

Legislative Assembly,

Thursday, 16th October, 1919.

	PAGE
Questions: Income taxation, particulars ...	910
Stock yards ...	910
Base metals, export ...	910
State Steamship "Eucla," Carnarvon itinerary	910
Celebration Mine, Government sampling ...	910
Leave of absence ...	910
Return: Railway fares and freights, Day Dawn ...	911
Bills: Carnarvon Electric Light and Power Works,	
18. ...	910
Pearling Act Amendment, 3R. ...	911
Midland Railway, 2R., Com. ...	911
Anzac Day, returned ...	912
Justices Act Amendment, Council's Amend-	
ment ...	912
Merchant Shipping Act Application Act Amend-	
ment, Com. ...	916
Vermion Act Amendment, Com. report ...	916
Road Districts, 2R., Com. ...	916

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

QUESTION—INCOME TAXATION, PARTICULARS.

Mr. O'LOGHLEN (for Mr. Munsie) asked the Colonial Treasurer: Will he supply the same information for the twelfth assessment under the Income Tax Act as is supplied for the ninth and tenth assessments under table "D" in the eleventh annual report of the Commissioner of Taxation of persons earning between £200 and £299?

The MINISTER FOR WORKS (for the Colonial Treasurer) replied: The Commissioner of Taxation states that the figures asked for under table "D" of his eleventh annual report in respect to incomes of those earning £201 to £299 were not separately tabulated, having been merged with the larger group. This information could not be supplied without entailing great additional work.

QUESTION—RAILWAYS, STOCK YARDS.

Mr. HARRISON asked the Minister for Railways: 1, Is it a fact that the users of certain railway sidings have constructed stock yards, the Railway Department finding material, and farmers of the district erecting the yards under supervision? 2, Will he continue this method when desired?

The MINISTER FOR RAILWAYS replied: 1, Yes. 2, Yes, under similar circumstances.

QUESTION—BASE METALS, EXPORT.

Mr. HUDSON asked the Minister for Mines: 1, Is it the intention of the Mines Department to obtain and tabulate, and to supply to the Prime Minister, the information required by him before considering the question of granting permission to ship away

ores containing base metals? 2, Has he obtained copies of the majority and minority reports of the Australian Metal Exchange, in regard to the export of base metals? 3, If so, is it his intention to have them laid on the Table of the House? 4, If not, will he obtain them and make them so available?

The MINISTER FOR MINES replied: 1, Yes. The department published the conditions set out by the Prime Minister for the purpose of making the information available to the general public, and is also in communication with the mining association in regard thereto. The department will also facilitate applications submitted through it, 2, No. 3, Answered by No. 2. 4, These have been requested, but are not yet to hand.

QUESTION—STATE STEAMSHIP "EUCLA'S" CARNARVON ITINERARY.

Mr. ANGELO asked the Minister for Mines: Is it his intention to lay on the Table of the House the file dealing with the suggestion to extend the s.s. "Eucla's" itinerary to Carnarvon?

The MINISTER FOR MINES replied: Yes, if the hon. member will move in the usual way that this be done.

QUESTION—CELEBRATION MINE, GOVERNMENT SAMPLING.

Mr. ANGELO asked the Minister for Mines: 1, Is he aware that a cablegram has been received by a local sharebroker from his London agents reading:—"Market dull owing to refusal to allow Government Geologist sample Celebration mine. What is the meaning?" 2, In view of the serious harm that such a rumour might do to the State, will the Government cable to the Agent General advising him of the true position, and asking him to make such information public?

The MINISTER FOR MINES replied: 1, The department has been advised that such a cablegram was received, but the original has not been sighted. 2, Yes. The Agent General has been given all information in possession of the Department of Mines, and on receipt of the Government Geologist's further report he will be again advised.

BILL—CARNARVON ELECTRIC LIGHT AND POWER WORKS.

Introduced by the Attorney General and read a first time.

LEAVE OF ABSENCE.

On motion by Mr. Mullany leave of absence for two weeks granted to Mr. Davies (Guildford) on the ground of urgent public business.

On motion by Mr. Hardwick leave of absence for two weeks granted to Mr. Teesdale (Roebourne) on the ground of ill-health.

RETURN—RAILWAY FARES AND FREIGHTS, DAY DAWN.

On motion by Mr. Chesson ordered: That a return be laid upon the Table of the House showing—1, The amount of cash paid at Day Dawn as fares and freight during the months of July, August, and September, 1919, separately. 2, The amount of freight on goods, stock, etc., from Day Dawn for the months of July, August, and September, 1919, which was paid at other stations during the above-mentioned months.

BILL—PEARLING ACT AMENDMENT.

Read a third time and passed.

BILL—MIDLAND RAILWAY.

Second Reading.

Debate resumed from 14th October.

Hon. W. C. ANGWIN (North-East Fremantle) [4.42]: The Minister, when moving the second reading, explained that the Bill had been considered by members of various Governments for some years past. It is true that Governments of the past have considered the Bill and gone into the question of whether this power should be given to the Midland Railway Co. Moreover, the Bill has been closely investigated by the Railway Department. There is one provision upon which I should like some enlightenment. We are asked to give the company certain powers provided in the Government Railways Act, including the power to make certain regulations and by-laws in regard to charges. I should like the Minister to tell us whether those regulations and by-laws, when made, will require to be approved by Parliament, as in the case of regulations made by the Commissioner of Railways. If that is so, Parliament will have an opportunity of revising those regulations and by-laws, and on that score at least there can be no objection to the Bill. While the Midland Railway is there as a private railway, it is the duty of Parliament to allow the company as far as possible to work their railway with the least trouble and the greatest economy, so that the users of the line may be charged the lowest rates practicable. I do not oppose the Bill.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair; the Minister for Railways in charge of the Bill.

Clauses 1 to 4—agreed to.

Clause 5—Incorporation of certain provisions of the Government Railways Act:

The MINISTER FOR MINES: In reply to the question raised by the member for North-East Fremantle on the second

reading, I have to say that while it is not specifically provided that regulations and by-laws made by the Midland Railway Co. must be laid on the Table in both Houses of Parliament, I believe such is the case, in view of Subclause (2), which states that the powers and authorities to be conferred on the Midland Railway Co. shall be "subject to the like restriction and obligations imposed upon the Commissioner and to the approval of the Governor." I shall, however, make absolutely certain, before the Bill passes another place, that that is so; otherwise I will have a new clause to that effect inserted.

Mr. HUDSON: When a similar Bill to this was before Parliament last session, I said that the measure should be referred to a select committee for consideration of its details. Clause 5 proposes to grant very extensive powers to the Midland Railway Co., and those powers are not defined in the Bill, nor is it possible for us to deal with them seriatim when we have not got them before us. Therefore I think the suggestion as to a select committee should be carried out. There is nothing in the clause before us to suggest that the power of arrest is to be given to the Midland Railway Co., and that power ought certainly not to be given without some further consideration.

The MINISTER FOR MINES: The sections of the Government Railways Act, 1904, which are adopted by this Bill are stated in the schedule, and it is a simple matter to take that Act and note the sections which are being adopted.

Mr. Hudson: How do you suggest that amendments can be moved?

The MINISTER FOR MINES: A member need only take objection to the granting of any of those powers under the Government Railways Act to the Midland Railway Co. The company have, in fact, been exercising every one of these powers, and that without any effective control. Had they chosen to do so, the company could have set the Government at defiance. After moving the second reading I handed to the leader of the Opposition copies of the sections of the Government Railways Act which are referred to in this clause. I have previously pointed out that by an oversight Section 40 of the Government Railways Act was omitted. The company desired the inclusion of that section in this Bill, and the Government have thought it right to meet that desire. Section 40 reads—

The Commissioner shall be under no liability (1) for loss or damage to goods which are left at or consigned to any station, siding, or stopping place marked in the time tables as stations, sidings, or stopping places at which no officer is in charge, or for any personal injury to any person at any such station, siding, or stopping place: or (2) to provide platform accommodation at any station, siding, or stopping place; or (3) for personal injury to any passenger who enters or alights from, or attempts to enter or alight

from, a carriage when such carriage is not drawn up to the platform when such accommodation is provided.

Mr. Hudson: The Bill limits the company's liability in case of accident.

The MINISTER FOR MINES: No; the Bill removes that limitation. In moving the second reading I pointed out that the Commissioner of Railways, being subject to direct Parliamentary control, was a privileged person in respect of injury resulting from accidents on the railways; but that the Government considered the Midland Railway Company should not enjoy the same privilege. Both the Attorney General and myself have looked very carefully into the matter in order to ensure that the company shall not receive any power which they ought not to have.

Mr. WILLCOCK: I think the main reason why this Bill, which has been before previous Parliaments, is now introduced, is the discovery, made when actions were brought against the Midland Railway Company for damage caused by fires, that the company have no legal power whatever to run trains. As a result of that discovery this Bill has been brought down to make the Midland Railway Company a common carrier. At present the company are subject to no statutory restrictions and have no right to run trains.

Hon. W. C. ANGWIN: I am satisfied with the explanation of the Minister regarding the making of regulations and by-laws by the Midland Railway Company, and I think the clause may pass. But for that explanation I would have moved that progress be reported. Bills of this description, involving no questions of policy, might be placed on the files of members some time before the second reading is moved. The clause now before us adopts from the Government Railways Act far more matter than is contained in the remainder of the Bill.

Clause put and passed.

Clause 6—agreed to.

Schedule:

The MINISTER FOR MINES: I move an amendment—

That in the last line of the Schedule "41" be struck out, and "40" inserted in lieu.

Amendment put and passed; the Schedule as amended agreed to.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported with an amendment.

BILL—ANZAC DAY.

Returned from the Council without amendment.

BILL—JUSTICES ACT AMENDMENT.

Council's Amendment.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

The CHAIRMAN: Progress was reported on the following amendment made by the Legislative Council—

New clause: Add the following clause to stand as No. 3:—"Section six of the principal Act is hereby amended by inserting after the word 'justices,' in line one, the words 'male and female.'"

Mr. ANGELO: I cannot favour the new clause. The question of the appointment of justices, whether male or female, should receive the attention of the legislature. Too many justices have been appointed in this State. In one suburb, I believe it is hard to find a man who is not a justice of the peace.

Mr. Harrison: Do you think that applies to the country?

Mr. ANGELO: No, but in Western Australia as a whole, there are too many justices. The time has come when we should review the question of the appointment of justices. It would not be a bad plan to introduce a measure to cancel all the existing appointments, and start from scratch and make suitable appointments. The appointment of justices should be placed outside political control.

The CHAIRMAN: I do not think the hon. member's remarks bear on the question of the appointment of female justices.

Mr. ANGELO: Additional appointments, whether male or female, will render the present position worse. Future appointments should be curtailed to the lowest possible degree until a measure such as I have indicated can be introduced, and a new method adopted. We should place these appointments outside political control, and I would favour a bench or board to make appointments on the recommendation of the Government.

Mr. Hudson: You would not want any increase in salary then?

Mr. ANGELO: I oppose the clause on the ground that there are too many justices in the State now.

Hon. W. C. ANGWIN: I congratulate the member for Gascoyne on his opposition. He is hard up for argument. He said in effect that the justices we have are no jolly good.

Mr. Angelo: Not all of them.

Hon. W. C. ANGWIN: I suppose present company excepted.

The Honorary Minister: He is up against the Fremantle justices.

Hon. W. C. ANGWIN: When the hon. member suggests wiping the whole lot out, he must condemn the lot—

Mr. Angelo: No.

