

condition; in consequence growers had been forced to market fruit practically unripe, this being the only way in which they could secure its arrival in a condition for sale. A great deal yet remained to be done by the department in respect to giving proper facilities for the handling of this traffic. What had been done for the fruit for export could of course be done for the fruit for the local market. Western Australia was destined to become a very large fruit producing country, and in order to help it to that end he hoped that an improvement would be shown in the handling of this produce by the Railway Department. He hoped, too, that the Minister when replying would tell the Committee something about the promise made for the carriage of fertilisers at a very much reduced rate. He was not aware that the promise had been fulfilled.

The Minister for Railways: Oh yes, a long time ago. Fertilisers are now carried at a farthing per ton per mile.

Mr. JACOBY: It was gratifying to know that these reductions had been made. Although in the first instance it might mean a loss of revenue to the department, yet the extra crop that would result from the more extensive use of fertilisers would in the end fully recoup the department.

Mr. ANGWIN moved—

That progress be reported.

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

Ayes	16
Noes	20

Majority against .. 4

AYES.

Mr. Angwin
Mr. Bath
Mr. Collier
Mr. Gill
Mr. Heltman
Mr. Helman
Mr. Horan
Mr. Hudson
Mr. Johnson

Mr. O'Loughlen
Mr. Scaddan
Mr. Swan
Mr. Underwood
Mr. Walker
Mr. Ware
Mr. Troy

(Teller).

NOES.

Mr. Butcher
Mr. Carson
Mr. Cowcher
Mr. Davies
Mr. Draper
Mr. Gordon
Mr. Gregory
Mr. Hardwick
Mr. Hayward
Mr. Jacoby
Mr. Keenan

Mr. Male
Mr. Monger
Mr. N. J. Moore
Mr. S. F. Moore
Mr. Osborn
Mr. Plesse
Mr. Price
Mr. F. Wilson
Mr. Layman
(Teller).

Motion thus negatived.

Mr. ANGWIN: It was regrettable that it should be necessary to deal with such an important question at such a late hour. It was doubtful whether the retrenchment policy in the railways would bear the conclusion arrived at by the majority of people. The retrenchment was mainly among those earning low wages.

Progress reported.

House adjourned at 11.25 p.m.

Legislative Council,

Wednesday, 27th January, 1909.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

QUESTION—AGRICULTURAL SHOW, NATIONAL.

Hon. G. THROSSELL asked the Colonial Secretary: With the object of affording the largest number of people the opportunity of seeing the capabilities of the lands of the State will the Government consider the advisability of holding

the next national show at Claremont under the auspices of the Royal Agricultural Society?

The COLONIAL SECRETARY replied: The matter will receive consideration.

PAPER PRESENTED.

By the Colonial Secretary: Returns under the Life Assurance Companies Act, 1889 (Section 60).

MOTION—LAND SETTLEMENT AND WATER SUPPLY.

Hon. V. HAMERSLEY (East)
moved—

That in the interests of land settlement and new selectors, this House is of opinion that the Government should inaugurate a systematic search for water supplies by means of cheap bore holes on every square mile of land suitable for settlement prior to selection, and increase the price of the land to the selector in accordance with the results obtained.

He said: I feel, with every other member, that it is very necessary at all times for us to bring before the country any improvement or suggestion which may be of service to the country, and so help towards the settlement of our lands. The question embodied in the motion has come prominently before me in connection with the dry areas of the State and is probably the most important question the Government could give their attention to. That is the question of water supply. There are many settlers who are taking up land in this State who do not know where to look for water, which is so essential to them in connection with the working of the lands, or even in carrying out the most elementary work necessary in connection with land settlement. In many instances, after waiting for a considerable time for land to be surveyed, they find they have to wait until the winter rains come before they can obtain the water supply necessary for their stock and themselves while doing preliminary work. Their first

thought is to obtain a water supply, and their trouble is to know how to go about that work and the best thing to be done. They frequently avail themselves of the knowledge of their neighbours, but it is in our experience that many settlers who have been on the land for the last 20 years know very little about how to get a good water supply. At times settlers appeal to those who have given the subject a special study but some of them believe in the divining rod, and many new settlers wait anxiously for the man with the rod to come along to give them an indication as to where water could be tapped. As is well known, many new settlers have not very much money to spare, and have none at all that they wish to waste, but their experience very often is that after they have exhausted £40 or £50 in trying to get water, they find that after a month or two of work all they get is a supply of fresh water. It is with the object of trying to combat this state of affairs, and at the same time to put before the country a scheme which I look upon as a good one, and likely to lead to good results, that I bring this motion forward. A number of new settlers have taken up areas in the Wongan Hills country, and the country between the rabbit-proof fence and Northam, and, in fact, all along the dry belt of country down to Broomehill. These men can only go on the land during the winter months. Many have to leave their land in November, and they cannot go back to do anything on it until probably the following June. I have spent money, and so have my neighbours, on this dry country in trying for water, but generally salt water has been obtained. We have at times put down four or five wells, and all have tapped water at a depth of from 15 to 50 feet, and the water struck, although fairly good for stock at times, is generally salt. Occasionally, however, drinking water of a first-class character is obtained. The work of trying to find these supplies is too expensive. I, with others, have adopted a plan by which we take an ordinary steel bar with fencing wire attached to it, and sink a drill with a hole $1\frac{1}{2}$ to 2 inches in diameter, and in some

instances within a day put it down a depth of 40 feet. And by the addition of more wire we can go down to a depth of 80 feet. In one instance of a good well I have seen obtained by the bar under this method, it was put down 65 feet in a day and a half, the cost being only 30s. The result was a first class supply of drinking water. That was put down after four others had proved salt water, each of these four ranging from 30 to 60 feet and all within a radius of a mile. Now that class of work is being carried out by two or three individuals in some of these dry areas; but they are doing it only for themselves, and the probability is that there are many men who know nothing of how to work a bar or to put down one of these small trial bore holes, and who would put aside the project as a failure. My notion is that there are many men who from their previous experience are capable of putting down these bores and of deciding the most suitable spots. It would, I think, be a wise thing for the Government to employ several of these men to go across our country and at every mile to put down a trial hole and leave a peg with a board stating exactly to what depth they had attained and what were the results. Subsequently these men could go on for another mile and put down another of these holes and erect another signboard. The settler coming along afterwards to inspect the country could see at once what chance there was of getting a water supply. What I have done in instances like this, and have seen others do, is to put down a length of pipe with a pump on top and start pumping right away without sinking a well at all. This would be very useful indeed to new settlers as it would give them a supply for their camp while they were ringbarking their country. At any rate it would be far better than that they should have to return to the City for six months until the next succeeding rains. This question of water supply is to my mind more important even than the finding of good land. Because if a man has a good water supply right at his own door he can deal with second-class land and get better results than he could

from first-class land if, in the latter instance, he had to cart his water for miles. There are many of these settlers who can make but little progress owing to the fact that they have to cart water for long distances. In instances where these test bores have been put down and a good supply obtained it has been found that some other man has been carting water for 20 years; whereas had he but known it he could have got the water close at hand at a shallow depth. However, he had not any money to risk in looking for water. I would like to refer to the report of the Surveyor General wherein he mentions an area dealt with—representing in round numbers 692,000 acres—of forest country between the rabbit-proof fences. Now if one of these bore holes were to be put down on every 1,000 acres that would represent 692 bores; and I am quite satisfied that if each bore hole cost anything like £5—which is far above what they would be likely to cost—but even if they cost £5 it would be the means of settling every acre of that area and no one would begrudge the £5 cost. In the Surveyor General's report, paragraph 14, I notice that he states—

