Legislative Assembly.

Thursday, 13th August, 1903.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: Works Department Report, 1902. By-laws (camels), Peak Hill Roads Board.

Ordered, to lie on the table.

QUESTION—LAND TRANSFERS TO BE NOTIFIED.

MR. JACOBY asked the Minister for Works: Whether he proposes to give effect to the request of the recent Roads Boards Conference, "That the Government should appoint an officer who will notify the Boards concerned when transfers of land are effected."

THE MINISTER FOR WORKS replied: It was questionable whether it would be advisable for the Government to assume the responsibility that would follow on the appointment of an officer to carry out those duties. Consideration would, however, be given to the subject with a view if possible of assisting boards by that or some other means.

QUESTION—MAIL SERVICE OVERSEA.

MR. PIGOTT (without notice) asked the Premier: Have the Government been consulted by the Federal authorities in the matter of the proposed new mail service between Great Britain and Australia?

THE PREMIER replied: No. The Government have not been consulted at all, nor advised.

LEAVE OF ABSENCE.

Leave for one fortnight granted to Dr. O'Connor (Moore), Mr. Morgans (Coolgardie), and Mr. Moran (West Perth), on the ground of urgent private business.

CO-OPERATIVE AND PROVIDENT SOCIETIES BILL.

Read a third time, and transmitted to the Legislative Council.

ADMINISTRATION (PROBATE) BILL.

Resumed from the previous day.

MR. HARPER in the Chair; the PREMIER in charge of the Bill.

RECOMMITTAL.

On motion by MR. PIGOTT, Bill recommitted for amendment of Clause 86.

Clause 86—Duties payable by executor or administrator:

MR. PIGOTT: This clause dealt with the duties on estates of deceased persons, and it might be advisable to have the scale of charges altered, to increase the amount to be levied on large estates. After full consideration, he came to the conclusion that the best way to deal with the matter would be to introduce some system by which the owners of large estates might be induced, when making a will, to split up their estates as much as possible. The scale of succession duty charged in New Zealand on estates of deceased persons was, in every case, very much higher than the duties proposed to be charged under the Bill. In New Zealand the duty chargeable on an estate of £1,000 was 2½ per cent. on £900, the first £100 being paid over without duty. On the sum of £5,000 the duty chargeable was 3½ per cent.; on sums ranging from £5,000 to £20,000, the duty was 7 per cent., and on all estates over £20,000 the duty was 10 per cent. The scale on estates bequeathed to blood relatives was, on £1,000, 2½ per cent. in New Zealand, under the Bill in this State half per cent.; on amounts of £5,000, in New Zealand 3½ per cent., under the Bill 1½ per cent.; on amounts ranging from £5,000 to £20,000, New Zealand collected 7 per cent. while it was proposed to collect under the Bill 2½ to 3½ per cent. In all cases the charges proposed under the Bill were 50 per cent. lower than the New Zealand charges. On amounts over £20,000 the duty levied in New Zealand was 10 per cent., whereas under the Bill it was proposed to charge 4 per

cent., 4½ per cent., or 5 per cent., according to the amount. In the event of an estate being left to persons living outside the State, in New Zealand on £1,000 the charge was 5 per cent., under the Bill 1½ per cent.; on £5,000 in New Zealand 6 per cent., under the Bill 3 per cent.; on estates ranging from £5,000 to £20,000 it was proposed under the Bill to charge 5, 6, or 7 per cent. according to the amount, while New Zealand collected 10 per cent.; on amounts over £20,000 New Zealand collected 13 per cent., against the proposal in the Bill to charge 8, 9, or 10 per cent. It was not desirable to have exorbitant charges made on estates left by persons deceased, but we should do all that was possible to induce testators to divide their estates into as small portions as possible. In Western Australia, if a man died and left a large sum of money or a large estate, it would be to the benefit of the State if the estate were divided amongst a number of people. There was only one way of dealing with the succession duties so that this object might be attained, and that way was to impose a duty to be raised from a legacy wherever the legacy exceeded a certain sum. This being a new departure in death duties, it was advisable to keep the charges fairly low, and those he would now propose might be increased without doing harm. He moved as an amendment:—

That all the words after "duty," in line 3, down to "schedule," in line 5, be struck out, and the following inserted in lieu:—(1.) On the final balance of the real and personal estate of the deceased, according to the rates set forth in the second schedule. (2.) On the net value of any bequest or legacy received by any one person, according to the rates set forth in the third schedule.

So that the amendment might be thoroughly understood, he would subsequently move a new schedule, to the effect that where the amount of a legacy to any one person exceeded £10,000 and did not exceed £15,000, there should be an extra duty of 1 per cent.; exceeding £15,000 and not exceeding £20,000, 1½ per cent.; exceeding £20,000 and not exceeding £30,000, 2 per cent.; exceeding £30,000 and not exceeding £50,000, 3 per cent.; and exceeding £50,000, 5 per cent. These charges would be an inducement to everyone who owned a large estate to make provision for its being divided among several persons; and so that the legatees might benefit by such division, this scale provided for a remission of duties. Thus, if an estate worth £50,000 were split up into five parts of £10,000 each, and bequeathed to near relatives, the revenue would benefit to the extent specified in the second schedule, *plus* an extra duty of 1 per cent. On the other hand, if the deceased bequeathed the whole estate to one person, the same amount would be collected under the second schedule, *plus* an extra charge of 5 per cent. By splitting up the estate into five parts bequeathed to five legatees, the succession duties payable would be practically four per cent. less than if the estate were bequeathed to a sole legatee. He did not propose to alter the latter part of the clause, which provided that the duty on estates bequeathed to near blood relations should be reduced by one-half.

THE CHAIRMAN: As this was a taxation Bill, the hon. member could not move to increase the taxation proposed in the measure. If the amendment would not increase the aggregate sum to be imposed, it might be discussed; but to ascertain that, we must take each item separately.

MR. PIGOTT: To permit of discussion, he moved as an amendment,

That the words after "duty" in line 3, down to and including "schedule" in line 5, be struck out.

THE PREMIER: The mover of the amendment would understand that it was very difficult to follow the exact effect of his figures as read out; but the hon. member appeared to desire to have a second schedule, the effect of which would be that a testator would be induced to leave his property in small sums, and therefore to a larger number of persons than if this penal provision were not to apply. Did members think that the mere effect of providing a system under which a testator's executors would have to pay a larger death duty if the property were left in large sums would be to incline the testator to leave his property in smaller sums to a larger number of individuals? Why pass a law with the object of inducing a man to bequeath his property to persons whom he did not want to assist, and who might have no particular claim on him? A testator would pro-

vide for those whom he desired to benefit. But passing outside the blood relations, this amendment would not have the effect of inducing a testator to leave his property to strangers in order that it might be left in smaller sums and amongst a number of persons, so as to save a portion of the duty. In the case of blood relationship the penal rates would hardly apply, because the duties would be so small where a testator was induced to leave his property amongst a few persons rather than to a number. Exemption was given in the third schedule to persons whom a testator would be likely to provide for; but the mover of the amendment desired to obtain a wider distribution of a testator's property, and so he would say, "If you give your property in smaller sums, I will not charge you so high a rate." Did members think a testator would be likely to leave his property with that object? If a testator desired to leave £100,000 amongst the members of his family, the amendment would come in with the object of inducing him to leave his property to someone else, in order that a lower rate of duty should be paid by those who received the property; but why should a testator leave his property to someone else?

MR. ILLINGWORTH: He might give it to five members of his family instead of to only one.

THE PREMIER: Suppose he had five in his family, and being wealthy he gave £100,000 to each, there would be more duty payable on these large sums under the penal clauses now proposed than if he gave the greater part to strangers, and so distributed his property more widely. If the penal clause was to apply all round, did the mover think that an additional percentage like this would effect the object, that of inducing a wider distribution of a testator's estate? A testator might say, "I should like to leave £20,000 to this brother; but if I leave him £20,000 my estate will have to pay more duty than if I leave him £10,000." Would the testator be likely to act in that way? It was not likely that the distribution of a testator's estate among a large number would follow from the adoption of the amendment. A testator would not give to one of his sons—suppose he were a drunkard or a criminal—a certain sum of money because if left to another son that son would have to pay 1, 2, or 3 per cent. more duty. Therefore what would be the value of the system proposed in the amendment? A duty of five per cent. would not influence a man in that way when making his will.

MR. JOHNSON: The mover's object was to increase the revenue.

THE PREMIER: The ground put forth by the mover was that the effect would be to create a larger distribution of a testator's wealth; and he (the Premier) had been endeavouring to show that this effect would not follow from the amendment. The charges in the Bill at present were very fair, and if any person liked to leave to him (the Premier) £20,000, he would pay the 10 per cent. on that readily.

MR. HASTIE complimented the mover of the amendment, and the more so from the fact that, compared with New Zealand, the duties already agreed to in the Bill were very small. In spite of the higher duties imposed in New Zealand on persons who benefited by succession to property, that country was admittedly the most prosperous we could refer to. Wealth in that country was more equally distributed than elsewhere; certainly more than in Western Australia. Those members who had expressed objection to it in this House were comparatively wealthy; for instance, the member for Claremont (Mr. Foulkes), for Wellington (Mr. Teesdale Smith), for the Williams (Hon. F. H. Piesse), and for Toodyay (Mr. Quinlan). They seemed to fear that those persons whom they left behind to be benefited by their property would be required to pay 10 per cent. duty; but if those gentlemen had money to leave, say in sums of over £10,000 to any individuals, it was not unfair that the State should get some benefit from them. The Premier had told us there was provision in the Bill by which near relatives were taxed less than strangers when benefiting from an estate, because it was meritorious in a testator to provide for his near relatives. If that argument was good, it should be applied farther, and we should say it would be more meritorious to divide a testator's money amongst a large number of persons than amongst a small number. According to that argument, we were only carrying out the provision that the

Premier had already asked the Committee to adopt.