Hon. W. C. ANGWIN: He must condemn the lot on the ground that justices have not, in the past, done their work to his satisfaction. I should think if that were the case,

he would welcome a change and would be glad to try women. If the men have been bad, why not make a decided change? In many cases, if a woman was on the bench, she would be able to assist in getting evidence which is very difficult to get at present. It is all very well to say that magistrates can force statements from a witness on a delicate subject.

Mr. PICKERING: By the third degree?

Hon. W. C. ANGWIN: In the interests of justice, we should appoint women to the bench, because many women who are convicted now would not be convicted.

Mr. PICKERING: It is the other way round.

The Minister for Works: Women are stronger on their own sex than are the men.

Hon. W. C. ANGWIN: Things have improved since the Minister was a young man. Women have become more liberal, and now take greater interest in the administration of the affairs of State. They are filling the highest possible positions in the legal and medical professions. I do not know whether they have yet occupied seats on the judicial bench, but this would be one step in that direction. We want more equality than we have had in the past and, if women were appointed, there would be no complaints in future that women have been wrongly convicted by the male sex, or that the male sex have shown women offenders no sympathy.

The Honorary Minister: I have always understood it was the other way about.

Hon. W. C. ANGWIN: We must take things as they exist. There is a good deal of feeling among women to-day that they do not get that consideration which they would receive if members of their own sex were on the bench. If we can allay that feeling, greater satisfaction will be given and our action will be justified. Although we might give this power under the Bill, we cannot be sure that the Minister will exercise it.

Mr. Hudson: Ask the Attorney General if he is serious.

Hon. W. C. ANGWIN: The Premier, who courts favour with most of the ladies, will no doubt appoint some of them as justices, but when we have out and out conservatives like the Minister for Works and some members of the legal profession who are a little prejudiced, there may be some difficulty in obtaining the appointment of women even if the power to appoint them existed. The influence of women in the city of Perth—

Mr. Hudson: Why in the city of Perth?

Hon. W. C. ANGWIN: Women's influence would be quite strong enough to compel the Government to appoint justices once the Bill became law.

Mr. PICKERING: I was surprised that the Attorney General, in moving that this amendment be made, referred to it simply as an explanation of the clause. That was the sole explanation he gave for its adoption.

Hon. W. C. Angwin: The Act says "any person." It is indefinite.

Mr. PICKERING: The member for North-East Fremantle is out to gain favour with the ladies of his constituency.

Hon. W. C. Angwin: Oh, no! I am too old.

The Honorary Minister: You mean he is pulling their legs.

Mr. PICKERING: I would not suggest that. That might apply to the electors in Nelson.

Hon. W. C. Angwin: I never pull ladies' legs.

Mr. PICKERING: If the Government are in earnest about this amendment they should have shown more earnestness and placed some specific reason before the House as to why the change should be made.

Hon. W. C. Angwin: This is a private members' clause.

Mr. PICKERING: Is it to be conceived that the Government did not consider this aspect when framing the Bill? Did it not enter their minds that the ladies might desire this privilege, or is it to be assumed that this matter was introduced in another place to save their faces? I do not think the women suffer any injustice from the law as it is dispensed to-day. I see no reason to introduce the element of sympathy on the one hand, or the element of the third degree on the other, either of which could have been inferred from the arguments of the member for North-East Fremantle.

Hon. W. C. Angwin: No; it is only from the point of view of justice.

Mr. PICKERING: I cannot understand why the Attorney General, who stands high in his profession, did not offer a better reason for accepting such an amendment.

Mr. PILKINGTON: When the Attorney General moved that the amendment be agreed to, he said it was to make clear that women might be appointed justices of the peace. I venture to say that, under the old Act, women could not be appointed and, until quite recently even if it now obtains, no woman has filled the office. If the question had arisen, no doubt a decision would have been given. The change now proposed is a most fundamental change. It is not a trifling change in connection with an unimportant matter. The administration of our courts is the most important function of government. If we are going to make a fundamental change, it should be done only after the very gravest consideration, and with a full sense that it is necessary and advisable and will not work ill. I confess I feel that the most important quality a court can have, a quality which is absolutely essential, is that it should possess the confidence of those who appear before it. If the courts do not have the confidence of the public in general, the result is very disastrous. It has happened in other countries that the court has not had the confidence of the public in general.

Mr. Munsie: It has happened here on occasions.

Mr. PILKINGTON: But only in individual cases. Courts in every part of the British Empire have the confidence of the public in the fullest and most general sense. I do not believe that if we appointed women to be justices of the peace, the courts in which they will be eligible to sit, and will sit, will have the full confidence of the public. That is a very serious matter, and I feel we shall be making a big change in our legal system if this amendment is carried, and it will be exceedingly unwise to make it.

Mr. MUNSIE: When the Bill was before the House I was not convinced that it was impossible under the present system to appoint women as justices of the peace; otherwise I would have moved in this direction myself. The member for North-East Fremantle (Mr. Angwin) was convinced in his own mind that it was possible, under the existing law, to appoint women justices.

Hon. W. C. Angwin: That is the legal advice I had.

Mr. MUNSIE: I am surprised at the opposition to the proposal. We have many women in our midst who are just as capable as any men of doing this work.

Mr. Duff: They think so.

Mr. MUNSIE: I think they are proving it every day. I do not know why they should be debarred from this service. The member for Perth is afraid of the change, and other hon. members have shown no good reason against this proposal. Women should have the same opportunity of getting such positions as men. I believe in the equality of the sexes in these matters. A selection from the women in Western Australia would be preferable to the selections which have been made in the past from men to fill these positions.

The ATTORNEY GENERAL: It is advisable to make it clear, whether or not women should be appointed as justices. Notwithstanding the remarks of the member for Perth, I have heard the point discussed as to whether or not women could be appointed justices of the peace. I am inclined to think that they could not, under the present Act. If, however, there is any doubt it should be made quite clear. This position would carry with it many duties, some important and some unimportant. One of the duties might be to sit on the bench in a court of petty sessions. There may be some cases where a woman sitting as a justice of the peace would be of valuable assistance to the bench. We have a children's court, and we have women sitting there. They are carrying out duties similar to those carried out by justices in the court of petty sessions. If there is any fault to be found with the question of making it clear that women may be appointed justices of the peace, I suggest that the fault lies possibly in the appointment of justices generally. If we appoint all and sundry irrespective of sex, and very often from political motives, then it is the system of appointment which is bad, and not the question of the sex of the individual to be appointed. I do not say that in every case

women should be appointed as justices to sit in a court of petty sessions. I shall vote for the proposal.

Hon. W. C. ANGWIN: I had an amendment drafted to the Bill to embody this provision. I was assured, however, by a well known K.C. of Perth, that there would be no necessity to bring in such an amendment, because already women could be appointed as justices under the Act. I therefore dropped the matter. What strikes me is the attitude of the member for Sussex (Mr. Pickering). If I had been on the front bench I would have told the hon. member to cross over to the other side.

Mr. Pickering: On a point of order. Is the member for North-East Fremantle in order in referring to me? Has this anything to do with the matter under discussion?

Mr. Munsie: He is in order in referring to your remarks.

The CHAIRMAN: The hon. member is justified in criticising what the member for Sussex said, so long as it is fair criticism. I do not think, however, it has anything to do with the subject matter before the Chair.

Hon. W. C. ANGWIN: This clause was introduced in the Legislative Council by a private member. The Government did not introduce it, to save their faces. Has not the Premier told the public that the Government intend to put women on an equality with men in the matter of legislation?

Mr. Pickering: Why did not they do it when they had the opportunity?

Hon. W. C. ANGWIN: I am not here to bolster up the Government. I am disgusted when hon. members throw out insinuations in order to save their faces. We had a little of that last night. This amendment has been pleaded for by numbers of women in Western Australia. The rights of women have been discussed by members of the Country party. Those members take them into their arms and squeeze them and do everything possible to please them, when they are discussing women at their party meetings. When they get here, however, they try to block the legislation to provide the very things which they promised at the party meetings. The Government have done quite right in accepting this amendment, and will only be acceding to the request of the women of the State.

The MINISTER FOR MINES: Hon. members have lost sight of the fact that of the hundreds of justices of the peace that are appointed very few sit in the courts and decide cases. In most instances they are merely appointed in order to sign documents. Country members will know how necessary it is to have justices of the peace in outlying districts for this purpose. There is no reason why a woman should not witness a signature as well as a man. In most places it will be easier to get hold of women for this purpose than men. We are often told that there is a difficulty in getting a justice of the peace when one is required. I must protest against the assertion made by some hon. members that there

are no women in the community entitled to sit in court or act as justices of the peace. This amendment will not make every woman a justice of the peace. They will always be appointed on their merits. We have also to consider the question as to whether women are not entitled to take a more prominent part in the affairs of the State, and in view of our educational system, we ought to be able to come to the conclusion by now that the women of this State have sufficient knowledge of everyday life, of what is right and what is wrong, to be able to sit in our courts. I do not suggest that they would make good judges, though they might even do that some day. They have been permitted in some parts of the world to appear before our high courts.

Mr. Munsie: And in some places there are some very good women barristers.

The MINISTER FOR MINES: And they may make good judges as well. With the experience we have already gained in the Children's Court, there is sufficient evidence to justify us in believing that they will do their work very well if they are made justices of the peace. I want to emphasise the fact that the women who have been appointed justices of the peace have attended to their duties very well. We cannot say the same thing about a good many of the male justices of the peace. At one time there was a demand from all parts of the State to appoint justices to sign documents, but rather than do that we passed an Act which enabled us to appoint commissioners of declaration, so that they might sign documents and do everything except sit on the bench. Hon. members will be surprised to learn that there were refusals from all over the place to accept the positions of commissioners of declarations. They all wanted to tack the letters "J.P." after their names. But when we did appoint them justices of the peace, we could not drive them to the courts. In the metropolitan area they will never go near a court to fulfil the functions they have been appointed to carry out. I still hold the view that every justice should answer when called upon, or his name should be struck off the roll.

The Minister for Works: They do a good deal of work besides presiding in the courts.

The MINISTER FOR MINES: I know that, but the majority of them merely want the honour conferred upon them and do nothing in return. Even in country districts they refuse to accept the appointment under the particular Act to which I have referred, and we hear complaints sometimes about some of these people being appointed justices of the peace for their respective districts. They all want to be justices of the peace for the whole State.

Mr. Munsie: I have before me a letter from a man in my electorate who thanks me for securing his appointment as commissioner of declarations.

The MINISTER FOR MINES: The women justices of the peace have done their duty without question quite willingly and well, and if that is evidence of what we are likely to get by the amendment, it is a very good forerunner of the future.

Mr. Duff: How would you like to see two women adjudicating in a court?

The MINISTER FOR MINES: I can name 200 women who would be preferable to many of our justices.

Mr. Duff: What I mean is to sit alone on the bench.

Mr. Munsie: Yes, I could select two very easily.

The MINISTER FOR MINES: I am convinced that the women will mete out justice as well, if not better than men. They certainly will punish where men will not do so.

Hon. T. Walker: They may not.

The MINISTER FOR MINES: I have received complaints from the Commissioner of Police on account of justices refusing to impose punishment because of friendship, or for trade reasons. Women would never do that.

Mr. Duff: It might act the other way, on the score of sympathy.

The MINISTER FOR MINES: In any case, so far as the Children's Court is concerned, we have proved that they are doing well. We are not taking any risk at all in appointing women.

Mr. ROCKE: I am not able to see why any proposed reform should be unjustly condemned until that reform has been put into operation. It has been urged by the member for Perth (Mr. Pilkington) that the appointment of women to the bench would probably mean that the confidence of the people would be shaken in the administration of justice. But I think the confidence that is held in regard to some of the men who sit on the bench is of a very meagre degree, and if a person complains and says he has no confidence in that bench, he is at once committed for contempt of court.