"There is now a Government boring party traversing this area seeking for fresh water supplies. I have no doubt they will in many cases be successful." In paragraph 16 the Surveyor General continues to say that as a matter of fact the water question is in his opinion the first and most important question for the selector; and that even if Government wells are put down within certain areas eventually each selector will have to provide his own water supply. The Surveyor General then goes on to suggest that the selectors should put down dams and tanks. But the selector has not the plant to put down anything which would be of use to him in this direction, and then has to wait for the rails to fall. And probably the first rains that come along carry away his dam or tank, or it proves to be bad holding ground, and the whole of his first year's catchment disappears. This other process would be an indication to him that he would have his water supply at a shallow depth. The Government

boring party as a rule are equipped with a plant costing perhaps £40 to start with, whereas this plant I refer to costs only 30s. The plant used by the Government boring party requires carting and it is a costly process to remove it from one centre to another. I do not suppose it can be removed while in use for any sum under perhaps £10. I regard the Government boring plant as altogether too cumbersome and expensive to warrant the conjecture that they are likely to be able to find the money to go over a large area and thoroughly test it. I am quite satisfied that anyone seeing this common, everyday practice that some few people have in vogue would realise that it is a cheap process to indicate to the new settler—and to a great many old settlers—a means by which in many instances they would secure a more reliable supply of water; and that it would not be as costly to the State as a great many people might at first blush imagine. I make this suggestion in the hope that it may lead to some inquiry in that direction. I therefore commend the proposal to the House.

Hon. J. W. Hackett: What would it cost altogether?

Hon. V. HAMERSLEY: It depends upon how many bores would be put down. I have only just picked out the one area, given in this report. It contains 692,000 acres. I suggest one trial bore hole for every square mile, or every 640 acres; that would represent about 1,000 bore holes altogether. If you were to allow £5 for every one it would only mean £5,000.

Hon. R. W. Pennefather: How many men are required for the operation of this device?

Hon. V. HAMERSLEY: Only two. The Government process is almost exactly the same, but more cumbersome. Nearly the whole of the time is wasted in screwing and unscrewing a number of sectional rods with the Government plant; but with this plant we have a 12ft. bar of steel and a coil of wire rope; that is all. It can be taken on a pack horse or in a sulky. I myself have gone down 60 feet in a day and a half. We have also gone round and put down four of these holes within four days. Everyone of them

proved salt water. The new selector had previously put down a tank which is dry at the present moment; and he would have no supply for his sheep if he were relying upon this alone. But after four of these tests had been put down and had shown salt water, the fifth proved absolutely pure water and is now watering several hundred sheep. Those tests cost him less than the dam which is now dry. It seems to me that the same thing will be multiplied throughout the length and breadth of our country. It is a very cheap process and has proved itself. It has answered in a number of instances, but it is not taken in hand by a large number of people, because they know nothing about it. One only hears of it for 10 or 15 miles away from where it is in operation, and the average new selector knows nothing about it. My impression is that we want particularly to get hold of men who know the use of it. They will know the class of country to pick upon to put down trial bores; an old hand would know much more than a new one. I trust that in this matter I shall get a little support and the discussion will do good.

Hon. C. A. PIESSE (South-East): I second the motion.

On motion by *Hon. S. Stubbs*, debate adjourned.

MESSAGE — COMMONWEALTH FINANCIAL PROPOSALS.

Premiers' Conference Resolutions.

Debate resumed from the previous day on the resolutions forwarded by the Legislative Assembly, requesting concurrence in the approval of the resolutions passed by the Premiers' Conference held in Melbourne in April and May, 1908.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): The resolutions which were submitted for our consideration and approval, is the reply of the Premiers to the suggestion made by Sir William Lyne to the Premiers' Conference last year, and it is worthy of note that in these difficult negotiations this is the first time which the Premiers have

chosen to come to the State Parliaments to ask their advice and to seek their support in the stand which they have taken. These Premiers' Conferences have been dealing with the question for the last six or seven years, and up to the present time they have not thought it wise to take anyone else into their counsels to find out what the opinion of the State Parliaments is in regard to this important question. Now that the matter is approaching the end of the 10 years all the Premiers seem to be imbued with one idea, and that is to get the support of the State Parliaments in the resolutions which they carried at the Melbourne Conference. The suggestions of Sir William Lyne, which have been issued in pamphlet form, I am sure do not meet with the approval, and cannot be accepted as they stand by any of the States, although there are some matters that I think are worthy of favourable consideration. We get back, on this question to the position that was held prior to Federation and the principles which moved the promoters of Federation in assenting to the Constitution Act and submitting it to the people of Australia. All we want to find out is what those principles were and see if they remain the same to-day; whether the position to-day is on all-fours with the position prior to Federation. The principles which actuated the promoters of the Convention and those who framed the Constitution in regard to the States were these. Each State was to enjoy its own revenue although that might be affected by a uniform tariff; each State was to be debited with the expenditure of the departments transferred to Federal control within its borders; each State was to contribute on a basis of population to the new expenditure of the Commonwealth. That was the position in regard to the States, but in order that a safeguard could be placed upon the spending power of the Commonwealth, this principle was also recognised: to ensure economy on the part of the Federal Parliament it was enacted that for a period of 10 years the Commonwealth expenditure should be limited to one-fourth of the net customs and excise revenue. On

looking at the matter to-day I think the question we have to ask ourselves is this: has the position altered? Are we to treat the States differently from the manner in which they were treated 10 years ago? As far as I am able to judge the position of the States has not altered, but the position of the Commonwealth has altered considerably. We have, especially in Western Australia, almost as much work of development to carry on as we had then. We have hardly tickled, shall I say, the surface of the State of Western Australia, and we are only just beginning to come into the heritage which we have in this great State. The needs of Western Australia are indeed greater to-day than they have ever been, and so it obtains pretty considerably in regard to the other States. Our needs are as much as they were then, and it was those needs which were recognised by the promoters of the Constitution. If the position is the same, where is the alteration? The alteration is in the Federal Parliament itself, in the Commonwealth. It is recognised that the framers of the Constitution, generally speaking, were members of State Parliaments for quite a long series of years; they won their spurs in their own respective States, and they framed the Constitution which was submitted to the people of Australia, understanding fully the needs of the States. When we look at the Constitution of the Federal Parliament to-day we find a new race of politicians has grown up, and the men who framed the Constitution are passing out very quickly.

Hon. J. W. Kirwan: And their ideas are changing.

Hon. J. W. LANGSFORD: And their ideas are changing. Those, I say, who framed the Constitution and who provided for the needs of the States, many of them had been State Treasurers—

Hon. J. W. Kirwan: Sir William Lyne for instance.

Hon. J. W. LANGSFORD: And State Premiers, and knew exactly the position that should be held by the States in regard to the Commonwealth. These men are passing out very rapidly, and a new race of politicians has come into existence that was not altogether contem-

plated at the time of the granting of the Constitution to the Commonwealth. Another element, and a very great element, is the growth of the Labour party—the very rapid growth of the Labour party in Federal politics. Practically they have held power for a greater period since the inauguration of the Commonwealth—

Hon. J. W. Kirwan: They have held power continually, except when they were in office.