THE PREMIER: What had blood relationship to do with numbers?

MR. HASTIE: The Premier had said it was more meritorious to leave money to blood relations than to strangers.

THE PREMIER: But the hon. member wished to apply the argument to numbers.

MR. HASTIE: It was more meritorious to divide the money amongst a number than to leave it to one person. The great argument appeared to be that if a man saved a large amount of money it was owing to the State and people amongst whom he lived; that as the State was to a large extent responsible, the State ought to be compensated. The member for West Kimberley had asked that the State should take this compensation when a legatee received over £10,000. That was not very extravagant, and he hoped the proposed schedule would be embodied in the Bill. A few years ago we would not have expected to hear arguments of this kind. It was only within the last few years that we heard of poor millionaires declaring that they did not know what to do with their money, and that they were trying to distribute it. There was the experience of Carnegie, who wanted more opportunities for distributing his money than he had at the present time. In case some of the members of the Legislature were in this unfortunate position, let the Committee in time provide them with an outlet for their surplus wealth.

MR. PURKISS: A Bill of this character, which was similar to the Imperial statute commonly called the Succession Duties Act, was an admirable means of raising revenue. He was not an advocate in the direction of saying that we should raise more revenue; but if by this means we could extract more revenue, and get a corresponding remission in other directions equivalent to the amount raised under the Bill, then he was altogether in favour of it. In the mother country, with the crowd these duties were called "death duties" and were a means of raising a very large revenue. When he (Mr. Purkiss) said this was an admirable means of raising revenue, especially with regard to strangers in blood to the testator, he meant when persons received that something for which they had given nothing, these persons never complained of paying something to the State, therefore it was an admirable means of raising revenue. While a moderate duty might be imposed on that which descended to blood relations, when bequests and legacies were made to strangers a larger duty was imposed, and the statutes throughout the other States on this matter had worked admirably. In New Zealand in reference to blood relations there was a scale of succession duties very much in advance of the scale proposed by the Bill; and on top of that scale, with reference to strangers an additional 3 per cent. was levied. But strangers never complained, because they were willing to pay on top of the scale an additional 3 per cent.; the consequence being that New Zealand received a substantial portion of revenue from that direction. New Zealand was a country where wealth was more evenly distributed than in any State of the Commonwealth. There they had not the very wealthiest, but there was more wealth equally distributed. The New Zealand Statute went back to 1885; he had had 9 years' experience of it and heard no complaints. The only advantage that the blood relations got was that the first £100 was free. Legacies to strangers were the best source indeed of raising revenue, and what the leader of the Opposition wished to effect was that what had commended itself to something like a million of people was surely good enough for us. The scale proposed in the Bill was too low and we should differentiate so far as strangers were concerned. He (Mr. Purkiss) could not follow the leader of the Opposition in regard to splitting up estates. He was more inclined to agree with the Premier on that point. Death duties were looked upon as an admirable means of extracting revenue, because that which came down even to blood relations was something which had not been earned, and as New Zealand had been content for 20 years to extract these death duties, it was an admirable means of extracting revenue. Who complained of the 10 per cent. levied on the totalisator? In New Zealand charitable institutions got, through the totalisator, £30,000 per annum. While the Government were increasing the rates because they did not hurt anybody, he was willing to agree to them on the condition

that there was a remission in some other direction, because we did not want more revenue than we had at the present time. A revenue of four million pounds was sufficient to get out of 200,000 people. He would support the amendment so far as it met the case by increasing the scale.

MR. QUINLAN: As to the cutting up of large estates, the amendment would have an effect opposite to that intended. From practical experience he knew that our present death duties were fairly high, and the Bill proposed a considerable increase, so that where, under the existing Act, we paid on £10.000 to £20,000 4 per cent., the Bill raised the duty to 6 per cent. An increase of 50 per cent. was fairly heavy, and would not tend to encourage thrift. Perhaps the mover of the amendment proposed to distribute his estate before he died. The Bill as drafted, though it vastly increased the present rates, might be considered fair; but the amendment, with its tax upon thrifty people who provided for their children instead of leaving them to be a burden on the State, was open to the gravest objection. New Zealand had been quoted as an example of a country with wise laws; but many people now in that country would be glad to leave it because of oppressive legislation. [MR. HASTIE: They would come here.] Not while such as the hon. member were returned to Parliament—people whose idea was to keep capital out of the country. As for the enhanced value given to the country's assets by the influx of such men as the hon. member, it was not apparent. The amendment should be rejected. It was surprising to find such an undemocratic proposal coming from the leader of the Opposition.

MR. PIGOTT: Evidently the last speaker did not understand the subject when he spoke of our death duties as too high. In nearly every instance the New Zealand duties were five times higher than ours. New Zealand charged two and a half per cent. where we charged a half per cent., three and a half per cent. where we charged one and a half, and seven per cent. where we charged two and a half.

THE PREMIER: Did not the hon. member admit that when we got beyond a certain stage an increase in the death duties became a system of taxation?

MR. PIGOTT: Yes; one of the finest schemes of taxation in the world, for it taxed the people who could best afford to pay. He had not said that the amendment would necessarily lead to the subdivision of large estates, but that it might. If members admitted that the State benefited by the cutting up of estates, they must vote for the amendment. It was not proposed to increase the death duties on large estates which were distributed amongst several people, to the advantage of the State. Only when the estate was left to one person would the amendment increase the duty.

MR. ILLINGWORTH: The amendment seemed quite in harmony with the scale in the Bill. The higher the value of the estate, the higher the rate of duty, was an equitable principle always adopted in succession-duty Bills. In addition, however, the mover of the amendment claimed that if a man left £100,000 to one person, the estate should pay a high rate of duty, say 10 per cent.; but if he left it to 10 different persons, a lower rate should be payable. That principle was already recognised in the Bill, and tended to discourage large estates. A man making his will would not consider much as to what duty his estate would have to pay if he left it in a certain way; but the principle of the amendment was the same as in the schedule of the Bill. The law at present did not discriminate as to who received benefit by succession to property: the amendment proposed to do that. The succession duty on £100,000 would be a fixed amount under the present law, whether left to one or to 10 persons; but the amendment affirmed in effect that property left to 10 persons and not to one should pay a lower rate of duty. The scale in the Bill would increase the duty in proportion to the amount of legacy; while the amendment affirmed that the amount of duty should depend on the number of persons who benefited by an estate. There was a tendency in these colonies as in older countries to leave the bulk of property, the real estate, in one sum, and the other portions of the estate were usually divided amongst other members of the family; therefore this amendment would operate against that tendency of building up a large estate by leaving the whole of the real property to

one person instead of distributing the estate evenly amongst members of the family or relations. We should try to induce testators to distribute their property more equitably.

THE PREMIER: A very heavy penalty would be required to induce that.

MR. ILLINGWORTH: There was not much effectiveness in the amendment to attain the object suggested, but there was great justice in the principle. The amendment might not do much towards breaking up large estates, but it would help; therefore as a principle he supported it.

Amendment (to strike out the words) put, and a division taken with the following result:—

Ayes...	...	...	17
Noes	...	...	21
Majority against...		...	4

AYES.	NOES.
Mr. Atkins	Mr. Burges
Mr. Bath	Mr. Foulkes
Mr. Butcher	Mr. Gardiner
Mr. Daglish	Mr. Gordon
Mr. Diamond	Mr. Gregory
Mr. Hastie	Mr. Hassell
Mr. Holman	Mr. Hayward
Mr. Illingworth	Mr. Hicks
Mr. Isdell	Mr. Holmes
Mr. Jacoby	Mr. Hopkins
Mr. Johnson	Mr. James
Mr. Nanson	Mr. Williams
Mr. Oats	Mr. Piesse
Mr. Pigott	Mr. Quinlan
Mr. Purkiss	Mr. Rason
Mr. Reid	Mr. Smith
Mr. Taylor (*Teller*).	Sir J. Lee Steere
	Mr. Throssell
	Mr. Wallace
	Mr. Yelverton
	Mr. Higham (*Teller*).

Amendment thus negatived.

Bill reported without farther amendment, and the report adopted.

ELECTORAL ACT AMENDMENT BILL.

IN COMMITTEE.

Resumed from the previous sitting.

MR. HARPER in the Chair; the PREMIER in charge of the Bill.

Clause 15—Qualification of electors of Assembly:

MR. DAGLISH: Did the words "naturalised subject" mean a subject naturalised in Western Australia?

THE PREMIER: No; in any State.

MR. DIAMOND asked for a definition of the words "natural born."

THE PREMIER: The persons referred to in this clause were entitled to register, but subject to the disqualifications stated in other clauses.

MR. DAGLISH: If a man were entitled to be registered under the terms of Clause 15, would the disqualification stated in Clause 17 deprive him of that right even if he were a natural-born subject, say of India?

THE PREMIER: Yes. Disqualifications were stated in Clauses 16 and 17.

MR. DIAMOND: Would Clause 17 refer to natural-born subjects of one of the South Sea Islands? Take Fiji for instance?

THE PREMIER: Subjects of Polynesia were mentioned in the Constitution Act, he thought.

Clause passed.

Clause 16—agreed to.

Clause 17—Aboriginal native not to be registered:

MR. DIAMOND moved that the words "unless registered on an existing roll at the commencement of this Act" be struck out.

THE PREMIER: If a man was on the roll now, it would not be well to take his right from him.

MR. HASTIE: Could the Premier give any indication of the number of natives on the roll?

THE PREMIER: No; but he could say there was not a sufficient number in any electorate to have any appreciable effect in an election.

