tation upon the term "general manager" so that in the issuing of permits to group settlers, the authority shall be the Group Settlement Board.

Hon. Sir James Mitchell: God help the group settlers!

The MINISTER FOR AGRICULTURE: I move—

That the Bill be now read a second time.

On motion by Hon. Sir James Mitchell, debate adjourned.

House adjourned at 11.35 p.m.

Legislative Council.

Wednesday, 12th December, 1928.

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

ASSENT TO BILLS.

Message received from the Governor notifying that he had assented to the following Bills:—

1, Forests Act Amendment.

2, Bunbury Electric Lighting Act Amendment.

3, Feeding Stuffs.

4, Land Tax and Income Tax.

5, Wheat Bags.

6, Railways Discontinuance.

BILL—ELECTORAL DISTRICTS ACT AMENDMENT.

Recommittal.

Resumed from the previous day. Hon. J Cornell in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: Progress was reported on the following proposed new clause moved by Mr. Harris:—

3. Section 8 of the principal Act is amended by adding at the end thereof the following: "On receipt of such report the Minister shall cause the same forthwith to be published in the 'Gazette.'"

The CHIEF SECRETARY: I am opposed to the proposed new clause on the ground that there is no necessity for it in view of the announcement already made by the Government. As soon as the report is received by the Government it will be the duty of the Government, and the Government will recognise that duty, to summon Parliament forthwith. The proposed new clause is an invitation to the Government to delay taking action until Parliament meets in the ordinary course. If the report should come along in March, Parliament will be called together in March, if that is possible. So, too, if the report should come along in April or May or June or early in July, the Government will not wait until the ordinary time for the meeting of Parliament, namely, in the last week in July, but will call Parliament together forthwith. Parliament has the right to the first information in this matter. The report should not be published in the "Gazette." Parliament should be called together at once and the information given to members. Already there is provision for that, and for introducing the Redistribution of Seats Bill without delay. I hope the hon. member will not insist upon his amendment.

Hon. E. H. HARRIS: It is remarkable that the Minister should suggest that the object of the amendment was to bring about delay.

The Chief Secretary: I did not say that.

Hon. E. H. HARRIS: My object is that members of both Houses should have a copy of the report if Parliament is not going to meet forthwith on the receipt of that report. Suppose this session closes next week and the report is presented in say, six or eight weeks' time: as soon as it is available it will be sent to the Minister. The Government

will then be in possession of it. There are party politics in this State, as there are elsewhere, and a lot depends on what is going to happen in respect of the Redistribution of Seats Bill. Why should the Government of the day, any Government, have the right to remain in possession of that report and, if they so desire, hold it till Parliament meets in the ordinary course? If we had an assurance that on receipt of the report Parliament would be called together, it might be all right, but I cannot for the life of me conceive that that is going to happen.

The Honorary Minister: Did not the Chief Secretary inform you just now that that is just what will happen?

Hon. E. H. HARRIS: The Chief Secretary said that Parliament would meeet. It has been suggested that Parliament may meet again early in the new year. My object in moving the amendment was solely to provide that as soon as the report is available it shall be published.

The CHIEF SECRETARY: The original reason given by Mr. Harris is quite different from the one he has just propounded. Yesterday he said he was desirous that the contents of the report should be known to all as early as possible. Now the hon. member casts suspicion on the Government.

Hon. E. H. Harris: No, not at all.

The CHIEF SECRETARY: He said that party politics might be introduced. This, after the experience of the Government with this Bill, which has been received with open arms by both Houses of Parliament.

Hon. E. H. Harris: I thought you would receive the amendment with open arms.

The CHIEF SECRETARY: The amendment might not be so objectionable were it not for the explanation given by the hon. member that the Government possibly would take party polties into consideration and delay the calling together of Parliament for party purposes. It is a very serious reflection on the Government. I do not think any Government about to approach the country would be guilty of such an action.

Hon. E. H. HARRIS: The Minister put it to the Committee that I suggested the Collier Government were going to make the Bill the sport of party politics. I suggested nothing of the kind. I merely said that party politics obtain in this State, as elsewhere. I repeat that. Here and in another place we have no fewer than three parties.

Hon. C. B. Williams: There are four in this House.

Hon. E. H. HARRIS: The greater reason why all should have opportunity to peruse the report as soon as it is available. If, instead of saying the Government probably would meet Parliament as soon as the report is available, the Chief Secretary would indicate just when the Government would call Parliament together, we could feel satisfied. Is he prepared to definitely state that Parliament will be called together immediately the Government are in receipt of the report? Can we have the Minister's assurance that Parliament will meet immediately the report is made available to the Government?

The CHIEF SECRETARY: I have no hesitation in giving that assurance. It has already been decided by the Government. An arrangement has been made for the report to be forthcoming as soon as possible.

Hon. J. J. HOLMES: Without any definite announcement from the Chief Secretary or the Government there was necessity for Mr. Harris's amendment. We now have the Chief Secretary's assurance that immediately the report is received Parliament will be called together to deal with it. Knowing the Chief Secretary as I do, I can see no necessity to proceed further with the amendment.

Hon. E. H. HARRIS: Is it intended to hold a special session, or will this one be carried on for the purpose?

The Chief Secretary: I cannot reply to that question. It has never been discussed.

Hon. E. H. HARRIS: In view of the statement of the Chief Secretary, I would be prepared to withdraw the proposed new clause. I should like to know, however, whether there will be a special session, and whether Parliament would be called together at an early date for that specific object.

Hon. J. J. HOLMES: That does not affect the Bill. Mr. Harris wants to compel the Government to declare in the "Gazette" the report of the Commissioners. We have the Chief Secretary's assurance to which I have already referred. Whether the session is an ordinary one or a special one does not affect the issue.