Hon. T. Walker: Not necessarily.

Mr. ROCKE: Even if women are placed on our local court bench I do not think we shall have any reason to be afraid that they will act in anything but a just way. Whenever women have been appointed to any important office, they have always proved themselves capable of filling that office. I take it also that women would be chosen not so much for political purposes, as we find is the case to-day when men are placed upon the bench to administer justice about which they know nothing. I intend to support the amendment.

Mr. PICKERING: If the Government believe in the principle of women justices, they should have been honest enough to introduce the principle in the Bill, without leaving it to another place to do. Why was it, I would like to know, that the Attorney General waited until the members of another place moved an amendment to his Bill that women should be appointed justices of the peace?

Judging from what we have heard, the Government have been considering this matter very fully and they should have included it in the measure when they submitted it originally, instead of waiting for another place to make the amendment and ask this House to accept it.

The ATTORNEY GENERAL: Whatever the opinion of the member for Sussex (Mr. Pickering) may be about the honesty or dishonesty of those who occupy the Government bench, we can afford to regard it with contempt. It is not a question of motive. I frankly tell hon. members that when I introduced the Bill the point with regard to women justices had not occurred to me. The amendment was made in another place, and it is rather absurd to say that, because we acquiesce in that amendment made by another place about the eligibility of women to take a seat on the bench, we are doing so with some ulterior motive in view. The member for Sussex, who sits on this side of the House, forgets that when he imputes motives to members who sit on the Government bench, he also must take a share of the responsibility. If he does not like that responsibility then he has no right to a seat on this side of the House.

Mr. Wilson: You keep him where he is; we don't want him.

Question put and a division taken with the following result:—

Ayes	23
Noes	5
Majority for	18

AYES.

Mr. Angwin	Mr. Maley
Mr. Broun	Mr. Mullany
Mr. Brown	Mr. Munster
Mr. Chesson	Mr. Robinson
Mr. Draper	Mr. Roche
Mr. Duff	Mr. Scaddan
Mr. Durack	Mr. Smith
Mr. George	Mr. Walker
Mr. Griffiths	Mr. Willmott
Mr. Harrison	Mr. Wilson
Mr. Lambert	Mr. Hardwick
Mr. Lutley	(Teller.)

NOES.

Mr. Angelo	Mr. Pilkington
Mr. Hickmott	Mr. Pickering
Mr. Nairn	(Teller.)

Question thus passed; the Council's amendment agreed to.

Resolutions reported, and the report adopted.

BILL—MERCHANT SHIPPING ACT APPLICATION ACT AMENDMENT.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 2.

The ATTORNEY GENERAL: I move an amendment—

That in line 11 the figures "1904" be struck out and "1894" inserted in lieu.

This is correcting a clerical error.

Amendment put and passed; the clause as amended agreed to.

Title—agreed to.

Bill reported with an amendment.

BILL—VERMIN ACT AMENDMENT.

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

BILL—ROAD DISTRICTS.

Second Reading.

Debate resumed from the 9th October.

Hon. W. C. ANGWIN (North-East Fremantle) [5.51]: The Bill contains some 300 or 400 clauses, but the majority, in fact almost all of those provisions are already on the statute-book. Taking the Bill as a whole, I think the department has given it full consideration and has presented to the House a very fair and comprehensive measure. Very little exception can be taken to the Bill, but there are one or two matters which might well receive consideration from hon. members. One provision which I think should be deleted not only from the local authorities Act, but also from our Parliamentary Acts, is the disqualification of persons to sit as members of roads boards or similar institutions for such an offence as taking part in a fight in a public place. Under the law as it stands, if any person takes part in a fight in a public place of such a nature as to alarm the public, that person on conviction is liable to a sentence of one year's imprisonment. A man who, having taken too much liquor, got mixed up in a street brawl might easily find himself debarred for all time from sitting on a road board. I think that provision is altogether too severe. If any person were to come up here in an excited state and do something to disturb either House of Parliament—which is not at all unthinkable—he could be charged and, on conviction, sentenced to three years' imprisonment, after which he would be for all time, or at least while the provision remains on the statute-book, disqualified from becoming a member of a road board.

Hon. T. Walker: He is given no chance to reform.

Hon. W. C. ANGWIN: No chance whatever. Any person found wandering about the streets, or in an outhouse or a deserted or unoccupied building, or sleeping in the open or in any vehicle, and having no visible

means of support, would on conviction be debarred from becoming a member of a roads board. Such a thing might happen to any man. The first night I arrived in Western Australia I had exceeding great difficulty in securing a bed.

Mr. Munsie: My first night in Western Australia was spent in wandering about Fremantle.

Hon. W. C. ANGWIN: I was a stranger in the place and I might have been quite unable to give an account of myself which would satisfy the police. Had this happened and had I been charged and convicted with having no visible means of support, I would have been debarred from becoming a member of any local authority.

Mr. Griffiths: That would have been Fremantle's loss.

Hon. W. C. ANGWIN: It might have been Fremantle's gain. However, I notice that in certain parts of the world this provision is being repealed, it having come to be seen that a man can reform, that because a man has made an error once is not to say he should never be given a chance to reform. I hope hon. members will agree that this provision should be removed from the Bill. I am not going to take up time dealing with the plural system of voting, because I discussed that last night; but although the Minister told us last night that he was opposed to the system of one ratepayer one vote, I notice that he has embodied the principle in the Bill. For I find that if a new roads board district is formed, at the first election of the board the owner or occupier can have but one vote, no matter what the value of the property.

The Minister for Works: But that would be only for the first election.

Hon. W. C. ANGWIN: Just the same, the principle is there. It is the first step towards the embodiment of the principle in its entirety. I am surprised at this in view of the Minister's expressed opposition to the principle last night. He has also embodied the principle of one vote in a district. If a man has land in two wards he has to choose for which ward he will vote. If a road board district is divided into wards and the owner or occupier of any rateable property owns, say, 2,000 acres of land, 1,000 acres in one ward and 1,000 in the other, he will have to choose for which ward he will vote, according to this Bill. In that instance the Minister has adopted the principle to which I have referred. I suppose, now that he sees that the principle is a good one, he will later on go the whole hog. In committee I intend to move for the embodiment of the principle of one ratepayer one vote, by endeavouring to so amend the Bill as to bring it into line with the legislation existing in other parts of the world. I do not think the Bill is fair when it deals with the question of joint owners, and the only principle that could be fairly applied in this case is that of one ratepayer one vote. I also think that the marking of numerals in the ballot paper should not disqualify the vote that is given.

At the election the ballot paper has to be marked either by a cross or by striking out the name of the person. Members of Parliament are elected to-day by numerals on the voting paper, and the same thing is to be applied in the case of the Federal elections in future. It is, therefore, only right and fair that we should bring all our voting systems as nearly as possible into line, and have a uniform principle for all elections.

The Minister for Works: I quite agree with that.

Hon. W. C. ANGWIN: Numerals, therefore, should not disqualify a vote if a person marks the ballot paper in that way instead of with a cross. The Bill could also be improved in regard to valuations. The members of road boards should not value the areas in their districts, and the member who has to be elected by the ratepayers should not fix the value of his property. A valuer should be appointed by the local authority. In 1913 the Labour party introduced a system of uniform valuations for Federal, State, and local governing authorities, and in connection with any other form of taxation that was required. Our friends, who now hold the position of administrators of the country, were not in favour of this, and it was thrown out in another place.

The Colonial Secretary: Several boards have appointed their own valuers for the valuation of properties.

Hon. W. C. ANGWIN: That only applies to taxation.

The Colonial Secretary: The Beverley board has appointed one.

Hon. W. C. ANGWIN: I know that various boards have appointed valuers who do not do the work. Members of boards should not be allowed to value properties themselves.

The Colonial Secretary: Not at the meetings?

Hon. W. C. ANGWIN: They should not be allowed to do it wherever they like. In various road districts there are water supplies belonging to the Government, and the Government have to collect the rates. In connection with this they adopt the road board valuations, and the consequence is that land values are sometimes reduced in order to avoid the payment of the water rates.

Mr. Harrison: Our rates are assessed at so much per acre.

Hon. W. C. ANGWIN: I am not dealing with agricultural areas, but the township areas. The Government subsidies were paid in accordance with the amount of rates charged. The tendency is for members of road boards to reduce land values, so that they can get a greater subsidy from the Government. In doing this they are doing an injustice to those who value their properties in a fair and legitimate manner.

The Minister for Works: They get their subsidy in accordance with the amount of the rates.

Hon. W. C. ANGWIN: For some time it was difficult in some districts to induce any road board to charge a rate exceeding one farthing in the pound.

The Minister for Works: Some charge one penny now.

Hon. W. C. ANGWIN: To overcome this we had to compel road boards to strike a rate of not less than one penny in the pound. It was their custom to reduce values and raise the rates, because they got a subsidy in proportion to the amount of rates charged. It may be said that this will mean expense to the road boards. If they so desire the road boards can appoint their own secretary as engineer, or they can appoint some outside person to fill that office. I am pleased to see a provision in the Bill whereby, if a road board secretary is appointed to fill that position, road board members cannot dismiss him for putting fair values on land, because he will be protected by the Minister. I also think there should be some discretionary power granted in regard to the subsidies boards may allow to public hospitals. An amount of $7\frac{1}{2}$ per cent. on the ordinary revenue is allowed as a contribution to local hospitals or nurses. That is not sufficient. It would be better to give power to the road board to contribute to hospitals any amount that may be desired. In some of our road boards, in whose districts there are maternity hospitals, or nurses, or in which anything of an urgent nature is required, the people would be only too pleased to contribute special rates for their maintenance. Under the Bill, however, they are limited to $7\frac{1}{2}$ per cent. on the ordinary revenue. The result is that a hospital, for instance, would have to rely in most instances upon the subscriptions of a few ratepayers, instead of all the ratepayers being called upon to subscribe their share of the cost of maintenance. It is, therefore, better that the local authorities should be empowered to strike a compulsory rate in order that everyone may contribute an equal amount for this purpose. That would get over the difficulty in many of our country districts so far as the hospitals are concerned.

Mr. Harrison: They contribute more to the medical funds in the country than is contributed in the town.

