

the same success will continue to attend the efforts of the board until eventually it is dissolved.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

BILL—DRIED FRUITS ACT AMENDMENT.

Second Reading.

Order of the Day read for the resumption of the debate from the previous day.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of principal Act.
Progress reported.

House adjourned at 9.13 p.m.

Legislative Assembly,

Wednesday, 26th September, 1928.

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

QUESTION—PEAK HILL DISTRICT.

Geological Survey.

Mr. MARSHALL asked the Minister for Mines: Can he give the House any information as to when the geological survey of the Peak Hill district, promised to the people of Peak Hill some six years ago, will be commenced?

The MINISTER FOR MINES replied: The geological survey of Peak Hill has been noted for early attention. It is not possible at this juncture to say when it will be commenced, for the reason that the whole of the field staff, which is a very small one, is at present fully occupied on other important work. The staff consists of two field officers in addition to the Government Geologist. The latter is at present on his way to Kimberley in connection with oil boring and the remaining two are at Kalgoorlie assisting Dr. Stillwell. The Peak Hill work will, however, be put in hand as soon as possible.

QUESTION—WATERSIDE WORKERS' STRIKE.

Mr. THOMSON asked the Premier: 1, Is he aware that twelve steamers are lying idle anchored outside Fremantle harbour? 2, What steps do the Government propose to take to enable those steamers to discharge their cargo? 3, Is he aware, according to Press reports, that a band of men who refuse to abide by the industrial laws of Australia (in other words "pickets") are parading the Fremantle wharves with a view to preventing from working men who are desirous of obeying those laws? 4, What steps do the Government propose to take to ensure protection to law-abiding citizens?

The PREMIER replied: 1, Yes. 2, The discharge of ships' cargo is not a function of the Government. 3, No. 4, I am not aware that law-abiding citizens are being molested.

QUESTION—FREMANTLE HARBOUR, UP-RIVER EXTENSION.

Mr. A. WANSBROUGH asked the Minister for Works: 1, What is the approximate distance between Blackwall Reach and the present Fremantle harbour? 2, What is the average depth of water over the whole distance? 3, What is the average width? 4, What would be the approximate cost of

dredging this area, to allow a 30-foot draught, in the event of an up-river extension to Blackwall Reach.

The MINISTER FOR WORKS replied: 1, From the top of the present harbour to Point Roe (start of Blackwall Reach), about $2\frac{1}{2}$ miles. 2, Between the railway bridge and Rocky Bay the depth of water in the deepest channel varies from 12ft. 6in. up; the average depth over the whole width of the river between the above points is, however, less than this. 3, Width of river between the bridges averages about 500 feet; between the traffic bridge and Point Brown the average is about 750 feet; above Point Brown the river is wider. 4, No estimate has been got out. Proposals for up-river extension, however, involve filling up the existing channel in Rocky Bay, and cutting a new channel for the river through Preston Point. The total dredging would be very large and would certainly cost two to three million pounds and possibly more.

QUESTION—MIDLAND COMPANY'S ASSETS.

Mr. FERGUSON asked the Premier: In view of the remarks of Mr. J. J. Poynton, General Manager of the Midland Railway Company, on his return from abroad, as reported in the "West Australian" of the 22nd inst., will the Government, in the interests of the residents of the districts between Perth and Geraldton, and the State generally, re-open negotiations with the Midland Railway Company with a view to the purchase by the State of the company's line and land concessions, after exhaustive examination and valuation by expert officials of the Government?

The PREMIER replied: The Government are willing to discuss the matter if they should be asked by the company to do so.

LEAVE OF ABSENCE.

On motion by Mr. North, leave of absence for one week granted to the member for Roebourne (Mr. Teesdale) on the ground of ill-health.

BILLS (4)—FIRST READING.

1, Land Act Amendment.

Introduced by the Premier (for the Minister for Lands).

2, Municipal Corporations and Road Districts Acts Amendment.

3, Town Planning and Development.

Introduced by the Minister for Works.

4, Wheat Bags.

Introduced by the Minister for Agriculture.

BILL—RAILWAYS DISCONTINUANCE.

Read a third time, and transmitted to the Council.

BILL—FEEDING STUFFS.

Report of Committee adopted.

BILL—CITY OF PERTH SUPER-ANNUATION FUND.

In Committee.

Resumed from 19th September. Mr. Lutey in the Chair; Mr. Mann in charge of the Bill.

The CHAIRMAN: Progress was reported on Clause 2, which provides for an extension of the power of the City Council to make by-laws.

The MINISTER FOR WORKS: It appears to me that the measure is more for the ratepayers of the City of Perth to consider and to express an opinion upon. It will affect them more than the Government. The measure calls for no declaration on the part of the Government on the question of policy. If the City Council should do anything that the ratepayers are dissatisfied with, the latter have means by which they can call the municipal councillors to book. There does not appear to be any objection to the measure from the standpoint of the Government. It provides power to enable the City Council to frame regulations, should a specific scheme be formulated.

Mr. Mann: It is not likely to cost the ratepayers any more than in the past.

The MINISTER FOR WORKS: At any rate that is not a matter for us to determine; it is a question of purely local concern.

Hon. G. TAYLOR: I take it the Bill merely gives power to the City Council to provide for their employees if they so desire.

Mr. Panton: But it provides a good deal of power.

Hon. G. TAYLOR: At any rate, not less power than is set out will be necessary to enable the object of the measure to be achieved, namely, full authority to arrange for the superannuation of the City Council employees.

Mr. Panton: For some of their employees.

Hon. G. TAYLOR: The member for Perth, who is in charge of the Bill, did not make clear the extent to which the employees were to be helped, and whether it was to apply to the staff only or to all the employees.

Mr. MANN: The scheme will apply to all permanent employees.

Mr. KENNEALLY: I should like further information on Subclause 9, which provides for "the forfeiture by employees, their wives, widows or children, of interests in the fund or of pensions or allowances in certain cases." When people are entitled to superannuation a threat may be held over them in certain conditions. If the subclause means that employees who are not good boys are liable to forfeit their contributions to the fund. I am opposed to the proposal.

Mr. MANN: If an employee died, the widow would be entitled to half the pension, but if she re-married, she would forfeit her right. Children would cease to benefit when they became of age.

Mr. Kenneally: How does that apply to forfeiture by an employee?

Mr. MANN: I have not the information before me at present, but I think I shall be able to satisfy the hon. member on that point.

Mr. DAVY: This is purely an enabling piece of legislation. It merely proposes to give the council power to do certain things. The kind of scheme remains to be decided. As the Minister said, that is a matter for the ratepayers, the council and the employees to arrange. Some of the proposed powers could probably be used harshly.

Mr. Panton: Easily.

Mr. DAVY: I do not know how we can give the council power to do things and the wisdom to do them rightly. The desire of the City Council could have been met by a short amendment to the Municipal Corporations Act empowering it to inaugurate

a superannuation fund, but it was thought wise to indicate the powers proposed to be conferred and that is why some detail has been submitted to Parliament. The employees will have a pretty big voice in the scheme.

Mr. Kenneally: No provision is made for that.

Mr. DAVY: No, because without this measure the council would not have power to spend a farthing on the scheme. It is inconceivable that the council would prepare a rigid scheme and force it down the throats of the employees whether they liked it or not. The employees include the whole of the executive staff, and no doubt the scheme would be framed by the City Treasurer, Town Clerk and selected members of the permanent staff. I cannot imagine such employees preparing a scheme that contained anything harsh or unjust.

Mr. KENNEALLY: What the member for Perth has mentioned is a pious expression of what may occur.

Mr. Davy: You are referring to a suspicious fear of what might occur.

Mr. KENNEALLY: If it were stipulated that the council, with the concurrence of the employees, might come to certain decisions, it would be a different matter. The Bill, in its present form, would give the council power to make provision independently of what the employees thought and to compel the employees to abide by it. Those who frame the scheme—the councillors—will not be governed by it.

Mr. Davy: Of course the councillors have to frame the scheme.

Mr. KENNEALLY: But if the Bill were passed, they could adopt it without referring to anyone. They would have complete power to bring in a scheme regardless of whether it met with the support of the employees.

Mr. Davy: That is so.

Mr. KENNEALLY: That gives greater point to Subclause 9.

Mr. Mann: I do not mind if the subclause is deleted.

Mr. KENNEALLY: I accept the offer, and move an amendment—

That Subclause 9 be struck out.

Mr. PANTON: I understand that the scheme will not provide for all the employees. The member for Perth said it would apply to permanent hands.

Hon. G. Taylor: Permanent employees.

Mr. PANTON: The interpretation of "permanent employee" has been a matter of argument for years. Men in the Government service for 30 years and probably some in the City Council for 20 years have not been permanent employees. We have no idea how the council will define permanent employee. The member for Perth told us the other night that the scheme would embrace officers, clerks, stablemen and some other men. I suppose they would comprise a minority of the employees. The men who will need a pension and who rarely come under the gratuity section of the Municipal Corporations Act will not participate in the scheme. I understand it is proposed to make the scheme voluntary for the present staff, but an officer of the council informed me that it would be impossible for a man over 45 to join the scheme, because his contribution would be over 9s. per week. This would mean that no man over 45 could be taken on by the council. Under the Act the favoured officers get the pensions.

Mr. Davy: The favoured officers?

Mr. PANTON: Yes; certain officers received £600 or £800 and other officers very little.

Mr. Davy: The maximum that the council may grant is what is granted. I admit it is a clumsy method.

Mr. Mann: This Bill will provide means to overcome that.