Hon. H. STEWART: The merit in the amendment is that it makes a permanent provision of the whole business. Were it not that I might endanger the fate of the Bill, I should like to move an amendment making it compulsory that when more than

three seats depart from their quota the Chief Electoral Officer shall present a report to Parliament. The Act at present provides that he may so report. The sooner that is made compulsory, the sooner shall we have cleaner political representation.

The CHIEF SECRETARY: The Act of 1922 makes provision for automatic action. Once the Redistribution of Seats Bill is passed next year, in accordance with that Act the Chief Electoral Officer will act from time to time when necessity demands. There will then be an obligation on the Government to introduce a Bill to carry the report into effect.

The CHAIRMAN: I cannot allow any further discussion on that point.

Hon. H. STEWART: Mr. Harris's proposal also provides for future cases.

The CHAIRMAN: I cannot allow any further discussion on that point.

Hon. E. H. HARRIS: With the consent of the Committee, I shall withdraw the proposed new clause.

Proposed new clause withdrawn.

Bill again reported without amendment and the report adopted.

BILL—POOR PERSONS LEGAL ASSISTANCE.

Second Reading.

Debate resumed from the 6th December.

HON. J. NICHOLSON (Metropolitan) [4.56]: This Bill was cordially received in another place, and I believe also had the support of many members of the legal profession. No one can deny the necessity for giving assistance to poor persons. It is in accordance with the ideal referred to by Sir Edward Parry, one of the English judges, who said that the old English ideal in connection with the subject of assistance to the poor was that "To no one will we sell; to no one will we refuse or delay right or justice." In commenting upon that he stated that this ideal "can only be maintained by a race of advocates who are ready to place their judgment, independence, eloquence and courage at the service of their fellow citizens, much as a doctor places his knowledge and experience at the service of patients of every degree." We are well aware of the example set by members of the medical profession in giving their services voluntarily and freely in assisting the poor. Many instances of that are found in our own hospitals. That is a commendation for any measure such as this. No one wishes to see law suits multiplied. I think I can say on behalf of the profession in this State that there is a manifest endeavour on their part to bring parties together instead of separating them and putting them further apart. The measure does more than is provided in our rules at the present time, but it occurred to me that what is provided for might have been incorporated in our rules with good results, just as in England. There, the rules relate to poor persons, and are prescribed by the court without their being embodied in an Act of Parliament. Under the Bill before us it is proposed to appoint a public solicitor. That means the allocation of another office, but I believe the Government are desirous of working in harmony with the Law Society. In the Old Land all these cases of poor persons are, in the first place, referred to a law society. There is the Law Society in London and there are provincial law societies throughout England. The Lord Chancellor approves of certain committees appointed by the Law Society and when a poor person has a case, he submits it to the society and obtains a certificate from the society or the committee. If the certificate shows that he happens to be deserving in respect of the claim made. Machinery is provided under the rules of the court and not by a special Act, as is provided here. The law society would necessarily require to be granted certain funds, and it occurred to me that it might be much less expensive if the Government were to allocate to the law society here a certain sum from time to time to meet expenses in connection with the carrying out of rules which could be prescribed in the same way as they are set out by the Supreme Court of England. A committee could be elected and approved by the Chief Justice and to that committee would be referred applications for assistance. I was somewhat interested in reading an article written by one of the Masters of the High Court of England, Master Archibald, and published in the "International Law Notes" in April, 1916, some two years after the beneficent

rules were introduced in the High Court in England. This is what he wrote—

For many years England was behind all the other great civilised States of the world in the matter of affording facilities to poor persons for bringing their claims before the Courts of Law. But in 1914 a serious attempt was made to remedy this state of things, and the Poor Persons Rules were passed, and have now had a fair trial. Notwithstanding the difficulties caused by the great European war, the result has been eminently satisfactory. Legal reformers have long felt that it is discreditable to any civilised people, particularly to a nation with such great ideals as our own, if deserving and respectable persons are unable to have their complaints and grievances dealt with on account of poverty. Many of these grievances may be, in fact, based upon wrong ideas and views, yet it is, we conceive, of great importance that persons, however poor, who believe themselves to be the victims of injustice, should have a proper opportunity of having their cases inquired into and brought into court if the inquiry justifies such action. A system under which one litigant has to incur expenses, without the possibility of recovering them from the other is liable to do injustice to the man who can pay, unless very carefully administered, and sometimes to avoid expense a defendant may pay money rather than fight a pauper. Still, too much weight must not be given to assertions of blackmail, as unsuccessful defendants are very ready to give that excuse for the settlement of pauper claims.

The author describes how the scheme works, and he concludes by saying—

In the Chancery and King's Bench Divisions a very small percentage of the applications have hitherto been granted, the majority being imaginary claims. But amongst the claims allowed there have been some considerable successes. In the Divorce Division more than 1,000 orders have been made, and a number of the cases have already been successful, whilst many are being kept in suspense owing to the war. The work done in the office of the secretary, Mr. Hassard-Short, may be to some extent measured by the fact that since the Rules came into force, and up to December, 1915, 22,518 letters have been received and 32,414 despatched. There is a pathetic and often humorous side to many of the applications. As might have been expected, many difficult points have had to be decided, and some of the prospective litigants have not been easy to deal with. However, the practice has now become fairly settled, and the scheme has worked without a hitch.

We can realise that the volume of business which would come before a body such as that in the Old Country would be immensely greater than would be the case here, and I hope the Minister in replying will be able to give an assurance to the House that the law society whose functions are of a very high order indeed will be recognised in connection with the work to be carried out under the Bill.

The Chief Secretary: I have already said so.

Hon. J. NICHOLSON: In the circumstances I cannot see the necessity for appointing a public solicitor as is proposed. I shall support the second reading.

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.

Clauses 1 to 3—agreed to.