Amendment withdrawn, and the clause passed.

Clauses 18 to 23—agreed to.

Clause 24—Arrangement:

MR. DAGLISH: Was there any reason why the rolls should not be strictly alphabetical in regard to the surnames and Christian names, and not only alphabetical in regard to the first letter? A great difficulty was caused in following the names on a roll, which contained some thousands, because the names were arranged only alphabetically according to the first letter. Rolls had been looked through time after time before it had been found possible to discover the name of an elector. In some instances he believed electors had been turned away from the poll because their names could not be found, and all the time the names were on the roll. The system had been found possible in the Eastern States of having the rolls in strictly alphabetical order. It made the work of the returning officer and the poll clerks

easier and gave an elector less trouble in finding his name.

THE PREMIER: That system could hardly be carried out in regard to rolls to which additions had to be made, unless a space was left after each name for additions. The alphabetical system ought to be carried out.

MR. DAGLISH: It could be done in regard to the first roll and the supplementary rolls.

THE PREMIER: Yes; that could be done. This should be a question of administration. He agreed entirely with the hon. member, and when the new roll was printed or supplementary rolls printed, there ought to be an alphabetical sequence, not only in regard to the first letter of the surname, but in regard to each letter and also in regard to the Christian names.

MR. DAGLISH: Would the Premier undertake that that would be done?

THE PREMIER: So far as the new rolls were concerned, it would be carried out. The difficulties in the past had been in connection with the old Act, and were owing to the inrush of names from the roads boards and municipalities. When a large number of names was struck off, it was not due to defect in administration; but when the amending Municipal Bill was passed, the whole system of ratepaying was altered, and numbers of names were consequently struck off the rolls. The registrar was bound to strike off the names, as he had to go by the lists which were submitted to him. One indorsed entirely the remarks of the member for Subiaco, and as far as possible this system should be carried out as it would save delay in the future.

MR. JACOBY: This system had been suggested to the electoral officers in the past, but this divinely-administered department, according to the Premier, could not effect that little reform because it was not provided for in the Act.

MR. ILLINGWORTH: The Act distinctly prevented it.

MR. HIGHAM: The case could be met by moving that in line 1, after "shall" the words "as far as practicable" be inserted, also that the words "according to the letter of each surname" be omitted. That would make provision for the names that came in afterwards.

THE PREMIER: What would be the alphabetical order of a surname? It would be well for members to accept his assurance that the new rolls would be printed in accordance with their desire.

MR. DAGLISH: With that assurance he was satisfied.

Amendment withdrawn and the clause passed.

Clauses 25 to 27—agreed to.

Clause 28—Supplemental rolls:

MR. DAGLISH: The same provision as to alphabetical order was necessary here as was made in Clause 24 dealing with original rolls.

THE PREMIER: No; for the supplemental roll came within the definition of a "roll" in Clause 3. As to the printing of new rolls, his promise to make them alphabetical applied to rolls prepared under this Bill when it passed. He would not go to expense in dealing with existing rolls; but directly the Bill passed he hoped to commence to prepare rolls in accordance with it, which would be printed as soon as the measure received the royal assent.

MR. DAGLISH: The next clause alluded to the roll and the supplemental roll; and a registrar who was a layman might be in doubt as to whether a supplemental roll was covered by the definition clause.

THE PREMIER: To make that clear, he moved that after the word "printed," in line 2, "in the same manner as the roll" be inserted.

Amendment passed, and the clause as amended agreed to.

Clause 29—Inspection:

MR. DAGLISH: Many voters could not see the roll except in the evening, or on Saturday afternoon. Would the Premier make some provision to meet such cases?

THE PREMIER: Better leave that to regulation, as different districts might need different provisions. The rolls should be available for inspection at times suited to the majority of the people.

Clause passed.

Clauses 30, 31—agreed to.

Clause 32—Rolls, how made up:

MR. DAGLISH: The clause proposed that new rolls should be made up from no less than four old rolls; and the work involved would be enormous, and dis-

proportionate to the result. The only rolls of much value for this purpose were the existing State rolls and the Commonwealth rolls. The census rolls would be three years old by the time this Bill passed, and the municipal and roads-board rolls were absolutely valueless for preparing a roll for the other House of Parliament, because they did not contain the names of all who held property, but of all who, prior to a certain date, had paid their rates. The nonpayment of rates should not disqualify for the Legislative Council franchise. If municipal and roads-board rolls were considered at all, the Parliamentary rolls would be very imperfect.

THE PREMIER: In what better way could we ascertain those entitled to vote for the Council?

MR. DAGLISH: The only satisfactory way was to send round collectors to get claims signed, which they could leave and call for again; or we could require the voter, after filling in the form and getting it witnessed, to send it to the office. This might have been done by the police while engaged on similar work for the Federal Government; though his suggestion to the Colonial Secretary had apparently come somewhat late.

THE PREMIER: No. Advantage had been taken of it.

MR. DAGLISH: The difficulty was that many electors' names were omitted even when the police undertook the work, because the police did not call at all houses on the same day; hence duplications and omissions. The clause provided a most unwieldy method of compiling the rolls. To test the question he moved as an amendment,—

That the words "the municipal and roads board rolls" be struck out.

THE PREMIER: The greater the quantity of material provided from which to make up rolls, the more likely a satisfactory result. While making up new rolls for the Lower House, we must prepare the like for the Council also; and in default of the information contained in the municipal and roads-board rolls, a house-to-house canvass must be made. There had already been a house-to-house canvass in reference to the Assembly, and that had necessarily been more or less defective. The police could not visit every house on the same day. There would be still greater difficulties in a house-to-house canvass to obtain data for the Council rolls, seeing that some electors voted in respect of properties on which neither they nor anyone else resided.

MR. DAGLISH: Serve them with claim forms to be filled up.

MR. HASTIE: The municipal rolls contained lists of names of those only who had paid their rates.

THE PREMIER: Why not use those rolls so far as they went?

MR. DAGLISH: Why not take the rate books instead of the municipal and roads-board rolls?

THE PREMIER: The Government had not copies of the roads-board rate books.

MR. DAGLISH: These could be got on the same conditions as municipal rate books.

THE PREMIER: Well, make the clause read—"copies of municipal and roads-board rate books."

MR. PURKISS: Certainly, the registrars should avail themselves of every means in their power; but who were those registrars? Were they properly paid? He understood they either received nothing, or very little.

THE PREMIER: Extra expense in the preparation of a new roll was to be expected. In some cases the registrars were clerks of petty sessions.

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

Amendment (Mr. Daglish's) not pressed.

MR. BUTCHER moved as an amendment that at the end of the clause there be added the words "and any other available source."

Amendment passed, and the clause as amended agreed to.

Clause 33—Names to be inserted and omitted:

MR. TAYLOR asked for explanation of the words "do not appear to reside in the district." How was the word "appear" defined?

THE PREMIER: A registrar might find the name of John Smith entered on the roll as residing at Cue; but the same name might appear on one or more other rolls, and the registrar's duty would be

to put John Smith on the roll for the district in which he resided.

MR. TAYLOR: If a person were on the roll for Lake Way and he removed to Laverton, he would practically be a long way from Lake Way, and the registrar might suppose he had left the district, though he might have removed for only three months to get work.

THE PREMIER: The clause referred to a person who, from the data mentioned in Clause 32, appeared to reside outside the district.

MR. TAYLOR: In the case of an elector who had left a district for a short time seeking work, it might appear to the electoral registrar that the man had left the district, and therefore his name would be removed from the roll.

THE PREMIER: Most of the local registrars would have local knowledge.

MR. TAYLOR: Not in large and scattered districts such as Mt. Margaret.

MR. HOLMAN assumed that a registrar would be allowed to enquire of the secretaries of all public bodies in the district.

THE PREMIER: Yes; he could make the fullest inquiry.

MR. HIGHAM, referring to seamen, said a large number of mariners would be disqualified in regard to residence, unless some provision were made in the Bill.

THE PREMIER: This clause did not deal with qualification at all, but with the making of a new roll. In the case of a sailor, he must have some place which could be called his place of residence. A sailor must reside somewhere.

MR. TAYLOR: A candidate would not be able to address such an elector.

THE PREMIER: A man would have no interest in a place where he happened to be for a few days whilst a vessel was in port. Many men living on boats in the coastal trade had their homes in the Eastern States or at Fremantle, or wherever their families lived. That would be the voter's place of residence. There were boats running between this State and Singapore; those boats came into port, and were away again directly. Seamen engaged on those boats would not be resident in Western Australia, and therefore ought not to have a vote here.

MR. HIGHAM said he was not referring to foreign registered vessels, but to vessels locally registered. A large number of seamen employed on coasting boats resided at Broome.

THE PREMIER: Seamen residing in Broome would have a qualification.

MR. HIGHAM: These men might have considerable difficulty in satisfying the registrar as to where they resided.

MR. HASTIE: Were we to understand that seamen whose headquarters were at Fremantle or Broome would be eligible to vote?

THE PREMIER: If a seaman employed in the coastal trade made Fremantle his home and resided there, although he might go for a trip up north or down south, Fremantle would be his home for the purpose of the Bill.

MR. HASTIE: Then such a man would not require to reside in the place for any specified time?

THE PREMIER: He must reside for six months in Western Australia. Supposing a man were married, and his wife and family resided at Fremantle, then the seaman would be entitled to a vote. If a seaman resided with his parents, where his parents lived would be his place of residence. In every law there were some cases bordering on the dividing line. That could not be helped.

Clause passed.

Clauses 34 to 37—agreed to.

Clause 38—Right to transfer:

MR. HOLMAN: Could a person, having his name on the roll for the Legislative Council, transfer twice? If there was no election in one province, and the elector knew there was to be a contest in another province in which he had property, could he transfer his vote to the province in which the contest was to take place?