Mr. PANTON: Yes, that is why the scheme was originated. If the scheme comes into operation, everyone who thereafter joins the council staff will have to contribute to it. Anyhow, that is what I have been informed. If that is so, no employee over 45 will be taken on by the council. We have no right to empower the council to refuse employment to a man over 45. He may be an excellent officer, but because he was not eligible for the scheme, he could not be employed.

Mr. Mann: That is not correct.

Mr. PANTON: Does the hon. member say it is not correct that a man over 45 will not be accepted?

Mr. Mann: I shall reply to your argument.

Mr. PANTON: If the hon. member gives a guarantee that it is not so, it is a different matter. This scheme will cost the contributor a good deal weekly or fortnightly, and it is questionable whether he will be able to afford it. The member for Perth will

probably reply that it will ensure him a certain pension, but a man has to consider the bread and butter for to-day and not what will happen when he is 60 or 65. The rate-payers will not have any say in the matter.

Mr. Davy: Except by their indirect choice.

Mr. PANTON: No more say than they have in electing a member of Parliament, and about as much say as they have in the matter of granting gratuities. This is not going to be of great benefit to all the employees of the City Council, for it will actually cover only a certain section of them.

The CHAIRMAN: The hon. member should deal with Subclause 9, whereas he is speaking to the whole clause.

Mr. PANTON: But we want to deal with the whole clause.

Hon. G. Taylor: The amendment should be withdrawn for the time being.

Mr. KENNEALLY: For the time being I will withdraw the amendment to permit of a free discussion on the clause.

Amendment, by leave, withdrawn.

Mr. MANN: I was prepared to meet the wishes of the member for East Perth. The member for Menzies, however, is raising an objection that would apply to any superannuation scheme.

Mr. Panton: The objection may still be valid.

Mr. MANN: Under the Act an officer retiring from the City Council does not know what allowance he will receive. The sum he does get really goes to him as a charitable grant. It is better that some scheme should be laid down so that the officers may know what sum they will receive on retirement. I admit it will not be possible to take anyone into the scheme who is over 45 years of age.

Mr. Panton: I was referring to new employees.

Mr. MANN: Those already in employment will continue in the service, and draw their gratuity. It is intended to organise this arrangement on the lines of the Commonwealth scheme as applied to postal officials. That would be quite satisfactory.

Mr. Davy: The only people who will be affected will be those who are benefited.

Mr. MANN: Those who are not eligible to come under the scheme will be covered by Section 155. This Bill is designed to make the employees more contented.

Mr. Panton: The man on the basic wage will not be allowed to come under the scheme.

Mr. MANN: It will cover the staff, such as clerks, foremen, caretakers, stablemen, and others. The scheme will undoubtedly improve the position of the present employees by giving them a superannuation allowance.

Hon. G. TAYLOR: I cannot see that the Bill will make any employee worse off than he is to-day. The principle followed at present is based on the idea of giving a man upon retirement a month's salary for every year of service. This Bill will deal only with the staff. Those who are doing the manual labour cannot be referred to as permanent employees. I am prepared to give the City Council the authority asked for. If we could devise means by which we could cover also the temporary employees, I would be prepared to help them too, but I think that would be impossible. Let us, therefore, help those we can help. If any hardship is inflicted, I am sure Parliament will desire to rectify it.

Mr. PANTON: I am not opposing the scheme, but I think we ought to know for whom the Bill is intended. The title of the Bill is misleading for it deals only with a section of the employees. It is only for those on the staff.

Mr. Davy: Why do you say that?

Mr. PANTON: The member for Perth has told us who will be covered by the scheme.

Mr. Davy: The City Council are asking for power to go as far as they can go.

Mr. PANTON: The member for Perth said the scheme would be more or less on the lines of the Commonwealth superannuation scheme for postal officials, and that this would satisfy him. If the member for West Perth knows anything about the scheme, he knows that the man on the basic wage will not be able to join in the scheme.

Mr. Mann: It would depend on the age at which a man joined.

Mr. PANTON: The scheme would cost the married man on the basic wage, unless he was a very young man, at least 7s. 9d. or 8s. per week.

Mr. Mann: That is not so.

Mr. PANTON: I know something about these things. Such a scheme is so expensive that a man could not join at the age of 45 unless he had an exceptionally high salary.

Mr. Davy: The benefits depend on the contributions.

Mr. PANTON: The man on weekly pay is to be classed as a temporary hand and is not to come into the scheme at all. If a superannuation fund is to be created partly out of the money of the ratepayers, all the employees should have a right to come into it. As a ratepayer of the city of Perth I have a right to object to any part of the rates being apportioned to a particular section of the employees.

Mr. Mann: Why have you not objected to the Municipal Corporations Act, which has been in operation for many years? Surely this is something better than that Act!

Mr. PANTON: I do not know whether it is or not. Let us send the Bill back to the Perth City Council and ask them to take into account the whole of their employees. I shall always oppose any scheme of this kind from which the man on the basic wage is to be excluded.

Mr. DAVY: The Bill asks for the widest powers that can be given to the Perth City Council in the establishment of a superannuation scheme to cover its employees. If the present intentions of the council do not suit the member for Menzies, why does he not communicate his objection to the council?

Mr. Panton: I can voice it more effectively here.

Mr. DAVY: In any service there must be considerable difficulties regarding the inauguration of a scheme to cover all the employees.

Mr. Panton: Such schemes are always for the benefit of the higher-paid men.

Mr. DAVY: People who go and come might not be fitted into the scheme. I agree that every employee should, if possible, be included in it. But if a scheme to cover everybody cannot be evolved, why should we look unfairly, with envious eyes, on a scheme such as this?

Mr. Panton: That is not a fair statement of my attitude. I do not envy anybody.

Mr. DAVY: But the hon. member says that unless a scheme can be evolved to benefit everybody, it is unfair and he will not support it. By supporting the scheme proposed in the Bill we shall be doing nobody any harm and doing some people good. I do not think the man on the basic wage would see any grave objection to the man

in a somewhat more fortunate position having the benefit of a scheme of this kind. I hope members will not be niggardly in giving the council the wide powers asked for.

Mr. KENNEALLY: In passing such a measure as this the Chamber should be satisfied that the scheme will benefit the people whom the Chamber desires to be benefited under it. If the member for Perth, in introducing the Bill, had not mentioned that it would be restricted, I would not have inferred any restriction whatever from the language of the measure.

Mr. Davy: It is intended that there should be no restriction in the Bill.

Mr. KENNEALLY: Then why does the sponsor of the Bill say that it is to be confined to certain classes of officers?

Mr. Latham: He can only give that undertaking on behalf of the present council.

Mr. KENNEALLY: There are other aspects to which the Chamber should give attention before passing the Bill. This question should be determined in the light of the knowledge and experience we have had of other superannuation proposals. The definition of "worker" in connection with such schemes has been a source of considerable revenue to the lawyers of this country. If an Act stated that it applied to both salaried and wages employees in an established capacity, laymen would think that it included all employees. But the judiciary have taken a different view. The mention of wages and salaried employees does not suffice to cover all whom the Legislature desires to include. Before passing the Bill we should make sure that, subject to any amendment needed in the parent Act, it will cover all the employees. We desire that the man on the minimum wage should be treated as favourably as men higher in the scale. Further, if the Perth City Council are to be empowered to evolve a system of superannuation, provision should be made for the representation on the managing board of those who are to be subject to the scheme. The Bill contains no such provision, except possibly in the clause which provides power to make regulations for the governing of the scheme. The member for Menzies raised the question of the amount likely to be chargeable to the man on the minimum wage if provision is made for him. There has been recent experience of such a proposal in connection with the railway em-

ployees, and I consider that the system adopted in that case should be adopted here. The council should not have the right to declare arbitrarily that the system shall be brought into operation: before it is brought into operation, those who will have to pay under it should have the right to determine whether they will have it or not. In a recent case such a proposal was turned down because the employees found that they could not pay the contributions required. I wish to emphasise that those who will be under the scheme should have a voice in its management.

Clause put.

Mr. KENNEALLY: As the hon. member in charge of the Bill does not propose to reply, I now move the amendment which I withdrew—

That Subclause 9 be struck out.

Mr. MANN: I agreed to that.

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

Clause 3, Title—agreed to.

Bill reported with an amendment.

BILL—DOG ACT AMENDMENT.

In Committee.

Resumed from 19th September. Mr. Pantin in the Chair; Mr. Lindsay in charge of the Bill.

Clause 2—Amendment of Section 5 (partly considered)—put and passed.

Clause 3—Insertion of new section after Section 6:

Mr. LATHAM: I move an amendment—

That after "register," in line 2, the words "or renew the registration of" be inserted.

This will enable the local authorities to renew or refuse to renew the registration of a dog previously registered. Without the amendment it might be taken that a dog once registered must be registered again year after year. This was advised by the Parliamentary Draftsman last session.

Mr. LINDSAY: I discussed with the Parliamentary Draftsman this session every detail of the Bill, for I did not want in it any more words than were necessary. The Parliamentary Draftsman thought that the clause as printed was all that was necessary.

Amendment put and negatived.

Mr. CHESSON: Under the proposed new Subsection (1) a local authority may direct the registering officer to refuse to register a dog on the ground that such dog is savage or destructive. But a watch-dog is of no use unless he is savage.

Hon. G. Taylor: Under the Bill all dogs must be tied up.

Mr. CHESSON: Well a watch-dog is useless also if it be tied up. I agree that a destructive dog running loose should be destroyed, but that is not to say that a savage dog kept as a watch-dog should be destroyed also.

Mr. MARSHALL: The Bill will apply to towns and to the city, just as it will to the country.

Mr. Latham: So it ought to.

Mr. MARSHALL: Power will be given to local authorities to refuse to register a dog, whether it be in the city or in the country.