Hon. W. C. ANGWIN: No. I would point out that in the country the hospitals are worked under different conditions to those in the town. The country hospitals are far more used than the town hospitals, because in the case of the latter, those who can afford to go elsewhere are not admitted to the privileges of the public hospital. The Minister said he had embodied in the Bill a provision for the subdivision of already subdivided land with the consent of the local authorities. If a plan has once been approved by the local authority and been lodged in the Titles Office, the area submitted in the plan can not again be subdivided without the consent of the local authority. The Minister, however, has put

in words with which I am not in accord. The Bill says, "Where such plan has been approved before or after the commencement of the Act." That is retrospective legislation. A person may have purchased half an acre of land and erected two dwelling houses upon it before the passing of the Act. Under this Bill the local authority has power to prohibit him from selling one of those buildings on a quarter acre block when he may desire to do so. If any building has been erected on a block prior to the passing of the Act this clause should not apply. We should not pass retrospective legislation which may do an injury to some person. I compliment the Minister upon his up-to-date Bill. If it is carried through this session it will no doubt be the means of our having better administration in our road boards in future. For years past a Bill of this nature has been drafted and re-drafted at the request of the various local authorities, meeting in conference, and no doubt most of the provisions they have asked for will be found in this Bill. If that is so no doubt it will give general satisfaction. Of course, we cannot expect to pass legislation of this kind that will give satisfaction to all. I have much pleasure in supporting the second reading of the Bill.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HARRISON (Avon) [7.30]: I have been carefully through this measure, which is a long one and contains numerous clauses. The Minister is to be commended for bringing forward a measure designed to create uniformity among our road boards, as regards their by-laws and also in other respects. The Bill contains a number of innovations which are of considerable importance to the country districts. One new feature is the power to road boards to raise loans. Formerly they could spend only Government grants for such purposes as road clearing. It is almost impossible for our farmers to grow sheep unless the roads leading to the railway stations are kept clear of poison—and this is provided for—so that stock may not be lost while travelling to and from the railways. Another important innovation is the right to impose a registration fee in respect of a gate across a public road, so that anyone leaving the gate open will be liable for doing so. As new settlement has spread around the older holdings, new roads have been formed in order to afford outlets to the new settlement; and this would involve a great deal of fencing on either side of the road by the old settlers. Permission has been given to erect gates in the past, but very often the gates were left open. The Bill also empowers road boards to assist towards the erection of agricultural halls—a new departure which will prove of considerable assistance. As regards road board elections, the Bill extends the time for nomination from seven days to 14, and the

measure provides that the annual election shall be held on Saturday instead of Wednesday, when farmers are usually busy. Saturday, being the week end, is a more convenient day for farmers in this respect. The Bill also empowers road boards to provide such facilities as water supply and gas and electric light, and to extend the advantages of such services to retail traders. In the same connection road boards may make contracts with the Government and with adjoining authorities, when that course is the more convenient or more economical. They may also erect and maintain seats, and undertake the management of cemeteries. They may allow sidings to be constructed over or along their roads. As regards road metal, the supply of which has occasioned a good deal of difficulty in the past, the boards are under this Bill empowered to quarry for road-making material; and after obtaining a piece of land that carries suitable gravel, the boards will have to pay only half the cost of fencing, instead of, as hitherto, the total cost. These matters are of importance to outlying districts more particularly. The measure is one chiefly for Committee discussion, and I do not wish to prolong the second reading debate. I may remark, however, on that new departure which prevents a road board from dismissing its secretary without the sanction of the Minister.

The Minister for Works: There is a right of appeal to the Minister in case of dismissal.

Mr. HARRISON: I am not sure whether the Bill contains a provision that the appointment of a road board secretary must be submitted to the Minister for approval. Some road boards in outlying districts have appointed secretaries whose credentials were thoroughly satisfactory, but who afterwards proved most unsuitable for their position. In some instances the secretaries have misused the road board funds; and it has not been the first occasion of their acting in that manner. If appointments were subject to review by the Minister, such men probably would never have been appointed. The subject of valuation of properties has been referred to. In this respect outlying road districts are not in the same position as road districts near the large centres. If an outlying district had to obtain separate valuation of all properties, by way of arriving at an equitable basis of rating, it would mean that the whole of its annual revenue would be absorbed in valuation expenses. Nearly every one of our agricultural districts has already been classified by the Lands Department, and those classifications are good. The particular road board of which I happened to be a member, found that distance from the distributing centre was one of the main factors in determining the value of land. We worked on what was known as the zone system. In doing so, we acted contrary to the letter of the law; but the system was very workable from our standpoint. Lands which a year or two ago, when the rainfall was light, we did not consider of nearly the same

value as some of our more heavily timbered areas, gave even better results than the heavily timbered lands in drier seasons. We found that the classification of first class, second class, and third class made by the Lands Department did not always apply. On the other hand, the zone system worked admirably. If a road board has a good secretary, his valuation will in nearly every case be sound. The road board of which I was a member found itself able in almost every appeal to uphold the secretary's valuation. The member for North-East Fremantle (Mr. Angwin) said that no member of a road board should be a valuer for the board. In the case of the board to which I have referred, I do not remember a member being a valuer for the board, and certainly not for the particular ward he represented. We never had one case which we did not settle without trouble. Medical assistance is very much needed in our country centres, and the provision of that assistance has been largely facilitated by local contributions.

Hon. W. C. Angwin: In some cases.

Mr. HARRISON: Mr. Colebatch, when Colonial Secretary, quoted statistics to prove that the country districts had contributed far and away more per head of population than the town centres towards the upkeep of hospitals. We in the country have neither the men nor the finances to draw upon, and yet the country districts did more than the towns to provide medical attention.

Hon. W. C. Angwin: Take any district except Westonia, and how much did it subscribe towards the public hospitals?

Mr. HARRISON: Kellerberrin has a fund of about £300, contributed locally, towards building a hospital. Merredin also has contributed largely towards the erection of a hospital which is now, I believe, in process of being built. I can obtain the exact figures for the hon. member.

Hon. W. C. Angwin: An amount of £400 towards the construction of a hospital at Kellerberrin was on the Estimates for three years—I believe in 1912, 1913, and 1914—but the necessary local funds were never subscribed.

Mr. HARRISON: The country districts have assisted well towards the provision of medical facilities. The Bill is the result of the consideration of the officers of the department and the Minister, while it may be assumed that the resolutions carried at succeeding conferences of road boards form the groundwork of a number of the amendments and new clauses. It is advisable that we should get into Committee on the Bill as soon as possible, pass the clauses with as little alteration as may be, and get the Bill into operation. Then, after a year or two of experience of the working of the measure it could if necessary be amended. I will support the second reading.

Mr. PICKERING (Sussex) [8.15]: This is essentially a Committee Bill. I congratulate the Minister and the department on having brought forward this long promised

measure, which must be supported by all members representing rural districts. One or two provisions appear to me to call for particular consideration. There is the franchise of road boards. This, I take it, is a matter of policy, and it is to be assumed that whatever is done in respect of this provision will find its reflex in an amendment of the Municipalities Act. In my view the present system is the best in the interests of the general community. On the question of timber on roads, I suggest to the Minister that he should have embodied in the Bill the provision which exists in the Forests Act.

The Minister for Works: That is already provided in the Bill.

Mr. PICKERING: Then there is the question of subdivision referred to by the member for North-East Fremantle. An aspect which appeals to me is that concerning the width of roads. In the Capel district we have the valuable Stirling estate, purchased by the Government, subdivided, and sold to settlers. The great trouble in regard to that estate is the considerable area of good country which has been set aside for the purpose of roads. The Act prescribes that the width of roads in a subdivision shall be 66 feet. To my mind that provision, if carried out to the letter, would be absurd. In the majority of instances a road half a chain wide would be adequate in country districts.

Mr. O'Loughlen: It is easy to get a road closed, but difficult to get one opened.

Mr. PICKERING: But we have provided too many roads. From the experience of the settlers on the Stirling estate, it is unnecessary to have such wide roads. The board should have power to grant permission for a road half a chain in width.

The Minister for Works: They can appeal to the Minister.

Mr. PICKERING: But why should it not be left to the discretion of the board, subject to the approval of the Minister? There are one or two clauses dealing with the validation of irregular rolls. Clause 58 appears to override Clause 56, and to render it possible to make any informality regular, which I think should not be permitted.

Hon. W. C. Angwin: The Minister can please himself about that. The clause is not well drafted.

Mr. PICKERING: That is so. I think it ought to be amended. There is also the provision in regard to absentee voting. This I should like to see more fully explained. Provision is made for the issue of two counterfoils. Instructions given in regard to the one are complete, but there are no instructions concerning the other. In respect of elections, the provision seems to me to encourage the non-observance of necessary details. Touching upon the clause governing the use of steam rollers on roads, I should like to know whether it would be permissible under the clause to use engines of internal combustion. I have submitted the Bill to two or three road board members in my electorate, and in turn my attention has

been drawn to several clauses which they think could be improved.

Mr. O'Loughlen: Did you get an advance copy?

Mr. PICKERING: No. I took them down with me on my last visit.

Mr. O'Loughlen: Your electors have not had time to consider this.

Mr. PICKERING: They have had two or three days.

Mr. Green: They have leisure to spare, for their time is not taken up in milking, since they use Nestle's milk.

Mr. PICKERING: A point which I think requires further consideration is the question of resident owners in regard to water supplies. There seems to be no provision for any owner other than a resident owner.

Hon. W. C. Angwin: It has been the law for seven years, and a very good law too.

Mr. PICKERING: That is a matter of opinion. Clause 162 prohibits the supplying of electric power except on the authorisation of the Governor. In the case of a large town on the border of two districts, I do not see why it should be necessary to have the authority of the Governor before one town could supply another with electricity.

Mr. O'Loughlen: They would not refuse authority.

Mr. PICKERING: These are only a few of the points which I think the Minister should be prepared to consider. I shall do my utmost to help the Bill through, as it is urgently required in the interests of the electors I represent.

Mr. MALEY (Greenough) [7.55]: This is essentially a Committee Bill. However, I should like to say a word in regard to the possible amalgamation of the Noxious Weeds Act with this legislation. After all, it would be only amplifying local government, and there has always been a difference of opinion as to whether road boards have power to deal with what is essentially a local matter, and to deal with it through the local governing machinery. The Noxious Weeds Act is administered by the Agricultural Department, through the appointment of honorary inspectors, who are not particularly anxious to stir up trouble with their neighbours by the carrying out of the functions of their office. The clause in the Bill dealing with the inspection of noxious weeds merely gives power to the board to clear its roads and reserves and commons, and to apply ordinary revenue to that purpose. I think it would be wise to incorporate the Noxious Weeds Act with this Bill.

The Minister for Works: There is sufficient power here.

Mr. MALEY: No, the only power is that contained in Clause 192, which, as I have pointed out, is not sufficient. The road board has not any power to serve a notice on an owner of property to destroy weeds on that property.

Mr. Money: The jurisdiction of a road board is on the road.

Mr. MALEY: That is so, but there is no reason why the noxious weeds legislation should not be incorporated with this.

The Minister for Works: The boards have power to make regulations.

Mr. MALEY: In regard to present valuations, it is incumbent upon a board, when making its annual statement of works, after considering what revenue will be derived, and what work is to be done, to strike the rate accordingly and fix the valuation. The Minister will know that it has been a common practice in the past, indeed a hardy annual with the department, to keep stirring up the boards on this question of valuation. It might be regarded as the board's own affair pure and simple, and the board should not be goaded by the Minister to strike a higher rate. In making up their annual statement, having ascertained what they require to spend on the road, they strike the rate accordingly, and I should like to know why there is a perpetual desire on the part of the Minister and the department to have the rates increased.

Hon. W. C. Angwin: Because the Minister knows the demands made on the Government for grants.

Mr. O'Loughlen: The Minister does not give the grants.

Mr. MALEY: The subsidy has been cut down to vanishing point. Regarding the resident property owners' roll, why cannot an owner of property be given the right to vote on the question of raising a loan whether he is a resident property owner or not? There is no reason why, when a loan is required for a particular ward the board should have to compile a roll of resident property owners within the ward. I have known of instances where an owner has been living close to the boundary and has had considerable property in the adjoining ward, and yet has had no right to vote on the question of a loan for that ward where most of his property was situated. This is an undesirable anomaly which should be removed.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 to 19—agreed to.

Clause 20—Boards:

Mr. PICKERING: The number of members provided, 13, is too large. The smaller the number within reason, the better for the business. It is sometimes difficult to get the requisite number present. Nine members would be more than ample. I move an amendment—

That in line 3 of Subclause 1, "thirteen" be struck out and the word "nine" inserted in lieu.