THE PREMIER: In the case of transfers for the Council or the Assembly the transfer must be effected 14 days before the writ was issued. Say a person had a qualification in provinces A and B, and being registered in province B, if an election was coming on in province A and the elector wished to vote in that province, if the transfer was applied for 14 days before the writ was issued, he would be entitled to vote.

MR. TAYLOR: There was a difference between property and residential qualification.

THE PREMIER: If a general election was coming on a person would have to vote in one place. If a casual vacancy arose, a man who had property could transfer his vote to a province and vote there. How could that be avoided?

MR. TAYLOR: If a person had registered his vote for a province where no contest was to take place, and he had a property qualification in a province where an election was to be held, could he transfer his vote? An elector was not allowed to vote for two members of the Council.

THE PREMIER: It would be difficult to alter that. A person might have acquired a qualification since the last election.

MR. TAYLOR: A man might vote in province A on this round of elections, and in the next round of elections he might vote in province B.

THE PREMIER: Would not that apply also to a residential vote? A residential qualification could be abused. It was impossible to escape abuse of any system.

Clause passed.

Clauses 32 to 42—agreed to.

Clause 43—Time for altering rolls:

MR. HASTIE: Should there not be an alteration in the time in which to put in a claim? A person had to claim 14 days before the issue of a writ and 14 days for the transfer of a vote. It would be safe to allow transfers to take place up to the issue of the writ.

THE PREMIER: That would be dangerous. As soon as a person put in a claim to vote, then he was entitled to use that vote, even if the revision court subsequently stated that he had no qualification at all.

MR. HASTIE: But this clause only referred to casual vacancies. There was not much time to consider the matter before the vacancy occurred.

THE PREMIER: A casual vacancy would be known some days before the writ was issued.

MR. HASTIE: According to the Bill of last session, a transfer was allowed up to three days before the issue of the writ. Now the time was extended to 14 days.

THE PREMIER: It was possible that 14 days would be too short a time when one bore in mind that as soon as a person put in a claim he was entitled to vote. Take the case of the North Fremantle constituency. It was known some weeks ago that a vacancy was to be announced. If an election was to be contested he did not think it was too much to ask a person to claim 14 days before the issue of the writ; and as far as transfer was concerned, 14 days was not too long.

MR. DAGLISH: How would this clause work out in connection with the choice by a Legislative Council elector of the province in which he proposed to vote? A man might have qualifying property in three or four provinces and elect to vote in one particular province. If it was likely that in a province where the elector had not decided to vote in the past a hot contest was likely to ensue, would the voter have the right within 14 days of the issue of the writ to change the province for which he desired to vote?

THE PREMIER: Yes; the same right as a Lower House elector would have.

MR. DAGLISH: This clause should not apply to anyone who had a qualification in two districts giving him the right to transfer his choice, because if it did he might abuse his right and transfer from the district where his main interests were, but where no contest was to take place, to a district where there would be a contest. It was not right that a man should make more than one change except he ceased to hold property in the district in which he first chose to vote. This perpetual changing was open to abuse, and might result in as much evil as if the plural voting system was in existence.

THE PREMIER: How could the hon. member object to increasing the number of electors for any Upper House election? So far we had insisted on property qualifications; and though the clause might undoubtedly admit of a body of persons who were electors in province A suddenly electing to vote in province B, where they were also qualified, it was not obvious how that could be avoided.

Clause put and passed.

Clauses 44, 45—agreed to.

Clause 46—Revision Courts:

MR. TAYLOR: Times and places for these were to be fixed by proclamation. How often would they be held during the year?

THE PREMIER: That would depend on circumstances. Instead of a hard-and-fast rule, it was better to have a flexible arrangement, courts being more frequently needed in populous than in scattered districts.

MR. TAYLOR: Unless reasonable notice were given in outlying districts, the persons objected to would not know that the court was to sit.

THE PREMIER: Notice of objection must be served 10 days before the sitting of the court, and a summons had to be served on the person objected to.

MR. TAYLOR: Many places in his electorate had only a weekly mail.

THE PREMIER: In the back country it was impossible to avoid all difficulties, and the clause would be better than the existing law. The number of courts held per year would depend on how many claims were awaiting adjudication. If only half a dozen had been made in six months, and no objections were lodged, the court would not meet. He could hardly imagine the meetings being held more frequently than once a quarter.

MR. CONNOR: One resident magistrate had refused to hold a revision court.

THE PREMIER: Fixing a date would not overcome that difficulty. He could still refuse. True, we might penalise him.

MR. CONNOR: Then if not considered necessary by the authorities, there might not be even one sitting in a year?

THE PREMIER: Then so many more men would be entitled to vote, as all claimants could vote unless their claims were disallowed.

Clause put and passed.

Clauses 47 to 51—agreed to.

Clause 52—Adjournment when Court not duly constituted:

MR. TAYLOR: If no justice were present, the clerk might from time to time adjourn the court. This would encourage negligent justices to stay away. There should be provision for holding the court at some definite time.

Clause passed.

Clauses 53, 54—agreed to.

Clause 55—Summons; form:

MR. DAGLISH: The person objected to should receive at least 14 days' notice of objection. Letters posted were not always promptly delivered.

THE PREMIER moved that after the word "schedule," in line 5, "and shall be served or posted at least 14 days before the holding of the revision court" be inserted.

Amendment passed, and the clause as amended agreed to.

Clauses 56 to 59—agreed to.

Clause 60—Proof of service:

MR. DAGLISH: Apparently proof could not be given, save by indorsement on a copy of the summons.

THE PREMIER: No; that was only one method of proof. The registrar need not avail himself of that method; he could give ordinary oral evidence. He was not bound to keep a copy of the summons.

Clause passed.

Clause 61—Appearance:

MR. WALLACE: Could not provision be made by which a person who knew the person objected to could appear on his behalf, either without authority or when authorised in writing or by telegram? Frequently the registrar might believe that a person who had left the district would not return in time to vote, while another man might feel assured that the absentee would return in time. Why not allow a friend of the absentee to appear? He might satisfy the registrar that the claimant would be likely to return.

THE PREMIER: A person making an objection ran the risk of having to pay costs; so also a person objected to, if he did not appear, ran the risk of being struck off the roll; but the objector had to show some *primâ facie* reason why the name should be deleted, and this rule applied even to the registrar. Did the hon. member know of any place where a person authorised orally, or not authorised at all, was entitled to resist an objection or to make a claim? There was no reason, however, why "writing" should not cover "telegram." He would look up the point.

Clause passed.

Clause 62—Costs:

MR. CONNOR: Was it reasonable that a person having a spite against another could lodge a frivolous objection to his voting, and escape harmless? Should not he be obliged to give security for costs?

THE PREMIER: The court could award costs against him up to £5.

MR. CONNOR: If he could not pay, what then? The point need not be pressed; but irresponsible people should have to give some security.

MR. WALLACE: Would the registrar be considered a common objector?

THE PREMIER: No. Costs could not be awarded against him. It was difficult to provide any machinery by which the registrar could decide with accuracy, and without the risk of injustice, who was or who was not a responsible person. To be effective, the security would have to be something more than nominal. *Bona fide* objectors, such as secretaries of recognised organisations, sometimes objected to 300 or 400 people; and a deposit of say 10s. in respect of each objection would prove a heavy burden.

MR. DAGLISH: Where the court had to be adjourned owing to nonattendance of the bench, the Government should fairly be liable for the costs to which persons objected to were put, especially where a man had to travel several miles and lose a day's time. The onus of getting together a revision court, when its sitting-day had been announced, should rest with the Government officer. It did seem unreasonable to bring some persons twice to a revision court to answer objections, and yet not allow their costs for at least one of the trips.

THE PREMIER: That was a startling novelty. The same inconvenience occurred occasionally when persons were summoned to the Police Court or to a Local Court. The hon. member had a right to comment, and to comment strongly, on the conduct of justices who failed to discharge their duty by not attending a court when required to do so, thereby causing great inconvenience to persons who were compelled to attend. Where a justice on account of illness could not attend, there was a reasonable excuse; but where any justices failed to attend when required to do so and thereby caused inconvenience to others, that justice ought to pay the expenses incurred.

MR. DAGLISH: He might be struck off the Commission of the Peace.

THE PREMIER: If a person had to go to a revision court and there was no reasonable excuse for the court not sitting at the proper time, that person should be allowed the expenses incurred. He (the Premier) did not think the Government would accept the responsibility of guaranteeing that in every case the justices should be in attendance at a court duly convened.

MR. CONNOR: This showed that there should be a time fixed for the holding of a revision court; and if justices summoned to it did not attend, it would be their own fault and they should be dealt with accordingly.

MR. DAGLISH: The difficulty of getting the revision courts together might be overcome if the Government were to go outside the ordinary list of justices in constituting a revision court. He knew that great difficulty was experienced in some electorates in finding justices to constitute a revision court. By taking that step, the whole difficulty could be overcome.

THE PREMIER: Was there any place, however small, where there were not several justices?

MR. DAGLISH: There were places where it was very hard to get a revision court.

THE PREMIER: Only one man was wanted, if it was necessary to have a special magistrate.

MR. DAGLISH: It was desirable for the provision to be enlarged, so as to enable the Government to appoint special magistrates.

THE PREMIER: There would be no objection to that.

Clause passed.

Clause 64—agreed to.

Clause 65—Date of nomination:

MR. CONNOR: There had been occasions when between Perth and East Kimberley the telegraph line had been down for more than a month; and had an election taken place during that period, it might be over before the people at East Kimberley knew anything about it. Probably the Premier needed to make some provision for such a case as that.

THE PREMIER moved that the words "But the time may be extended by the person issuing the writ" be added to the clause.