Mr. Lindsay: That comes in later on in the Bill.

Mr. MARSHALL: I am aware that there are other objectionable features in the Bill.

Mr. Davy: Do you think people ought to be allowed to keep savage dogs?

Mr. MARSHALL: Yes, if the animals are kept for the purpose of protecting homes. This provision will give the local authority the right to refuse to register a dog.

Mr. Davy: Subject to an appeal to the local court.

Mr. MARSHALL: Yes, people are to be put to the expense of going to court about it! The sponsor for the Bill wants to persecute scores of people. I will vote against the clause.

Mr. Davy. You all have a local authorities complex this afternoon.

Mr. MARSHALL: Some local authorities are not impartially considerate to everybody, but consider merely a section of the community. Under this provision bodies would be able to exercise a great deal of favouritism.

Hon. G. TAYLOR: Do members think that a local authority should be compelled to register a dog known to be savage?

The Minister for Works: There are degrees of savagery in a dog.

Hon. G. TAYLOR: Surely the local authority would be able to observe much more readily on the spot the degree of savagery in a dog. Dogs running loose are

a menace to sheep, and we must give the local authorities power to minimise that menace. Only yesterday a man told me he had bought a number of stud rams, 20 of which were killed the first night on the station, one half-bred dingo being responsible for the lot. In sheep areas innumerable mongrels, allowed to be loose at night, travel miles away from their homes, and any sheep in their path have a very poor chance. The local authority must be given power to refuse the registration of a dog known to be a menace.

The Minister for Works: Why not make it merely "destructive dogs" instead of "savage or destructive dogs"?

Mr. MARSHALL: The member for Mt. Margaret seems to imply that "savage" means an animal that will tear down all and sundry immediately he is loosed. The hon. member should understand that under this amendment the local authority at Leederville will have the right to say whether a dog that merely protects his master's home is savage, and so should not be registered. Why should dog owners be persecuted by the Bill, when the intention of the sponsor of the Bill is merely to prevent the destruction of stock? I move an amendment—

That in line 4 of proposed Subsection (1) the words "savage or" be deleted.

Mr. LATHAM: If there are dangerous dogs in the city, they should be got rid of, because no protection can be afforded children. The local authorities should have power to refuse the registration of a dangerous dog.

Mr. Mann: Power already exists for the destruction of a dog that is considered dangerous.

Mr. LINDSAY: It will not improve the Bill if the amendment is carried. There is an Act in existence to-day, under which a prosecution can take place in the event of an attack by a dog. When a dog is found to be savage, the local governing body's officer can report the matter to the board and the board will refuse to register the animal. In framing the Bill, I did everything possible to meet the wishes of hon. members. I followed the discussion last year very closely, gave consideration to the amendments that were moved, and consulted those members who submitted amendments in the hope of meeting their

wishes. I am not prepared to accept the amendment.

Hon. G. TAYLOR: A man who owns a dog, will have that dog registered by the local authority, and unless there is something against the animal, something based on a report by an officer of the board, registration will not be refused. There is no justification for city people keeping savage dogs.

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

Ayes	..	..	..	15
Noes	..	..	..	12

Majority for 3

AYES.

Mr. Chesson	Mr. McCallum
Mr. Collier	Mr. Millington
Mr. Coverley	Mr. Munsie
Mr. Cunningham	Mr. Rowe
Mr. Kenneally	Mr. Sleeman
Mr. Kennedy	Mr. A. Wansbrough
Mr. Lutey	Mr. Lambert
Mr. Marshall	

(Teller.)

NOES.

Mr. Angelo	Mr. Lindsay
Mr. Barnard	Mr. Mann
Mr. Davy	Mr. Sampson
Mr. Ferguson	Mr. Taylor
Mr. Griffiths	Mr. Thomson
Mr. Latham	Mr. North

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Brown	Mr. Troy
Mr. Maley	Mr. Wilson
Sir James Mitchell	Mr. Withers
Mr. Richardson	Mr. Corboy
Mr. J. M. Smith	Mr. Willcock
Mr. Stubbs	Mr. W. D. Johnson
Mr. C. P. Wansbrough	Mr. Kennedy

Amendment thus passed; the clause, as amended, agreed to.

Clause 4—Insertion of new section after Section 22:

Mr. CHESSON: Have we not already this power in the parent Act? There is power already to lay poison for the destruction of dogs wandering at large and trespassing. I know that because in going about the back country I have seen notices "Poison laid here" in various places.

Mr. LINDSAY: There is in the Vermin Act provision for laying poison and also in the Prevention of Cruelty to Animals Act. I have found it necessary to make the posi-

tion quite clear, and that is why the clause appears in the Bill. There is a certain amount of cruelty associated with the destruction of dogs that cannot be avoided, and under the Prevention of Cruelty to Animals Act a prosecution may be laid against a person. It might be called persecution rather than prosecution. I assure hon. members that the clause was inserted only after a good deal of thought and discussion between the Parliamentary Draftsman and myself, and it was framed so that it would meet with the approval of all.

Mr. SLEEMAN: It is dangerous to allow anyone unrestricted to lay poison. Possibly that poison may not be taken by a dog; it is just possible that a child might come across it.

Mr. MANN: I agree with the member for Fremantle. Unless something more definite is included in the clause, it would be wrong to give power to a person to lay poison anywhere. I know of an instance in which a man laid poison along a main road.

Mr. Lindsay: The clause will not give him that power.

Mr. MANN: I think it will, and I will ask the hon. member to accept an amendment to make sure of it. I move an amendment—

That in line 7, after "poison," the words "on his property within one chain of the boundary," be inserted.

Mr. Lindsay: I will accept that amendment.

THE MINISTER FOR AGRICULTURAL WATER SUPPLIES: If the amendment is agreed to, the effect will be to confine the laying of poison only to that portion of a holding that is within one chain of the boundary.

Mr. LATHAM: I agree with the Minister as to the effect of the amendment, although that is not what the member for Perth intended. I do not think there is any necessity for the amendment. The owner of a property will not lay poison on the road, but on his property.

Mr. Mann: But that sort of thing is being done.

Mr. LATHAM: And will continue to be done, irrespective of how many Acts of Parliament we may pass to prevent it. I know that what the member for Perth suggests is true, but we cannot prevent that being done. An unscrupulous person may lay baits alongside the fence beside a road, with the

object of catching a dog accustomed to run along the fence. The clause will not empower a man to do that, but such a practice will be continued by some people. I suggest that the consideration of the clause be postponed so that it may be redrafted.

Mr. CHESSON: I do not think much is wrong with the clause, but I suggest that its operations be confined to the country areas. It should not be made applicable to the city or large towns.

Mr. SLEEMAN: While the clause remains in its present form, I shall vote against it. The suggestion of the member for Cue is sound. A man should not be allowed the right of the unrestricted use of poison in the city.

Hon. G. Taylor: That right is exercised now.

Mr. SLEEMAN: But it will be exercised to a much greater extent if the clause is agreed to.

Mr. SAMPSON: The suggestion will not get over the difficulty because, if a dog were running on a road beside its master's vehicle, that animal would be liable to pick up a bait laid alongside a fence. No one wants that sort of thing to happen in the city, nor yet in the outer areas. The amendment requires the addition of a couple of words in order to make it effective. I move an amendment on the amendment—

That after "property" the words "but not " be inserted.

Hon. G. TAYLOR: If the amendment is carried, it will restrict the laying of poison to the area within a chain of the boundary of a property. The object of the amendment was to assure that the poison would not be laid within that distance of the boundary. It has to be realised that the necessity for some such provision is not restricted to boundaries alongside roads. There are other boundaries of properties far removed from roads, and it is equally necessary to have the safeguard applied there as well. If one farmer allows his dog to go on to his neighbour's property where poison baits have been laid, the former must take the risk.

Mr. SLEEMAN: One would think that we were dealing with estates of 40,000 acres! The clause will apply to towns as well as to areas in the country districts.

Mr. Thomson: You cannot guard against this sort of thing being done to-day.

Mr. Mann: But it is not lawful to do it.

Mr. SLEEMAN: We should not give people license to do this sort of thing within the metropolitan area.

Mr. FERGUSON: It would be wiser if the members representing metropolitan constituencies were to allow country members to deal with this matter as it appeals to them. The clause refers to paddocks where stock is depastured.

The CHAIRMAN: Order! The hon. member must discuss the amendment on the amendment.

Mr. SAMPSON: I hope the amendment on the amendment will be agreed to, because I can see the possibilities of difficulties arising in country districts. A farmer may use a track alongside the fence dividing his property from that of his neighbour, with whom he may not be on the best of terms. If one farmer were allowed to lay poison baits right up to the boundary fence—

Mr. Thomson: Why not?

Mr. SAMPSON: It might enable him to gratify his feelings against his neighbour.

Members: Not at all.

Mr. SAMPSON: I know that sort of thing can happen. No injury can be done to anyone if we provide that poison must not be laid within a chain of the boundary.

The CHAIRMAN: Order! I ask members to confine themselves to the amendment on the amendment.

Mr. LINDSAY: I oppose the amendment on the amendment.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. LATHAM: I hope the amendments will be rejected. If it is necessary to afford protection, it can be done by providing that no poison shall be laid within one chain of any road or reserve. The discussion has hinged on the protection of dogs, but the object of the Bill is to protect sheep. People who are solicitous about the safety of dogs forget the cruelty to which sheep are subjected by dogs. I have seen sheep that had had big pieces of flesh taken out of their hind legs by dogs.

Mr. THOMSON: Some members seem to be afraid that sheep might bite the dogs, and are displaying more concern about a dog that might be poisoned than about the possible loss of hundreds of pounds by damage done to sheep. It is most discouraging to a sheep farmer to find 14 or 15 of his most valuable sheep killed by dogs, or so severely mauled that they have to be destroyed.

