

abandoned farms for the purpose of supervising such girls. In other parts of the world there are religious institutions which look after subnormal girls and subnormal boys. The children are found to work well under supervision, and in many cases become self-supporting and useful citizens. Unfortunately, many of their cases are incurable. In that event they remain in the homes, where their minds and their bodies are occupied and they are not a danger to the community. I trust that the Government will keep its eye on the situation, and that should the number of subnormal boys and girls increase steps will be taken, as suggested to the Minister, to establish colonies where they can properly be supervised and, if practicable, be made good and useful citizens. I thank the House for the courtesy extended to me while speaking. I hope the next time the Deputy Leader of the Opposition essays to castigate or catechise the Government of the day, he will be more fortified with facts. The present Government's record for the past 2½ years can easily stand in the light of day. With all confidence Ministers can say, "Something accomplished, something done, has earned for us a renewal of the people's confidence at the next general election."

On motion by Mr. Lambert, debate adjourned.

House adjourned at 9.36 p.m.

Legislative Council,

Wednesday, 11th August, 1935.

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

PAPERS—TEMPORARY MINING RESERVE 593H.

HON. J. CORNELL (South) [4.35]: I move—

That all papers relating to Temporary Mining Reserve 593H, Mount Monger, originally

held by Claude Albo De Bernales, but now held by the Pericles Gold Mines, Ltd., be laid on the table of the House.

Briefly, my object in moving for the papers arises from requests that have been made to me by several prominent residents of Boulder and of the Mount Monger district. They have given me to understand that this reservation has been in existence for over three years. They say that although first held in the name of Mr. Bernales, it is now held in the name of the Pericles Gold Mines, Ltd. As a result of personal visits to the locality, they also inform me that practically no work has been done on the reserve during the period it has been held. It is located about 30 miles from Kalgoorlie. Anyone who knows the Mount Monger goldfield area is aware that to date that particular locality has not revealed the existence of reefs of sufficient width to justify any large company operating there. If that were not so, the area would have been opened up years ago. It is distinctly understood that, from a small syndicate or prospecting point of view, it is one of the richest little spots in Western Australia, bearing in mind the leaders and other small contacts that are known to exist. If nothing has been done on a reservation, particularly in a locality such as that under discussion, where a considerable number of men could be kept employed for some time, a close scrutiny of the position is required. That is my sole object in moving the motion. If agreed to, the people vitally interested in the matter will be able to ascertain from the papers the existing position with regard to the reservation.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [4.38]: I have no objection to the papers being tabled.

Question put and passed.

BILL—BUNBURY RACECOURSE RAILWAY DISCONTINUANCE.

Read a third time and transmitted to the Assembly.

BILL—CONSTITUTION ACTS AMENDMENT ACT, 1899, AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. C. F. BAXTER (East) [4.40]: The Bill seeks to amend sections of the Con-

stitution Act that have been in existence for many years. The sections mainly involved are Sections 34 and 35.

Hon. J. Nicholson: And also Section 32.

Hon. C. F. BAXTER: Yes, but more particularly Sections 34 and 35. In November, 1933, a Bill to amend the Constitution Act was placed before Parliament, and these particular sections were brought under the notice of members. During the course of that debate, I dealt fairly extensively with the position, and subsequently had a discussion with the Premier (Hon. P. Collier). He informed me that, in view of the trend of the debate, he had given consideration to the points raised, and that, on going fully into the matter, he had been absolutely astonished to realise the position that had been created by the Constitution Act as it then stood. He remarked that the measure had been framed to meet an entirely different set of circumstances, and added that he viewed the position so seriously that at the first opportunity he would have an amending Bill placed before Parliament to put the Constitution on a more satisfactory basis. Members should appreciate the action that has been taken by the Premier, who gave a promise privately and has kept it. When the Constitution Act was framed, the position of the State and its ramifications were quite different from those that obtain to-day.