The MINISTER FOR WORKS: During the last few years, there have been a number

of amalgamations, and the number of members allowed under the present Act, 11, made it difficult to give adequate representation to the enlarged districts. Consequently, the number was raised to 13. The clause provides that the number shall be not fewer than five nor more than 13 and the Minister, in deciding what the number should be, would give full consideration to all the circumstances. Beverley, Katanning, and other districts have experienced great difficulty in this respect.

The COLONIAL SECRETARY: I hope the Minister will stick to the Bill. At Beverley, prior to the amalgamation, there were nine councillors. After the amalgamation only two could be added, with the result that there were three members for each ward, with the exception of the central ward, which had only two. The matter was brought under the notice of the Minister, and he pointed out that it would be better to take one of the representatives from one of the other wards and give the central ward three, but we could not agree to that. The road mileage is very great and much time is required for members to inspect the work, as no engineer is employed. Considerable travelling is involved, and it would not have been fair to take a member from one of the other wards and leave it with only two. This provision will not interfere with other boards as there will be no occasion for them to increase their representation, but it will prove of advantage to boards situated as Beverley is.

Mr. PICKERING: In view of the explanation and the fact that the number will be regulated by the Minister I ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clauses 21, 22, 23—agreed to.

Clause 24—Disqualifications:

Hon. W. C. ANGWIN: I move an amendment—

That Subclause 1 be struck out.

This matter could be left to the discretion of the electors. A man who had been convicted would have suffered his punishment and we should not, under an Act of this kind, inflict further punishment upon him.

Mr. Smith: The electors might not know of it.

Hon. W. C. ANGWIN: The electors, as a rule, get to know too much.

Mr. Munsie: The trouble is that they get to know many things a man has never done.

Hon. W. C. ANGWIN: Candidates are generally well known to the electors.

Mr. Smith: What about a garrotter?

Hon. W. D. ANGWIN: We need worry about that. Any wrong done by a candidate would be made known throughout a district. There should not be a law to punish a man for all time. Many good men have made one error, and have been debarred for ever afterwards from taking part in

the government of the State. Other men have done worse and have not been found out, and they are able to take part in the affairs of State. Why should a man, who committed an indiscretion in youth, be penalised for the rest of his life?

The MINISTER FOR WORKS: There is a considerable amount of force in the hon. member's remarks. The clause, however, is exactly the same as Section 19 of the present Act. I have sufficient confidence in the electors to think that they will exercise their judgment in a matter of this sort.

Amendment put and passed.

Hon. W. C. ANGWIN: Under paragraph 5 a person is to be disqualified if he has any direct or indirect pecuniary interest in any agreement with the board. If we adhered to the strict letter of the law no member of this House would be qualified to hold his seat, for if he buys a ticket to enable anyone to travel on the railways he is entering into a contract with the Government. Similarly, no person can be a member of a board if he enters into an agreement with the board. The proviso in this clause says, "in the ordinary course of business and not pursuant to any written contract, bona fide sells goods to or does work for the board." To evade the Act all that the member of a board has to do is to perform the work without entering into an agreement. The result may be that another tradesman in the district may not be able to sell goods to the board because there is already a member of the board in the same line of business as himself. I should like to have the opinion of the Minister on the subject.

The MINISTER FOR WORKS: These are wise provisions. The idea is that a member of the board shall not unduly compete with or take advantage of those who are not members of the board.

Hon. W. C. Angwin: I think this will enable him to do so.

The MINISTER FOR WORKS: In the proviso there is ample room for the ordinary matters of business to be dealt with. If any member claims exemption under this proviso, he shall not take part in any discussion or vote upon any question relating to any matter in which he is directly or indirectly interested. I do not think the clause will work any harm to any person concerned.

Hon. W. C. Angwin: Have you not received complaints that members of a board have been carrying on business to the detriment of other people?

The MINISTER FOR WORKS: I may have had one or two complaints, but on the whole I think we should be proud of the way these board members are carrying out their duty.

Clause, as amended, put and passed.

Clauses 25 to 32—agreed to.

Clause 33—Electors:

Mr. MUNSIE: If a person holds property in each and every ward, according to the way a district may be divided, he is to be entitled to vote in each and every ward. I do not believe in plural voting, and think that one adult should have only one vote. I move an amendment—

That paragraph (b) of Subclause 2 be struck out.

The COLONIAL SECRETARY: I hope the amendment will not be agreed to. When a district is divided into wards and a person has property in each ward, I think he is entitled to exercise his judgment as to how he will record his vote.

Hon. W. C. ANGWIN: It will be seen from the proviso to this subclause that the Minister has already adopted the principle of one vote for each ward.

The Colonial Secretary: If a man has property in four wards he cannot exercise more than four votes in all the wards.

Hon. W. C. ANGWIN: This proviso only deals with adjoining land. A person may have a separate holding in each ward to the value of £600. He can therefore claim in each ward the value of his votes to the extent of £600. Why should we not bring our measure into conformity with those in other parts of the world?

The MINISTER FOR WORKS: I was under the impression that no man was to be allowed to have more than four votes in a road board district, and I am prepared to alter the clause to that extent. I know it is a moot question with politicians as to whether one person should have more than one vote or not. I consider that the size of a holding in connection with road board matters should be taken into consideration. A man should be able to vote according to the area of ground and the value of his property, and also according to the rates which are levied on his property. In matters of this sort I think four votes should be the maximum. We might get over the difficulty by adding a proviso to the clause to the effect that no person shall exercise more than four votes in any road board district.

Mr. MUNSIE: The suggestion of the Minister does not overcome my objection. While I admit that it will limit the number of votes that any one person can have, it must be remembered that there are 30 or 40 road board districts, and a man can have four in each. I have no desire to see that. We should fall into line with the other States and adopt the one vote system. In New South Wales property is worth ten times what it is in Western Australia and they have adopted the one vote principle. We cannot go wrong by following that State.

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

Ayes	..	..	12
Noes	..	..	18

Majority against .. 6

AYES.

Mr. Angwin	Mr. Munsie
Mr. Green	Mr. Rooke
Mr. Holman	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Lambert	Mr. O'Loghlen
Mr. Lutey	(Teller.)
Mr. Mullany	

NOES.

Mr. Broun	Mr. Money
Mr. Brown	Mr. Nairn
Mr. Draper	Mr. Pickering
Mr. Duff	Mr. Pilkington
Mr. Durack	Mr. Scaddan
Mr. George	Mr. Smith
Mr. Griffiths	Mr. Willcock
Mr. Harrison	Mr. Hardwick
Mr. Johnston	(Teller.)
Mr. Maley	

Amendment thus negatived.

The MINISTER FOR WORKS: I move an amendment—

That the proviso be struck out, with a view to the insertion of other words.

Hon. W. C. ANGWIN: What other words does the Minister propose to insert?

The MINISTER FOR WORKS: "Provided that no person shall exercise more than four votes in any road board district."

Hon. W. C. ANGWIN: I hope the Minister will leave the clause as it is. In view of the last division, I intend to ask the Committee to agree to a new clause which will provide that there shall be only one vote for one ward. The proper place for the proviso suggested by the Minister would be in the next clause.

The MINISTER FOR WORKS: On thinking the matter over, I agree that the new proviso would come in better under the next clause. I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 34—Number of votes:

Hon. W. C. ANGWIN: I hope this clause will be negatived. My intention is to move a new clause to provide for election of road board members by the ratepayers. Let us bring Western Australian legislation in line with the legislation of South Australia, New South Wales, and New Zealand, and England. The plural vote in local government is not a fair one. If a man is entitled to four votes, there is no logical reason for refusing him a thousand votes if he has property of the corresponding value. This clause is inconsistent with the very principle of the Bill. Why not put all ratepayers on an equality? A very large proportion of the people who have four votes pay no rates, for the rates are paid by the community.

Mr. PICKERING: The reason for the multiplicity of votes is that the single votes are concentrated about the towns, with a resultant tendency to concentrate expenditure in and around the towns, to the disadvantage of the outlying areas. Not one road board

conference but has turned down proposals for the alteration of the voting system. I shall vote for the retention of this clause.

Mr. O'LOGHLEN: From the last speaker one could only expect support for a reactionary proposal. The member for North-East Fremantle is voicing progressive opinion in trying to get some adequate representation for human beings rather than for bricks and mortar. No argument has been advanced why property should have this undue power. People should be allowed to exercise their intelligence. On numerous occasions protests have been voiced against this vesting of power in property. Instead of becoming progressive we are slipping back. In every other State and in every other country year after year the people are being trusted to a greater extent. It disgusts one to hear so much about the privilege of property.

The MINISTER FOR WORKS: In the New Zealand Act the votes are allotted on a scale which gives one vote for property of £1,000 and two votes for property of £2,000. Here we give one vote for property of £150 and two votes for a property of £300. In other words, we are anxious to let everybody have the fullest possible representation. I am prepared to move a proviso restricting to four the number of votes which any one ratepayer may exercise. With that proviso, I think our scale will be perfectly satisfactory.

Mr. MUNSIE: I support the member for North-East Fremantle. The member for Sussex opposed the one ratepayer one vote principle with the objection that all the small ratepayers would be in the towns, and therefore the expenditure would be concentrated in the towns as against the country. Such an argument is not applicable, seeing that we are dealing with road board districts that are to be cut up into wards, and that in consequence each town will be one ward or possibly two wards. It is time we broke away from the old idea of granting privilege to property. It is provisions such as this which drove the peasants of Russia into revolution.

Mr. PILKINGTON: Apparently hon. members opposite are of opinion that no property qualification whatever should exist. But all our legislation dealing with local authorities provides a property qualification. Even if the proposed amendment be carried, every vote would be a vote given on a property qualification. If the views of hon. members opposite were given effect to every resident would have a vote.

Mr. O'Loghlen: No.

Mr. PILKINGTON: The basis of the Bill is property qualification, and if we accept that as a basis it is not unreasonable to say that a larger property shall have a larger vote, although obviously not in proportion to the increase in value. Consideration of legislation elsewhere does not carry us much farther unless it can be shown that that legislation has been highly successful. The member for North-East Fremantle referred to the applicability of plural voting

in the Old Country. If the hon. member will look at the Municipal Corporations Act of the Old Country, he will find that there is a comparatively high qualification before a man can be elected councillor. I am not suggesting that as an argument, but merely in answer to the hon. member's statement.

Mr. LAMBERT: I support the view of the member for North-East Fremantle. If the Minister's personal wishes were consulted he would go further than the provision in the Bill. Municipal councils and road boards throughout Western Australia have not proved as workable or effective as they should have.

Mr. Pickering: The road boards have been effective.

Mr. LAMBERT: I know nothing about the hon. member's district. Instead of perpetuating an objectionable franchise of this description, we should encourage the young men with more progressive ideas in order to get more effective local government work.

The Minister for Mines: You cannot complain of the intelligence of your local authorities.

Mr. LAMBERT: I am not discussing the standard of intelligence of the Coolgardie local authorities.

The Minister for Mines: You could not improve it.

Mr. LAMBERT: The Minister cannot lure me into a discussion on that question. Members of the Country party should realise that conditions are changing. Surely, as a progressive assembly, we should realise, apart altogether from patriotism, that there is something in man power. The old slavish idea of paying tribute to accumulated wealth has gone for the most part and, in the few places where it still survives, revolutions are occurring. In Russia, not only are people taking the qualification to vote, but they are taking the property itself.

The Minister for Mines: Who?

Mr. LAMBERT: The ruling class of Russia, and rightly so.

The Minister for Mines: You have not read the cables lately.

Mr. LAMBERT: I am sufficiently conversant with the position to know that the intolerable conditions which have existed are coming to an end. The Minister for Mines should realise that the proposal of the member for North-East Fremantle is a just one. It comes with ill grace from the Country party members who are supposed to represent the struggling farmers—

The Honorary Minister: Why "supposed"?