Mr. Sleeman: But you are not dealing with the paddocks only.

Mr. THOMSON: We want to prevent the dogs from getting into paddocks. It has been essential to lay poison on a reserve near my property in order to kill dogs.

Mr. Sleeman: On a point of order, Mr. Chairman, before tea you ruled that we were discussing only the two words comprised in the amendment on the amendment.

The CHAIRMAN: That is so, the words "but not."

Mr. LINDSAY: I understood there were two amendments.

The CHAIRMAN: Yes, but we are discussing only the amendment on the amendment.

Mr. LINDSAY: This Bill aims at protecting people who keep stock, and is designed to protect the sheep industry and not the dog industry.

The CHAIRMAN: I cannot allow the hon. member to deal with the Bill. He must deal with the amendment on the amendment.

Mr. LINDSAY: The amendments will defeat the object of the Bill. A sheep farmer needs to kill the dogs before they get on to his property. I hope members will give the Bill a fair chance.

Amendment on amendment put and negatived.

Mr. DAVY: For the sake of the member for Toodyay I would not like to see the amendment accepted, because it would be possible to lay poison only within a space of one chain from the boundary. That would be ridiculous. Under the amendment on the amendment, poison could have been laid on the whole of the property except within the space of one chain from the boundary. Surely that would have been satisfactory.

Mr. Lindsay: No.

Mr. DAVY: I do not wish to oppose any reasonable protection for sheep breeders, but if they are allowed to lay poison where they like, they might lay it on the boundary or in the street.

Mr. Lindsay: You cannot depasture sheep in the street.

Mr. DAVY: The clause as printed would enable the owner of any field on which sheep were depastured to lay poison anywhere.

Mr. Thomson: What about the words "trespassing on the place"?

Mr. DAVY: He might lay the poison on the road. The hon. member should make it quite clear that the owner of a field may lay poison in his field, but not too near to the boundary.

Mr. Latham: What about the proviso I indicated?

Mr. DAVY: That would do. If the amendment is carried the whole object of the clause will be defeated.

Mr. Lindsay: I will move an amendment to overcome the difficulty.

Mr. DAVY: It must be provided that poison cannot be laid except on the property of the owner. It should not be laid too near the boundary.

Mr. MARSHALL: The amendment will not have the desired effect. It will make it illegal for a squatter to place poison anywhere on his own run except within one chain of his boundary. Where sheep raising alone is carried on, the boundary fences abut each other. Two men with adjoining boundaries could not go beyond two chains in all from their boundary fences. It would be better that the amendment should be withdrawn.

Amendment put and negatived.

Mr. MARSHALL: I move an amendment—

That after the word "poison," in line 5, the words "upon such field, paddock, yard, or other place" be inserted.

That will permit owners to lay poison on their own properties. Stock owners often desire to place poison on the roads. My amendment will not prevent them from placing it as near to the edge of the road as they can go.

Mr. DAVY: If poison is laid on the boundary of a property, some innocent animal may take it. I suggest that it should not be laid nearer than half a chain from the boundary fence.

Mr. Latham: Dogs invariably run along a fence. It is the best place in which to lay poison.

Mr. DAVY: People should not be permitted to lay poison where it can be taken by an animal on an adjoining property.

Mr. FERGUSON: In my district many farms adjoin a sandplain that is Government property. That is where all the wild dogs come from. The only place in which to catch the dingoes is along the boundary fence. If farmers are not allowed to lay poison any nearer than within half a chain

of that fence, they will not be able to catch the dogs.

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

Clause 5—Insertion of new section after Section 23:

Mr. MARSHALL: I should like to move an amendment, but it might cause the Bill to be as ineffective as the parent Act. This clause contains several objectionable features. If anyone suspects a dog belonging to some other person of killing his sheep, he can wait until the dog is on view on the owner's property and destroy it. If a dog destroys sheep it should be killed. Some vindictive person may, however, destroy a dog that has done no harm. The clause is loosely worded, but I cannot at the moment see by what means it can be amended.

Mr. LINDSAY: This clause was the subject of careful consideration. If I lay a trap on my property, I do not fasten it, because if I did the dog that was caught in it would eat its leg off and escape, and thus become a greater menace than ever. The traps are, therefore, left loose, but under the S.P.C.A. Act people who catch dogs in that fashion may be convicted of cruelty. The same thing applies in the case of dogs that take poison. It must not be forgotten, however, that dogs do not scruple to display the utmost cruelty in their handling of sheep, and it is that phase of the matter which caused me to take such an interest in the Bill. The clause merely says that if I have laid poison on my property and the dog that takes the poison does not die on my property, but dies on some other property, I cannot be prosecuted for cruelty to animals. This has reference to Section 6 of the S.P.C.A. Act. There has been a test case on the point, and for that reason I asked the Parliamentary Draftsman to draw a clause of this nature. The provision does not allow any man to lay poison outside his own land.

Mr. MARSHALL: I have no fear that the clause will not operate fairly in country districts, but it may be abused by vindictive persons in towns when it becomes generally known. For the sheep-raising areas it is highly suitable.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Insertion of new section after Section 34; Power to make by-laws:

Mr. SLEEMAN: It is going to extremes to allow local authorities to limit the number of dogs a man may keep.

Mr. LATHAM: The clause only gives power to make by-laws and regulations, which are laid on the Table of the House. If unfair, they can be disallowed.

Mr. Marshall: Not by-laws. In any case, we cannot watch all the by-laws.

Mr. LATHAM: Many people keep more dogs than they can feed, and there is necessity for restriction in the country districts.

Member: Why cannot we differentiate in regard to towns?

Mr. LATHAM: We cannot make laws differentiating between the country and the city. The matter is left to bodies of intelligent men for decision.

Mr. LINDSAY: I do not see that the clause will apply to the city at all. Even if it does apply to municipal areas, surely the local authorities, who are elected just as we are elected, may be trusted. From the attitude of some hon. members one would think that local bodies were not capable of looking after the interests of the people who elect them. I have seen the necessity for this clause in my own district, where I have known a clearer to have five kangaroo dogs. He could not keep them, and they fed on my sheep and on the sheep of other settlers in the district. I have seen 22 sheep lying dead in a paddock and five walking about with their entrails hanging out as the result of an attack by a kangaroo dog belonging to a man in Wyalkatchem, who kept four kangaroo dogs. Many people keep these dogs merely for the purpose of going out kangarooing once in a while. The country districts certainly require this clause.

Mr. SLEEMAN: I do not think the clause will apply to cities or municipalities, but I believe it will work hardship in country districts. Prospectors who keep a couple of dogs in order to obtain fresh meat in the shape of kangaroo are to be told that they must not keep more than one dog. Three or four men in a camp should not be restricted to keeping one dog. I do not regard the clause from a metropolitan standpoint.

Mr. DAVY: I regret having to disagree with the hon. member in charge of the Bill. I am not prepared to allow local authorities, or any other body, to dictate to a private person what number of dogs he shall keep. We have already a provision to prevent the keeping of a dog of a destructive nature,

and a savage dog may be taken from the owner and destroyed. The present clause allows local authorities to require dogs to be chained up from sunset to sunrise. If paragraph (a) is retained, will the local authorities say that a man may keep three dogs, or four, or twenty? Last year, when a Dog Bill came before the House and certain criticisms were made, the member for York said that I was in favour of dogs as against sheep—a most unfair comment. The power is not a proper one to place in the hands of any local authority, or of Parliament. The kind of dog to be kept may reasonably be a matter for legislation, as also may the way it shall be kept, but not the number of dogs to be kept. I move an amendment—

That paragraph (a) be struck out.

Mr. SAMPSON: I hope the paragraph will be retained, knowing something of the difficulties which arise even in districts adjacent to Perth. When the Churchman's Brook works were in progress, a man working there had a dog or two, and these dogs killed sheep even in that locality.

Mr. Davy: Were the dogs registered?

Mr. SAMPSON: Yes. It has always been claimed that every dog complained of is a harmless animal which would not touch a sheep. The trouble is that dogs are not kept chained, and that during the night they range the countryside. That is a great danger. The subject has received close consideration by representative bodies in country districts, and they favour a provision of this kind. One dog is more likely to be fed by the owner than three dogs. A kangaroo dog eats a great deal; the ordinary person can hardly afford to keep several kangaroo dogs.

Mr. CHESSON: I am against granting this power to any local body. What would happen to a drover if a local authority—

Mr. Lindsay: A local authority would not do such a thing.

Mr. CHESSON: Similarly as regards the prospector. Most of the prospectors have each a couple of dogs to hunt kangaroos and other game. Fancy the local authority decreeing that a prospector shall not be allowed to keep two dogs! It is the aborigines' dogs that do most of the damage.

Mr. Lindsay: They are now restricted to one each.

Mr. CHESSON: Some of the blacks have been in the habit of keeping far too many dogs. However, I am against this provision.

Mr. MARSHALL: The member for Toodyay put up a pathetic argument in favour of the retention of the right of local authorities to limit the number of dogs any one may keep. He ought to remember that he has already got the sanction of the Committee for the local authorities to refuse to register destructive dogs. Under the Bill, even without this provision, every destructive dog, registered or unregistered, can be destroyed. Seemingly, white men are to be more harshly treated than aborigines, each of whom by Act of Parliament is allowed to keep one dog. This provision is going a little too far, and so I will support the amendment.

Mr. LATHAM. The words "limiting the number" do not mean that a man shall not be allowed to keep any dog. Not very long ago, in a district through which I was travelling, there was a rabbitier who had 17 dogs.