Hon. G. W. Miles: It is a pity the position is not the same to-day as it was then.

Hon. C. F. BAXTER: There is something to be said for that contention, with which I am in agreement to a large extent. It has been urged more than once that the Constitution Act is sacrosanct, but I do not subscribe to that view. It is no more sacrosanct than any other Act of Parliament. As we progress, Acts of Parliament have to be amended. For that purpose Parliaments exist, not only in Western Australia but in all other countries. It is their duty to amend legislation to meet altered conditions and to pass additional legislation with the same object in view. While the Constitution Act is no more sacrosanct than any other Act of Parliament, the amending of the Constitution has been rightly safeguarded by the provision that statutory majorities are required before alterations can be approved. We have had some rather unfortunate experiences in Western Australia owing to the effect of some sections of the Constitution. To lend point to what I mean I will mention

one. It affected the position of a man who is held in the highest esteem in the commercial world and in Parliament while he retained his seat here. I refer to Mr. Harry Boan. He found himself in an unfortunate position of which he himself was quite unaware. Neither he nor anyone else appreciated the position until attention was drawn to it. In his business emporium an agency of the State Savings Bank was conducted. In consequence Mr. Boan was liable not only to lose his seat in Parliament but to forfeit all the allowances he had accepted in consequence of his Parliamentary position, and to pay a heavy fine in addition. The revelation caused quite a stir at the time, and I can remember the then Treasurer, the late Mr. James Gardiner, telephoning to me early one day to say that he wished to discuss an important matter with me. When I saw Mr. Gardiner, he mentioned Mr. Boan's position and, as a result, he explained to Mr. Boan what had happened. It was a most unfortunate position in which he was placed. Such a position had no right to exist. What was there of gain in it to Mr. Boan? Since then, we have extended the principle of State trading in many directions. The activities associated with the Agricultural Bank, for instance, are such that a member would infringe the provisions of the Constitution if he had certain transactions with that institution. All the different branches of Government service have changed so greatly that to-day the position of a member of Parliament is dangerous. If a person becomes aggrieved with a member of Parliament and takes proceedings, what is the position? Though the member has acted quite openly and honestly, it may become necessary to pass legislation to protect him or else let him suffer consequences due to no fault of his own, simply because portions of the Constitution have become obsolete through the changes brought about by time. There are many Government activities to-day, and it is most difficult for any member to avoid transgressing the law in one way or another. He might be interested in a gold mine held by a company of less than the magnitude required, namely a membership of 20. The company have the ore taken to a State battery, and that in itself is an infringement of the Constitution. Surely that should not be so. One might cite cases of the kind at considerable length. A State that found itself in a similar position with

its Constitution was Tasmania. That was in 1932, and an amendment was passed entitled the Members of Parliament Disqualification Removal Act of 1932. It went a little further than our Bill insofar that it was made retrospective. As Western Australia now finds itself in a similar position, it is only right that like action should be taken here. The protective provisions will still be retained in the Constitution but it is very necessary that the amendment should be made. Under the existing Act there are only three exemptions for legislators. The first exemption is for a person who contributes to any loan for public purposes; the second exemption covers any contract, agreement or commission entered into by any incorporated company where such company consists of more than 20 members, and the third exemption applies to any contract or agreement in respect of any lease, license or agreement in respect to the sale or occupation of Crown lands. Briefly, one may contribute to a loan, indulge in business with the Government if the membership of the company exceeds 20, or have transactions with the Government under the Land Act. That is a very close preserve. When the Constitution was framed, doubtless it met all requirements, but with the extension of the State's activities, a position has been reached where members are placed in an unfortunate position. A great number of members have probably erred quite unwittingly. That should not be so. The only fault I can find with the Bill is that its effect is not made retrospective. I intend to have an amendment drafted to make it retrospective.

Hon. J. Nicholson: Do not you think it should also be amended?

Hon. C. F. BAXTER: Very likely it should be.