Mr. LAMBERT: When it comes to placing the small struggling settler on the same footing as the rich squatter, they sacrifice the poor struggling settler.

Mr. Pickering: Where is the small struggling farmer?

Mr. LAMBERT: Not in the hon. member's party.

Several members interjected.

The CHAIRMAN: Order!

Mr. LAMBERT: Members of the Country party are so callous to the interests of the people they represent that they resent my references.

The Honorary Minister: What seat there have you your eye on?

Mr. LAMBERT: Those who hold progressive ideas must admit that no harm could be done by enlarging the franchise. It is a disgrace to people's intelligence to pay tribute to accumulated wealth. The member for Swan spoke of the sacredness of wealth.

Mr. Nairn: I never used that expression.

Mr. LAMBERT: Well, the hon. member looked particularly disgusted when the sacredness of wealth was challenged.

The Minister for Mines: Do not you know the difference between scarcity and sacredness?

Mr. LAMBERT: We are not dealing with the franchise for another branch of the legislature which opens up bigger principles. I hope members will not be swayed by blind prejudice like the member for Sussex. I hope a sense of duty to his adopted country will lead him to realise that there is not the sacredness attached to wealth which his remarks would lead us to believe. At the same time, I do not wish to slang-wang the sleepiness of the hon. member's constituency. The Bill will prove more workable and acceptable if younger men are allowed to take the places of some of the old fogies who possess property.

Mr. NAIRN: The member for Coolgardie suggested that I had sneered at man power. I resent that suggestion. I have quite as much respect for man power as the hon. member, and have never raised my voice to the contrary. I am not prepared to accept Russia, as does the member for Coolgardie, as the ideal of how a country should be governed.

Mr. Lambert: On a point of order, I resent that remark.

The CHAIRMAN: What is the point of order?

Mr. Lambert: That the member for Swan has no right to misrepresent me. I did not say I accepted Russia as a standard of conduct. I ask that the remark be withdrawn.

Mr. NAIRN: If the hon. member wishes me to withdraw, I shall be pleased to do so and to know that he does not entertain those sentiments, though I gathered so much from his remarks. If members opposite wish to be logical as they ask us to be, they should abolish the property qualification entirely.

Mr. Munsie: Will you vote for it if we move it?

Mr. NAIRN: While we have a property qualification, it is absurd to debate this matter from the standpoint of a non-property qualification. It is only a matter of opinion how far the property qualification should extend.

Hon. W. C. ANGWIN: The whole Bill is based on property qualification, and rates are paid according to the value of property. The time is not far distant when property qualification will be wiped out. Many people ad-

vocate that the whole of the revenue of the State from rates should be collected by the Government and repaid to the local authorities, and that every adult person should have a right to vote for the election of the board controlling his district. I wish to point out the inconsistency of the property qualification. 'If a man genuinely advocates four votes, he should, if he followed the principle to its logical conclusion, advocate a far larger number in some cases. Every person should be put on an equality with every other person. If the matter cannot be adjusted on the basis of the rates which should be distributed, it is better to leave it on the basis of equality than to give a person four votes. The only fair way of adjusting the matter is to give one person the right to exercise only one vote.

The MINISTER FOR WORKS: I move an amendment—

That the following proviso be added:—
 "Provided that no person shall exercise more than four votes in any road board election."

Amendment put and passed.

Clause, as amended, put and a division taken with the following result:—

Ayes	19
Noes	8

Majority for ..	11
	—

AYES.

Mr. Broun	Mr. Maley
Mr. Brown	Mr. Money
Mr. Draper	Mr. Nairn
Mr. Duff	Mr. Pickering
Mr. Durack	Mr. Pilkington
Mr. George	Mr. Scaddan
Mr. Griffiths	Mr. Smith
Mr. Harrison	Mr. Willmott
Mr. Hickmott	Mr. Hardwick
Mr. Johnston	

(Teller.)

NOES.

Mr. Angwin	Mr. Munsie
Mr. Green	Mr. Rooke
Mr. Holman	Mr. O'Loghlen
Mr. Lambert	
Mr. Lutey	

(Teller.)

Question thus passed; the clause as amended agreed to.

Clause 35—Joint owners or occupiers:

Hon. W. C. ANGWIN: If a piece of land is valued at under £600, the owner or occupier is entitled to three votes under this Bill. If, however, two persons are the registered owners of such land between them, how will the votes be divided?

The MINISTER FOR WORKS: This is a matter for the exercise of common sense. If the property is worth under £300, three votes are allowed. I do not think the hon. member need worry about that matter.

Hon. W. C. ANGWIN: The answer is not a very clear one. How will three votes be divided between two persons, who have a

joint interest in the one piece of land? It is evident that in this matter of plural voting the Minister does not know where he is.

The MINISTER FOR WORKS: If the property is worth £500, each of the two owners would be entitled to two votes.

Clause put and passed.

Clause 36—agreed to.

Clause 37—New districts:

Hon. W. C. ANGWIN: I would draw the attention of hon. members to the last few words of this clause, "He shall have one vote only."

The MINISTER FOR WORKS: This only applies to an election in a new district, for which no electoral roll is in force. This is the initial stage only.

Clause put and passed.

Clause 38—agreed to.

Clause 39—Claims:

Mr. MUNSIE: The last paragraph of this clause says, "All such applications shall be in the prescribed form." I should like to know from the Minister what the prescribed form will be.

The MINISTER FOR WORKS: The form prescribed has been placed on the Table of the House. The form would be such as would enable a person to get a vote if he was qualified. No influence will be brought to bear to bring forward a form which will render a claim informal.

Mr. Munsie: If there is a prescribed form, how is it to be sent by telegraph?

The MINISTER FOR WORKS: If a person found it necessary to telegraph his application, he would do so, and supplement it by post with a form properly filled in.

Clause put and passed.

Clauses 40 to 52—agreed to.

Clause 53—Copies of roll to be supplied:

Mr. O'LOGHLEN: I notice that if a ratepayer requires a roll he will have to pay a sum not exceeding 5s. for it. That is too much altogether.

The MINISTER FOR WORKS: The idea is to let those who may ask for a copy of a roll understand that difficulties lie in the way of supplying it. Road boards do not always print their rolls. If the secretary had to write one out, it would take him probably a couple of days.

Clause put and passed.

Clause 54—Omission to give notices of lists, etc., not to invalidate proceedings:

Mr. MUNSIE: This clause provides that no omission to give notice with regard to any list or to keep any list for perusal shall in any way invalidate any such list or roll founded thereon. I would like an explanation as to what the clause really means.

The MINISTER FOR WORKS: The clause already appears in the Roads Act, 1911, except that one or two unnecessary words have been omitted.

Clause put and passed.

Clause 55—agreed to.

Clause 56—Minister may direct compilation of fresh roll in certain cases:

Mr. PICKERING: This clause provides that whenever it is proved that a roll has not been duly and regularly prepared, revised, or completed, the Minister may direct the compilation of a fresh roll. Then we find that Clause 58 validates omissions. I consider that these clauses require some consideration.

Hon. W. C. Angwin: Never mind 58; tell us what is wrong with 56.

Clause put and passed.

Clause 57—agreed to.

Clause 58—Governor may validate irregular roll:

Mr. PICKERING: The clause states that whenever any provision of this division has not been complied with the Governor may declare that any roll shall be valid. I would like to know what that means.

The MINISTER FOR WORKS: The hon. member should have read the closing words, which are "and shall not be liable to be superseded by any roll compiled by the direction of the Minister." The clause was the subject of a fair amount of debate at the road board conferences. Cases have arisen where, through death or illness, or neglect to prepare a roll, confusion has been caused. Under those circumstances it has been necessary to carry on under the old roll. Under Clause 56 the Minister may have decided that rolls should be prepared, but if for any reason a roll is not finished it is in the power of the Governor to issue instructions for an election to be held instead of delaying matters, and thus causing confusion.

Hon. W. C. ANGWIN: In my opinion this is the most contradictory clause in the Bill. Clause 57 provides that when the Minister makes an order for the holding of a court for the revision of an electoral list he may authorise the court to be formed by any three persons nominated by him, and it is further provided that the persons so nominated shall have the same powers as if they were members of the board. The Minister can appoint a board to compile a roll, and he can declare that roll valid, and the new roll, which may be prepared by the board shall not supersede the old one, which is not valid. I can understand the desire to declare a roll valid when it is not in order, but I cannot understand why the Minister should declare that a new roll should be superseded by a roll which is not valid.

The MINISTER FOR WORKS: The clause gives the Governor power to declare any electoral roll valid. The preceding clause provides for the holding of a court for the revision of electoral lists. Clauses 56 and 58 deal with the roll and not the revision of lists.

Clause put and passed.

Clauses 59 to 68—agreed to.

Clause 69—Nomination, how made:

Mr. O'LOGHLEN: This clause provides for a deposit of £1, and I object to the principle of demanding any deposit from a candidate for either road board, municipal, or political honours. There should be the utmost freedom of nomination. No doubt the argument will be advanced that public expenditure should not be incurred in order to allow a crank to nominate; but experts in psychology consider that the line of division between the crank and the genius is a very thin one. I object to the principle of requiring any deposit whatever. In New South Wales and other up-to-date countries there is agitation for the abolition of all deposits. I move an amendment—

That in Subclause (2) the words "shall be accompanied by a deposit of £1 and" be struck out.

Amendment put and negatived:

Clause put and passed.

Clauses 70 to 85—agreed to.

Clause 86—Voting in absence:

Hon. W. C. ANGWIN: Subclause (1) provides that an elector who resides more than five miles from the polling place may at any time after nomination day make application, in writing, to the returning officer of the district, or of any other district, to vote in absence. Why should there be a written application if the voter personally appears before the returning officer? If there is to be voting in absence, let it be under such conditions as to allow all persons entitled to do so to avail themselves of it. The member for Murchison has informed me that the returning officer for Peak Hill resides 60 miles from that centre. Is it to be supposed that a Peak Hill voter would travel 120 miles for the purpose of recording his vote in a road board election? This clause practically debars him from recording a vote in absence. The reference in this subclause to an "application in writing" suggests that the intention was that the voter should, as under the Federal law, write to the returning officer asking to be furnished with a postal vote form, so as to allow him to vote in the presence of a magistrate or justice of the peace residing near him. In the case of a sick person the returning officer is to be permitted to go to him to obtain his vote. But is it to be expected that a returning officer will travel 60 miles for the purpose of taking a vote? The provision is unsuitable for Western Australian conditions. I recognise that there has been abuse of postal voting, but under the conditions laid down by this subclause postal voting will be restricted to very few persons indeed. The clause should be postponed so that the Minister can give it further consideration.

The MINISTER FOR WORKS: I am quite willing to adopt the suggestion to postpone this clause. However, the member for North-East Fremantle is fully aware of the abuses which obtained under the old system of postal voting. We want to prevent those abuses. The clause is the result of long and earnest consultation between Mr. Stenberg and members of the executive and the secretary of the Road Boards Association, with the assistance of the Parliamentary draftsman. However, I think myself that it will bear reconsideration, and therefore I move—

That the clause be postponed.

Motion put and passed.

Clauses 87 and 88—agreed to.

Clause 89—Ballot papers when not deemed to be informal:

Hon. W. C. ANGWIN: On the second reading I urged that a ballot paper should not be deemed informal merely for the reason that it has numerals on it. As long as the intention of the elector is clear the vote ought to be counted. Yet if the elector were to place a numeral on his ballot paper it would render the paper informal, notwithstanding that his ballot papers for the State Parliament and for the Federal Parliament both have to be marked in numerals. I should like to see provision made under which the marking of numerals on the ballot paper would not render it informal. I suggest that the Minister consult with the Solicitor General and, if an amendment be found necessary to save the ballot paper from informality on the score of numerals, that amendment can be inserted when the Bill is before the Council.