Clause 4—Practitioners willing to assist poor persons:

Hon. A. LOVEKIN: I should like to know by whom the practitioner who will be appointed will be paid, and at what rate.

The CHIEF SECRETARY: I thought I made it clear what the position would be. We propose, if necessary, to appoint a public solicitor, but from what I am given to understand there will be no necessity to make the appointment because the Law Society have expressed their intention of rendering assistance to the Government in every possible way.

Hon. A. LOVEKIN: I can see quite a large number of speculative actions arising. A man may put up a case against a person of some importance, a person who has means. The case will be taken up and prosecuted, and the solicitor who acts for the poor person will take a chance of getting costs out of the other side.

The CHIEF SECRETARY: Such things are possible in every department of life. In this case the Government intend to rely on the promise of assistance made by the Law Society. The time may arrive when it may be necessary to appoint a public solicitor, but the appointment will not be made while the Law Society are willing to render the assistance they have offered.

Hon. A. LOVEKIN: The Bill sets out that a list shall be kept of qualified practitioners willing to inquire into and report upon the applications of poor persons for legal assistance and to act on behalf of such poor persons for the fee or remuneration prescribed. I want to know what this prescribed fee is to be. I can see speculative

actions being taken against people of means in the hope of getting costs from the other side. Speculative actions may be brought against reputable citizens who would have no redress whatever. From my experience there will be enormous crops of such actions. It is impossible to get to the Supreme Court on the most trumpery libel action for less than £300 and many cases have involved £1,000 or £1,100. It has always paid to say to the solicitor, "What do you want?" and the reply has been "Ten pounds for myself and £5 for my client."

Hon. J. J. Holmes: Is that the usual division?

Hon. A. LOVEKIN: I have settled libel actions like that, and it pays to do so rather than go to court. We should tighten up the measure so that such things cannot happen.

The CHIEF SECRETARY: Much would depend upon the qualifications and the honesty of the practitioner appointed to the office of public solicitor. The provisions of Clause 7 constitute a complete answer to Mr. Lovekin's criticism. If the public solicitor were dishonest and launched into cases that offered no prospect of success, his removal from the position would be a matter of course.

Hon. A. LOVEKIN: If the decision were left to the public solicitor, it would be all right, but a poor person may consult an ordinary practitioner. People that bring such actions would not hesitate to make statutory declarations by the basketful, and there is no penalty for making a false declaration. Yet such a litigant might involve a reputable citizen in hundreds of pounds of expense.

Hon. J. J. Holmes: Cannot we provide a penalty?

Hon. A. LOVEKIN: A substantial penalty should be provided for making a false declaration. The matter should be left to the public solicitor without bringing in outside practitioners If the solicitor chose to appoint an agent to act for him, he could do so.

Hon. Sir WILLIAM LATHLAIN: No litigant would have power to approach a practitioner to discuss his case. The clause merely provides for the keeping of a list of practitioners willing to assist poor persons. Clause 7 safeguards the position in that an application must be lodged with the Minister who, with the public solicitor, would decide whether the litigant had a right to legal assistance.

Hon. H. STEWART: The danger could be guarded against by making it an offence for a practitioner to do any of the things mentioned by Mr. Lovekin.

Hon. J. NICHOLSON: The clause contemplates the keeping of a list of practitioners willing to act.

Hon. H. Stewart: Should not they have the approval of the Law Society?

The Chief Secretary: That is the intention.

Hon. J. NICHOLSON: I should like to see it embodied in the Bill. If a practitioner was guilty of wrong-doing, he would be answerable to the Law Society. The public solicitor would be a servant of the Government. It is quite likely that there may be claims by poor persons against the Government, say as to resumption of land or claims against any department of the Government.

The Chief Secretary: Such a person would not be a poor person under the Bill.

Hon. J. NICHOLSON: Say the land was worth £10 or £20, or even £50, and that it represented the whole of the poor person's assets. Or he might have a claim against a Government department in respect of an accident. The public solicitor, if not too busily engaged on claims of poor persons, might be dealing with claims made against another department of the Government, and if such claims included a claim by the poor person he would then be placed in a somewhat conflicting position. The solicitor should not be placed in that position. Therefore I would prefer a solicitor not subject to the Government, but controlled by a society approved by the Chief Justice. At Home the necessary certificate must be signed by two legal practitioners present at the preliminary investigation. The person who is to be assigned counsel must not be worth more than £50 exclusive of wearing apparel. Then the society would assign a solicitor on the list, at the low fees prescribed. In the rules of the English High Court a great safeguard is provided, as follows:—

> Except as provided by this order, no solicitor or counsel shall take or agree to take or seek to obtain any payment, fee, profit or reward for the conduct of the proceedings, or for out-of-pocket or office expenses, and any solicitor or counsel so doing shall be guilty of contempt of court.

It would be wise to embody a similar provision in this Bill. The English rule continues—

If any such payment, fee, profit or reward shall be made, given, or promised, the certificate may be ordered to be taken off the file, in which case the poor person shall not afterwards be admitted in the same proceedings as a poor person unless otherwise ordered.

Subclause 5 of Clause 6 reads—

Nothing in this Act shall affect the powers of the judges or of any of them to make, alter or revoke any rules of court relating to proceedings *in forma pauperis*: Provided that nothing in any rules of court so made, altered or revoked, shall be inconsistent with any provisions of this Act, and that where any existing rules or rules of court are inconsistent with any provision of this Act, such provision shall prevail.

If the court were to pass a regulation dealing with a matter similar to that, it might be held to be inconsistent with the provisions of the Bill. Therefore the Bill should embody such a provision as I have quoted. There is no use in putting temptation in people's way.

The CHIEF SECRETARY: I move—

That the consideration of the clause be postponed.

Motion put and passed.