Hon. J. W. LANGSFORD: They have had the power but not the office. Many contingencies that were never thought of at the time the Federal Constitution was passed have come about. The growth has been very rapid indeed. That is a matter we have seriously to consider in our negotiations. While State expenditure is not lessening, and while the period of economy was the necessity put on the Commonwealth the time has now come to an end, and we find that Commonwealth politicians and members of Parliament are becoming very ambitious indeed in some of the works they wish to carry out, and some of the spheres in which they wish to operate. Generally the idea of the Commonwealth—I remember it at the time—was to be a department of foreign affairs, and was to leave the internal workings of the States and their development solely to the State Parliaments. But that idea has been moderated altogether, and there are many who desire that the Commonwealth shall enter into trade and into business that was purely within the sphere of the State Parliaments. At the end of the next year a great opportunity will come to members of the Federal Parliament, because in so far as I read the Constitution, the absolute disposal of the revenue derived from customs and excise will be with them. They have got hold of the whip with both hands, and whether they will rise to the occasion as the members framing the Constitution did, recognising the needs of the States and supplying their needs, is a matter which we may have very grave doubts upon. They may do so or they may not, and there are some who seem to be tending in that direction. They have the money passing through their

hands, collected by their own machinery, and they will use that money freely and forget altogether—and it seems to me quite natural that should be so, because these men have not had the training. Take the representatives of Western Australia; Sir John Forrest is the only one who has really had any lengthened term of State Parliamentary career. Mr. Needham and Mr. Lynch were in Parliament for a year or two, but with the exception of Sir John Forrest—what applies to Western Australia applies perhaps in not so great a degree to the other States—our representatives in the Federal Parliament have not had the needs of the States brought before them as they would if they had been members of the State Parliament for some time previously. It seems to point to the idea that a good training ground for Federal politics would be the Parliaments of the States for a number of years. One of the most important questions is this: supposing for a moment that any great inroad is made on the customs and excise tariff, we must remember that we have incurred obligations in the State which needs a return to the State of that money. Almost all our debts, almost all our loans have been raised on the understanding that a very large proportion of our revenue, and necessarily the interest that has to be paid for the loans, is raised from customs and excise, and my friend Mr. Piessé's suggestion that we should reduce the sinking fund is a minor consideration on the question of good faith compared to the taking away of a very large proportion of our revenue from customs and excise. That does not apply so much to the State of Western Australia because our trade concerns pay almost within a few thousand pounds the whole of the interest on our loans. In the other States, however, I am certain that they are relying upon customs and excise for the payment of interest on loans incurred in the development of the State. I maintain from that point of view, it would be a breach of good faith, to put it in the mildest term, to those who lent money to the States for development purposes. These obligations have been in-

curring by the States, but no obligation has yet been incurred by the Commonwealth, and the question arises which of several courses is open for the Commonwealth to adopt? They may cry a halt in connection with their desires, but few of us who have watched the trend of Federal politics, believe there is much to be gained in that direction. They have Federal aggrandisement before them, and they will consider very slightly any desire that they should call a halt in this direction. The other methods of Federal finance might provide for a loan policy which up to the present has not found favour in the Federal Parliament, or they might introduce a system of direct taxation, and indications seem to be in that direction. I think that the expenditure incurred by the Federal Parliament or which it is proposed to incur, could well be left alone for some time. We have heard a lot of talk about defence by land and defence by sea. I think the best thing we can do is to fill up our cradles and empty spaces, while the money spent in bringing population into the State is the best defence we can possibly have. Talking of protection by sea, who is there who imagines that we are in a position, with slightly over four millions of people, to inaugurate an Australian navy which must run into some millions to equip, and a huge annual expenditure to maintain. I am one of those old-fashioned men who think that for many years to come we should be satisfied with the protection of the navy of the British Empire. For years the people of Great Britain have taxed themselves for the protection not only of their own isle, but their oversea estates, and I think we should recognise that. Much of our legislation—some of the Federal legislation which is on our statute books to-day—I venture to say, would not be there if we had not been protected by the British Navy. Our boasted White Australia policy which is a high ideal, what would it be worth if we had not the British Navy behind us? While we have that protection we should recognise it, and there is no need for us to spend fabulous sums in questions of land or sea defences. These matters can be dealt with when we have populated

our vacant areas; they should remain as something to be hoped for until then. The proposal which has been made by the Federal Treasurer up to the present, looking upon the Federal financial question as a whole, is that the taking over of the State debts shall go simultaneously with the re-appropriation of the annual revenue. Now the Premiers wish to dissociate the two. In their judgment, the taking over of the State debts can remain in abeyance until the revenue question is finally decided; but the taking over of the debts and the arrangement for their renewal or for the paying off, is a very serious question with regard to the States of Australia. Hon. members will be surprised to know the amount of the loans that are falling due in the various States during the next few years, and for which, either by renewal or paying off or conversion, some arrangements must be made. Between 1910 and 1914, New South Wales will have to renew or pay off or redeem, 14 millions of borrowed money; Victoria will have to redeem 4 millions; Queensland, 2½ millions; South Australia, 2½ millions; Western Australia, one and a quarter millions, and Tasmania, nearly 2 millions; a total of 28 millions, and in the next four years, between 1914 and 1918, New South Wales will have to redeem 17 millions; Victoria, 8 millions; Queensland, 12 millions; South Australia, 5 millions; Western Australia, one quarter of a million; Tasmania £91,000, a further total of £42,000,000; or an aggregate during the next five years of £70,000,000. I am of opinion that when that is necessary, the Commonwealth Government would be in a better position to renew those loans of the various State Governments, and that they could renew them at less expense than the various States. The opinion was expressed by Sir John Forrest, Sir William Lyne, and Sir George Turner to the effect that the Commonwealth stock would ultimately command a better price than the prices of the individual States.

Hon. G. Randell: That is a question of opinion.

Hon. J. W. LANGSFORD: These are the opinions expressed by London people

to the gentlemen I have named, and those who expressed them I should imagine, would be people of high repute. Of course, these opinions may be quoted for a single purpose, but I imagine that the best opinions would be supplied to us.

Hon. W. Kingsmill: It is the opinion that makes the price of stock.

Hon. J. W. LANGSFORD: With regard to the suggestion of Sir William Lyne as to the establishment of a council of finance, the proposals and information are so ill-defined that I do not think we need further discuss the matter. Its constitution, its powers and responsibilities we know very little of, and until we have further information, we need not give the matter much further thought. The power to borrow, the time, and the amount, must so far as Western Australia is concerned, remain with the State Parliament. We have to provide interest and sinking fund, and we have to develop and to spend the money to the best advantage, and we are better able to judge our means and purposes for which we borrow, than the Federal body of financiers would be, no matter how skilled they might be, and possibly they would be found to be situated in the Federal capital, or at Melbourne. With regard to paragraph b of resolution 7 "The States urge an early settlement of this long standing question," I am sure this will meet with the approval of all. I do not know that the Premiers are altogether responsible for the delay which has occurred over this question; I have not heard of any debate in the Federal Parliament which would indicate that the proposals of either Sir George Turner or Sir John Forrest would be accepted, but the question should certainly be settled before the end of next year. The Premiers made no suggestion as to how the question was to be settled, and who was to participate in that settlement. Mr. Kirwan has offered a suggestion, and another one might be added. The Federal Constitution was agreed to by a Federal Convention. I see no reason now why there should not be convention between the States and members of the Federal Parliament. Details of course, could be

worked out, but the idea is this, that as the Constitution was framed by a convention, a convention should deal with the matter. I cannot see how a reference of the matter to the electors would settle it, in fact, I do not know what question could be submitted to the people. Would it be States versus Commonwealth? None of us wish to make it a test question at any election; we cannot elect men to Parliament on one sole issue, and how are we to put the query in a referendum to the people? I see a difficulty there.

Hon. J. W. Kirwan: Can it not be put in the form of an amendment to the Braddon Clause with the view of its extension?

Hon. J. W. LANGSFORD: If the hon. member meant the extension of the Braddon Clause, I should be entirely in favour of that. But would the Federal Parliament agree to the extension of the Braddon Clause? Circumstances have altered since the Braddon Clause was framed, and the whole membership of the Federal Parliament has been altered. If he means a continuation of the Braddon Clause, we should all agree to it, but I have grave doubts indeed as to whether any Federal Parliament would agree to the continuation of the clause. The time for getting such excellent terms has gone. They should have been accepted when made by Sir George Turner.