Mr. Kenneally: Registered?

Mr. LATHAM: No. The difficulty was that the rabbitier was passing and repassing from one road board district into another.

Mr. Davy: A by-law of this sort would not help you in that instance.

Mr. LATHAM: We need not fear abuse of this provision by any local authority, for after all they can only use it subject to the will of the House.

Mr. Davy: That is a poor old argument.

Mr. LATHAM: So we have a double safeguard, firstly the common sense of local authorities, and in the second place the right of veto by this House. The sheep industry is suffering great disadvantages. Foxes are increasing very rapidly in this State.

Mr. Davy: This will not help you with the fox.

Mr. LATHAM: It all helps. We have to combat foxes, dingoes, wild dogs and tame dogs. Among the greatest difficulties are the dogs kept in excess numbers and allowed to roam all over a district. I hope the Committee will agree to leave this provision in the Bill.

Mr. ANGELO: Only local authorities in areas where stock are carried will be able to take advantage of the law, and they will limit only the dogs likely to interfere with

stock. Moreover, the by-law has to be approved by this House. The position pointed out by the member for Murchison and others might be met by the addition of a proviso to the effect that dogs owned by drovers, prospectors and sandalwood-getters shall be exempt from this provision. In my electorate people keep large numbers of dogs that are not properly fed, and those dogs become wild and do more damage than the dingoes themselves. I have seen kangaroo dogs pulling down calves on the commonage. The by-law should have a good effect.

Mr. LINDSAY: The provision is not likely to operate in the way assumed by the member for Murchison. More likely is it to interfere with the irresponsible individual that ought not to have a dog at all. Of the 5,000 dogs destroyed in the agricultural areas, 90 per cent. were not dingoes, and under the Act as it exists to-day if a dog is seen running wild, it can be destroyed and a claim of £2 made for its scalp. The object of the Bill is to control that class of dog. I want the members for Murchison and Cue to give me a little consideration; we have given them consideration. We have paid £23,000 a year into a fund to destroy dogs, and we got only £10,000 back. In other words, the agriculturists are being paid £13,000 a year to destroy dogs in the pastoral areas, and of the dogs in pastoral areas 90 per cent. are dingoes, whilst of those in the agricultural areas 90 per cent. are mongrels. Under the existing law, it is quite possible for people to breed dogs and by a little manoeuvring, destroy them afterwards and get £2 for their scalps. The clause is very necessary. There are some people who have too many dogs and the local authorities will be able to restrict them. If the Bill is to be of any use, the clause must be permitted to remain.

Mr. KENNEALLY: I hope the clause will not be passed. I do not propose to give authority to anybody to exercise in the manner that the local governing body may exercise this particular authority. We are told by the sponsors of the Bill that this will apply only to the country districts. There is nothing in the measure that sets that out.

Mr. Lindsay: An amendment will be moved.

Mr. KENNEALLY: In the next clause we find provision for a penalty of £10 for each infringement. Consequently any person who desires to keep more than one dog will be fined £10 for any such offence. It is not power that should be given to any local body. Whether a local body exercises the power discreetly or not, the fact remains that they would have authority to prohibit any person from keeping more than one dog. I hope the clause will not be carried.

Hon. G. TAYLOR: I cannot understand the fear of some hon. members to give the power sought to a local governing body. We give those local bodies power to deal with individuals, power to tax and to tell us on which side of the road we should walk, and now exception is taken to giving them power to control dogs.

Mr. Davy: What about giving them power to say how many sheep shall be kept?

Hon. G. TAYLOR: Sheep are a valuable asset, whilst dogs are destructive. One would think that the Bill had been introduced to protect dogs instead of sheep. If hon. members knew the State as well as I know it, I am satisfied they would agree to give power to local authorities to limit the number of dogs a person might keep.

Mr. THOMSON: I must confess surprise at the opposition being shown to the Bill.

The CHAIRMAN: The hon. member must confine his remarks to the clause.

Mr. THOMSON: For delightful inconsistency, commend me to the member for East Perth, who says he is not prepared to give local authorities power to limit the number of dogs to be held by any one person. If there is an hon. member who is in favour of limitations in other directions, it is the member for East Perth. There is no greater exponent of limitation in respect of apprentices than the hon. member.

Mr. Kenneally: I am in favour of limiting your speeches.

The CHAIRMAN: The hon. member must not refer to apprentices. He must confine his remarks to the clause.

Mr. THOMSON: I am only making comparisons, by way of showing, so far as limitations are concerned, that the hon. member is more interested in dogs than apparently—

The CHAIRMAN: Order! I have already asked the hon. member not to drag in irrelevant matter. Now I ask him to obey the Chair.

Mr. THOMSON: I have every intention of obeying the Chair, but one cannot help drawing comparisons.

The CHAIRMAN: I have already told the hon. member that his comparisons are out of order, and must not be made.

Mr. THOMSON: My desire is to point out that if local authorities can be entrusted with the work of levying rates, formulating by-laws, and other duties, surely they can be entrusted with the work suggested by the clause. The dire necessity of producers who have suffered from the depredations of dogs makes this provision important, and surely the flocks of Western Australia are of greater value than stray dogs!

Mr. Davy: That is the point you raised last year.

Mr. THOMSON: And it is an important point.

Mr. Mann: Are you stonewalling the Bill?

Mr. THOMSON: This is only the second occasion I have spoken!

Mr. ANGELO: Perhaps the member for Toodyay would agree to the consideration of the clause being postponed.

Members: No.

Mr. ANGELO: If that course were adopted, we might ascertain what is proposed regarding the limitation of the operations of the Bill.

Mr. CHESSON: The subject seems to be a touchy one! The member for Toodyay seems to resent references to the interests of constituents in other parts of the State. When I mentioned the vermin tax, I meant to impress hon. members with the fact that payments had to be made on results, and the Murchison district was a buffer in the interests of the agricultural parts.

The CHAIRMAN: Order! The hon. member must not discuss the vermin tax.

Mr. CHESSON: I support the amendment.

Mr. Lindsay: You are helping us a lot.

The CHAIRMAN: Order! The member for Toodyay must keep order.

Mr. CHESSON: If the local governing bodies did their duty and saw that dogs were registered, there would not be half the stray dogs that we have at present. The dogs owned by the blacks are a far greater menace than those owned by drovers or prospectors. It is the half-starved dog that causes all the trouble.

Mr. DAVY: I object to the tone certain members adopted when they suggested

that we were apt to consider dogs more than sheep. That is not fair criticism. We have agreed to all the powers sought in order to secure proper control over dogs, but I will not agree to give any local authority the power to say just how many dogs an individual shall keep. I know one man who has 50 dogs; he breeds them.

Mr. Lindsay: The Bill will not affect him.

Mr. DAVY: But the power the Bill seeks to give to local authorities may easily affect him, for local authorities are sometimes strange creatures.

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

Ayes	..	..	..	..	14
Noes	...	..	..	..	13

Majority for 1

AYES.

Mr. Chesson	Mr. McCallum
Mr. Clydesdale	Mr. Munale
Mr. Coverley	Mr. Rowe
Mr. Davy	Mr. Sleeman
Miss Holman	Mr. J. M. Smith
Mr. Kenneally	Mr. North
Mr. Kennedy	(Teller.)
Mr. Marshall	

NOES.

Mr. Angelo	Mr. Lindsey
Mr. Barnard	Mr. Millington
Mr. Cunningham	Mr. J. H. Smith
Mr. Ferguson	Mr. Taylor
Mr. Griffiths	Mr. Thomson
Mr. Lamond	Mr. Lutey
Mr. Latham	(Teller.)

Amendment thus passed.

Mr. MARSHALL: I move an amendment—

That in line 1 of paragraph (b) the words "chained or otherwise" be struck out.

There is no necessity for the inclusion of the words. If they are deleted, the paragraph will still provide that a local authority may require dogs to be kept under effective control from sunset to sunrise. To go further than that and say that a local authority could order dogs to be kept chained from sunset to sunrise, would be wrong.

Mr. Thomson: I suggest that we chain up the sheep!

Mr. MARSHALL: The hon. member may suggest anything he likes, because the Committee will not take him seriously. I do not know that it would be right to give a

local authority the power to issue such a mandate.

Hon. G. TAYLOR: The most effective way to keep a dog under control at night is to chain it, and I cannot believe that it is any degradation to a dog to be kept chained. If the words are deleted, in what effective way can a dog be kept under control? It is between sunset and sunrise that the damage is done. I hope the value of the Bill will not be nullified, particularly in the areas where it is required to operate.

Mr. LINDSAY: I cannot accept the amendment. I cannot understand the attitude of the member for Murchison. The effective way to control a dog is to chain it. Any dog in a country district should not be off the chain at night time.

Mr. Marshall: I agree with that; in the country but not in the town.

Mr. LINDSAY: The hon. member has given no reason for deleting the words.

Amendment put and negatived.

Clause, as previously amended, agreed to.

Clause 8—agreed to.

New Clause—Application of Sections (6a, 22a, 23a, and 334a:

The MINISTER FOR WORKS: Clauses that deal so drastically with the control of dogs should not apply to the metropolitan area. The object of the Bill is to protect stock, and no case has been made out for the application of the measure to the metropolis. If it were applied to the metropolitan area, it would do harm, for there men are engaged in dog-breeding. The Bill would make their position impossible. The measure contains provisions for laying poison, chaining and using traps, important restrictions that could not with any degree of safety be applied to the city. Neither should the Bill be applicable to all towns. No case can be made out for applying it to Kalgoorlie or Boulder, or such towns as Geraldton, Bunbury, Albany and quite a number of other places where there is no stock breeding in the townsite. If we tried to set out the townsites to which the measure should not apply, difficulties would arise. On the other hand there are some towns to which the Bill should apply, small towns in stock-raising centres where it is dangerous to have uncontrolled dogs in the towns. I propose that the measure shall not apply to the metropolitan area, and

shall apply to only such towns as are proclaimed by the Governor-in-Council. That will mean that the local authorities will submit their case to the Cabinet.