Hon. J. Cornell: I thought the hon. member objected to retrospective legislation. Do you know of any extreme case of hardship?

Hon. C. F. BAXTER: I have mentioned one but there may be members who have had dealings with the Agricultural Bank, for instance, to secure supplies of wire netting, or with other Government activities. If a member is farming land, why should not he enjoy the same privileges as are extended to other members of the public? Adequate protection will still be provided. It is only

reasonable that this disability should be removed. An amendment to the Constitution can be made without opening the door at all. It is not my wish to open the door so that any undesirable practice might creep in. Even if the door were opened, I do not think we have the class of men in Parliament who would take advantage of it. Still we do not want to make any opportunity of the kind possible. Neither do we want to amend the Constitution every session. After a long period of years, experience has shown that an alteration is necessary. As the Chief Secretary pointed out, Mr. Septimus Burt, long before the ramifications of Government extended to their present limits, recognised the need for amendment. Unfortunately he could not proceed with it at the time.

Hon. J. Nicholson: That was soon after the passing of the 1899 Act.

Hon. C. F. BAXTER: Yes, there was justification for an amendment even so long ago as that. I hope that members will appreciate the reasonableness of the amendment being made to Section 35. Maybe Sections 32 and 34 should also be amended.

Hon. J. Nicholson: It would reflect back on Sections 32 and 33.

Hon. C. F. BAXTER: Yes.

Hon. J. Cornell: Section 35 governs all the sections that precede it.

Hon. C. F. BAXTER: To a large extent it does; the three sections are interwoven. I dealt with this particular amendment when I was a member of the Government in 1919. On that occasion we failed to pass the measure. The Bill contained many more provisions; I think it dealt with four different matters, and those other matters, not this particular amendment, aroused opposition to the Bill. Some of the members who opposed the measure spoke to me about it. Mr. Colebatch was Leader of the House at the time. I was asked whether the Government would be willing to cut out the other proposed amendments and leave just this one amendment. The Government could not agree to that, and the Bill was lost through lack of a constitutional majority. I think the voting was 13 each way. I hope that on deliberation members will see the wisdom of amending the Constitution in the direction desired. The Constitution does not meet existing conditions and has not done so for a long time. I trust that the

Bill will be passed by a very large majority, one even in excess of the statutory majority required.

HON. J. CORNELL (South) [4.55]: I understand that the Chief Secretary is anxious that the debate should be continued, and I am prepared to speak to the Bill now. In many ways I can be deemed to be a progressive, in fact, in most things, but when it comes to dealing with a charter or an instrument under which we have worked for so many years, I counsel caution. Since 1900 Parliament has worked under this Constitution. Whether a constitution is framed for a small organisation, a large organisation, or for a State I have always adopted the attitude that the less it is tinkered with the better. Time and the process of reasoning will cause things to operate as they should. I want to know of any cases of hardship that the Constitution has inflicted on any individual member of Parliament. What concrete cases have occurred? Personally I know of only one conflict, and that was not a cause of hardship. It was the only instance to my knowledge where a member ran foul of the Constitution and suffered under the provisions of the Act. I refer to Mr. Clydesdale and his office in the Lotteries Commission.

Hon. C. F. Baxter: What about Mr. Harry Boan?

Hon. J. CORNELL: I was at the war when that occurred, but I was given to understand that the cause of his resignation was mere assumption on his part.

Hon. C. F. Baxter: Oh no!