The MINISTER FOR WORKS: If the Committee will pass the clause I will make the suggested inquiry, and if it be found necessary to amend the clause I will have the amendment inserted in the Council.

Mr. LUTEY: I think the provision should be withdrawn altogether in favour of the preferential or numeral system of voting. We have it in both State and the Federal elections, and I think the voting in connection with local government elections should be made to conform. There would be less risk of puzzling the electors.

The MINISTER FOR WORKS: I should prefer to leave the clause as it is, because a great number of electors, especially in road board districts, cling to the old order of voting. With the possible amendment suggested by the member for North-East Fremantle I think the clause will be quite satisfactory.

Clause put and passed.

Clauses 90-152—agreed to.

Clause 153—Powers over reserves:

The MINISTER FOR WORKS: I move an amendment—

That in line 3 the figures "1889" be struck out and "1899" inserted in lieu.

This is correcting a clerical error.

Amendment put and passed; the clause as amended agreed to.

Clause 154—agreed to.

Clause 155—Allotments shown on plans not to be further subdivided without consent of the board:

Mr. ROCKE: Among a certain class of owners there is a tendency to erect a second building on the same frontage and then appeal for subdivision. It sometimes happens that the board refuses consent to the further subdivision, whereupon the owner appeals to the Minister, who, if he is not acquainted with the views of the board, will probably grant the appeal.

The MINISTER FOR WORKS: It is inconceivable that a Minister would come to a decision on an appeal without taking into account the representations of the board. When an appeal was lodged, the board's side of the case would be heard. It would not be a question of sympathy but merely of weighing the facts. If the hon. member wishes a board to appear at the appeal, the expense might be greatly increased.

Mr. ROCKE: I believe the present Minister would adopt the course stated.

The Minister for Works: It has been adopted by all Ministers.

Mr. ROCKE: If the Minister assures me it is the usual practice, I shall be satisfied.

The MINISTER FOR WORKS: Before appeals have been placed before me, the Under Secretary has communicated with the boards and secured all the evidence. I believe that has been the practice previously.

Hon. W. C. ANGWIN: A board should not have power to refuse the right to sell portion of land on which two buildings were erected prior to the passing of this measure. My Bill to amend the Municipal Corporations Act has not this retrospective effect. I move an amendment—

That in Subclause (1) the words "Whether such plan has been approved before or after the commencement of this Act" be struck out.

The MINISTER FOR WORKS: There seems to be good reason in the hon. member's objection, and I am willing to postpone the clause to permit of further consideration.

Hon. W. C. ANGWIN: I ask leave to withdraw my amendment.

Amendment by leave withdrawn.

The MINISTER FOR WORKS: I move—

That further consideration of the clause be postponed.

Motion put and passed; the clause postponed.

Clauses 156 to 158—agreed to.

Clause 159—Powers of board:

Mr. SMITH: I move—

That progress be reported.

Motion put and negatived.

Hon. W. C. ANGWIN: Subclause 15 deals with the temporary closing of roads for repairs. Some boards, in carrying out repairs to roads and bridges, have delayed the work and considerably hindered traffic. I hope the Minister will look into this matter and insert a provision that, if such repairs are not completed within reasonable time, the Minister shall have power to complete them at the board's expense. Subclause 20 deals with the subsidising of district nursing systems, or hospitals, or medical practitioners, but the expenditure is limited to 7½ per cent. of the ordinary revenue of a board for any financial year. Such expenditure should be left to the discretion of the board. I move an amendment—

That all the words after "practitioner" in Subclause 20 be struck out.

The MINISTER FOR WORKS: I have no objection to the amendment.

Amendment put and passed; the clause as amended agreed to.

Clauses 160, 161—agreed to.

Clause 162—Limitation of power to supply electricity or gas:

Mr. PICKERING: Why should not the board have power to supply electricity or gas outside the limits of their district?

Clause put and passed.

Clauses 163 to 170—agreed to

Clause 171—Steam road roller:

Mr. PICKERING: I would like an answer to the question I have just asked. Does this clause prevent the use of internal combustion engines for the purposes provided in the clause?

The MINISTER FOR WORKS: The previous clause was passed before I could reply to it. The matter in question is determined by the Electric Lighting Act at present in force. With regard to the present clause I move an amendment—

That in line 1 after the word "steam" the words "or other power" be inserted.

Amendment put and passed; the clause as amended agreed to.

Clauses 172 to 188—agreed to.

Clause 189—Board may require land abutting on made footway to be fenced:

Hon. W. C. ANGWIN: I should like the Minister to refer to this clause again before the Bill is passed. This provides that where land has a fence adjoining the footpath the board can order the owner to fence such land, and failing obedience of the order the work can be done by the board, and the owner charged with the cost. There have been instances where after the order has been served on the owner, the land has changed hands, and the board has never notified the owner of the land at the time the fencing was erected, with the result that it has been difficult to get back the cost of the fence.

The MINISTER FOR WORKS: What the hon. member wants is that the land shall carry its debt. I will make a note of that.

Clause put and passed.

Clauses 190, 191—agreed to.

Clause 192—Destruction of noxious weeds: Mr. MALEY: Does the Minister think it advisable to accept my suggestion to incorporate the Noxious Weeds Act with the Road Districts Act?

The MINISTER FOR WORKS: I do not think that would work well, because the Noxious Weeds Act is administered by the Lands Department. Later on in the Bill there is a clause which says that after the road boards have cleared the roads of noxious weeds they can call upon the owners of the adjacent lands to keep them clear, failing which they can charge them with the cost of doing so. The road boards clear the roads first of all, but the owners of adjoining lands must keep them clean afterwards. I do not think any land owner would object to that.

Mr. MALEY: At present the Noxious Weeds Act is administered by honorary inspectors under the Lands Department. No good has ever been achieved by that system. Honorary inspectors are generally members of the various road boards throughout the State.

Mr. O'Loughlen: They are not able to enforce their own decisions.

Mr. MALEY: They will not do so and they do not like stirring up trouble with their neighbours.

Mr. O'LOUGHLIN: I fail to see the utility of passing a clause like this if it is not to be effectively administered. The member for Greenough has instanced the farce of appointing honorary inspectors who have noxious weeds on their own properties. I know of an instance where the paid inspector of the department served a notice on a Government official holding a prominent position to eradicate boxthorn from his property and he refused to do so. The Agricultural Department has not initiated a prosecution. If the Government do not take notice of cases in which their paid inspectors have interested themselves, how can they expect honorary inspectors to move in similar matters.

The Minister for Works: What about stinkwort on the railway lines?

Mr. O'LOUGHLIN: The man who can cross stinkwort with some other plant may yet produce a fodder for stock.

The HONORARY MINISTER: The hon. member need not worry about the case of the civil servant occupying a high position. The matter has not been dropped. It is now in the hands of the Crown Solicitor.

Hon. W. C. ANGWIN: The member for Greenough stated that the honorary inspectors are in most instances members of road boards and they will not enforce the Act in their districts. If they will not do that as honorary inspectors are they likely to do so as members of road boards? The clause is not wanted in the Bill because it already appears in the Noxious Weeds Act.

Clause put and passed.

Clause 193—agreed to.

Clause 194—Channels from mines:

Mr. LUTEY: I move an amendment—

That in line 5 after the word "cyanide" the words "or other water" be added.

There may be salt or fresh water from a mine being distributed over roads, and the clause would only deal with cyanide water, and it would have to be proved that it contained cyanide.

The Minister for Works: I have no objection to the amendment.

Amendment put and passed; the clause as amended agreed to.

Clause 195—By-laws:

Mr. PICKERING: Subclause 18 refers to walls, etc., abutting on roads. I do not know whether this is meant to apply to town sites or suburban roads or not.

Clause put and passed.

Clauses 196 to 209—agreed to.

Clause 210—Government grants:

The MINISTER FOR WORKS: I move an amendment—

That the following be added to stand as Subclause (4): "Any memorandum acknowledging the receipt of money so granted shall be exempted from stamp duty."

Amendment put and passed; the clause as amended agreed to.

Clause 211—What shall be rateable property:

Mr. HARRISON: I should like some further explanation of the exemption "land the property of the Crown and used for public purposes."

The MINISTER FOR WORKS: The words seem to me perfectly clear. They place beyond all question the right of the Crown to have its property exempt from rating by municipalities and road boards. In some quarters there has been a movement to obtain the right to rate land on which public buildings are erected, in the same way as private property is rated.

Mr. DURACK: In the North, Government undertakings compete in all directions with private businesses. Moola Bulla station is an instance. The teams from that Government station use the roads.

The Minister for Works: The station is used for the charitable purpose of feeding the aborigines.

Mr. DURACK: I know of an instance in which the State Government entered into competition with a small mail contractor in the North. Such competition is unfair. At all events, property used by the Government in competing with private persons should be rateable.

Mr. HARRISON: In order to render rateable such Government lands as are used in competition with private enterprise, I move an amendment—

That in paragraph (a) of the proviso the word "one" be inserted between "subsections" and "two."

If this amendment is carried, I shall move the insertion of "or competitive" between the words "private" and "purpose," so that the paragraph would read, "Provided that any land exempted by Subsections (1), (2), (3), or (4) of this section shall be deemed rateable property while the same is leased or occupied for any private or competitive purpose." I contend that some Crown lands now used ostensibly for public purposes are really used for private or competitive purposes. In Merredin the Government have 21 cottages which they let in the same way as any private owner lets houses, and which return 14s. or 15s. per week each.

The Minister for Works: Those are the railway cottages.

Mr. HARRISON: The tenants of those Government cottages should be citizens of Merredin just like other householders of that town. Wherever the Government enter into competition with private enterprise their lands should be rated. As regards the use of public roads, the State farms are really private businesses.

The MINISTER FOR MINES: The hon. member's view is one that is frequently adopted by new members of Parliament, who, lacking a grasp of what is meant by "Government functions," lose sight of the fact that whenever there is a proposal to establish a Government undertaking the various towns fall over themselves to have the undertaking established within their particular boundaries. Hon. members overlook the fact that the functions of local authorities have been delegated to them by the State Government. It must be remembered that the existence of Government property in a local district entails the circulation of Government money in that district. In recognition of this principle, when we were considering the selection of a site for the State Implement Works, we had offers from local authorities all over the State. It cannot be seriously suggested that the occupants of the railway cottages at Merredin, who might be shifted to another district to-morrow, should pay rates in that town. The member for Kimberley complains that the Moola Bulla station, established for the benefit of the aborigines, uses the roads and therefore should pay rates. But the Estimates show that the State Government are to contribute £26,500 towards the maintenance of roads in various part of the State. Does not that serve to offset the non-payment of rates by the Government? If hon. members insist upon the Government paying local rates in respect of Government property, all the advantage will go to the local authorities in the metropolitan area, as against the local authorities in country districts, because a few feet of land in Perth is worth hundreds of acres in country districts. The non-rating of Government property confers a very great advantage upon country local authorities.

Mr. DURACK: I should have no objection to the Moola Bulla station if its activities were confined to the purpose for which it was originally established. But, utilising the services of the aborigines, it comes into unfair competition with privately owned stations. This should not be permitted.