Mr. Lindsay: What is the metropolitan area?

The MINISTER FOR WORKS: I suggest the area covered by the traffic pool, roughly from Midland Junction and Armadale to Fremantle. I move—

That the following be inserted to stand as Clause 8:—"A section is hereby inserted in the principal Act as follows:—Section 6a, 22a, 23a, and 34a shall not have effect within the metropolitan area as defined by the regulations under this Act or within any townsite outside the metropolitan area unless extended to such townsite by an Order-in-Council published in the 'Gazette.'"

Hon. G. TAYLOR: Once the Government have proclaimed a townsite, although it may contain only a couple of buildings, the measure would not apply. Who is going to be the judge of the townsites? Is Cabinet au fait with all the townsites in the State? I would except the metropolitan area reluctantly, but if the Minister insists on the latter portion of the new clause, the Bill will be rendered valueless.

Mr. LINDSAY: If the new clause is passed, the Bill might as well be thrown overboard. In my centre practically every siding has been proclaimed a townsite for road board purposes. The Bill aims at controlling dogs in the townsites because dogs there generally do the damage. I am prepared to except the metropolitan area, but to meet the objection I have stated, I move—

That the new clause be amended by striking out all the words after "Act."

To give effect to the new clause, several Cabinet meetings would have to be held, and there is more important work for Cabinet to do. I assume that local governing bodies would approach the Minister for Works through the member for the district with requests, and with 132 road boards what a task that would be! It is not fair to treat the Bill in this fashion. I am amazed at the opposition that has come from members representing metropolitan electorates. I am quite prepared to exempt the metropolitan area, but I cannot see any justification for bringing every tinpot village in Western Australia within the scope of this exemption clause.

Mr. Thomson: It does not take long to write out 10 or 20 names.

Mr. LINDSAY: That may be so, but it takes a long while to get answers to those letters. I have written many communications but have not received replies to them.

Mr. J. MacCallum Smith: Will you exempt municipalities?

Mr. LINDSAY: No. Why should I exempt municipalities?

Mr. A. Wansbrough: Will the Bill apply to districts where sheep are not kept?

Mr. LINDSAY: No, it applies only to places where sheep and cattle are kept. It was never intended to apply to the metropolitan area. The metropolitan area as defined by the Traffic Act would not be suitable in this case.

The Minister for Works: I am not wedded to that.

Mr. LINDSAY: The holding paddocks around the metropolitan area should also be protected.

The CHAIRMAN: That subject does not come within the scope of the discussion.

Mr. LINDSAY: I had thought of including a provision to the effect that the Act shall not apply within a circle of eight miles from the General Post Office.

Mr. Sleeman: Then it will not affect Fremantle.

Mr. LINDSAY: Of course not. I have yet to learn that there are any sheep in Fremantle that can be affected.

Mr. ANGELO: I am agreeable to exempting the metropolitan area. Those townships which apply for exemption should be exempted by proclamation. The Bill should not apply to all townships. Carnarvon is a municipality. I am sure the townspeople would not require to have that exempted under the Act.

Mr. THOMSON: I hope the Minister will accept the amendment, otherwise a lot of work will be thrown on the shoulders of Cabinet.

The Minister for Works: There are not as many townships as there are dogs.

Mr. THOMSON: The proposed new clause will mean enormous expense to the Government. All the townships within sheep areas will undoubtedly require to be brought under the Act. We must not forget that every year between £30,000 and £40,000 is raised in an endeavour to keep down dogs. This must not be overlooked by members representing the metropolitan area, who apparently desire that that particular locality should be exempt from the provisions of the Act.

Mr. Davy: Do you suggest that the metropolitan area wants to see sheep eaten by dogs?

Mr. THOMSON: Not at all. In the interests of the sheep-raising industry the Government brought down a Vermin Bill to levy a charge of nearly £40,000 a year on the owners of the sheep, so that a fund might be available to fight the dingo pest. I hope some consideration will be given to the sheep owners, some of whom may one night lose half their flocks.

Mr. Davy: There you are, at it again.

Mr. THOMSON: It was for that purpose the Bill was brought down.

Mr. Davy: Because we differ as to the details of the Bill, you suggest we have no consideration for the sheep owner.

Mr. THOMSON: If the new clause is passed, the position will undoubtedly be more difficult for sheep owners.

Hon. G. Taylor: We might as well drop the Bill.

Mr. THOMSON: The Bill is of vital importance to the sheep-raising industry. It would have been better for members to have defeated the Bill on the second reading than to have taken up all this time in Committee.

Mr. Davy: Bah!

Mr. THOMSON: Other people can also say "bah." We are entitled to express our opinions on this subject just as much as is the hon. member.

The CHAIRMAN: The member for West Perth must keep order.

Mr. THOMSON: The hon. member would suggest that we are not to be permitted to discuss those things in which we honestly believe. We are, as a fact, entitled to put our case forward, just as the hon. member is entitled to object to it. Had it not been necessary in the interests of the State, does he imagine the Government would have brought down an important measure levying a high charge upon the landowners to assist them in combating this pest? I am amazed at the opposition that has been shown to the Bill.

Mr. DAVY: The member for Katanning has almost persuaded me to vote against the amendment on the amendment. I am quite satisfied with the amendments that have already been carried. What I resent is the attitude of the member for Katanning.

The CHAIRMAN: I hope the hon. member will not follow that up any further. I ask him to associate himself with the subject matter before the Chair.

Mr. DAVY: Had I known that the Minister for Works proposed to limit the Bill to the area indicated in the proposed new clause, I should not have required any amendment. After all, we have only altered the Bill in a minor way.

Mr. Lindsay: There is also the savage-dog amendment.

Mr. DAVY: What a wretched amendment that is! I hope the Minister will withdraw the new clause. As to the limitation of the Bill, I am entirely with the member for Toodyay.

The MINISTER FOR WORKS: The new clause merely means that the Bill shall not apply to townsites unless they are proclaimed. To obtain proclamation, a resolution from a road board would suffice. No great trouble is involved. Hardly a week passes without five or six proclamations being put through Executive Council. I was concerned about the larger townsites, from which protests have reached me. I do not wish to exempt smaller townsites. I am prepared to agree to a compromise making the last part of the new clause apply only to municipalities outside the metropolitan area. Municipalities desirous of coming under the measure would request the Minister to have it extended to them. There are only about half a dozen municipalities outside the metropolitan area.

Mr. ANGELO: There is a simpler method of attaining the desired end, and that is by allowing the amendment of the member for Toodyay to be carried on the understanding that the words "and any other municipality whose local authority applies to be exempted" should be added to it. That would save municipalities the trouble of writing to the department on the subject.

Mr. LINDSAY: I ask leave to withdraw my amendment.

Amendment on the amendment by leave withdrawn.

The MINISTER FOR WORKS: I move an amendment on the new clause—

That the word "townsite," line 3, be struck out and "municipality" inserted in lieu.

Hon. G. TAYLOR: If the metropolitan area is exempted, that will be quite sufficient. We make ourselves ridiculous by passing legislation which is to affect some people and not to affect others.

The Minister for Works: It is a common thing.

Hon. G. TAYLOR: But it should not be done. Rather than accept the new clause, I would put the Bill in the waste-paper basket.

Mr. LINDSAY: I am prepared to accept the Minister's amendment on the amendment, in preference to losing the clause. Nevertheless, I would prefer that any municipality should be empowered to apply for exemption from the operation of the measure. Places like York, Northam, Narrogin and Wagin should be brought under the Bill.

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

Title—agreed to.

Bill reported with amendments.

BILL—LAND AGENTS.

Second Reading.

Debate resumed from the 11th September.

MR. DAVY (West Perth) [9.45]: It seems to me that the Bill is an entirely non-party one. Every member will agree that there is an evil that needs to be remedied, and in those circumstances I think it may be accepted that any criticism that may be offered will be merely as to the methods adopted in the Bill. It is framed to deal with the unscrupulous land agent, one whom we might describe as a go-getter, anxious to make money by hook or by crook. Hence the reason for the Bill being introduced this session. The measure re-enacts provisions in the existing Land and Estate Agents Act, with some additions or amendments. The work of the land agent in our community is of importance. He holds himself out as a skilled person, with some training and knowledge to undertake certain duties. The principal has to pay commission. The land agent undertakes on his behalf to sell land at the value put upon it, and to see that the necessary details in effecting the sale are carried out. He owes a very high duty to his client, to whom he undertakes to act in good faith. In my experience, most of the well-known reputable land agents carry out their duties in an effective and proper way. In the past, however, there have been a number of second-grade people who have burst into the land agent's calling, and have carried

out their duties without regard for anything apart from the commission. The Bill aims at preventing persons of that inferior type from entering the profession. By that means such individuals will be prevented from entering a profession, for the obligations in connection with which they have no regard. Business men in the city must have come across the land agent of that description who struggles by hook or by crook to earn his commission, quite irrespective of his duty to the vendor. By almost universal consent, it is the vendor who pays the commission to the land agent, and surely the duty of the land agent is to the person who pays him his remuneration. There are some, however, who have not shown much regard for their duties under that heading. We come across a type of land agent who gets in touch with a person who wants to buy a particular house. He goes to the owner and inquires whether he is ready to sell. Instead of striving to get the best price for the owner who will have to pay him his commission, the land agent is quite prepared to induce him to sell his property at a price he knows will be paid by the person who has made the offer, even though he may know that the price is insufficient. Again, we get the type of land agent who, having heard of a buyer at a certain price, will go off to the owner and secure an option over the property at a price less than the offer he has received, and will turn in a profit by that means. There are various other ways in which land agents of an inferior character are likely to fail to carry out the real duties imposed upon them. The only way such persons can be eliminated is by having some sort of test to ensure that only people of good character will be permitted to enter the ranks of this profession or business. The first 33 clauses of the Bill really deal with that problem and, broadly speaking, I do not think members will have any objection to offer. There are certain defects that I shall endeavour to have removed when the Bill is in Committee. For instance, I cannot understand why the Minister proposes to make a free gift of a considerable quantity of compulsory business to the insurance companies of the city. It is provided that no person shall be permitted to apply for registration as a land agent without first taking out a fidelity guarantee insurance policy for £200. There is no pro-

vision by which the applicant for a license can be made to put up the cash. Thus, if the Bill becomes law, in its present form, there will be some hundreds of insurance policies taken out immediately. I do not think the House will agree to that proposal unless we make provision to enable persons to put up the cash, should they prefer to do so.