Clause 5—agreed to.

Clause 6—Legal aid for persons in civil actions and matrimonial causes:

Hon. A. LOVEKIN: Should not this clause also be postponed?

The CHIEF SECRETARY: I move—

That the consideration of the clause be postponed.

Motion put and passed.

Clause 7—Application for legal aid:

Hon. E. H. HARRIS: What is meant by the reference to not receiving the basic wage for the previous 12 months? Does that mean the 12 months immediately preceding the application for legal aid, or the 12 months of the last determination of the basic wage by the court? Through forfeiting the basic wage for two weeks, the equivalent of about £10, a person might obtain legal aid worth £50.

The CHIEF SECRETARY: No matter what the position in life an applicant for legal aid occupies, in order to make a successful application he must not have earned the basic wage for the preceding 12 months. There may be different basic wages under the Bill, and in that case the amount for the year would be calculated.

Hon. A. LOVEKIN: Is it intended that a person who has received the amount of the basic wage for the previous year shall not come under the Bill?

The Chief Secretary: There is a special provision as to that at the end.

Clause put and passed.

Clauses 8 to 13—agreed to.

Postponed Clause 4:

Hon. A. LOVEKIN: Before the Chief Secretary proceeds to deal with postponed Clause 4, I would ask him to report progress, and, in the interval, to have a clause drafted that will provide for a penalty to be imposed upon any person making a false declaration.

The Chief Secretary: There is one already.

Hon. A. LOVEKIN: But that is not enough. There may be instances of a person being involved in a loss of thousands of pounds merely because a man has made a false declaration.

Progress reported.

BILL—APPROPRIATION.

Received from the Assembly and read a first time.

BILL—LAKE GRACE-KARLGARIN RAILWAY.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.50] in moving the second reading said: Although the report of the Railway Advisory Board on the Lake Grace-Karlgarin line was presented to Parliament in 1926, a decision on the question of construction was delayed owing to an unusual occurrence. A committee appointed by the Government to inquire into the probable routes of main trunk lines led the Government to hesitate in coming to a conclusion on the whole question. Cabinet, after mature deliberation, has now decided to act on the recommendation of the Railway Advisory Board, and the Bill embodies the proposal of that body. The board's

report stated that, with the assistance of local organisations, they had inspected the Karlgarin, Jilakin and North Newdegate districts with a view to reporting on the best means of providing railway facilities for the country east of Kondinin and Kulin. The board, fortified by statistics, point out that considerable development is taking place in the newly settled districts east of Kondinin and in older districts in that area. They say there is settlement for over 40 miles out from the railway, and they support an extension of the line for approximately 54 miles out from Lake Grace. Some difference of opinion exists locally as to which route should be taken, but this aspect does not concern the people of Karlgarin, where there is the main settlement. They do not care which route is decided upon so long as they are provided with railway facilities. In their report the board state that a line running eastward from Kondinin for a distance of about 34 miles would serve an area of about 502,000 acres. Of this, about 96,000 acres are alienated. It would, however, leave unserved about 224,000 acres in the Jilakin district, of which about 62,000 acres are alienated and under cultivation. On the other hand, a line running north-easterly from Lake Grace to a point east of Kondinin and thence to a point about 34 miles east of that centre, a total distance of about 52¼ miles, would serve an area of about 726,000 acres, of which about 158,000 acres are alienated, and would at the same time serve both the Karlgarin and Jilakin settlers. On receipt of the report of the committee which dealt with main trunk lines, the report on this railway was referred back to the Railway Advisory Board for further consideration. As a result of further review, with all the facts and arguments of the committee before them, a majority of the board still adhered to their first recommendation. They point out, in their second report, that in view of the large amount of settlement in the Jilakin and Karlgarin areas, a railway to serve these districts is essential. To do this most effectively, they recommend that the line be constructed from Lake Grace northwards about 50 miles to a point about 25 miles east of Kondinin. In the course of their report they state it will be necessary in the near future to extend this line so that it may junction with the main line at Southern Cross. The classification of the country between Lake Grace and Southern Cross has commenced, and there is already evidence of the existence of a large area of country suitable for settlement. One satisfactory aspect of the board's report is that they consider the construction of this line will not affect the proposal to build a line from Kondinin to Salmon Gums, should such a line prove, at a later date, to be justified. It is pleasing to the Government to think that the proposal contained in the Bill will not mar the scheme for the provision of a trunk line to connect Kondinin with Corrigin, with the object of giving closer access to the nearest port. So far, no decision has been arrived at as to the weight of rails to be used in this line. That phase is now under consideration. The engineers aim at a ruling grade of one in 80, while a 20-chain minimum radius of curves is contemplated. The length of the line will be something like 54 miles, and the estimated cost with 45-lb. rails will be approximately £3,700 per mile, or a total of £200,000. If 60-lb. rails are used, the cost should be £4,300 per mile, or a total of £232,000. Though given a definite promise of railway communication when they took up their land, some of the settlers, who will be served by the line, have been for years without the necessary facilities, and are carting as far as 40 miles. The Government feel that they are under an obligation to redeem a pledge given to these people, and have therefore decided to adopt the recommendation of the majority of the Railway Advisory Board, and submit to Parliament the proposal embodied in this measure. I move—

That the Bill be now read a second time.

HON. J. J. HOLMES (North) [5.58]: I do not raise any objection to the building of railways for the development of agricultural areas, provided the railways are to be built in the immediate future. On the other hand, I do object to railway proposals being submitted to us that, in my opinion, can have only one result, and that is to mislead settlers in a particular locality. If I remember aright there is an honourable understanding that railways shall be built in the order of preference. That is to say, the railway first authorised shall be the first to be constructed. So far as I know, that policy has not been departed from, nor is it likely to be.

Hon. H. Stewart: It has been departed from in recent years.