Amendment passed, and the clause as amended agreed to.

Clause 66—Date of polling:

MR. ATKINS: Two days were too short a time, and the period ought to be at least seven days. He moved that the word "two," in line 1, be struck out and "seven" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 67—Date of return to writ:

SIR J. G. LEE STEERE suggested the word "Governor" be struck out, and "the person issuing the writ" be inserted in lieu. At present the Governor had to issue a writ for a general election, but at other times when a vacancy occurred the writ was issued either by the President of the Council or the Speaker of the Assembly, and he thought that the people who issued the writ should be the people to grant the extension, because they knew more of the reasons than did the Governor.

THE PREMIER moved an amendment as suggested.

Amendment passed, and the clause as amended agreed to.

Clauses 68 to 72—agreed to.

Clause 73—Requisites for nomination:

MR. HIGHAM: Provision was made here for nomination by telegraph. Subclause (*a*) stated that the deposit must be made at the same time as the nomination. That ought to be amended by striking out all words following the words "at or before the" to the end of the subclause, with a view to inserting "hour of nomination." A nomination might be received on Saturday, and it would be impossible for the agent to make a deposit before Monday, and Monday might be a bank holiday.

MR. DAGLISH moved, as an amendment,

That Subclause 2 be struck out.

He affirmed that it was wrong in principle, for it restricted the number of candidates available to select from, and imposed a money penalty on the man who failed to secure a certain proportion of votes, in addition to the ordinary monetary penalty—admitted by all members of Parliament to be a heavy one—that of having to bear the expense of contesting an election. If a man had enough confidence in his own candidature to undertake the cost of an expensive campaign—and election campaigns were expensive—he should not be farther penalised by this deposit. A man who was not flush of funds might make a suitable member of Parliament, but by this clause, if he could not find the money to put up a deposit, he would be debarred from coming before the electors. The possession of £25 did not indicate ability to serve a constituency. If the qualification were to be monetary, the amount of the deposit was altogether insufficient. Desiring to get the most efficient Parliament, he contended that the deposit should be abolished. Its abolition in other States had not been productive of bad results, therefore the limitation in the number of persons who could be candidates should not be insisted on. He would be glad to see the Premier accept the amendment.

THE PREMIER thoroughly approved of the deposit. A man who forfeited his deposit showed that he had not paid the least respect to the electors whose votes he wanted. The proportion of votes required, one-fifth of those polled by the successful candidate, was very small. In the Upper House, with three seats in the one electorate, the proportion would be one-fifth of the votes polled by the lowest successful candidate.

MR. DAGLISH: Unsuccessful candidates were penalised by having to bear their election expenses.

THE PREMIER: What about the penalty imposed on electors, on successful candidates, and on the State, by hopeless candidatures causing an election where one was not necessary? The deposit condition had prevented opposition to Sir John Forrest in connection with the federal election, for it was well known that the intending candidate opposing Sir John Forrest would not have his deposit saved; thus the country was saved the expense of an election. Before a man stood, he ought to show some respect for the electorate, and ascertain, not perhaps by personal canvass, but by some means, that he had a chance of finding, at all events, a respectable minority behind him on the day of election. Of course a man ought not to stand only when he reckoned he could get in. We wanted a representation of the views of minorities, by public discussion and by elections. A man standing and not obtaining one-fifth of the votes polled by the

successful candidate must—this remark applied at all events to Western Australian electorates—be of very unbalanced mind. There was no need to encourage people of that class. One could not conceive a case where, if a man intending to stand had behind him a number of votes sufficient to save his deposit, he could not find people prepared to guarantee the money.

MR. DAGLISH: The man might not care to go about cadging for money.

THE PREMIER: Indeed! One might as well say a member of Parliament did not care to accept a testimonial from his electors.

MR. DAGLISH: But the candidate would be an unknown, unproved man.

THE PREMIER: We were discussing the principle. He could not imagine the case of a majority of electors dying for a man to represent them, and still unwilling to guarantee a loan of £25.

Amendment negatived.

MR. HIGHAM moved as an amendment,

That all words after the word "before," in Subclause (a) be struck out, and that the words "the hour of nomination" be inserted in lieu.

MR. HASTIE: What was the object of the amendment?

THE PREMIER: The object was to provide that the deposit might be lodged with the returning officer at any time before the hour of nomination.

MR. TAYLOR: Would not the clause allow of that?

THE PREMIER: As printed, it would not. A man might wire his nomination on Saturday, whilst the day of nomination was the following Monday; then, when the man's banker tendered a cheque for £25 to the returning officer, that officer might reply, "I cannot take the money, because it ought to have been lodged with me at or before the time of nomination." Such a case would be rare, but it was just as well to make the matter clear.

Amendment passed, and the clause as amended agreed to.

Clause 74—agreed to.

Clause 75—Deposit to be forfeited in certain cases:

MR. HASTIE: A candidate who had nominated might die before the election, and in such a case the money ought to be returned to his relatives.

THE PREMIER: The point would be looked into, and dealt with on recommittal.

Clause passed.

Clauses 76 to 80—agreed to.

Clause 81—Voting by post:

MR. BURGES: The distance of five miles was altogether too short. A man unwilling to travel five miles in order to vote should not be allowed to vote at all. He moved as an amendment,

That in Subclause 2, line 2, "five" be struck out and "fifteen" inserted in lieu.

THE PREMIER: Five miles might be a bit small, but 15 was a bit large.

MR. HASTIE hoped the amendment would not be carried. Five miles going and five miles returning made 10 miles, and even in agricultural districts it was not easy to walk 10 miles in a day.

MR. BUTCHER: By this clause, persons might be appointed to take votes. Under what conditions were those persons appointed?

THE MINISTER FOR LANDS: Justices were appointed.

MR. BUTCHER: Not necessarily; resident magistrates might be appointed.

THE MINISTER FOR LANDS: But usually justices were appointed.

MR. BUTCHER: On one occasion a candidate by his influence got a man appointed to receive absentee votes. The candidate equipped the man with horses and documents, and sent him round to canvass for votes. Was that not illegal?

THE PREMIER: A similar case occurred in one of the suburban electorates of Perth. It was very difficult to avoid that unless more care was taken in appointing persons to take absentee votes. Supposing a person who had been appointed to take absentee votes happened to be travelling, say 100 miles from Carnarvon, and he was asked to take an absentee vote; in that case he would take it.

MR. BUTCHER: So long as it was understood, then all candidates could do that.

THE PREMIER: If the individual to whom the hon. member referred was a justice of the peace, and the member would let him know who he was, then he (the Premier) would take the name off the roll of justices.

MR. BUTCHER said he would be sorry to do that, but he was prepared to say that such a thing was done: it should not be allowed.

THE PREMIER: The person was an officer under the Bill, and would be guilty of a breach of duty under the provision as to influencing votes.

MR. BUTCHER: There was nothing to show it was a breach of duty.

THE PREMIER: It would be held to be an attempt to influence a vote, going round for one candidate and taking votes for that person.

MR. BUTCHER: The case occurred at the general election three years ago, and it would not be fair to rake it up now.

MR. HOLMAN: In out-back places there were centres where 10 or 15 electors were residing 50 or 60 miles from a polling booth. There were several centres like that in his district, also in Mt. Margaret and in North-West electorates. It was impossible to get a magistrate there to take votes, and it was hard to get anyone appointed to take votes. Would a polling place be appointed so that these electors could vote?

THE PREMIER: It would not be possible to have a polling place appointed for every eight or ten voters. That would cause delay and cost money. He did not like polling places in small centres: it was an unpleasant way of destroying the secrecy of the ballot. A candidate could know how many voters in these small places voted for him. There seemed to be a way of finding out these things, but he did not know how it was done. Where there was a large number of voters, a few hundred, it was not possible to have a successful system of finding out how people voted; but in small places a candidate could get voters to mark the voting papers in a particular way and in a legal way, so that it would be easy to find out how the persons voted. Then it would be possible to know how, say, 10 men did not vote. The scrutineer would watch for the marked papers, and in that way the secrecy of the ballot was destroyed. As far as possible adequate provision would be made to collect votes. But the only way to reach the voters to which the hon. member referred would be to have a travelling absent-vote collector, but in such a case no candidate's friends should travel with the officer. Surely the hon. member would not press for the appointment of a polling place where there were 10 or 15 voters?

MR. HOLMAN: But every 10 or 15 voters were entitled to vote.

THE PREMIER: They could post their votes.

MR. HOLMAN: There was no officer to take the votes. In a place like Chesterfield, where there were 40 or 50 voters, what position would these men be in if no polling place was appointed? There was no polling place in the district named at the last election, and people were debarred from exercising their votes. What provision was to be made in such cases. The same thing occurred in Mt. Margaret, Mt. Magnet, and Pilbarra electorates.

THE PREMIER: It would not be justifiable to appoint a polling booth for every 10 or 15 voters, but the hon. member now spoke about 40 or 50 voters, for which number there should be some means of recording their votes.

HON. F. H. PIESSE: Subclause 2 provided that any elector who had reason to believe that on polling day he would be more than five miles away from a polling place at which he would be entitled to vote could post his vote. Supposing on polling day such elector was at a place where he could record his vote and applied to record it, there would be no notification to the poll officer of the man having recorded his vote by post. What course would be followed in such a case, because the voting papers did not come under scrutiny until after the polling had taken place?

THE PREMIER: A voter would be entitled to vote under Clause 88.

HON. F. H. PIESSE: But the returning officer would not know that the elector had voted until after the conclusion of the poll. What penalty would there be for having voted twice?

THE PREMIER: It would be the same as for any other act of personation; he would be liable if the case were proved against him, but the difficulty in all these cases was the proof.