Hon. J. CORNELL: It was never tested and cannot be quoted as a case of hardship. The best way to rectify cases of hardship is not to give an open book to members of Parliament, but to indemnify them when it is demonstrated that hardship has been inflicted. That is what we do to-day: it was done twice in the case of Mr. Clydesdale. The case of Mr. Gray did not come within the Constitution. When it was demonstrated to both Houses that a member of one branch of the Legislature had unwittingly been a victim of the Constitution, this House rose to the occasion and indemnified him. That indemnification stood the test of the High Court. There is a larger sphere than that of Parliament; I refer to the sphere outside constituted by the electors who return mem-

bers to Parliament. I am quite convinced that the electors in the gross are satisfied with the Constitution as it stands. If we enlarge it as is proposed in the Bill, we shall set up a new domain which members of Parliament might exploit, and then we shall have to create an atmosphere or condition of thought, even amongst members, as to whether or not they can rightly enter into this or that activity. Mr. Baxter quoted the State Steamers and the Agricultural Bank. I have travelled on State steamers and quite a number of members of both Houses have done exactly the same thing. Can any case of hardship arise from that fact? Has there been any infringement of the Agricultural Bank Act by members having business relations with that body? No cases of hardship have occurred; but if we are going to enlarge the field, such things will occur, and there will be created a state of thought outside Parliament which is contrary to the state of thought existing to-day. Everybody is satisfied with the conditions as they exist at the present time. Why do we want to change those conditions? Has any member up to the present time been hampered in any way? Does any member think that if he indulges in any of the things that have been referred to he will lose his seat? The Act as it stands to-day is a deterrent. Everyone knows that there are many matters with which members of Parliament should not be associated. Members cannot serve two masters. The position to-day is that they keep out of a lot of things because of what might happen if they did become associated with them. If we pass the Bill, we will remove the uncertainty and members probably will embark on those ventures. I can see very little difference between the Commonwealth Constitution and our own. The Commonwealth Constitution says—

Any person who holds any office of profit under the Crown or any pension payable during the pleasure of the Crown out of any of the revenues of the Commonwealth; or has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an incorporated company consisting of more than twenty-five persons, shall be incapable of being chosen or of sitting as a Senator or as a member of the House of Representatives.

Thus a member forfeits his seat if he does any of those things. Practically the only difference between the Commonwealth Con-

stitution and our own is that the Commonwealth Act does not compel Ministers on being appointed to seek re-election. The Bill before us does not propose to make any alteration there. So that the only difference between the Commonwealth law and our own is that in this State a Minister must seek re-election after appointment and under the Commonwealth law there is no need for him to do so. So far as I am aware, there have been no real cases of hardship arising from the Constitution Act, and no member, past or present, has been affected.

HON. J. J. HOLMES (North) [5.5]: I rise for two reasons. I understand the Chief Secretary is anxious to make progress with this Bill because of the absence of the Honorary Minister, who is in charge of the next Bill on the Notice Paper. I rise also to raise one or two points so that the two legal members of the House may look them up and give us the benefit of their advice on the subject. If Mr. Baxter's definition of the position is correct, that if we book a berth on a State steamer—

Hon. C. F. Baxter: I did not say that.

HON. J. J. HOLMES: —or trade with a State concern, we bring ourselves within the four corners of the Constitution Act. For instance, if I purchase timber from the State timber yards, I may become liable under the Constitution Act. I should like to know whether that is so. I am inclined to think that if I book a berth on a State steamer at a rate lower than that charged a member of the public, or if I purchase timber from the State Sawmills at a price lower than that charged the general public, I am making a special contract and getting something I am not entitled to receive, and in that way, probably, I would come within the four corners of the Constitution.

HON. C. F. Baxter: As the Constitution Act stands, it does not matter what you pay.

HON. J. J. HOLMES: I am raising these points so that we may have the views of either or both of the legal members of this House when they speak at a later stage.

HON. J. Nicholson: Members of Parliament do not get any rebate on the sale price of timber, or anything else.

HON. J. J. HOLMES: But if they did, they would be making a special contract. I am inclined to think that buying

in the ordinary way would not constitute a contract. The present Act was passed 39 years ago, and according to the Chief Secretary, who introduced the Bill, the legal brains and intelligence of that period were brought to bear upon the measure. Even they could not arrive at a decision in the matter, and the Bill went out on the casting vote of the Chairman. The Chief Secretary mentioned the names of Mr. Septimus Burt and Mr. George Leake.