The Minister for Works: Or else some other security.

Mr. DAVY: But the best security is the cash.

The Minister for Works: I do not think we should insist upon the cash.

Mr. DAVY: I do not suggest that, but I consider the fidelity guarantee policy should be one of alternative methods to be adopted to ensure that clients shall obtain the services of the best type of land agent. There is another point to be considered. It is proposed that although a person cannot make application to be registered without putting up this guarantee of financial stability sufficient to meet any normal default he may make, he must also go before a magistrate and prove that his financial position is satisfactory. The magistrate is not to permit the man to be registered unless he produces sufficient evidence of a satisfactory description to show that he is a person of good character and that his financial position is satisfactory. Apparently, therefore, the intention of the Government is that the business of the land agents shall be the special preserve for rich men. It will not be sufficient that an applicant for registration shall provide the fidelity guarantee policy for £200, but he has to prove to the satisfaction of a magistrate that his financial position is such as to warrant his undertaking this particular class of job. I do not know of any other profession or calling where a man has to satisfy a magistrate as to his financial position before he is permitted to place his services at the disposal of the public.

Mr. Mann: Bookmakers have to do that.

Mr. DAVY: They merely have to put up a specified sum of money. On the other hand, the land agent who seeks to be registered will not only have to put up a sum of money or comply with other requirements under that heading, but will have to prove

to the satisfaction of a magistrate that his character is good and that his financial position is satisfactory. I do not think the Government really intended that that should be the position. It is surely sufficient that a man shall prove his character to be unimpeachable, particularly if in addition he has to put up a security equivalent to £200. I find traces in the Bill indicating that it has been ill-considered. I do not mean that it has been ill-considered by the Minister, because it has been taken from the South Australian Act.

The Minister for Mines: While it has been taken largely from the South Australian Act, the Bill embodies provisions that are not in that Act.

Hon. Sir James Mitchell: And they have made it worse.

The Minister for Mines: No, they have not.

Mr DAVY: Substantially, the Bill is the South Australian Act.

The Minister for Mines: Yes, but where the South Australian Act provides for the agent putting up £600, we have merely provided for £200.

Mr. DAVY: But after all, that is a minor point. I suggest that the Act from which the Bill has been taken has been ill-conceived, and therefore the Bill itself must be ill-conceived. I will mention one point to prove that contention. There is a clause that provides for the transfer of licenses. It sets out that a licensee or the personal representative of a deceased licensee, or the trustee in bankruptcy of a licensee, may, on payment of the prescribed fee, transfer a license to some other person. That surely must have been an oversight on the part of the Parliamentary draftsman, because the license referred to is a purely personal license. The idea of transferring a purely personal license to someone else is obviously ridiculous. Evidently there has been confusion between the license referred to in the Bill and the license granted under the Licensing Act. The latter, in addition to being personal, is appurtenant to the actual premises. Members will readily agree that that particular clause should not appear in the Bill. The man who takes out a license, takes it out for himself.

The Minister for Mines: For how long?

Mr. DAVY: For 12 months.

The Minister for Mines: What if something happens and the licensee may wish to

leave the State within three months? There is no provision for a refund to be made to him, and therefore it would be reasonable to allow that person to transfer the license for the balance of the period to some other respectable person.

Mr. DAVY: Not at all, any more than you would allow a legal practitioner, under the Legal Practitioners' Act, to transfer his right of practice.

The Minister for Mines: But a lawyer is not licensed to practice; that is the difference.

Mr. DAVY: If a person should take out a license and wish to leave the State, we might provide for the payment of a refund to him. The fee to be paid will be more or less a nominal one.

The Minister for Mines: It will amount to quite a bit.

Hon. Sir James Mitchell: The fee should be purely nominal.

Mr. DAVY: Yes, as small as possible. I suggest that the inclusion of that clause indicates that the Bill requires careful scrutiny.

The Minister for Works: The person to whom the license would be transferred must be acceptable to the magistrate.

Mr. DAVY: But it seems absurd to speak of the transfer of a purely personal license that has been granted to an individual on the score that his character fits him for the job.

The Minister for Works: If he died he would leave that asset.

Mr. DAVY: How can it be regarded as an asset to the estate?

The Minister for Works: There is the business.

The Minister for Mines: And the widow may wish to continue the business with the assistance of another man.

Mr. DAVY: But the license is a purely personal matter.

Hon. G. Taylor: The man could not carry on without a license.

Mr. DAVY: No, and he would apply for one.

The Minister for Works: The magistrate would decide as to whether he was suitable to carry on.

The Minister for Mines: The business would be no good without the license.

Mr. DAVY: And the individual concerned would immediately get a license if he was fit to hold one. I think when we get to

that clause hon. members will agree it should not be retained in the Bill. Now I come to another criticism. Under Clause 27 it is proposed that if in the course of civil proceedings the character or conduct of a land agent crops up, and the civil court comes to the conclusion that he merits deregistration or suspension, the court can, of its own motion, wipe him out. I object most strongly to that. A civil court's proceedings and frame of mind are very different from those of a criminal court. If in a local court the character of a land agent is called into question, the court finds it easy to come to the conclusion that he merits punishment, and says, "You are disqualified from practising as a land agent for a year." In Committee I will object to that clause. Then, further, I find a wretched little police trick put into the Bill, where it is proposed that the allegation that any person is or is not the holder of a license in the plaint shall be *prima facie* proof that it is so. It is only a small thing, but I notice increasingly in legislation that attempts are made to relieve the burden of proving criminal offences against people. Of course it comes from the police force. It is so easy for a policeman to be able to say, "I charge Smith with such-and-such a crime, and Smith has to disprove it." The member for Perth (Mr. Mann) will tell the House there is a tendency all the while on the part of any police force, however honourable, to try to make its own task easier and easier.

Hon. G. Taylor: And that of the lawyer harder.

Mr. DAVY: No, it makes harder the task of the person charged with being a criminal of some sort. I will always oppose any attempt to get rid of the sound original principle of English law that a man is innocent until proved guilty, and that his guilt ought to be proved from the beginning to the end. I know that a lot of exceptions have crept into our law, but I will always protest against any attempt at extension of the principle. The next part of the Bill is the one that, really, is designed to deal with rogues who have chosen the selling of land as their particular happy hunting ground. It has been said over and over again that a mug is born every minute, and I suppose that for every 20 or 30 mugs born there is a scoundrel born prepared to make profit out of those 20 or 30 mugs. How we are going to find a scheme to protect mugs from scoundrels, I do not know. If we shut

one particular avenue to the scoundrels and the mugs coming together, immediately the scoundrels will find half a dozen new avenues.

Mr. Mann: As they did in this business.

Mr. DAVY: The gold brick seller of yesterday is to-day the seller of subdivisonal land, and to-morrow is selling bad shares in a bad company. Squeezed out of that, he is found running a crown and anchor board, and after that he is in the thimble rigging business.

Hon. G. Taylor: And then in Parliament.

Mr. DAVY: That is not a particularly happy remark. Anyhow, those whose conduct has caused the Minister to bring in this legislation, are confidence men and criminals to the backbone. What the proper method of dealing with such rogues is, I do not know. What I feel satisfied about is that we have not effected it in this Bill. In a minute I am going to offer a suggestion for making sure that we are getting at the real machinery. After all, if we set out to deal with any particular class of rogue, there are three maxims to follow: In the first place our legislation must not interfere with legitimate, fair and proper business. Secondly it must not prejudice the position of an innocent man, and thirdly as far as possible every new law brought in must keep in conformity with the essential principles of our whole system of law. To my mind these three clauses fail on all these three tests. There is an honest attempt to meet the difficulty, but I am afraid these clauses may interfere seriously with legitimate enterprise. Secondly, I fear they may prejudice the position of a purely innocent man. For instance, it is proposed that in any proceedings if it is proved the defendant made any false representation, he has to disprove that it was done intentionally—again an infringement of the most essential principle of British criminal law, that a man is innocent until proved guilty. All that is necessary is to come along and say, "This man made this statement to me, a statement likely to induce me to enter into a contract, and it is untrue." That is all that has to be proved. Then the defendant has to prove that he did it innocently. To my mind that is wrong. I never would agree, under any circumstances, to a law on such a basis. Then we find it is proposed to pick out two particular kinds of statement which,

if made by a land agent, are themselves to constitute an offence, whether true or untrue. I suppose the kinds of statement that a land agent might put up in order to induce a man to buy a piece of land are innumerable. Every kind of glowing picture we can imagine would be painted in a thousand different forms. Yet the Bill picks out just two particular kinds of statement and says the uttering of those statements shall be an offence. It provides that if any person, in order to induce another to buy a piece of land, says that he or any other person will buy at a profit to be received in the future by the prospective purchaser any other land or chattel then owned by the prospective purchaser, he shall be guilty of an offence. I go to Smith and say, "If you buy my block of land, then my friend Jones will buy your motor car for £300 next month." That is the position.

