters relating to money Bills is controlled by Sections 53, 54, 55 and 56 of the Constitution, and by our Standing Orders which may not conflict with the Constitution. Under Section 50 of the Constitution—'Each House of the Parliament may make rules and orders with respect to—(1), The mode in which its powers, privileges and immunities may be exercised and upheld; (2), The order and conduct of its business and proceedings either separately or jointly with the other House.' No rules or orders have been made by this House, either alone or jointly, with the other branch of the Legislature with respect to the order and conduct of its business and proceedings in relation to money Bills

under discussion between the two Houses. Under certain provisions of the Constitution, e.g., the first three Subsections of Section 53, the practice laid down is so clear that I should have, even in the absence of Standing Orders, no doubt as to how I should rule in any matter arising thereunder. Under Subsection 4 of the same section, however, I find that the words, 'the Senate may at any stage, etc.,'—[This is identical with our Section 46]—are open to at least two interpretations, and that, therefore, it is necessary that the two Houses should jointly, by majorities, make rules or orders laying down the practice to be followed in all cases arising under the provisions of the Constitution herein. As a majority of the House would have the power to make rules or orders, it appears to me to be my duty to give no ruling which would fetter a majority of the House on this occasion in determining for itself whether it will consider the Message, or what it will do in the matters with which it deals. I, therefore, rule that the question of the receiving and consideration of the Message is one to be determined by the vote of the House."

I want to lay stress on this extract, which is the opinion of perhaps the highest constitutional authority of Australia, the thrice elected Speaker of the House of Representatives. Then Mr. Deakin, the Acting Prime Minister, and by the way he was acting for Sir Edmund Barton, moved:—

"That, having regard to the fact that the public welfare demands the early enactment of a Federal Tariff, and, pending the adoption of joint Standing Orders, this House refrains from the determination of its constitutional rights or obligations in respect to this message, and resolves to receive and consider it forthwith."

It was a clear indication in the terms of the motion that the powers of the Senate under the Standing Order were questioned, were not admitted, and were only postponed for subsequent determination for the sake of public convenience, in order that the Tariff which had

been engaging attention for about 18 months might be speedily passed and obtain legislative force. Speaking on that motion Mr. Isaacs, who is now a member of the Federal High Court, made some remarks that are, I think, worthy of the attention of the House, as they indicate distinctly that the powers of the Senate were questioned by him as well as by other members of the House of Representatives on that occasion. He said:—

“ I press this point on the attention of honourable members because it seems to me to be entirely decisive that if the Senate are to be permitted to send down requests to this House to amend the Tariff Bill or any ordinary Appropriation Bill by adding to the expenditure of the people, and if this House sends the Bill back, and a game of battledore and shuttlecock goes on, the Senate not only shirk the responsibility, which it is admitted on all hands they ought to take, of vetoing or accepting a Bill, but they virtually and practically exercise the power of amendment in a higher degree than they can in regard to a special Appropriation Bill, which the Constitution has placed more thoroughly within their functions.

Mr. Glynn: A repeated request may be regarded as accepting or shelving a Bill.

Mr. Isaacs: Repeating a request as often as they choose, and refusing to deal with the measure, is equivalent to shirking responsibility. It is a refusal to pass it and a request becomes a demand when it is repeated. . . . As was pointed out in a State Parliament by a distinguished member of the Convention, the object of the provision is this: Whereas, under the State Constitutions second Chambers have had to take responsibility of the rejection or acceptance of financial measures without being able to avail themselves of any recognised formal method of acquainting the public with the reasons of their action, a means is here given to communicate with the other House and to ask for an expression of

its real, deliberate, will in regard to any provision which does not commend itself to the Senate. When the Senate at any stage in its consideration of a measure communicates its difficulties to the House of Representatives, and asks us whether we really intend to adhere to our proposals, we may either say ‘ Yes ’ absolutely, or agree to amend or modify those proposals. The measure must then go back to the Senate, and their power of suggestion in regard to it is exhausted, so far as that stage is concerned. Repetition of the request converts it into a demand. If, at a future stage, other difficulties present themselves, it is quite possible, though I pronounce no definite opinion on the subject, that it may be intended by the Constitution that the Senate shall have another opportunity to formulate new requests for further light as to the will of this House, but it has no right to again challenge the decision of this House in respect to matters in regard to which it has made requests, and has received a definite answer.”

On that occasion, the only occasion on which, as far as I have been able to ascertain, this Standing Order was brought into operation by the Senate, the powers of the Senate to act under it were distinctly, clearly, and emphatically questioned by member after member in the House of Representatives, and the motion submitted by Mr. Deakin, as read by me, was adopted by the House and was sent as a message to the senate when the Tariff Bill has been dealt with. I could go through many other speeches and quote many other opinions, as weighty as those which I have submitted, which were uttered on the subject; but I have said, I think, sufficient to show that the claims of the Senate itself, that important representative body, as much the creation of the people of the Commonwealth as the House of Representatives, have been questioned and questioned again by representative men and recognised constitutional, as well as recognised legal, authorities. It is unnecessary to continue to labour this point. Enough has been said, I think, to show

clearly that there is an attempt in the Standing Order to introduce a new practice which will materially take away the power of the people in regard to taxation, in regard to the appropriation of the results of taxation, and to transfer that power to a Chamber which cannot in the same degree be called representative and which does not possess the same responsibility, and cannot be made in the same way amenable to the popular will, as this Chamber. I will conclude by giving one farther extract from a speech made by Sir John Forrest at the Federal Convention. He spoke as one who had had some years' experience of the enforcement of this particular clause. In speaking of this question he expressed himself as follows:—

“The right honourable member (Mr. Reid) quoted Sir Samuel Griffith to show that there was very little difference between the power of suggestion and the power of amendment. I, with the greatest respect to that authority, think that there is a very great difference between the two powers. In the one case the Upper House merely sends back the Bill asking the Lower House if it will be good enough to amend the Bill, but the Lower House says, ‘No, we cannot do anything of the sort,’ so that the responsibility of throwing out the Bill rests with the Upper House. In the other case the Upper House sends the Bill amended down to the Lower House, and the responsibility of throwing out the Bill rests with the Lower House.”

That is when an amendment has been made. But after five years' experience of the working of Section 46, after a more intimate acquaintance with its working than was possessed by any other member of either House, knowing that it had been treated to that time, as it has been treated until now, as a mere machinery section, intended to carry out the purpose of its mover and of those who adopted it, Sir John Forrest regarded Section 46 as a thoroughly harmless section, a section giving a weaker power than the power of amendment; whereas the Standing Order of the Legis-

lative Council would, if it became operative, give a greater power. This power to press a request would give a greater power to the Legislative Council in respect of those Bills over which it is supposed to exercise no power at all than is given to that body in respect of Bills over which it has equal powers with this House. I venture to submit I have shown sufficient reasons why my motion should be adopted.

Mr. G. TAYLOR (Mount Margaret) : I second the motion.

The ATTORNEY GENERAL (Hon. N. Keenan) : In view of the weighty matter laid before us by the member for Subiaco, which, together with the section in question, I should like to consider carefully before speaking to the House, I move that the debate be adjourned.

Motion passed ; debate adjourned.

ADJOURNMENT.

The House adjourned at 9.35 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 13th August, 1907.

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.