Hon. J. W. Kirwan: Do you think a democratic institution like the Federal Parliament would dare to refuse to submit the question to the people?

Hon. J. W. LANGSFORD: I do not think they would refuse to submit the question to the people, but I do not think that the Federal Parliament would send on to the people any question which was so favourable to the States as the Braddon Clause was when it was first introduced. I think this is a time for infinite patience on behalf of all those who wish to see a right and proper settlement of the question. It is a time when irritable things could be said, but I believe that the common sense of the British people will come to our rescue in this instance, and a scheme will be adopted which will be fair to the States,

and which will enable them to maintain their position honourably with the Commonwealth. I have much pleasure in supporting the resolution.

Hon. M. L. MOSS (West): I have a few words to offer on this motion, but I must confess I do not think that the final determination of this matter will be as favourable as Mr. Langsford has said, because I take an entirely different view of this financial question, and I believe it is going to be the lever on which the Federal Parliament, and particularly the Labour party, will work to bring about what I think is at the end of this difficulty, namely the Unification of the States. I think the speech made by Mr. Kirwan was a most excellent one. No doubt that hon. member has been a very close student of this difficult question of properly adjusting the financial relationship between the States and the Commonwealth, and particularly interesting was the historical portion of his speech, that alluding to the various proposals of Sir George Turner, Sir John Forrest and Sir William Lyne, because the hon. member is so well acquainted with all the details touching these various proposals. It may be, in fact it is to be deplored, that two such schemes as Sir George Turner's and Sir John Forrest's were not accepted by the States.

Hon. G. Randell: I do not think Western Australia stood in the way.

Hon. M. L. MOSS: But although they were proposals they were not the proposals of the Federal Parliament, and perhaps the States were not to be blamed, and for this reason: I think that every person in Australia, who takes an interest in the question, thoroughly realises there is no hope of any of these proposals taking the concrete shape of an Act of the Federal Parliament. I know that when Sir John Forrest's scheme was published there were adverse comments in the Eastern Press, and there were dissentients among all parties in Federal politics. A settlement of this question upon the lines indicated in the resolution there can be no doubt would not have a dissentient in this House. There was no dissentient in another House. If

we could get a settlement on these lines it would be an exceedingly good thing, and we would have reason to congratulate ourselves, as it would mean for all time the strengthening of these States, and the continuation of State Governments, and a barrier against the Unification of Australia, which seems to be the main aim and idea of a majority of those gentlemen representing the electors both in the Senate and the House of Representatives in the Federal Parliament. It is perfectly true, as Mr. Kirwan has said, that the scheme of Federation, as contained in the Federal Constitution Act, never attempted for one moment to deal with the financial question. Had the delegates attempted at the various conventions to deal with that question there would never have been any Federation; but there was no attempt at all. The whole question is summed up in the one clause, known as the Braddon Clause, providing that for the first ten years at any rate not more than 25 per cent. of customs and excise duties should be taken by the Federal Parliament for Federal purposes. And for a good many years not even that 25 per cent. was taken, because a good portion of the Federal fourth was returned until the Deakin Government passed the Surplus Revenue Act, since which the Commonwealth have been monopolising the whole of that Federal fourth. But the Braddon Clause gives for ten years to the States three-fourths of customs and excise duties; and no one doubts that, even allowing for the payment out of the three-fourths of the amount necessary for the payment of the old-age pensions, a settlement on those lines would be satisfactory to the State. But a settlement on the basis of a return of a fixed sum on £6,000,000, as Sir William Lyne proposes, is one that cannot be listened to by any person who has any regard for the interests of the various States in view of the obligations on the State Parliaments of constructing such works as are indicated in paragraph 1 of the Premiers' resolutions. I do not wish to take up the time of the House in drawing attention to the obligation resting on the State Parliaments in the matter of the general developmental

work necessary, more than to say that in Western Australia particularly there is a greater obligation on the State Parliament than in any other part of Australia; because our country is so little developed at present, and unfortunately our population is so small, that although we have done a great deal, we have not been able to do as much as is necessary to thoroughly open up the State. In all probability, if there is one part of Australia more than another which, in the future, must get a large accession of population in view of its tremendous area of unpopulated country, it must be Western Australia; and with that increase of population it is fair to assume that the customs and excise revenue of Western Australia must enormously increase. So as for any settlement of this question on a basis of taking a fixed annual sum, without any regard being made to the increase which will result from an increased population, it is too absurd to listen to for one moment, if the thing is to be settled on a fair and equitable basis. But whether it is to be by a fixed annual sum, or whether we are to be treated on fair lines, depends entirely upon what the constitution of the Federal Parliament may be. It rests entirely with the Federal Parliament after 1910 to say how much, if anything, of the customs and excise revenue shall go to the various States. All they have to do if they are so minded, if there is a majority agreeable to such a disastrous course to the States, is to pass a Federal Act of Parliament whereby no customs or excise shall go to the States; and if that be passed the States will be without any contribution. I cannot conceive any Federal Parliament doing that, for this reason: The same body of electors return the Federal Parliament as return the State Parliaments; and it would mean in every State, and particularly in this State, a cessation of every public work in the State; it would mean that when people throughout the State wanted hospitals, roads, or bridges, they would not get them, because the whole of the revenue would be gone, and the State Parliament would be absolutely paralysed.

Hon. W. Kingsmill: How do you account for the present discrepancy between the Federal and State representation, that is, in the matter of parties?

Hon. M. L. MOSS: It is hardly a matter that arises on these resolutions, more than to say it is peculiar, and from my point of view very unfortunate, that nine out of eleven of our representatives in the two Federal Houses should be members of the Labour party. It is a most disastrous thing, and it is because I know that Western Australia is represented that way, and speaking as one taking some interest in and knowing the personnel of the two Federal Houses, that I say I do not think we will get much sympathy on this question. It appears that in that Federal atmosphere that Mr. Kirwan talks about, the idea is to belittle the States in every way. While the Conventions were on and at the first Federal elections, we were told that the Senate was the House to guard State rights, but a Senate working along present lines is worse than the House of Representatives, so far as the rights of Western Australia are concerned, and even from the point of view of the obligation of the State to develop the country we are not considered at all. The position is this: if the finances of the State are to break down by virtue of the fact that the customs and excise revenue is taken from it, or such a large proportion of it that we are so stripped of the wherewithal to carry out all those functions, it will be quite obvious that the State will be driven to take advantage of one of the sections of the Federal Constitution Act, which gives power to the Federal Parliament to grant financial aid to the States. It will be a bad thing for any State that seeks to take advantage of this section, and probably the first State that will be driven into the corner will be Tasmania, which is in a far worse position than Western Australia. It is the opportunity men like Sir William Lyne are waiting for. They want all the States to ask the Federal Parliament for financial aid. Of course they will give it, but in giving it they will make terms. The State will then in all probability have to give up our debts, our railways, and our lands, and the result will

be an onward march to Unification, and the powers of the State Parliament will be cut down to such an extent that they will be merely county councils. The Legislative power will go; and with that, power to develop the State will go. Under the Federal Constitution Act, without any consent on the part of the States, the Federal Parliament have power to take over the State debts as they existed at the time Federation became an accomplished fact, and if they do that, of course as a natural consequence they will take a sufficient amount of our customs and excise revenue with which to pay interest and sinking fund upon those debts. But the Federal Parliament desire to go much further than that. They now desire to get the power they have not under the Constitution Act, namely to get the States to pledge themselves against further borrowing unless that further borrowing has the hall-mark of approval of this council of finance; and probably they can do that by an amendment to the Constitution Act; but they may require the assent of the States to achieve that purpose, and if so I feel convinced a very large majority of those in all the States Parliaments will resent any such novel proposal as was outlined in the scheme of Sir William Lyne. Looking at the proposal from a Western Australian point of view, I think we would have great difficulty in getting approval for any of the money we require to borrow because the State with the greatest number of votes in the Federal Parliament would have the greatest amount to do in creating that council of finance, and as in all other matters, would get the largest amount of support and concessions. It would be, as in most other things, a question of might being right. Western Australia must never concede that. We may want to borrow twenty million pounds, or perhaps fifty million pounds to open up this country in years to come, as all the money expended so far, probably with very few exceptions, has done good service to the country, most of it paying interest and sinking fund. Further borrowing is a good policy. I am one of those who believe, and most members in this House believe, that money