HON. F. H. PIESSE: But that would not disqualify his vote.

THE PREMIER: The returning officer would not record that vote.

HON. F. H. PIESSE: The scrutiny did not take place until after the polling had closed. Would it not be better to retain the old system?

THE PREMIER: Either system was open to personation. In one case there would be personation on the polling day, in the other case there would be personation by the proxy vote.

Clause put and passed.

Clauses 82 to 85—agreed to.

Clause 86—Voter whose sight is impaired:

MR. JOHNSON: Provision should be made here for an elector who could not write. Later on, such a man was allowed to make his mark instead of his signature; and he should be assisted also when unable to write the candidate's name.

THE PREMIER: The suggested amendment would afford too easy a means of destroying the secrecy of the ballot.

MR. QUINLAN: As an experienced returning officer, he knew there was reason for such a provision.

MR. HASTIE opposed the suggestion. The provision was desired, not for an ordinary returning officer, but for the officer who took absent votes. To give the latter power to write in the candidate's name would tend to destroy the secrecy of the ballot; and if a man could not write he should not have power to vote by post, but should come to the polling booth and have his paper filled in by the returning officer in the ordinary way. There were few people in Western Australia who could not write.

Clause put and passed.

Clauses 87 to 110—agreed to.

Clause 111—Consequence of answers:

MR. CONNOR: The vote of anyone failing by his answers to satisfy the presiding officer could be rejected.

THE PREMIER: How else could disputes be settled? We could not take the claimant's vote, and afterwards decide the question in a court; for the ballot paper would have to be earmarked, and secrecy thus violated.

MR. CONNOR: But this seemed a tremendous power to place in the hands of an officer appointed by the Government of the day.

THE PREMIER: It was modified by the next clause, to the effect that if a man gave a direct answer such answer was conclusive. If he shuffled, his claim might be rejected.

Clause passed.

Clauses 112 to 118—agreed to.

Clause 119—How votes to be marked:

MR. BUTCHER: This altered the whole system; and the more frequently the system was altered the larger the number of informal votes.

THE PREMIER: No. The alteration was made to bring our law into harmony with that of the Federal Government, which adopted the cross system of marking ballot papers.

Clause passed.

Clauses 120 to 126—agreed to.

Clause 127—Informal ballot papers:

MR. HOLMAN: For the election of members of the Council it would be necessary to vote for three candidates, provided three seats were vacant. What would be the position where people voted by post? They might not know at the time that there would be three candidates.

THE PREMIER: Where one voted by post he would write the name of the candidate. If there were three candidates, a person would have to vote for three.

Clause passed.

Clause 128—agreed to.

Clause 129—Scrutiny in Council elections:

HON. F. H. PIESSE: There ought to be some system by which a check could be made upon the telegraph return sent. From his knowledge of telegraphy, he knew that unless there was a proper system of checking by sending from the receiving office back to the transmitting office, accuracy might not be secured. Great difficulty might be caused, and an error might not be discovered unless the nonsuccessful person raised the point afterwards. Where there were only a few votes, an error might result in the wrong man being declared elected. This matter should be looked into and dealt with under regulations, when the chief returning officer was dealing with instructions to the officers in the various districts.

THE PREMIER said he entirely agreed with the observations of the hon. member. It would be necessary to have regulations to prevent risk of the kind referred to.

Clause passed.

Clauses 130 to 132—agreed to.

On motion by the PREMIER, progress reported and leave given to sit again.

INSPECTION OF MACHINERY BILL.

IN COMMITTEE.

MR. ILLINGWORTH in the Chair; THE MINISTER FOR MINES in charge of the Bill.

Clause 1—agreed to.

Clause 2—Interpretation:

HON. F. H. PIESSE: In regard to boilers a pressure of ten pounds per square inch seemed rather low. He presumed the Minister had sufficient advice from the professional officers to say, for instance, whether a pressure of ten pounds per square inch was dangerous, or whether a pressure above that was dangerous.

THE MINISTER FOR MINES: The hon. member might be satisfied. The Boilers Act had been in force for many years, and he did not think there had been any attempt to make it oppressive. At one time the pressure mentioned was five pounds per square inch, but it was increased to ten pounds.

MR. BUTCHER suggested that in the definition of "machinery" the word "wind" should be inserted after "hand," in line 8.

THE MINISTER FOR MINES: There might be some cases in which wind power was used, but he hardly thought it necessary to insert it in this clause.

MR. BUTCHER: It was very much used all over the country.

THE MINISTER FOR MINES: If "wind" were included, it might be doubtful whether "compressed air" should not also be included.

MR. HIGHAM moved that after the word "hand," in line 8, the word "treadle" be inserted.

Put and passed.

MR. BUTCHER moved that "wind" be inserted after "treadle."

Put and passed, and the clause as amended agreed to.

Clauses 3 to 15—agreed to.

Clause 16—Employment of young persons:

MR. TEESDALE SMITH moved as an amendment,

That the words "at or with" in line 2 be struck out.

Many young lads were of great use in chaff-cutting and other kinds of work.

THE MINISTER FOR MINES: The object of this clause was to deal with the employment of young persons, and he thought its provisions were very fair. We did not want children working about machinery; and the words should not be struck out.

HON. F. H. PIESSE: If the words were struck out, the clause would mean that no person under the age of 14 years should be permitted to assist in working machinery.

THE MINISTER FOR MINES: Certain members had it too much in their minds that this Bill dealt mainly with agricultural machinery, but that was not the case. The object of the Bill was to deal with large plants. It must be remembered that the employment of boys in connection with mining machinery had resulted in terrible accidents.

MR. TAYLOR thoroughly agreed with the Minister that it was highly necessary that boys under 14 years should not be working about machinery where there was danger.

MR. YELVERTON: Let the hon. member be candid, and say that he did not wish boys to work at all.

MR. TAYLOR: One did not wish to see boys working in dangerous places. The clause should pass as printed.

MR. JOHNSON: It might be pointed out to agricultural members that the provision was not inserted with reference to agricultural machinery.

MR. CONNOR: But the point was, would the provision affect agricultural machinery?

MR. JOHNSON said he doubted very much whether it would. The clause ought to pass as printed, in order that boys might be prevented from being employed to oil, for example, in connection with large mining plants.

MR. CONNOR: The Minister might consider the advisability of making this a special provision in connection with mining machinery, and exempt from it agricultural machinery. Agriculturists would suffer hardship if they were deprived of the assistance of their families. In the

circumstance he supported the amendment.

MR. HASTIE hoped that the Minister for Mines would not accept any such suggestion. Agricultural members really wanted cheap child-labour. Exactly the same argument had been advanced in opposition to factory legislation. Apparently, agricultural members wanted to sweat their children or other people's children. Was it claimed that the Western Australian farmer was so terribly poor as to need to sweat children under 14 years of age? In respect of every other industry children were exempt from labour.

MR. CONNOR: The hon. member (Mr. Hastie) last night had had the political audacity to read him a lecture because he had dared to make a suggestion in connection with mining law.

THE CHAIRMAN: The Mining Bill was not before the Committee.

MR. CONNOR: The object of these remarks was to show the hon. member's ignorance. The hon. member's knowledge of mining matters was on a par with his knowledge of agricultural matters.

THE CHAIRMAN: The member for Kanowna was not under discussion. Clause 16 was before the Committee.

MR. CONNOR: The member for Kanowna had addressed himself to him (Mr. Connor) personally. Why should not farmers be helped by their families at harvest time for example? Provision should be made that agriculturists might be helped by their children on special occasions when necessity arose.

MR. BURGES: The Education Act did not allow the employment of children under 14 years of age. A farmer, when shorthanded on Saturdays for instance, dare not put a boy behind a feeder, where there was no danger at all, or even employ the boy carting water. Why should not a farmer be helped by his children to load railway trucks, so as to escape demurrage? When the first measure relative to boilers was before Parliament, we were told that the provisions would not apply except in certain cases; but it was soon found that the provisions applied generally. We should not trust any Ministry, since any Ministry might be put out of office at any time. We should not even trust Parliament. Let us have an explicit Act and be guided by that. This clause as it stood would work great hardship and injustice to the farming community. A boy should not be employed in oiling a machine when that machine was in motion; farmers would not put boys to do dangerous work. Subclause 2 provided that no boy under the age of 15 should be allowed to clean any portion of a machine. If the clause was passed an injustice would be done to farmers, for they would not be able to employ their sons at agricultural or dairying work in which a machine of any kind was used. In the country labour could not be obtained to do this work.

MR. TAYLOR: It could if the farmers paid for it.

MR. BURGES: Labour could not be got from Perth to go 100 miles away into the bush.

MR. TAYLOR: The labourer went to the farmer's door.

MR. BURGES: That was the sort of labour which the farmer did not want: such labour was better away. The farmers were not asking anything that was unreasonable. It was all very well to provide that boys should not be employed in large factories or on mines about dangerous machinery, but according to the clause an inspector would be able to prevent a boy assisting his father at farm work. If boys were employed around a hay stack, the inspector could stop it.

MR. TAYLOR: When any legislation was before members which affected the farming and pastoral industries, the representatives of those industries rose in arms. According to the remarks of the member for York, farmers desired to have boys of tender years employed in dangerous positions about machines, which was not right. An inspector of machinery would be competent to decide whether boys who were employed at farming occupations were working in positions which were dangerous. If boys were employed at work which was surrounded by an element of danger, then the clause would affect them. Every man's child in the State, whether a farmer's son or a labourer's son, should not be allowed to work where there was danger until the youth was old enough to realise the danger.