Hon. J. J. HOLMES: But not to any great extent. The report of the Commissioner of Railways for the year ended the 30th June, 1928, shows that the approximate length of railways authorised and under construction, but not completed, is 152¼ miles, while the railways authorised by Parliament, but not yet commenced, represent a total length of 459 miles, making a total length of 611¾ miles of railway. To construct what is already authorised, to use the Minister's own figures, will cost 2½ million pounds before we get on to construction of this railway at all. I am entirely in favour of building railways to open up the country, but I am entirely opposed to putting up railway Bills to finance upon. That, I think, is what it amounts to. So far as I can judge, the money has been borrowed to build those railways. There are under construction the Albany-Denmark extension, 35 miles; the Amery Northwards line, 67 miles; the Lake Brown-Bullfinch line, 50¼ miles; or a total of 152¼ miles. Then there are railways authorised by Parliament but not commenced on the 30th June, 1928—the Yarramony Eastward line, 85 miles; the Brookton-Dale River line, 27 miles; the Bridgetown-Jarnadup extension, 28 miles; the Boyup Brook-Cranbrook line, 95 miles; the Manjimup-Mt. Barker line, 107 miles; the Leighton-Robb's Jetty line, 4½ miles; and the Meekatharra-Wiluna line, 113 miles, or a grand total of 611¾ miles. Those railways have been authorised and, as far as I can judge, the money has been borrowed with which to construct them, but has been used for other purposes. We have used six millions of money to pay revenue accounts, to square the deficit. Where did we get it? We borrowed it, presumably to build works. But we did not carry out those works. This railway will never be built until those authorised railways are constructed. So the only advantage of the Bill will be to enable the Government to include the railway in the loan schedule to borrow money on it to build the other railways already authorised. That is what I object to. I do not object to the building of railways, but I do not object to putting up to the public a proposal when there is no hope of the railway being built for some years to come. Let me point out what happened in the early days of the Mitchell Government. There was a proposal to construct a railway from Denmark to Pemberton, a very big undertaking. It was opposed in this House, and ultimately a compromise was arrived at. I claimed there was no necessity to authorise the building of the whole of the railway, because Denmark was connected with the port of Albany while Pemberton was connected with the port of Bunbury. I urged that the right course to pursue was to grant authority to construct so many miles from the Pemberton end south, and so many miles from the Denmark end north, rather than tying up the country to the whole scheme, which would prevent needed railways being constructed in other districts. Ultimately that was agreed to. But even in that case the proposal put up to Parliament was not adhered to. That was to be a new departure altogether. They were to build the railways first, clear the land, bring out settlers from the Old Country and put them on the cleared land. Instead of tying up the country to the whole of that proposed expenditure, to the exclusion of railways in other districts, ultimately this House insisted upon the line being built in sections. The Minister, in moving the second reading of this Bill, said the Advisory Board considered the construction of the railway urgent.

Hon. H. Stewart: It has been urgent for a long time.

Hon. J. J. HOLMES: I admit it. But what the Advisory Board consider, and what the country is in a position to carry out, are two entirely different things. This country is committed to the completion of 611 miles of railway before this urgent work can be commenced. It is all due to the wrongs of the past. I do not know that this Government are any worse than any other Government in that respect. But this is what was happening, and we are now reaching a dead-end, for we have 611 miles of railway authorised and we have to build them. Yet we are to authorise another railway in order to get the money in, not to build this particular railway, but to build those lines already authorised. In view of that I cannot see, even if the railway is authorised, when the deserving settlers are going to get the railway that everybody considers urgent. The Minister told us those settlers are without means of communication and have to cart their wheat 40 miles. On present prices they cannot cart wheat 40 miles

at a profit. If I could see any hope of their getting the railway within the next five years I would consider it some justification for supporting the Bill. But can the Minister assure us that they are going to abandon an honourable understanding and cut out 459½ miles of railway already authorised but not yet commenced——

Hon. E. H. Harris: Cut out Wiluna! They are not prepared to do that.

Hon. J. J. HOLMES: And construct this urgent railway to serve settlers who have to cart 40 miles, the railway which the advisory board consider urgent and which we all admit to be urgent? Will the Minister assure us that this railway will be gone on with to the exclusion of the others? If not, we come back to the fact that we are authorising a railway, not to be built, but for the Government to finance upon in order to build railways already authorised. I do not know that I can be a party to such a proposition.

HON. H. STEWART (South-East) [6.10]: There can be no doubt this line will be built long before Mr. Holmes seems to expect. The settlers there are carting, not merely 40 miles, but actually 50 miles. They were promised the Bill two sessions ago. Indeed, it was introduced, but was withdrawn because of the alternative proposals of the Engineer-in-Chief. Not only is this line going to relieve the settlers in this district, but it will be the beginning of a developmental line going towards Southern Cross which will open up a very large area of good agricultural country southwest of Southern Cross, namely Forrestonia, a country that will be highly productive of wheat. Already it has been subdivided and classified. Last May in Forrestonia there were subdivisions representing over 400 farms. And this is only the beginning of a scheme for developing a country that is altogether beyond question. I know the country, for I have been out there with the Migration and Development Commission. I sincerely hope this railway will be built within a reasonable time, for the settlers to be served by it have been treated very harshly. I am rather sanguine that this railway will be started within the next 12 months.

Hon. E. H. Harris: What makes you think that?