wisely expended in this country is a very good thing. It opens up the country and makes it more productive and better able to support the immigrants we hope to see come into this country in the future much faster than they have arrived in the past. If we cut down the power to borrow to the extent of having to ask an outside body for permission as to whether we can borrow, or as to the time when we can go on the market, we are doing a very disastrous thing indeed, and something not in the interests of the country. It is a peculiar thing that a House elected on very democratic lines—and the Federal Parliament is elected on democratic lines—should, as soon as it has secured power, delegate that power to autocratic bodies: The Public Service Commissioner's appointment is an example; and now it is suggested we should delegate power to a council of finance not responsible to the electors. I do not believe in a course of that kind. My objection too is that it is going to be a great barrier to the progress of the country, and we should not surrender any further rights that we possess. On the question of sinking fund, seeing that we have nearly two millions of money, it is fitting, that so far as Western Australia is concerned, paragraph 6 of the resolutions should be one of the terms made, "that the proposal of the Commonwealth Treasurer to take over the sinking funds of the States without making equitable provision for compensation is objectionable." It is just the same with regard to the transferred properties, we should not be kept out of payment for them. These transferred properties, particularly the buildings, were all constructed in this country from revenue. In the Eastern States they were the product of loan moneys. If the money were returned to Western Australia now either to swell the sinking fund or to be spent in reproductive work here it would be a very good thing for us. So that, when dealing with the question of sinking fund and transferred properties it was very proper that the Premiers' Conference should have looked at it from the aspect of Western Australia. This question has

a greater application to Western Australia than to any of the other States and it was only right therefore that it should be made a part of any proposal dealing with the question.

The Colonial Secretary: It was put there on the motion of our Premier.

Hon. M. L. MOSS: The Premier deserves credit for having so carefully watched the interests of the country, but it is obvious to anyone having a cursory knowledge of Western Australian politics that the questions of sinking fund and transferred properties would have to be dealt with in a question of this kind. I cannot hope, nor can any other member, that the Federal Parliament will deal with this question on the lines outlined in the resolutions. It is too much to expect that they will deal with the States justly. Mr. Kirwan suggests that the question should be referred to the people by means of a referendum. I am quite convinced that the public would not understand this question more than they did that of Federation. In putting a question to the general public it is necessary that it shall be of a very simple character so that all shades of opinion can understand it. It is not only the persons of great intelligence in the community who should be considered, for probably they are not the majority, and while it is unnecessary that provision should be made for the intensely stupid person, care must be taken that the ordinary average run of the public should understand what the question was. Do those people know much, even about the Braddon Clause? The chief object of the average run of man is to earn a living and he does not pay much attention to complex questions of this kind. Mr. Kirwan has been a student of this matter, which is one of the main aspects of the Federal problem, for many years and by virtue of that fact he is able to give an intelligent and accurate account of the various stages through which the question has gone for many years past. The honourable member in his speech gave a good deal of information to members here. To pit against that member's almost expert knowledge on the question, the idea of the ordinary man outside, who has had no

education on, and no occasion to consider the question, would be absurd, and it would be almost impossible to get an intelligent answer to any question dealing with the difficulty. Mr. Langsford pointed out how difficult it would be to put a question sufficiently comprehensive. This question must be settled by the statesmen and not by a referendum. If not settled before 1910 the public certainly will be educated by 1911 as to the necessity for the Federal Government dealing fairly with the States. If at the end of 1910 such inroads have been made against the customs and excise duty that the obligations of the States cannot be met, that the functions of the States cannot be carried out, that works of development such as those indicated in the first paragraph of this resolution cannot be done, then the general public will commence to call out. When there is a clamour for a hospital, a school, a road, a bridge or a railway and the people cannot get them because the revenue has all gone, then the public will call out. Personally I would rather see the postponement of this question until the State gets into that difficulty than see an improvident bargain made now which the State might have cause to regret later on. If that were done the responsibility and blame would rest on those people representing us in the Federal Parliament. It would be a great pity if a mistake were made by those gentlemen concerned in State politics or owing to any action done by the Western Australian or any State Parliament. It would be better that the unpopularity caused by the State being denuded of the means to carry on its functions should rest on the Federal Parliament rather than that the State should make the blunder. That may be a wrong way to view the question but it is my reason for not altogether welcoming the last paragraph of the resolution. I would like to refer to an interjection which I made yesterday and the report of which in the morning paper implies that to some extent I am opposed to old-age pensions. I have no desire to attribute a false motive to the gentleman who reported that interjection but he evidently did not understand what I meant. I

am not against old-age pensions, for it is proper to provide for those who have done good service for the country, but the meaning of my interjection was that it is unnecessary that old-age pensions should be paid out of customs and excise. That was what my interjection meant to imply. If any taxation is necessary for the purpose of old-age pensions the Federal Parliament should take on themselves the odium of imposing direct taxation to provide the funds. The necessity should not be thrust on the State Parliament on every occasion when more means are required for State functions to impose direct taxation on the people. The spirit of the Federal Constitution has not been kept by Sir William Lyne and others in the Federal Parliament. It was all very well to say, as Sir William Lyne did, that he declined to allow the various States to be partners with the Federal Government in any essential revenue, in which category he regards customs and excise. That was not the spirit of the Federal Constitution for that spirit was that there should be this partnership and that at any rate for ten years we should get three-fourths and that the Federal Parliament should deal honourably with us after that period and give us a fair proportion so as to enable us to carry on State functions. I have said as much as I am justified in saying, for a good many of my observations, and in fact so were Mr. Kirwan's, are somewhat outside the resolutions themselves. The resolutions are unobjectionable, for no member can really complain of a settlement of this knotty and difficult proposition on these lines. Unfortunately, however, it is not to be expected that the question will be so settled. I am afraid this is only the beginning of the trouble and that the difficulty will not be arranged so favourably to the States as indicated.

Hon. V. HAMERSLEY (East): I would not like to see the debate on a question such as this curtailed for it is a most important matter. I was very interested in the remarks made by Mr. Kirwan for he seemed to open to us a new means of dealing with a matter which at the present time seems to me will cause con-

siderable trouble in settling. If the suggestions of the Premiers are ignored by the Federal Parliament what else have we to look to? At the end of 1910 the Braddon Clause will have ceased to exist and we will be entirely at the mercy of the Federal Parliament. I have listened to the remarks of Mr. Moss and have tried to realise what would be the outcome of throwing the odium on the Federal Parliament of settling the question. I do not see that we can attain any good object by casting evil results at the head of the Federal Parliament. We should only by this means blame the party that happened to be in a majority at the time. It would be very small consolation to us afterwards to know that we had been robbed. There is just a chance that whatever happens, and whatever is the outcome of the Conference of Premiers, the whole question will be shelved, and that at the end of 1910 it will be left for the Federal Parliament to decide what course shall be followed. If the Federal Parliament know that there is one other court before which the matter has to be brought then there may be a difference in their method of considering the question. For instance, if they know there is to be a referendum to the people the chances are that we would get much better consideration than if the Federal Parliament had the decision of the question entirely in their own hands. It would be well had Mr. Kirwan proposed to add his suggestion as to a referendum to the resolutions. An addendum might be put as a suggestion from this House that failing satisfactory negotiations being fixed up between now and the end of 1910 the matter shall be referred to the people by way of referendum.