THE MINISTER FOR MINES: The question at issue was whether boys under 14 were to be allowed to work alongside dangerous machinery. It was not a question of working alongside machinery, but alongside dangerous machinery, and the clause provided that regulations would be framed setting out what dangerous machinery was. It was his intention, as far as the administration of his department was concerned, to make only dangerous machines come under the Bill. A steam chaff-cutting machine would be a dangerous machine, and boys should not be employed in connection with it. He had been asked whether a boy would be prevented from working a separator; certainly not. It might take some years before a proper schedule was framed, for, in the first instance, some machines might be brought under the Bill which subsequently could be removed. The Bill would not be made oppressive. Where machines were held to be dangerous, then the Bill would be enforced, and no child would be allowed to be employed in connection with machinery which was held to be dangerous. Chiefly the Bill was to affect manufactories and mines.

MR. JACOBY: In a good many farming communities, at harvest time the whole family had to turn out to get through the work of the harvest. At Chittering, for instance, and at such out-of-the-way places where labour could not be found, young people had to be employed alongside steam chaffcutters. Most men who employed youths to work in connection with farming were the fathers who would protect their own sons. The opposition which had been shown by the members for Kanowna and Mt. Margaret was no doubt brought about by the fact that these members were desirous of having the billets which boys filled given to men and men's wages paid. The amendment which had been asked for was reasonable.

MR. HASTIE: Replying to the last speaker, it was better not to be the father of any children than to live by forcing one's children to work in dangerous places. The hon. member objected to charges being made against farmers, but said not a word of the extraordinary charges made against other people by the member for York. Hitherto the House had tried to provide that helpless children, who did not know their danger, should not be compelled to undertake dangerous work; but the farmer declared that he wished to be able to compel his child to undertake any work, whether dangerous or not. The member for Wellington said, "Could you trust the inspector?" He (Mr. Hastie) would a thousand times rather trust an experienced and responsible inspector than trust the farmer. No one wished to harass the agriculturist, or to deprive him of some of the privileges he had hitherto enjoyed in this country. [MR. JACOBY: And everywhere else.] Not everywhere else. In New Zealand, practically all the Factories Acts and Machinery Acts which applied to towns applied to farming districts also, and had not yet ruined the farmers. If the farmers here were under proper restrictions for a short time, they would not wish to revert to the present go-as-you-please system. The Minister should, if necessary, press the clause to a division; and if it were defeated, he (Mr. Hastie) would move an additional clause to make it sure that the poor farmer could employ children as he liked.

THE MINISTER FOR MINES: Much unnecessary heat had been exhibited in the debate. Better postpone the clause. It was a pity to hang up the Bill for the sake of one provision.

MR. NANSON: The clause should be postponed, so that the Government might have an opportunity of redrafting it. The Minister for Mines's explanation as to the intention of the Government in administering the Bill was well enough; but the plain meaning of Subclause 1 was that persons were absolutely prohibited from working any machinery specified in the second schedule. Clause 14 stated that the machinery and articles mentioned in that schedule were to be deemed "machinery" for the purposes of the Act. Farther power was given the Government, by order in Council, to proclaim other kinds of machinery as included in the clause; but the machinery described in the second schedule was absolutely outside the discretion of the Government.

THE MINISTER FOR MINES: No; read the last paragraph of Clause 14.

MR. NANSON: True; it stated that the Government might declare that any

kind of machinery should cease to be subject to the Act. There was thus a contradiction between the first and the final portions of the clause. As to the power it gave the Government, the Bill was open to the objection brought against the Factories Bill of last session, that it armed the Government with the widest powers instead of defining those powers in the Bill. The present Government might be trustworthy, but a future Government might not be equally competent to administer the Act. Evidently the Minister for Mines thought the machinery mentioned in the second schedule was mentioned for practically no purpose, because the Government could remove it from the operation of the Act. Why then mention "machinery" as coming under the Act, if the Government could at any time annul the provision? Postpone the clause and try to redraft it so as to give greater power to Parliament, and to restrict the Government in defining what should or should not be "machinery."

MR. TEESDALE SMITH: Would the Minister explain the words "at or with?" Was a young boy at or with the machine if driving a cart to the engine, or chucking bags to the filler, or sewing bags?

THE MINISTER FOR MINES: If the boy were doing work directly connected with the machinery, he would come within the clause; but this would not apply to a boy carting water, though it would to a boy filling bags at a chaff-cutter.

HON. F. H. PIESSE: All were agreed as to the necessity for protecting life and limb; but to show how anomalous were the provisions of the Bill, one had only to refer to the exemptions. In his experience of steam and of animal power, he had known more accidents with animal-driven machinery. The old gear driven by four horses caused more accidents than any other kind of machine; and this was freely used on farms for driving chaffcutters. It was highly necessary to protect boys of tender years from injury by machinery; but a boy might be usefully engaged in sewing up sacks or in carting water, and might be arbitrarily classed as working at or with machinery. Better have the definition in the Bill than depend upon subsequent regulation. Regulations were frequently complained of as being *ultra vires*, or as overriding the provisions of the Act. Those who made the regulations did many things which the Act never contemplated. Therefore, though the present Minister might be desirous of limiting the provisions as to regulations, his successor might make regulations inflicting hardship. There was no extensive desire on the part of agriculturists to employ children. He (MR. Piesse), with 120 men on his own paysheet, had only two boys employed, and they were not under the age of 14. But agriculturists wished to be able to secure the assistance of their own children; and the Bill sought to prevent them from working at or with machinery. Farmers wished those children who had been engaged at that work to continue. Every protection should be given against the dangerous machinery to which the Minister referred; for instance, boys should not be allowed to work anywhere near the dangerous portions of steam threshers. The proposal to strike out "eighteen" in Subclause 3, and to substitute "sixteen," should be considered.

THE MINISTER FOR MINES: If members would let the clause pass, he would have it recommitted.

MR. PIGOTT: The Minister had shown no reason for accepting the clause, but pleaded that it was intended to apply only to cases of boys working at dangerous machinery. The clause had not in it such a word as "dangerous." The member for the Murchison was correct when he said the Bill ought to be withdrawn and redrafted; because, as it stood, no boy under 14 years of age would be allowed within a few yards of a motor bicycle. Members had said we did not want to put little children in the path of danger. They were showing great care on behalf of little children, but there was something much more than that behind the arguments, because if the amendment were passed every care would be taken of young persons. In his opinion this was an attempt to prevent young people from getting employment at all.

MR. DAGLISH: The children were supposed to be at school up to 14 years.

MR. PIGOTT: Undoubtedly it was a good idea that they should all go to school; but could the hon. member point to any country where all children of 14 did so? He would like to see the clause

altered to the extent of the amendment, and then the word "dangerous" inserted before "machinery."

THE MINISTER FOR MINES: Then the hon. member would want an interpretation clause to say what was dangerous.

MR. BUTCHER: If the Minister could not give a reason for this, it was his duty to withdraw the Bill or accept the amendment.

THE MINISTER FOR MINES said he had no intention of doing either. The clause was a good one. It might be postponed in order to show more fully the intention of it. He had already a long list of exemptions which would be registered. The Bill was one which required administration. It was only by regulations one could show various articles of machinery which should be declared machinery subject to the Act, and various classes of machinery which should be declared not to be subject to the Act.

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

Ayes	...	...	13
Noes	...	...	15
Majority against		...	2

AYES.	NOES.
Mr. Atkins	Mr. Daglish
Mr. Butcher	Mr. Ewing
Mr. Connor	Mr. Gardiner
Mr. Harper	Mr. Gregory
Mr. Hassell	Mr. Hastie
Mr. Hayward	Mr. Holman
Mr. Jacoby	Mr. Holmes
Mr. Nanson	Mr. Hopkins
Mr. Piesse	Mr. Isdell
Mr. Pigott	Mr. Johnson
Mr. Smith	Mr. Rason
Mr. Yelverton	Mr. Reid
Mr. Burges (*Teller*).	Mr. Taylor
	Mr. Wallace
	Mr. Higham (*Teller*).

Amendment thus negatived.

MR. TEESDALE SMITH moved as an amendment,

That the word "eighteen," in line 3 of Subclause 3, be struck out and "sixteen" inserted in lieu.

There were many boys of 16 better able to handle an engine than some boys of 18. The question of age should not crop up; for as it was provided that no man or boy should have control of an engine unless he had passed an examination, the age might well be reduced.

THE MINISTER FOR MINES: If the hon. member would make it "seventeen," he would accept the amendment.

MR. TEESDALE SMITH accepted the suggestion, and altered the amendment accordingly.

MR. HASTIE: It was to be hoped the amendment would not be adopted. We had a rule in this State that, wherever any machinery was going, no person under 18 should be allowed to work it. If we wanted a change, the onus of giving reasons for the alteration rested on those who wanted the change. He believed in compromise as much as anyone else, but we were not justified in adopting a compromise at the present time.

MR. BURGES: A lad would have to pass an examination and must hold a certificate before being permitted to tend a boiler.

MR. JOHNSON: Examinations and certificates were not compulsory for boiler attendants.

MR. BURGES: Many an intelligent boy of 16 was better fitted to take charge of an engine than was a man of 25 who had passed examinations. Why should not a lad of 16 be allowed to earn his living? The amendment ought to be carried.

MR. TAYLOR opposed the amendment. In every line of the arguments used by the member for York (Mr. Burges) and by the member for Wellington (Mr. Teesdale Smith), there was evident a desire to get the boy in place of the man, but at a boy's wage.

MR. JACOBY: The trouble was that the man wanted the boy's job.

MR. TAYLOR: We should not allow members representing the agricultural and timber industries to grind down the young, who were not old enough to form a combine. Such was the desire of those members.

MR. BURGES: No.

MR. TEESDALE SMITH: Absolutely incorrect.

MR. TAYLOR: The fact was so. He had lived too long not to know what employers were capable of.

MR. TEESDALE SMITH: At what age had the hon. member started work?