Mr. O'LOGHLEN: The hon. member cannot be expected to appreciate the benefits of collective ownership. He fears the competition of the Government and declares that it is unfair to private ownership. After all, it is the people as a whole who derive a benefit from that competition, for if the Moola Bulla station can show a profit of £10,000, we all participate in the advantage. I agree with the Minister for Mines that the country districts would gain nothing at all by the rating of Government property as compared with the benefit they now receive from the impetus given by Government expenditure in local districts. If the Government would but spend thousands of pounds in fostering an industry in my electorate, I should regard it as of much greater advantage to that electorate than any benefit to be derived by the electorate from the payment by the Government of small local rates. Merredin ought to be grateful for the purchasing power of the men living in the railway cottages.

Hon. W. C. ANGWIN: If the ideas of the member for Kimberley were to be given effect to, there would not be a charitable institution in the State. However, I have some sympathy with the views expressed by the member for Avon. If there is in Merredin property from which the Government are drawing rent, the Government should pay reasonable rates.

The Minister for Mines: Then the Government must take the money from people who are not getting any advantage from the property.

Hon. W. C. ANGWIN: It depends whether the Government receive any rent from the people occupying the cottages. If they receive 14s. or 15s. a week for the cottages at Merredin, they are getting a jolly good thing.

The Minister for Mines: Those cottages cost £600 or £700, anyhow.

Hon. W. C. ANGWIN: I should like to know who erected them. If wooden cottages cost £700, it was too much.

The Minister for Mines: Well, they did.

[Mr. Munsie took the Chair.]

Hon. W. C. ANGWIN: The trouble is that some of the road boards have been greedy. The Warren road board wanted to put an extortionate value on some such property, and the same applies to the Perth City Council. The latter were offered a fair rate on the rental value the Government were receiving, but the council rated the Government on the extortionate amount which had to be paid to acquire the property, thousands of pounds in excess

of its value. Consequently, the Perth City Council got nothing at all at that time. In a township like Merredin where there is such a large number of Government cottages, the local authorities should provide conveniences for the occupants.

The Minister for Mines: The people have to rely on the conveniences we first provide to get to places like Merredin.

Hon. W. C. ANGWIN: The Railway Department considered Merredin was the best locality for such cottages, and the men sent to occupy them were charged a fair rent in proportion to their wages.

Mr. O'Loghlen: What conveniences do the local authority give those men?

Hon. W. C. ANGWIN: Streets had to be made.

The Minister for Mines: I did not see any when I was there.

Mr. O'Loghlen: There is no street in front of the cottages.

Mr. Harrison: They are making miles of roads.

Hon. W. C. ANGWIN: I know of Government property, the occupiers of which have to pay the rates.

The Minister for Mines: But they are not employees of the department.

Hon. W. C. ANGWIN: When the department are getting a fair return, it is only right that they should pay fair rates to the local authorities. I shall always oppose rating an institution which has to compete with outside people in order to provide charity for its inmates. If the Moola Bulla station were rated, other Government places would have to be dealt with similarly.

Mr. MONEY: The clause touches an important principle. To argue it right, one must ascertain why Crown lands were originally exempted from rating. They were exempted in the days before the Crown established trading concerns or competed with ratepayers in business undertakings. The position has changed. In the days of old, the Government concerned themselves with the administration of public affairs, and did not trade in competition with ratepayers.

Mr. O'Loghlen: Who gets the benefit?

Mr. MONEY: The argument that Crown property should be exempted, because the people would have to pay the rates, is not sound. It might as well be argued that, if a man in the Government services loses his life, his dependants are not entitled to compensation because the people would have to pay it. The people have to pay it, and it is right that they should. If a private individual is injured by something for the public good, he also is entitled to compensation, and there certainly appears to be equity, reason, and right in the contention that, if the Crown occupy farms originally held by private owners who paid rates, the Government should pay similar rates. I favour the rating of Government competing concerns just as if they were owned by private individuals.

Mr. O'Loughlen: Would you apply that to the railways?

Mr. GRIFFITHS: The Government cottages at Merredin form a very important part of the town. There are 21 cottages and the rents are 14s. or 15s. a week.

The Minister for Mines: They are worth 25s. a week.

Mr. O'Loughlen: No, they are not.

Mr. GRIFFITHS: The rental charged includes allowance for interest and sinking fund. The Commissioner of Railways is not permitted to make a profit out of them. These people have applied to be placed on the roll, in order that they may take an intelligent interest in local affairs, but so far without success. Their position was recently brought before the Premier, and a promise was given to them that the matter would be gone into.

Mr. HARRISON: I contend that in many of these instances the lands are used for private purposes. I hope my amendment will be agreed to.

Amendment put and negatived.

Clause put and passed.

Clause 212—agreed to.

Clause 213—Unimproved value:

The MINISTER FOR WORKS: I move an amendment—

That in line 6 after the word "may" the following proviso be added: "Provided also that town lots already under Crown lease shall be assessed on the unimproved capital value of such land as if held in fee simple, and all rates heretofore levied under the Roads Act, 1911, under assessment so made, are hereby ratified.

Amendment put and passed.

Clause consequentially amended by the insertion in line 7 after the word "provided" of the word "also."

Clause as amended put and passed.

Clause 214—Certain rules to be observed in ascertaining the annual value of land:

Mr. ROCKE: Do the year's rates and taxes mean the Federal as well as the State rates and taxes? If so, that should be stated.

The MINISTER FOR WORKS: This is a matter best left to the common sense of those who have to administer the Act. It is opening up a principle that will have a far reaching effect.

Clause put and passed.

Clauses 215 to 221—agreed to.

Clause 222—Valuers:

Hon. W. C. ANGWIN: I move an amendment—

That in line 1 the words "may make any valuation itself, or" be struck out. Members of boards who have to go up for election should not be the valuers.

The COLONIAL SECRETARY: Who then is to make the valuation if not the members

of the board. Moreover, the clause states that the board "may" make any valuation itself. It would be putting the boards to considerable expense to compel them to pay valuers to value land in the road board areas.

Hon. W. C. ANGWIN: Every board employs a secretary who is also an engineer.

The Colonial Secretary: No.

Hon. W. C. ANGWIN: They have an officer, and generally the secretary is also an engineer.

Mr. PICKERING: There is an element of danger in the amendment in the case of small boards. All secretaries are not qualified to make valuations. If boards are to be put to the expense which the amendment will involve it will be a considerable tax on them.

Mr. MONEY: The system has worked well in the past and probably the members of the board will always arrive at a better valuation as they know the properties better than any secretary whose duties generally confine him to his office. Moreover, if the members of the board do not do their work properly the ratepayers can refuse to re-elect them. There has not been any evidence of abuse in the past and therefore we should let the clause stand as it is.

Hon. W. C. ANGWIN: Fancy ratepayers turning down a member of the board who is keeping valuations down! There have been abuses and the Minister has been almost obliged to keep back subsidies.

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

Ayes	..	..	..	10
Noes	..	..	..	11

Majority against .. 1

AYES.

Mr. Angwin	Mr. Lutey
Mr. George	Mr. Nairn
Mr. Green	Mr. Rocks
Mr. Holman	Mr. Willmott
Mr. Lambert	Mr. O'Loughlen

(Teller.)

NOES.

Mr. Broun	Mr. Money
Mr. Duff	Mr. Mullany
Mr. Durack	Mr. Pickering
Mr. Griffiths	Mr. Scaddan
Mr. Harrison	Mr. Hardwick
Mr. Hickmott	

(Teller.)

Amendment thus negatived.

Clause put and passed.

Clauses 223 to 231—agreed to.

Clause 232—Board authorised to strike rates:

Hon. W. C. ANGWIN: The member for Greenough pointed out that the revenue of road boards had fallen off considerably owing to the decrease of Government subsidies. This means that the boards are unable to provide proper roads. They must be given greater powers of obtaining revenue. They

must become more self-reliant. The greatest difficulty in the case of many road boards is to make them strike a rate at all, as is proved by the fact that this clause makes the striking of rates a matter of compulsion. The development of some districts has advanced so far that a maximum rate of 2s. no longer suffices. It should be raised to 2s. 6d. I therefore move an amendment—

That in Subclause (2), paragraph (b), after the words "two shillings" there be inserted "and sixpence."

Mr. Pickering: The general rates now struck do not include sanitary and certain other rates.

Hon. W. C. ANGWIN: I have not been 20 odd years in municipal life without learning what a general rate includes. To-day the road boards are borrowing money for work which should be constructed out of revenue.

Mr. Money: Would you increase the rate and lessen the borrowing power?

Hon. W. C. ANGWIN: No. It is only since the Government subsidy has been reduced that the boards have had power to borrow at all. It frequently happens that a board strikes the maximum rate and then, finding it has not sufficient revenue, borrows money and strikes a loan rate in addition to the general rate.

The Minister for Works: Two shillings is a fairly large rating.

Hon. W. C. ANGWIN: But not sufficiently large as a maximum. In small areas in particular it is desirable that the local authority should have power to raise 2s. 6d.

The MINISTER FOR WORKS: I hope the Committee will not accept the amendment. Two shillings is as high as we ought to go. I think it would be foolish to make the road boards rating higher than that provided in the Municipalities Act.

Amendment put and negatived.

Clause put and passed.

Clauses 233 to 252—agreed to.

Clause 253—Discount on rates for prompt payment:

Mr. PICKERING: This introduces a new principle into the financial administration of road boards. I should like to know from the Minister if it is the general wish of road boards that such provision should be made.

The Minister for Works: Yes.

Clause put and passed.

Clauses 254 to 340—agreed to.

Clause 341—Charges need not be registered:

Mr. PICKERING: This is a new clause of which I should like an explanation.

The MINISTER FOR WORKS: The clause simply means that all the charges for which the Bill provides shall be valid and effective against any property without special registration or caveat.

Clause put and passed.

Clauses 342 to 356—agreed to.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 12.21 a.m. (Friday).

Legislative Council,

Tuesday, 21st October, 1919.

	PAGE
Select Committee: Fruit Cases Bill, extension of time	932
Questions: Wheat Scheme expenditure	932
Bran and pollard	932
Motion: Electoral, Metropolitan Province, seat declared vacant	933
Bills: Divorce Act Amendment, 3R.	933
Pearling Act Amendment, Assembly's Message	933
State Children Act Amendment, Assembly's further message	933
Traffic, 2R.	934
Justices Act Amendment, Assembly's Message	940
Vermia Act Amendment, 1R.	940
Wheat Marketing, 2R.	940
Slaughter of Calves Restriction, 2R.	941

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

SELECT COMMITTEE—FRUIT CASES BILL.

Extension of Time.

On motion by Hon. A. Sanderson the time for bringing up the select committee's report was extended by one week.

QUESTION—WHEAT SCHEME, EXPENDITURE.

Hon. J. MILLS (for Hon. J. A. Greig) asked the Honorary Minister:—1, What was the total amount paid to the members of the Wheat Scheme (other than the manager) for last financial year. 2, What was the total rent paid for the offices of the Wheat Scheme for the year? 3, What was the total of wages and salaries paid to office employees and country inspectors for the year? 4, What was the cost of printing, stationery, and all other expenditure in connection with the office of the Wheat Scheme for the year? 5, What has it cost the Scheme, per bushel, to receive at depot, stack, rebag where necessary, rail to port and ship (excluding cost of railage and demurrage)? 6, What amount has been paid for demurrage?

The HONORARY MINISTER replied: 1, £14 14s. 2d., this being for travelling expenses. 2, £515. 3, £10,554 16s. 7d. 4, £1,275 16s. 4d. 5, The average cost to 30th June, 1919, including all services and working expenses, is 1.18d. per bushel. 6, The demurrage paid for the financial year was £1,029 18s. 3d.