Hon. R. W. Pennefather: How would you put it?

Hon. V. HAMERSLEY: I have not seriously thought it out. Undoubtedly, I think that if they feel there is something hanging over their heads, another tribunal or another fire for them to go through, there is just a chance that the Federal Parliament will be inclined to give us a larger amount of just and fair

consideration than if they know that they have us in the palms of their hands.

Member : Has that been the experience of the past?

Hon. V. HAMERSLEY : As far as I know, yes. It can easily be understood from the fact that they have had so many conferences, notwithstanding which nothing has been decided. And when we know it is essentially in the interests of those in control of the Federal Parliament, that the Federal authorities should have absolutely the whole control of our finances we see that it is entirely in their own interests they are adopting that attitude, and that if no resolution be adopted, and nothing definite arrived at, the longer they can continue without coming to any definite decision, the stronger it will make their position when the Braddon Clause lapses. They will undoubtedly have the deciding of the question entirely in their own hands, and the States will not have an opportunity of saying a word. If we make the suggestion to them—which might possibly be adopted—that in the event of the Braddon Clause lapsing, and nothing being decided, it shall then be referred to people of Australia on referendum, I feel perfectly satisfied that the Federal Parliament will be likely to give us some better consideration than we will receive from them on the understanding that there is no other tribunal to be appealed to. Failing that, they will have the deciding of it entirely in their own hands. I therefore, feel that Mr. Kirwan might have made a suggestion to that effect, and I sincerely trust the matter will be still further discussed in the hopes of safeguarding the revenues of the States, which it seems will be in rather a precarious condition when the Braddon Clause lapses.

Hon. G. RANDELL (Metropolitan) : It seems to me that our duty is very clear. It is not at all necessary for us to enter into any question not connected with the resolutions before us. Anything apart from these can be but mere speculation and calculated to do no good whatever. The duty of this House is to support the resolutions as they are sent to us from another place; in other words to support

the Premiers in their endeavour to get what is right and just from the Federal Parliament. I was once listening to a gentleman addressing an audience, and he said amongst other things "I can break that beautiful window across there," after which he corrected himself and said, "No, I cannot." The application of this is that while certain powers are vested in the Federal Parliament they cannot go beyond what is right and just. I believe public feeling in the British Empire would be against them, and that any Ministry who attempted it would be preparing the way for their own downfall. It is beyond their power to inflict the least injury upon any one member of the Commonwealth. And further, I think the resolutions prepared by the Premiers' Conference and submitted for our consideration as nearly as possible meet the circumstances of the case. I shall give them my most hearty support in the hope that the Premiers may be able to obtain that which is right for the States from the Federal Government when they deal with the question. I am thankful to Mr. Kirwan for the history he has given to us of the whole thing, and I am thankful also for the able speeches given by other hon. members. Any further discussion which may take place in this House will not I think advance the position one iota. Therefore, without wishing to limit discussion, I think the best thing we can do at the present moment is to pass these resolutions and so show that we are heartily in accord with the Premiers' Conference and with the resolutions submitted for our consideration. If I were to attempt to make a speech on this subject, so bitter do I feel at many other things that have taken place in the Federal Parliament that I might easily go on to say something that I might subsequently regret. I do not want to do anything of the sort, and I hope the House will unanimously support the resolutions. By doing this we shall be doing the best possible thing we can do.

Hon. C. A. PIESSE (South-East) : In spite of what Mr. Randell has said I wish to add a few words. I think it is my duty to express my thanks to those gentlemen who have so ably discussed this

matter. More particularly did the first four speeches show careful preparation and considerable thought, and my chief regret is that every elector in the State was not here to hear those speeches. I feel that I would like to propose a hearty vote of thanks to those who have favoured us this afternoon with their able speeches on this question. However, I am not going to enter further into the matter. I will support the resolutions.

Question put and passed.

BILL—WINES, BEER AND SPIRIT SALE ACT AMENDMENT.

Assembly's Message.

A message having been received from the Assembly intimating that the amendment requested by the Council had been made, consideration resumed.

In Committee.

The CHAIRMAN : The Legislative Assembly having agreed to the amendment suggested by the Committee, nothing now remained but to put the Title.

Title—agreed to.

Bill reported without amendment; report adopted.

Third reading.

The COLONIAL SECRETARY : I move—

That the Bill be now read a third time.

Hon. B. C. O'BRIEN : Is that motion in order, Mr. President?

Mr. PRESIDENT : Yes; for the information of the hon. member I refer him to Standing Order 243.

Question put and passed.

Bill read a third time and passed.

(Sitting suspended from 6.15 to 7.30 p.m.)

BILL—VERMIN BOARDS.

Assembly's Message.

A Message having been received from the Assembly, giving reasons for declining to make the amendment requested by the Council, the same was now considered.

In Committee.

The COLONIAL SECRETARY moved—

That the request be not pressed.

The requested amendment would inflict a hardship on new settlers, and the Vermin Destruction Act provided for something more than merely fencing holdings. Take a given district: all the first-class land would have been taken up, and the bulk would be enclosed with vermin-proof fencing. The remainder of the land in the district would become overrun with rabbits, and no one was likely to take it up. If it were taken up the amount of taxation derived from rating the land would be so small that it would not be sufficient to cope with the rabbits, and a danger would be caused to the holdings, even if enclosed with rabbit-proof fencing. One of the reasons given by the Assembly was that the Bill provided for more than fencing, inasmuch as it provided for the destruction of vermin, which involved direct expenditure. There would be no money to provide inspectors. Then there was the second reason: the subdivision into districts, the creation of boards and the general administrative machinery entailed a cost which should be borne equally by all within the proclaimed districts. If there was this exemption a privileged class would be created as stated in the reasons later on. If the amendment were made the person exempt from rating would derive almost as much benefit as those who had not fenced at all.

Hon. V. HAMERSLEY : The proviso requested by the Council was an important one, inasmuch as it would encourage individuals to fence their areas. There were probably some persons who had already fenced, and others would speedily fence their areas. These persons should be exempt from taxation until the board could give some direct benefit by way of joining on to their fence, and exercising a useful purpose in the immediate vicinity. It was probable when a board was proclaimed in a district, their first attention would be given to a number of areas joining one another and putting a ring fence around these areas, prob-

ably leaving outside an area which had been fenced by a private individual. Why should this private individual, who had fenced his area, be taxed to provide a fence for other individuals, whose areas were perhaps 10, 20 or 30 miles away. If in the future it was found that the amendment created a privileged class the proviso could be repealed. Many good reasons could be given why the amendment should be made. There were a number of persons willing to commence fencing their areas at once.

Hon. R. F. SHOLL: The reasons given by the Assembly were so unsound that the Committee ought to insist on the request. But rather than lose the Bill, and rather than the people in the Northern areas should be deprived of the power of taxing themselves to keep back the rabbits from infesting leasehold land which belonged to the Crown, he would swallow the Bill without the amendment. Mr. Hamersley had spoken from the point of view of the agriculturist, but there were the larger areas in the North to be considered. With regard to the question of a privileged class, on the face of it the reason was absurd. The man who put his hand in his pocket or borrowed money to fence his holding was considered a privileged person. The leaseholders were to tax themselves to keep the rabbits back, and they were called a privileged class. In many cases men had to fence 600,000 or 700,000 acres and these persons deserved consideration. It was necessary that the Bill should be passed quickly and rather than see it dropped he would not vote for the insistence of the amendment. He hoped the Government would bring in a comprehensive Bill next session dealing with the agricultural countries, the pastoral country North of Geraldton as far as Roebourne and with the Kimberleys, all separately.