Hon. H. STEWART: I am not going to tell the hon. member. In this list of railways under construction and projected, and in the list of railways that have been completed, there are some to which I wish to refer. For it was in relation to some of these lines that the principle was departed from of building railways in the order in which they were authorised by Parliament. The Salmon Gums-Norseman line was one in the building of which this principle was violated. The northern portion of that line did not lend to direct additional development, and the country it served has not by any means been proved to be safe rainfall wheat country. Yet all the while the settlers to be served by the railway Bill now before us were carting wheat 50 miles. Another line that has been constructed out of its order is the Ejanding Northwards railway, and I believe there is in that same Ejanding country another extension being constructed out of its order of authorisation. The same can be said of the Lake Brown-Bullfinch line. Those two lines have been taken out of their order because they promised to provide a direct revenue. However, I cannot refrain from protesting against the delay that has taken place in the construction of the Denmark-Nornalup railway and against the delay in starting the Boyup Brook-Cranbrook line, the Manjimup-Mount Barker line and the Brookton-Dale River line. I will support the Bill, for it is long overdue.

Sitting suspended from 6.15 to 7.30 p.m.

HON. J. CORNELL (South) [7.30]: The introduction of this Bill not only meets with my approbation but I am sure that of yourself, Sir, and Mr. Williams. There is no need to debate it from the point of view that it is likely to be defeated. Its fate cannot be in doubt. No railway Bill that I know of has been more justified than this one. Some seven years ago a railway was promised to the Karlgarin settlers. Upon that promise the Agricultural Bank exceeded their policy, and advanced full loans up to 33 miles from the existing railway. The land being good, the seasons favourable, and the settlers the best of all, the bank has never been in doubt about its security. It has been said over and over again in this Chamber that settlers have been carting up to 45 miles into Karlgarin and over an average distance of about 27 miles. Kondinin held the record last season

as wheat-receiving station, and it is safe to say that half that product came from the Karlgarin district. Two years ago the Premier received a deputation and promised to build a line if the report of the Advisory Board was favourable. He said he would put £10,000 on the Loan Estimates, and this he was good enough to do. Unfortunately, the Engineer-in-Chief put forward the Salmon Gums-Karlgarin-Brookton-Armadale project and this prevented the introduction of the Bill promised by the Premier. The settlers affected absolved him from all blame. It is unfortunate that the Stileman proposal should have hung up the introduction of this Bill, inasmuch as both lines are justified and both will eventually be built. This line however, was and is required urgently, whereas the other is not. The proposal to run from Lake Grace was originally recommended by three members of the Advisory Board. One member then withdrew his approval, and it received the continued support of the other two. It has been the subject of three committees, including a special committee, but the concensus of opinion every time has been to stick to the original route. The proposed line runs through the South-East and the South Provinces and serves almost as many in the one as in the other. The Jilakin settlers for ten years have been carting up to 35 miles. The Stileman railway would have served the Karlgarin settlers as well as this proposed railway, but be it said to their credit they offered no opinion either way. They were convinced that for many years to come the Lake Grace-Karlgarin railway would serve more settlers than the proposed Stileman railway. It was only a fair thing that the settlers east of Jilakin should have the railway communication they had been asking for and so long needed. If ever a body of settlers have played the game, it is these Karlgarin settlers. The Chief Secretary said it was proposed to continue this line northward to Southern Cross, and that the land north of Karlgarin and south of Southern Cross was being classified. Enough locations have already been allotted by the land board north of Karlgarin to justify the proposed extension. In the vicinity of 200 blocks are already held. There is also settlement east of Narembeen which the proposed extension would serve, and which must of necessity come. This line will be a payable proposition from the start. There is enough settlement and enough production to make the line one of the most payable in the State. That is another justification for its construction. The Chief Secretary said it would not interfere with the proposed Stileman railway. Of course that is so. I am certain that, in addition to the Lake Grace-Karlgarin railway, and the extention north to Southern Cross, there must be another line almost parallel and joining it somewhere near Mt. Hampton, to serve about 400 blocks which have been thrown open, many of which have been occupied. The Stileman railway was intended to be a strategic line in order to take the traffic on the north and south, and cut it in two in the centre. That is what the line will eventually be. Mr. Holmes said he had no objection to building railways for developmental purposes provided they were built without delay. There is every reason why this line should be built without a day's delay.

Hon. J. J. Holmes: I want you to get the railway but I cannot see how you will get it.

Hon. J. CORNELL: Outside the inconvenience which settlers have been suffering for years, there is the fact that the line will pay from its inception. Settlers for the last 10 or 12 years have been opening up and developing that part of the country until it is on practically all-fours with any other part of the wheat belt. It has been proved conclusively that for rapid development, and for almost immediate returns, we cannot go far wrong in building railways through our wheat areas. There is a great difference between such a line and one in the South-West. Part of the South-West cannot be reproductive for a number of years, and though railways there may be justified, some time must elapse before they become payable. The reverse is the case in the wheat belt. Railways there will be the means of absorbing migrants, and will pay almost from the start, and by developing the State will assist later in the more rapid construction of railways that cannot pay for some time after they are completed. Mr. Holmes is fearful about the recognised rule that railways should be built in the order of their authorisation. This had its origin in the Esperance railway, which had remained for long in abeyance. Both Houses carried a resolution to the effect that railways should be built in the order in which they had been authorised, so that there should be some assurance about the construc-