The Chief Secretary: The Bill was introduced for a special purpose.

HON. J. J. HOLMES: The matter was so difficult that they did not propose to tamper with it. At that period there was in existence a Government which really carried out the functions of Government which, as I understand them, are the maintaining of law and order, looking after the health of the people, and other matters, leaving private enterprise to develop the country. We have now reached a different age; we have a party in power who have neglected to carry out the ordinary functions of Government and who have mixed themselves up with all sorts of trading concerns. So a position has been created that did not exist 39 years ago.

HON. T. Moore: The State railways were established in those days.

HON. J. J. HOLMES: Would the hon. member contend that a member of Parliament should not travel by rail?

HON. T. Moore: You were talking about State trading.

HON. J. J. HOLMES: I want to know whether he contends that if I as a member of Parliament send goods by rail, I bring myself within the four corners of the Constitution Act. Nothing of the kind, and the hon. member knows it.

HON. T. Moore: The party in power now did not start State trading.

HON. J. J. HOLMES: The difficulty can be overcome by abolishing the State trading concerns. A National Government was returned pledged to abolish the State trading concerns, but did not do so. A Labour Government was returned pledged to carry them on, and they are carried on. Now we are asked to amend the Constitution to meet cases of infringement of the Constitution that may arise. Whatever we do in this matter, we should proceed with care and caution, because if we open both the front and the back door, someone may

get in, or someone may get out. We are on dangerous ground and should be very careful. I have been in Parliament, I suppose, as long as any member in either House, and I will say of our members that they have never done anything wilfully or intentionally that would bring them within the four corners of the Constitution Act. Of course we do not know what might happen in the future; the standard of Parliament may be lower than that of the present and past Parliaments. But we are passing laws to deal with a later period and so we should be very careful. Clause 2 paragraph (b) of the Bill proposes to exempt any personal body charged in a corporate capacity with the administration of any Act. Is it intended that the Lotteries Commission, for instance, shall be overrun by members of Parliament? This seems to me to be contradictory to what Parliament intended because Parliament in its wisdom, I think, decided to keep the Lotteries Commission as far as possible away from Government or Parliamentary control. Will the provisions of the Bill allow members of Parliament to occupy seats on the Lotteries Commission? I have already had advice on the subject and I am told that it does. I mention this to show the dangerous ground we are on. If it is as I think, the Lotteries Commission will become another political organisation open to members of Parliament, when Parliament has stipulated that it should be otherwise. Reference has been made to the Agricultural Bank. I do not know that it is very wise for any member of Parliament to be a client of that bank. If a member of Parliament is elected while he is a client of the bank, in my opinion he should cease to be one of the bank's clients.

Hon. T. Moore: And leave its advantages for other men!

Hon. J. J. HOLMES: I draw from that remark the inference that members of Parliament go to the Agricultural Bank because they can there get better terms than they would get elsewhere.

Hon. T. Moore: Of course so.

Hon. J. J. HOLMES: Is that because they are members of Parliament? If so, I do not think it should be so.

Hon. J. Cornell: No, it is not.

Hon. J. J. HOLMES: I do not think it wise that members of Parliament should have any dealings with the Agricultural

Bank. This is a Bill which this House can discuss and even finalise, but if it goes to another place and another place approves of it, no matter how many mistakes are made we shall never have an opportunity to rectify them. That is another reason for caution.

Hon. R. G. Moore: But if another place amends it?

Hon. J. J. HOLMES: Then, of course, it will come back here, but if they do not amend it, we shall never see it again. This is a Bill we can proceed with and finalise, but in it we should specifically set out what members of Parliament can do. Then we shall know where we are. I reserve the right to vote for or against the Bill after I shall have heard other members on the subject.