Hon. C. A. PIESSE: With reference to the third reason that the amendment would place the whole of the cost upon the new comers and would create invidious distinctions between the old and new settlers he had yet to learn that there were any rabbit-proof fences erected in the North. To send along a

reason like that was unfair. He admitted that there was something in the other reasons which were furnished by the Legislative Assembly.

Hon. E. McLARTY: As far as the amendment was concerned he had no desire to insist upon it, but he entirely agreed with the views of the previous speakers. The amendment made by the Legislative Council was a commonsense one and was reasonable, and it seemed to him that the hon. members in the Legislative Assembly hardly understood the position. There was scarcely a holding in the State where there was a vermin-proof fence. It did not follow that a sheep-proof fence was vermin-proof. To a man who went to the expense of providing for improvements, it was not much of a privilege to exempt him from taxation. However as the amendment would not affect many people he would not vote for its insistence.

Hon. F. CONNOR: Encouragement should be given to the people to improve their properties. The Bill itself provided for one of the most iniquitous forms of taxation ever passed in any House in any country of the world. He made that statement believing it to be true and the Colonial Secretary knew it to be true. The position of the people improving their properties now would be such that although they might at their own expense fence runs, they would be liable to taxation under the Bill after having done what was equal to four times the rent they paid in this State and twelve times the rent charged for better country in the neighbouring State. He was not going to vote to throw the Bill out because if the House insisted on its amendment that would mean the end of the Bill, but he could not help thinking that the amendment should have been accepted.

Question put and passed.

Bill reported; the report adopted.

BILL—LOCAL COURT ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second

reading said: "This is a small amendment of the Local Court Act and has been rendered necessary owing to an omission in drafting the original measure. In consequence of that omission a number of judgments, though they have not been contested, could be proved to be illegal. When a debt is undefended and judgment is given against the defendant, it is provided in the Supreme Court and other courts that the clerk can enter up the judgment. It need not be done by the Judge. In the drafting of the Local Court Act this omission was made. There was no provision included for the clerk to enter up judgments. The clerk has been in the habit in the Local Court as in the Supreme Court to enter judgments in undefended cases, and it was recently discovered that that course was not in order as there was no power contained in the Local Court Act allowing the clerk of courts to do so. That is the reason for the introduction of this small measure. The clerk of courts will have authority by this measure to enter up and sign judgments, that is, when the debt is admitted, exactly as the clerk does in the Supreme Court. Some 500 judgments, although they have not been questioned, have been entered up in this way, and that the matter may be placed beyond doubt is the reason for the introduction of this amending Bill. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—HEALTH ACT AMENDMENT.

Second reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: I do not think it will be necessary for me to speak at any length inasmuch as a somewhat similar Bill was before the House on two or three occasions previously.

Hon. R. F. Sholl: What is the difference?

The COLONIAL SECRETARY: This Bill contains one clause less than the Bill which was before the House some few weeks ago.

Hon. W. Kingsmill: If there are any other clauses lost, there will not be any Bill left.

The COLONIAL SECRETARY: A similar Bill originated in this House, but as there was some question likely to arise in another place as to whether the measure was in conformity with the Standing Orders, as to whether it should have originated in this House or in another place, although it was held here that the Bill could originate in this House, and as the matter was likely to lead to a serious and long discussion as to whether the Bill should originate in this House or in the other House, the Government, in order that there should be no doubt about it and to save time, decided to introduce another Bill covering the same ground. This Bill another place has passed, and it has come to this Chamber, so that we have arrived at the present position when we are now dealing with the same Bill once more. As I explained before, the Bill in the first clause provides that roads boards dealing with health matters, that is to say, roads boards constituted health boards, shall have the same powers as municipal councils, that of using the machinery under the Roads Act to strike the health rate, as municipalities use the machinery under the Municipal Act to strike the health rate. The health rate dates from the 1st December and the roads board rate dates from the 1st July. This makes it necessary to strike two separate rates; but this Bill will enable roads boards to strike the two rates, health and road board, at the same time. In other words, the health rate can be struck at the same time that the roads board rate is struck, and the roads boards can use the machinery under the Roads Act for the purpose of doing so. The Bill further provides that where roads boards have been doing this in the past, their actions are validated. Clause 3 is an amendment of Section 54 of the principal Act, and gives the Central Board of Health power to make regulations for putting marks on

goods, and for prescribing fees. I move—

That the Bill be now read a second time.

Hon. R. F. SHOLL (North): Mr. President, I would like your ruling in regard to this Bill. The Government introduced a Bill into this Chamber, and it was sent to another House by Message, but no reply has been received to that Message. I raised the question at the time, that the Bill should have been introduced in another Chamber, but you ruled against me, and said that the Bill was in order and could be introduced in this House. Now I ask whether the Bill can be re-introduced in this way, whether after it has gone through all its stages in this House and been sent to another place, it can be withdrawn and another Bill sent down to this House. It appears to me that if we are to protect the dignity and privileges of this House, something more reasonable and sound should be given than the reasons advanced by the Colonial Secretary.

The PRESIDENT: Is the hon. member speaking to a point of order?

Hon. R. F. SHOLL: I am asking your opinion.

The PRESIDENT: If you put it in fewer words I will try to answer it.

Hon. R. F. SHOLL: I ask if the same Bill that you ruled was in order to be introduced in this House can, after going through all its stages here, be introduced into this House again after passing another Chamber?

The PRESIDENT: I know of no Standing Order forbidding two or more Bills on the same subject being introduced during the same session. With respect to the refusal of the Legislative Assembly to reply to our Message 5, I give the history of this Bill. A Bill in almost similar terms to the Bill now under discussion was introduced as the privilege Bill at the opening of the session. On the Order of the Day for the second reading of this Bill coming on for discussion on the 1st December, 1908, Mr. Sholl rose to a point of order and requested my ruling as to whether

the Bill was properly introduced into this House and I ruled as follows:—

"I consider that the Bill can be properly introduced into the Council, it being in accordance with the general practice of the Council. Standing Order 309 of the Legislative Assembly gives cases in which the Assembly will not insist on their privileges. Among these are:—1, Where payments are imposed in respect of benefits taken or service rendered under the Act. 2, Where moneys are not made payable into the Treasury or in aid of the public revenue. In the Bill under consideration, the imposition of a health rate is for a public service rendered under the Act, and is not paid into the public revenue of this State."

The Bill was subsequently, on the motion of the Colonial Secretary, withdrawn, and a new Bill introduced on the 2nd December. The second Bill was in exactly similar terms to the first, except that one clause was left out; but the clause left out was not one which in any way affected my ruling before quoted. The second Bill passed through all its stages here and was sent to the Legislative Assembly in Message 5 on the 8th December. That Message informed the Legislative Assembly that the Council had passed the Bill, and invited the concurrence of the Legislative Assembly therein. The Message was considered in the Legislative Assembly and the Bill was ordered for the second reading. When the second reading came on for discussion on 22nd January of this year, the Premier moved the discharge of the Order for the second reading of the Bill and that motion was carried. It would thus appear that the Legislative Assembly assumes the right of refusing to discuss Bills which have been passed by this House, and afterwards sent to the Legislative Assembly with a Message inviting their concurrence. It is a question for the consideration of this House whether the attitude adopted by the Legislative Assembly is a correct one. It appears to me that if this hon. House sends a Message to the Legislative Assembly asking for their concurrence in any Bill, motion, or resolution this House has a right to expect from the Legislative

Assembly a reply to such Message, either announcing their concurrence, or stating reasons for not concurring, or, as in this particular case, for declining to entertain the Bill sent by this House, as otherwise it would be open for the Legislative Assembly to treat every Message from this House with contempt, and by ordering the discharge of the Message from their Notice Paper prevent all discussion thereon. The Bill now before the House is one in identical terms with the Bill which has already been passed by this House, and it is a question for this House whether, in the absence of any proper reason being given by the Legislative Assembly for substituting a Bill introduced in the Legislative Assembly for the one introduced and passed in the Council, the Legislative Council should entertain the Bill.