tion of the Esperance line. I never have been one of those who was hard and fast for the construction of railways in the order of their authorisation. Over the years Bills have been brought down and passed for railways that were not so urgent as those which were passed later, and yet because of that rule it is said that the more urgently required railways must wait until others not so badly needed have been built. The procedure of constructing railway lines in the order of authorisation has been departed from in the cases of the Norseman-Salmon Gums, Ejanding northwards and, I understand, the line authorised this session to Kulja, because the plant happens to be on the spot. The departure also applies to the Lake Brown-Bullfinch line as well as that from Lake Grace to Newdegate. I do not think one hon. member in this House or another place can advance a logical argument against the justification for the construction of these railways. At any rate, the results will speak for themselves. The Newdegate line proved a paying proposition from the start. The Ejanding northward line will also pay from the commencement as also will the Lake Brown to Bullfinch project. The Norseman-Salmon Gums railway was a connecting link, and irrespective of all the agitation that took place along the years in favour of the construction beginning from Kalgoorlie or Coolgardie to Esperance, the line was justified, even if it carried nothing through the district in which it runs, because it meant that the development of the Esperance district with a dead-end railway from Esperance to Salmon Gums was not an economic proposition. In fact it might have been classed as uneconomic as the growing of wheat in the Ravensthorpe district where the freight charges on wheat amounted to 11½d. per bushel. The construction had to begin from Kalgoorlie or Coolgardie to make it part and parcel of the working railways, and provide the service to which the settlers were entitled, a service that would enable them to get their super, machinery and other requisites with some degree of certainty over the main trunk system. I accept Mr. Stewart's remarks in the spirit in which they were made, but I desire to correct him to some extent. It is wrong to say that there is no decent arable land within hail of the Norseman-Salmon Gums railway. There is the Dowak area which is settled. There is also Kumarl, and that area goes almost up to McPherson Rocks. If Sir James Mitchell is any authority—some people say he is and some say he is not, but I think taking him by and large or for all in all he is a fair judge—his judgment, though it may take some time to mature, generally comes out pretty correctly. Sir James Mitchell's opinion is that the land north of Dowak to MacPherson Rocks will grow more wheat than the land from below Circle Valley to Esperance. I am inclined to agree with him. There is no question whatever about the quality of the soil on that area. Hon. members have only to refer to the classifications of the 900 or 1,000 farms that have been allotted by the Land Board in the last eight months to find that taking block for block the Kumarl location classifications contain per selection more first-class land than any other with the exception perhaps of Dulyalbin Sheet I. locations. There is nothing wrong with the land and there is no reason to fear about its productivity.

The PRESIDENT: I remind the hon. member that the Bill before the House refers only to the proposed railway between Lake Grace and Karlgarin.

Hon. J. CORNELL: I was replying to Mr. Stewart who had said that there was very little good land between Salmon Gums and Norseman. I also desire to correct Mr. Stewart's statement that the line going north would touch Forrestania. It will not do anything of the sort; another line will have to run south to touch Forrestania because that district is 50 miles east of Karlgarin. I wish to express my pleasure and I think I can express yours also, Mr. President, at the introduction of the Bill. I commend it to hon. members and I feel sure that when both Houses have agreed to the construction of the railway those people who will be served will not be unmindful of what has been done for them and their confidence will be restored in our Parliamentary institution and in Parliamentarians themselves.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [7.53]: In his opening remarks Mr. Holmes stated that he objected to railway proposals that were likely to mislead the people in the locality it was intended to serve and in a humorous way he indicated that the Government proposed to include the Karlgarin line in a future Loan Bill so as to influence the British money lender to supply the funds.

Hon. J. J. Holmes: In order to build authorised railways.

The CHIEF SECRETARY: Mine is a liberal interpretation of the hon. member's remarks. I am not so well acquainted with the intricacies of finance as the hon. member has proved himself to be, but suppose an effort were made to influence the British money lender on the basis of the Karlgarin railway——

Hon. J. J. Holmes: I did not say that.

The CHIEF SECRETARY: And the Government utilised the money for the construction of another line, what harm would be done? The very fact that we are introducing this measure now would mean that the project would come up for consideration at a later stage and perhaps the money raised for the building of another line would be used for the construction of the Karlgarin railway. Thus in the end everything would come right. I intended to refer to the Norseman railway in reply to Mr. Stewart's remarks, but Mr. Cornell has ably dealt with the position. In fact, he went so far that he was obliged to divert his thoughts in other directions. I am given to understand it is a recognised rule that as the result of a motion carried in this House, railways must be built in the order of their authorisation. That rule, however, has not been observed by the present Government. Each railway has been considered on its merits, the particular circumstances of the settlers in the locality to be served, the number of settlers, their production—all these matters have been taken into consideration, and I do not think there has been a single public protest against the decisions arrived at. There has been a little criticism in the House, but I think that even those who indulged in the criticism recognised that the Government acted in good faith and did what they considered best in the interests of the settlers and of the State.

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.

Clauses 1 to 8, Schedule—agreed to.

Title:

Hon. J. J. HOLMES: In view of what transpired in the House this afternoon, I do not know that the Title is in order. I suggest that the word "immediate" be inserted before "construction," and that will swing into line with the utterances of the Chief Secretary and other members who have spoken.

Title—agreed to.

Bill reported without amendment and the report adopted.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Second Reading.

THE HONORARY MINISTER (Hon. W. H. Kitson—West) [8.0] in moving the second reading said: The Bill is brought forward to amend the Coal Mines Regulation Act of 1902-26 with the object of applying the provisions of the Mines Regulations Act of 1915 to the inspection of coal mines. The principal Act provides for the appointment of inspectors of coal mines, while the Mines Regulation Act of 1915 provides for other inspectors known as special inspectors and workmen's inspectors. Those are the provisions that it is desired to embody in the Coal Mines Regulation Act. In order to simplify the procedure, it is proposed to repeal Sections 36 and 37 of the principal Act, Section 36 dealing with the appointment of inspectors of mines and Section 37 dealing with the powers of inspectors. The Mines Regulation Act, which was amended in 1915 and which provided for the appointment of workmen's and special inspectors, has proved very satisfactory and, as a result of our experience in the gold mines, it is considered that the same provision should apply to the coal mines. The various clauses of the Bill will give effect to that desire, and as they in the main are framed with the object of applying the provision of the Mines Regulation Act to coal mines, I do not propose to enter into any detail except to say that at present only one class of inspector is provided for in coal mines, whereas under the Bill there will be three classes—special inspectors, departmental inspectors and workmen's inspectors. The duty of the special inspector will be, if the occasion should arise—it is not anticipated that it will arise very often—to make special inquiry from a technical or scientific point of veiw. For instance, it may be considered desirable to

make an inquiry into the electrical appliances used in a mine, or some special circumstances may arise necessitating examination by an expert in that particular line. The departmental inspector will be the inspector appointed at present and his duties will be the same, while the workmen's inspector will take the place of the check inspectors who are appointed by the workers employed in the mine.