HON. H. S. W. PARKER (Metropolitan-Suburban) [5.17]: I agree with Mr. Cornell that the Constitution Act should not be tinkered with, but at the same time I entirely agree with the constitutional aspect of State instrumentalities. I am opposed to the Bill, but I propose to vote for the second reading, in order that it may be amended in Committee. The trouble seems to have arisen owing largely to the fact that since the Constitution Act was passed a number of State trading concerns have been established, and no doubt if I were to enter into a contract with, say, the State sawmills, I would be committing a breach of the Constitution Act. Indeed, I commit a technical breach of the Constitution Act if I send a parcel by the railways, but the penalty is so small that it is left alone. Leaving out non-essentials, Section 32 of the Constitution Act reads as follows:—

Any person who shall for his benefit enjoy any contract entered into with or on account of the Government

Obviously, if I send a parcel by the Government Railways, I enter into a contract, and they contract to deliver the parcel. The section proceeds—

He shall be disqualified from being a member of the Council or of the Assembly during the time he enjoys such contract.

Technically, I commit a breach of the Act, but the penalty is exceedingly small.

Hon. C. F. Baxter: If you ceased to be a member, you would have to be re-elected.

Hon. H. S. W. PARKER: No, it says he shall cease to be a member during such

time as he enjoys the contract. Section 34 of the Act reads—

If any person, being a member of the Council or the Assembly, shall enter into any such contract, or if he is a person being a member of the Council or the Assembly and having already entered into such contract shall, after the commencement of the next session of the Legislature, continue to enjoy the same, the seat of every such member shall be void.

See what far-reaching technical effect that might have! Unfortunately, the Bill could be equally well drawn if it simply said "delete Section 32 of the Constitution Act." The Bill is so broad that it has the effect of deleting Section 32. The Bill says—

Any contract made or entered into in the ordinary course of business with the Commissioner of Railways.

The Commissioner of Railways requires an auditor, and he appoints a member of Parliament as auditor in the ordinary course of business. Or the Commissioner may require a solicitor and may send for a member of Parliament. If any of those bodies corporate should employ a member of Parliament, under the Bill they could do so. I do not think that is really the intention, nor do I think it should be. It was suggested by Mr. Holmes that the Bill would permit of a member of Parliament being placed on the Lotteries Commission. I certainly think it would. The Bill goes on to say—

Any contract or agreement made or entered into in the ordinary course of business with any person or body charged in a corporate capacity with the administration of any Act

It is quite possible that under that the Minister in charge of the Lotteries Act could place a member of Parliament on the Commission. At all events, without any question the Commission could appoint a member of Parliament manager, or to any other position. Because it is in the ordinary course of business for every person to get a job. So if a person calling himself a manager wants a job, it is in the ordinary course of his business to get a job, and it is in the ordinary course of the business of the Lotteries Commission to have a manager. Mr. Holmes suggested that if he bought a ticket for a passage on one of the State steamers there was nothing wrong in that so long as he paid the ordinary price.

Hon. J. J. Holmes: I said that was a layman's opinion.

Hon. H. S. W. PARKER: That is so. No one suggests there is anything wrong. We are looking at pure technicalities. It could be enlarged to show how abuses of

that sort can arise. Because you are a member of Parliament, you may pay the same fare, but may get infinitely better treatment and a better berth.

Hon. J. Cornell: But we do not pay at all on the State steamers.