Hon. R. F. SHOLL: Am I entitled to speak now?

The PRESIDENT: Yes. I have ruled that we have no Standing Order on the subject and the Bill is properly before the House.

Hon. R. F. SHOLL: I think the House should refuse to consider this measure until we get a reply to the Message sent down to the Legislative Assembly. Either we were right, or we were wrong in passing the Bill previously. If we were right we should insist on the rights and privileges of this House, and, as it is a thin House to-night, I move—

That the debate be adjourned.

Motion passed, the debate adjourned.

BILL—FIRE BRIGADES ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a small Bill to amend the Fire Brigades Act of 1898 and to repeal certain sections of the Fire Brigades Board Debentures Act, 1900. The real object of the Bill is to get the Fire Brigades Board out of a fix into which they got, perhaps through no fault of their own. I might explain to members who are not so well acquainted with

the work of the Fire Brigades Board as myself, that the board applies to Perth and Fremantle, and no brigade in any other part of the State comes under it. The board made an application to borrow under their Act the sum of £7,000. The money was to be spent, and has been spent, for the purpose of building a fire station at Fremantle, and equipping it, and also for further equipment of the fire station in Perth. A contract was entered into for the sum of £5,000 for the building of the fire station of Fremantle, and then the board invited applications for certain debentures but were surprised to receive no response. Apparently it would appear that their credit was bad, but upon making inquiries why they received no response to their application, they discovered that it was not that their credit was bad, but it was because they had previously borrowed a sum of £10,000, I think it was, from the Commercial Bank, Perth, in order to build the fire brigade station in Perth, and the Act provided that the whole security for past and in future was held as security for the loan, so that this additional security in building a fire station at Fremantle only added additional security for the first loan, and there was no security at all to offer debenture holders for the loan of £7,000 they were inviting other than to come in as second mortgagees after the Commercial Bank. This was the position they found themselves in last March. They had a contract let, claims for payment were coming in, and they had no money to meet the demands, and no way to raise money. They, therefore, approached the Treasurer, and he agreed to advance them £5,000 temporarily, and to bring in a Bill enabling them to borrow. That is the measure now before the House. This Bill provides that it is mandatory on the board to make a sinking fund; previously to this it was only optional. The sinking fund will liquidate the loans of the board, raised either before or after the passage of this measure, in 28 years. It is also provided that the money shall be invested in inscribed stock, or other Government security, in the State, in the joint names of the Treasurer and the board. The board is con-

stituted by two representatives of the Perth Municipal Council, one of the Fremantle Municipal Council, three representatives of the fire insurance companies, and one representative of the Government. The cost of the upkeep of the brigade is paid in the following proportions:—one-ninth by the Government, and four-ninths each by the municipalities and insurance companies. It has been agreed that the money temporarily advanced by the Treasurer shall be repaid so soon as this small amending Bill is passed. It is necessary to repeal certain sections of existing Acts. For instance, Section 2 of the Fire Brigades Act provides for permission to establish a sinking fund, but this must be repealed as the present Bill makes the establishment of a sinking fund mandatory. A section of the Fire Brigades Board Debenture Act, 1900, has also to be repealed. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—ROADS CLOSURE.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is the usual Bill that comes down every session for the purpose of closing certain roads. Members are aware that it is necessary from time to time to close certain roads and streets in different municipalities and districts. This is invariably done at the request of the local authorities. If members turn to the schedule they will see that the roads to be closed are in three different portions of the State, namely, Mount Magnet, Subiaco, and Wagin. The first road proposed to be closed is at Mount Magnet, and consists of all that portion of the public right-of-way lying between the Western Australian boundaries of garden areas, 12, 6 and 5, and a line bearing 187 degrees 35 minutes from the South-West corner of Mount Magnet town lot 204. This closure has been agreed to by the municipal council, and in fact is inserted at their request. The

Lands Department have no objection. The next deals with a road in Subiaco, and this has been agreed to by the Subiaco council. It is proposed to add this area and the portion between it and the division of the University endowment to the latter. The third request comes from the Wagin Racing Club, and it is that a portion of certain streets should be included in the race club reserve. The municipal council have agreed to the closure of the roads. Clause 3 is somewhat different from the balance of the measure, as it is inserted to legalise the closure of certain roads made under the Land Act Amendment Act, 1902, which are found not to be in order under the provision in the Roads Act, 1902, covering the class of road sought to be dealt with by the Land Act Amendment Act above quoted. These are not declared roads but are simply shown on plans of the department, and very often exist only on paper. They have not been declared or gazetted. Under the old Roads Act no provision existed for their closure, except by Act of Parliament. In order to overcome this cumbersome method some years ago an amendment was made to the Land Act, so that the Executive Council should have power to close these roads. This section was, however, unintentionally repealed in the Roads Act of 1902. This was only discovered recently, when attention was drawn to the matter in connection with certain action taken in the neighbourhood of Wagin. To get over the difficulty this small amendment is necessary. It simply means that power is given to the Executive Council to close or deviate the road after a surveyor has marked it off. I move—

That the Bill be now read a second time.

Hon. C. A. PIESSE (South-East): I desire to congratulate the Government on the introduction of the measure. The Bill is an excellent one, and I hope it will be passed as it stands by the House. I would like an assurance from the Minister that the Committee stage will not be proceeded with until the next sitting of the House. A little difficulty arose at

Wagin in connection with the closing of a certain road. I have inspected the lithograph furnished by the department with regard to the area proposed to be closed, and I am not sure that it is the exact position of land which is desired to be dealt with. Although the local municipal council have given their approval to the closure, still the plan has not yet been before them. I shall make a point when I return to Wagin to-morrow of showing the municipal authorities this plan in order to make sure there is no mistake about the portion of the road to be closed.

Question put and passed.

Bill read a second time.

House adjourned at 8.28 p.m.

Legislative Assembly,

Wednesday, 27th January, 1909.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTION—CAMELS FOR PROSPECTORS.

Mr. HUDSON asked the Minister for Mines: 1, Is it the intention of the Government to sell the camels recently in use on the Transcontinental Railway survey? 2, Has the Minister considered the advisableness of securing the camels for his department for loan to prospectors? 3, Have applications by prospectors for camels been refused recently? If so, why?

The MINISTER FOR MINES replied: 1, The Works Department propose selling a number of the camels which were used on this work. 2, Yes, but we have 50 camels for loaning purposes, which should suffice. 3, Last year six applications were received for the loan of camels which we could not approve on account of camels not being then available. In none of these cases were the applications repeated.

QUESTION—RAILWAYS, PRIVATE LINES.

Mr. O'LOGHLEN asked the Premier: 1, Have the Government the power to compel the proprietors of private railways to carry goods and passengers over such lines at Government rates? 2, If so, will the Premier take steps to compel the timber companies of the South-West to respect this provision?

The PREMIER replied: (1 and 2.) As power to construct private lines has been granted under varying conditions in the past, if the hon. member will specify the particular line or lines referred to, the information desired will be made available.

QUESTION—RAILWAY CONSTRUCTION AND RELIEF WORK.

Mr. O'LOGHLEN asked the Minister for Works: Is it a fact that the construction works on the Pinjarra-Marinup railway are a relief work for the unemployed, as described by the *West Australian* of 25th January?

The MINISTER FOR WORKS replied: The Pinjarra-Marinup railway is part of the Government's railway policy; its construction was expedited in order to find employment for unemployed workers.

QUESTION—RAILWAY UNIFORM CAPS.

Mr. ANGWIN asked the Colonial Treasurer: 1, What is the reason the Tender Board did not accept the lowest local tender for the supply of caps, etc., for the Railway Department? 2, Have