The Minister for Mines: It is not.

Mr. DAVY: I say it is. I ask the Minister to look at the words in the Bill.

The Minister for Mines: I have read them.

Mr. DAVY: Then I shall state them again. If any person, in order to induce any other person to purchase subdivided land, states that he or any other person will buy at a profit to be received in the future any other land or chattel then owned by the prospective purchaser, he shall be guilty of an offence. Translate it into a concrete instance; I am a land agent and I say, "If you will buy this piece of land, my friend Jones will buy your motor car at a profit of £300 next month." Even if my friend Jones duly arrives next month and pays the £300, he is committing an offence. I am not suggesting that lying statements should not be punished, but why pick this particular kind of statement and why make such a statement punishable if it happens to be true? That is only tinkering with the business. My objection is not that this is a wicked provision, but that it is baby talk. I want to see an attempt made to put the measure on a more sensible basis. Next we come to a provision that where a contract for the sale of subdivided land is entered into, if the consideration is more than £500, then the contract must be signed in the presence of a witness and that witness shall not be the vendor's agent or any person in his employ.

Mr. Mann: The crook will always find a way.

Mr. DAVY: What is the object of that clause? It can have only one aim and that is to prevent forgery. Provided we were dealing with a scoundrel, however independent the witness might be, he is not going to be approached until all the persuasion is over. A witness is not needed until the victim is ready to sign on the dotted line. Consequently there can be no object in having a witness except to prevent forgery. Go-getters never commit forgery; that is not their game. Their game is to get a genuine signature on the dotted line, and thenceforth their aim is to have the law behind them in order to enforce the contract. That provision is childish. It is useless and it will harass the genuine man without giving anyone protection that he has not already got. There cannot be any question of forgery, because that is not the line such people adopt. The next point is the wonderful clause which says that a contract may be declared void if the purchaser can show he was induced to enter into it by unreasonable persuasion. All the Philadelphia lawyers, all the Canberra lawyers, and all the other lawyers in the English-speaking world might collaborate for years and they would never produce a satisfactory definition of "unreasonable persuasion."

The Minister for Mines: But four or five other people might set out to do it.

Mr. DAVY: Will the Minister undertake it? Will the Minister for Mines and the Minister for Works, both highly intellectual men, undertake it?

The Minister for Works: I am not a candidate for the job.

Mr. DAVY: When the Minister for Justice was introducing the Bill I suggested he might be prepared to venture a definition of "unreasonable persuasion." He replied, in effect, "That is quite simple; it is unreasonable persuasion." That is the best definition that can be obtained for it.

The Minister for Mines: Some of the agents who go around selling motor cars should be put up for unreasonable persuasion.

Mr. Mann: And the shop assistants who sell silk stockings.

The Minister for Mines: You have to go into a shop to buy silk stockings, but the motor agents come looking for you.

Mr. Lambert: I think you must be speaking from experience.

Mr. DAVY: I shall never be a party to putting on the statute-book a term defined in that manner. Later in the clause reference is made to "undue influence." I admit that "undue influence" is just as vague as "unreasonable persuasion," but the phrase "undue influence" in law has a concrete and definite meaning. The courts were not asked to define "undue influence." They laid down certain relationships between human beings that gave rise to a deep suspicion of the transaction. For instance, if a guardian and ward made a contract, the courts almost for centuries have held that transaction between guardian and ward shall be regarded with the deepest possible suspicion, as well as a number of similar relationships. Having formulated the relationships that gave rise to deep suspicion, the courts in time said that such transactions might be voided by the person in the subservient position on the ground of undue influence. The courts took the results of certain relationships and termed them "undue influence." The Minister for Justice, however, wants to start with the vague expression and then hand it over to the courts and say, "Define that," I cannot possibly agree to such a proposition. The portions of the Bill I have dealt with are those relating to the registration of land agents and the subdivision of land. The next thing—and one must express surprise at it—is a regulation-making power to enable the Government to bring under the scope of the Bill a brand new lot of people. The Bill set out to provide for the registration of land agents. Then, apparently, the draftsman got tired or was sleepy. He realised that he must put in something about land salesmen also. He thought, "I cannot be bothered drafting any more clauses, so I shall stick in regulations to deal with land salesmen." First of all, we have all the express clauses for the registration of land agents, and then the draftsman gets tired and sticks in one clause to say that the Governor may by regulation provide for the registration of land salesmen. If it is right that Parliament should settle the methods and machinery whereby land agents shall be registered and the question whether they shall be registered or not, then it is equally right that Parliament should determine whether or not land salesmen

should be registered, and the machinery whereby this should be done. I protest against this system of legislating by regulation. This is a most glaring example of it. If we want land salesmen to be registered let us say so. Let us not leave it to the Government to decide the matter. This is a sloppy, loose and miserable way of shirking our responsibilities. Later on I am going to ask the House to say either that land salesmen shall be registered or that they shall not be registered, and if they are to be registered, to lay down the machinery providing for registration. Not satisfied with that, the draftsman, now still more tired than ever—

Hon. G. Taylor: Nearly exhausted.

Mr. Lambert: And it is about midnight.

Mr. DAVY: —remembers that his instructions were to draft something about the compulsory auditing of land agents' accounts. He really could not bother to draft a clause, so again he puts in a few lines saying that the Governor, if he thinks fit, may make regulations requiring an audit of land agents' accounts, and the methods by which this shall be done. The decision upon whether or not land agents must have their trust accounts audited is important. This is the place to decide it, and not the office of the departmental officer who will have the decision resting with him. If we decide in our wisdom that the accounts shall be audited we ought to be industrious enough to say on what terms they shall be audited, how often, what shall be done with the auditor's report when it is finished, and what shall be the consequence of an unfavourable report by the auditor. That has not been done. This means shifting the question on to the Governor, and leaving him to decide whether or not the accounts shall be audited, and in what way the work shall be done. I protest against the shelving of our responsibilities in this manner. I do not want the Minister for Justice to form the impression that I am hostile to the attempt he has made. I strongly submit, however, that this measure is inadequate. It does not cover the ground that should be covered, and does not meet with the very serious and grave position that has arisen. I want the Minister to accept my remarks as being my honest view that something ought to be done. I am most anxious to help him to produce a piece of legislation that will meet the class of rogue with whom we desire to deal. I intend to suggest that a select committee should be appointed to

go into the question. I saw in the paper the other day that the Premier had referred to select committees as being a method of shelving a Bill.

Mr. Lambert: It kills some.

Hon. G. Taylor: And rightly so, too.

Mr. DAVY: The member for Coolgardie has given a somewhat self-satisfied smile. I remember the Bill he killed. Perhaps it was a case of justifiable homicide.

Mr. Angelo: He gave it very short shrift.

Mr. DAVY: Select committees properly handled, and appointed from the right point of view, can do very meritorious work.

Mr. Lambert: Every Bill could go to a select committee.

Mr. DAVY: I would not go as far as to say that.

Hon. G. Taylor: Our work would be very light if it was handled in the way that a certain select committee handled one Bill.

Mr. DAVY: I promise the Minister if he will allow this Bill to go to a select committee that it will not be shelved. An honest attempt will be made to improve it in order the better to achieve the object in view. I have made myself a promise that we shall have available to assist the select committee the best legal brains in the city. The member for Katanning will recollect, when we sent the Bills of Sale Act Amendment Bill to a select committee, considerable hostility was shown—not by the Government because it was not a Government measure—towards me when I moved that this action should be taken. To-day the people who showed that hostility are ready to admit that the result of the deliberations of the select committee was to put a vastly better piece of legislation on the statute book, which achieved all the objects they had in view, and contained none of the objections which were undoubted as regards the Bill in its original form. I strongly urge that a select committee be appointed to make an attempt to put this Bill into a form that will better achieve the objects which I am sure every hon. member of the House has in view, namely that we shall stop the scoundrel who, having got hold of some poor farmer who has not seen anyone for weeks, has dragged a large sum of money out of him. The scoundrel in question may be assumed to have called for a yarn with the farmer. He is the first man the farmer has seen for a long time. He is spoken to in a cajoling way, and he is swindled into buying a piece of land

which may be discovered at the bottom of a swamp or in the middle of the sea.

The Minister for Mines: He catches a lot of city people as well.

Mr. DAVY: A farmer makes the best victim. The individual in question arrives at the farm, and the farmer is glad to see him. He always arrives just before lunch. The farmer naturally invites so charming a young man from the city to stay for a meal. He has a suave manner and is ushered in. He is introduced to the pretty daughter, sleeps the night there and is almost accepted as a prospective son-in-law. Of course the farmer falls into the trap and buys the land. I hope the House will agree that a select committee should attempt to cure some of the defects of the Bill, which I am sure all realise are in existence.

On motion by Mr. Chesson, debate adjourned.

House adjourned at 10.28 p.m.

Legislative Council.

Thursday, 27th September, 1928.

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

BILL—INDUSTRIES ASSISTANCE ACT CONTINUANCE.

Read a third time, and passed.

BILL—KULJA EASTWARD RAILWAY

Second Reading.

Debate resumed from the 20th September.

THE HONORARY MINISTER (Hon. W. H. Kitson—West—in reply) [4.36]: In reply to remarks of several members with