Hon. H. S. W. PARKER: Well, take the State sawmills. You may pay the same rate as other people, but may get an infinitely better deal in the quality of the timber supplied. One can visualise how abuses could arise in regard to the State trading concerns in dealing with members of Parliament. Of course it is extremely improbable, and I do not think any member has any idea of doing any of these things that, nevertheless, are likely to happen. The object of the Constitution Act has been to avoid all possibility of abuse. We know that in years past, long before we had responsible Government, many grave abuses arose with members of Parliament, more particularly in the House of Commons. And this section of our Constitution Act is probably to be found in all Constitutions in various parts of the Empire, to prevent members of Parliament being induced to exercise their votes in a certain way in expectation of a contract with the Government. It has created certain absurdities, and we have to make an alteration in view of the fact that there are so many State instrumentalities in Western Australia. One rather striking anomaly under the Constitution is that a barrister appointed King's Counsel is not permitted to appear against the Crown in either a civil or a criminal case without the direct permission of the Government. I do not know whether it still obtains, but in the past a fee had to be paid to get that permission to appear against the Crown. However, if a barrister is a member of Parliament, he is not permitted to act for the Government although he is one of His Majesty's Counsel. It is a peculiar anomaly, but perhaps the anomaly is better than the alternative risk, which might become very real in years to come, of people exercising their votes with a view to contracts. I will support the second reading, but in Committee probably I shall propose amendments to the effect that "So long as the contract is entered into in the ordinary course of business for services to be rendered by the Commissioner of Railways, etc., or any State trading concern." If you buy your timber from the

State sawmills, they are rendering you a service, but I do not think it should be left so open as it is in the Bill. If I enter into a contract with the State sawmills by way of appearing for them in my professional capacity, for which I would receive a reward, I think it would be wrong, since I am a member of Parliament; but I can see nothing wrong in a member of Parliament being permitted to make purchases or enter into a contract with the State sawmills for the supply of timber to him as a contractor.

Hon. G. W. Miles: What about a member's salary: would he be deprived of it?

Hon. H. S. W. PARKER: Probably if you had a long outstanding contract, you would be deprived, and I think rightly so. If you had a contract to supply railway sleepers over a number of years, you should be deprived.

Hon. C. F. Baxter: If a member ceases to be a member while he has a contract in existence, what machinery is there to reinstate him?

Hon. H. S. W. PARKER: I am only reading the sections of the Constitution Act.

Hon. C. F. Baxter: Once a member ceases to be a member he can only be reinstated by the electors.

Hon. H. S. W. PARKER: I am not prepared either to agree or disagree with that statement. I am only reading what the section says.

Hon. C. F. Baxter: But he does cease to be a member.

Hon. J. J. Holmes: Only while the contract is in existence, say whilst the nails are being passed over the counter to the customers.

The PRESIDENT: Order! I must ask the hon. member to proceed with his remarks.

Hon. H. S. W. PARKER: I do not propose to enter into the various technical details concerning what may or may not be the position. I am merely pointing to certain purely technical peculiarities that I feel should receive attention. What I would like to see is Section 32 and other relative sections completely redrafted so that they may be brought up to date. I feel sure that all members will agree that the expressed intention of the Chief Secretary is what we all desire to have brought about.

Hon. C. F. Baxter: That cannot be carried out under this Bill.

Hon. H. S. W. PARKER: Meanwhile I support the second reading.

On motion by Hon. J. Nicholson, debate adjourned.

ADJOURNMENT—SPECIAL.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.33]: I move—

That the House at its rising adjourn until Tuesday next.

Question put and passed.

House adjourned at 5.34 p.m.

Legislative Assembly,

Wednesday, 14th August, 1935.

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

QUESTION—STIRLING HIGHWAY.

Cost of Reconstruction.

Hon. P. D. FERGUSON asked the Minister for Works: 1, What was the total cost to 30th June, 1935, of the work of reconstructing Stirling Highway? 2, What is the estimated expenditure for the year ending 30th June, 1936? 3, What is the estimated total cost of the work when completed?

The MINISTER FOR WATER SUPPLIES (for the Minister for Works) replied: 1, £39,600. 2, £48,500. 3, £95,013.

ADDRESS-IN-REPLY.

Sixth Day.

Debate resumed from the previous day.

MR. J. H. SMITH (Nelson) [4.33]: I do not propose to speak at any great length nor unduly to criticise the Governor's