MR. TAYLOR: At eight years of age; at an age when he was unable to protect himself and had, in consequence, been brutally treated by his employer. He

had a slight knowledge of what the timber industry was capable of, and he thought that the Minister would be very foolish to fall in with the desires of people who were anxious to put boys of 16 and 17 in charge of machinery. One would be glad to hear some member representing the farming, or timber, or child-grinding industry give some valid, logical reason in favour of the amendment. The Minister should bear in mind that to compromise before fighting was to show weakness.

MR. JOHNSON: There would be no great objection to the amendment provided the fact were as stated by the member for York (Mr. Burges), that lads in charge of machine boilers had to be certificated, since the certificate would prove capacity; but the fact was otherwise. A boy could take charge of the boiler, which was the most dangerous part of the machinery, without being certificated. The Bill did contain a clause providing that the board of examiners might grant boiler attendants certificates, but it was not compulsory for such attendants to hold certificates. When we came to the clause referred to, he intended to move that boiler attendants must hold certificates. Even at 18 years a lad should not be permitted to take charge of a boiler unless he had passed an examination and held a certificate. The member for York would have the Committee believe that such lads must be certificated in any case, but such a statement was altogether incorrect.

THE MINISTER FOR MINES: The Bill provided that no boiler or machine could at any time be left in charge of a boy. If a boy were employed to drive a steam pump, it would not be necessary to employ a certificated engine-driver. Usually, when a boiler was used in connection with an engine, a certificated driver must be engaged. If a youth attained the age of 17 and held a third-class certificate, he would be qualified to take charge of a small class of engine, but he would not be allowed to take charge of a large plant on the goldfields. The Mines Regulation Act would deal with that class of machine. Only persons of the full age would be allowed to take charge of machines in factories and on the goldfields.

MR. TAYLOR: How many certificated engineers or machinists were employed in agricultural districts?

THE MINISTER FOR MINES: A regulation would be framed as to what engines used in connection with agriculture or for dairying purposes could be driven by uncertificated persons. He was prepared to accept the amendment to reduce the age to 17 years.

HON. F. H. PIESSE: If there was a good reason why a Bill should be referred to a select committee, here was one, for there were so many technical points in the Bill which required the assistance of the officers of the department. In the past the officers had carried out their duties in an admirable manner, and the Committee would be helped very much if they could have the opinions of these officers. There were such a large number of amateur engineers in the House.

MR. HOLMAN: In mining districts firemen were left in charge of boilers; and, if the age were reduced to 17, such youths would be empowered to be employed as firemen and left in charge.

THE MINISTER FOR MINES: The Mines Regulation Act applied to that.

MR. HOLMAN: There was just as much danger attached to an engine on a farm as on the goldfields. There might be 20 or 30 people within a short distance of a boiler on a farm, and all these people might be blown up if the boiler was not left in charge of some responsible person. Every possible means should be used to protect those in charge of machinery and to see that those in charge of boilers understood what they had to do; so that, if any danger threatened, the person would know what means to take to prevent it. The Minister had shown great weakness in compromising on this question. A youth 18 years of age was young enough to have charge of a machine.

MR. TAYLOR: In most of the Eastern States, and in New Zealand, 18 years was the age provided for a person to take charge of dangerous machines.

Amendment (17 years) put, and a division taken with the following result:—

Ayes	...	...	18
Noes	...	...	7
Majority for	...	...	**11**

Ayes.	Noes.
Mr. Atkins	Mr. Daglish
Mr. Burges	Mr. Ewing
Mr. Butcher	Mr. Hastie
Mr. Gardiner	Mr. Holman
Mr. Gregory	Mr. Isdell
Mr. Harper	Mr. Johnson
Mr. Hassell	Mr. Taylor (*Teller*).
Mr. Hayward	
Mr. Holmes	
Mr. Hopkins	
Mr. Jacoby	
Mr. Piesse	
Mr. Pigott	
Mr. Rason	
Mr. Smith	
Mr. Wallace	
Mr. Yelverton	
Mr. Higham (*Teller*).	

Amendment thus passed.

MR. HASTIE: How would this determination affect the Coal Mines Act, passed last session?

THE MINISTER FOR MINES: Not at all.

Clause as amended agreed to.

MR. TAYLOR moved that progress be reported.

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

Ayes	...	...	...	6
Noes	...	...	...	20
Majority against			...	14

Ayes.	Noes.
Mr. Hastie	Mr. Atkins
Mr. Holman	Mr. Burges
Mr. Johnson	Mr. Butcher
Mr. Taylor	Mr. Ewing
Mr. Daglish (*Teller*)	Mr. Gardiner
Mr. Isdell	Mr. Gregory
	Mr. Harper
	Mr. Hassell
	Mr. Hayward
	Mr. Higham
	Mr. Holmes
	Mr. Hopkins
	Mr. Nanson
	Mr. Piesse
	Mr. Pigott
	Mr. Rason
	Mr. Smith
	Mr. Wallace
	Mr. Yelverton
	Mr. Jacoby (*Teller*)

Motion thus negatived.

Clause 17—Certain machinery to be fenced:

MR. HOLMAN moved, as an amendment—

That the words, "if otherwise unprotected and is considered dangerous by the inspector," be inserted after "employed" in line 6.

Many parts of machinery it was not necessary to fence, and to over-fence machinery would be dangerous to inspectors and oilers. The power to order fencing should be in the inspector.

THE MINISTER FOR MINES: The necessity for the words proposed was not obvious, as the clause was almost a complete copy of that in the New Zealand Act.

MR. HOLMAN accepted the Minister's assurance.

Amendment withdrawn.

MR. TEESDALE SMITH moved, as an amendment—

That the words "providing that such fencing shall apply only to the first motion," be inserted after "power" in line 9.

From the engine fly-wheel to the main drive should be fenced in every case; but once we left the main drive, there were parts of machinery it was impossible to fence; for instance, such as a circular saw. It would be impossible to fence that; it would also be impossible to fence a lot of belting; yet according to this clause all beltings, straps, and pulleys must be fenced. He agreed that fencing should be done, but only on engines and the first drive.

MR. JOHNSON: The wording suggested by the hon. member would not meet what was desired by the mover. One could not talk of "first motion" in connection with lifts and other things. He suggested that we should recommit the Bill and adopt the suggestion of the member for North Murchison (Mr. Holman).

THE MINISTER FOR MINES: The amendment could not be accepted, and he thought the mover would find it would limit very much the work of an inspector with regard to saying whether certain parts of machinery were securely fenced. There were parts of machinery which could not be fenced; but we insisted on the fly-wheel being protected, and also any very dangerous part of machinery.

MR. TAYLOR: There would be no desire to fence a circular saw. In his opinion the clause as it stood was sufficient. Mining inspectors and inspectors of boilers on the goldfields had to use discretionary power given by the Act or regulations, and not many cases would be found in which they had abused it. They might, perhaps, be too lenient. In regard to sawmills and farming machines, we should be safe in the hands of an inspector.

THE MINISTER FOR MINES: Members ought to recognise that this Bill had been drafted after careful consultation with the expert officers of the Mines Department. The clause as it

stood amply met all requirements. Some objections raised to the Bill were not the result of serious consideration. If the Bill passed, doubtless it would be found to meet the requirements of the country.

MR. NANSON: Was not the clause redundant? Did not Clause 18 meet everything that one wanted to provide for?

THE MINISTER FOR MINES: No. This clause made it absolute with regard to certain things—for instance, the fly-wheel, also the engine. The amendment moved was one that required a good deal of consideration, and before absolutely refusing to accept it he would like to discuss the matter with the officers who were responsible for the Bill. He did not profess to know the technical parts of machinery. Where important amendments were contemplated, they should first appear on the Notice Paper, and he hoped such would be the case in future; and he urged this also with regard to the portion of the Bill dealing with engine-drivers' certificates. He knew there would be many amendments moved, and he hoped they would appear first on the Notice Paper. When important amendments were sprung on the Committee, he hoped the Committee would support him in getting the Bill passed in its present form. If, however, amendments appeared on the Notice Paper, every consideration would be given to them. His object was to have a good Bill.

MR. TEESDALE SMITH: When the Minister for Mines introduced this Bill last Wednesday week, his friend the member for Bunbury (Mr. Hayward) asked that it might be adjourned for a week. It came on, however, last Tuesday. He (Mr. Smith) told the Minister for Mines that Tuesday was too soon. He asked the Minister for a copy of the Bill, and the Minister gave one to him. As soon as possible he sent it to the experts at the workshops, and having received it back, these amendments were drawn up, an hour and a-half being devoted to the subject on each of two days. If progress was going to be reported, he hoped that consideration in Committee would not be resumed until next Wednesday.

On motion by the MINISTER FOR MINES, progress reported and leave given to sit again on the next Wednesday.

ADJOURNMENT.

The House adjourned at 21 minutes past 11 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 18th August, 1903.

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

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Progress Report of Royal Commission on Forestry. Alterations to Railway Classification and Rate Book.

Ordered, to lie on the table.

EARLY CLOSING ACT AMENDMENT BILL.

RECOMMITTAL.

THE COLONIAL SECRETARY (Hon. Walter Kingsmill) moved that the Bill be recommitted for the purpose of amendment of Clause 3.

HON. J. W. HACKETT moved as an amendment:—

That after the words "purpose of," in line two, insert the words "reconsidering Clause 1 and the Schedule, and of."

The schedule required altering to allow of newspaper offices and newsagents being removed from Part I. to Part III. He was willing with other members to give a trial to the renumbering system provided in the Bill. Judges as well as lawyers had to deal with Acts, and decisions were given on certain sections: the Acts were referred to in the Law Reports by the section numbers which were set out in the printed copies. An