Hon. E. H. Harris: Will he undergo an examination as the other inspectors do?

The HONORARY MINISTER: Not necessarily. He will be appointed by the workers. In the coal mines at present there are a considerable number of men quite qualified to take the position of inspector, as they hold first and second class certificates which entitle them, if the opportunity occurred, to take the position of manager of a mine. The workmen's inspector will not be a full-time inspector; he will approximate half time. The appointment of a workmen's inspector is something that the coal miners have been advocating for a good many years, and it is considered desirable that we should provide for the appointment. Those are the only features that call for any comment. The various clauses of the Bill will be found to fit in with what I have described. We are trying to apply to the coalmining areas of the State the conditions that have applied to the gold mines for a good number of years. I move—

That the Bill be now read a second time.

HON. H. STEWART (South-East) [8.6]: The only reason the Honorary Minister gave for the Bill is that it will make our coal mines legislation follow the lines of the Mines Regulation Act of 1915. There is a principle in the Bill that is unnecessary and I consider it is not a right one. In mining operations it is necesary that there should be efficient inspection of the workings to protect life and limb as well as property. For that purpose Government inspectors are appointed—men qualified by experience, knowledge and examination to fill the position. Those men occupy an independent position and they have a duty to perform both to the men and to the mining company. In no other State in which I have worked, nor in the Dominion of South Africa, were there workmen's inspectors. I have not actively managed a mine as general manager or mine manager since 1909; still, I hold a first-class certificate of competency as a mine manager, and I know that neither in Tasmania, Victoria, New South Wales nor the Dominion of South Africa, where I followed my profession, were workmen's inspectors necessary or in operation. I consider there is no necessity for them if we have a Government inspector. Apparently they have been appointed in connection with the metal mines, and it is now sought to appoint them for coal mines. The Honorary Minister said provision, was made for the appointment of workmen's inspectors in 1915. If so, that would account for my not having objected to the principle, as I was not returned to Parliament until 1917. If we employ workmen's inspectors in order to see that the Government inspectors do their work, the work being to ensure that the mines are safe and that the laws are properly observed, we may as well employ workmen's inspectors in connection with factories. It would also be just as logical to appoint farmers' inspectors to see that the inspectors of the Agricultural Bank did their work. There is no reason to follow what I consider was a bad precedent established in connection with the metal mining industry, and make it apply to the coal mines.

Hon. V. Hamersley: Who will pay the workmen's inspectors?

Hon. H. STEWART: It is not a matter of who will pay them.

Hon. V. Hamersley: Will they be Government officials?

Hon. H. STEWART: If the inspectors of mines in any district are not competent to do their work, or are not doing their work, or if there are insufficient inspectors to do the work, there is something wrong with the administration. I see no necessity for double-banking by bringing into operation other inspectors, even though they may have the confidence of their fellows and be competent within certain limitations. There is no occasion to have two classes of inspectors doing the work of one man. I shall require better reasons for the Bill before I can support it. Consequently I have given notice of amendments which will mean striking out the provision for workmen's inspectors and leaving provision for departmental and special inspectors. Special inspectors could be appointed from time to time to inquire into particular phases such

as fire-damp, explosions and accidents. If the Government desired and the necessity arose, they could send elsewhere for a man with special qualifications to make such an inquiry, and there is no objection to provision being made in the Bill for the appointment of such inspectors.

HON. J. J. HOLMES (North) [8.14]: I entirely agree with Mr. Stewart. It is recognised right through life that if we have two men doing one man's work, the result is never satisfactory. That is the experience everywhere. The work is shifted from one man to the other. One of them considers he has done enough and that the other should do a bit, and so trouble arises. It is possible to get one man to do the work of two men for a while, provided he works at top pressure, but it is not possible to get two men to do the work of one man satisfactorily. We have departmental inspectors and, if technical knowledge is required, there is provision to appoint special inspectors for the coal mines. Following on that is the workmen's inspector, who we are told is to be on half-time. We are not told—though it does not matter much—whether he is to be on full pay for half-time, or whether he is to be paid by the State or by the workmen. The workmen's inspector on half-time, if he were not very useful on a mine, would periodically be of some use to some organisation. That is something which I do not think we should allow to creep into a Bill like this. Therefore I shall move in the direction, or support action in the direction, of striking out the workmen's inspector clause.

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

BILL—MUNICIPAL AND ROAD DISTRICTS ELECTORAL.

Second Reading—Amendment (six months) carried.

Debate resumed from the 6th December on the second reading, and on the amendment moved by Hon. A. Lovekin "That the word 'now' be struck out and 'this day six months' added to the motion."

HON. G. FRASER (West) [8.17]: I hope the amendment will not be carried. Very few arguments have been used against the Bill or for the amendment. So far the main feature of the debate has been a desire to retain plural voting. It has been urged that a person who pays more rates has a greater interest in the municipality. That contention does not strike me as sound. Mr. Holmes, I understand, has property in the Fremantle district and pays certain rates on it. I believe that in some wards he would have two votes, or at all events that in the district he would have more than one vote. Mr. Stephenson, I believe, is in the same position.

Hon. H. A. Stephenson: Unfortunately.

Hon. G. FRASER: I think Mr. Stephenson would be entitled to two votes. No one here would contend, I think, that either Mr. Holmes or Mr. Stephenson has a greater interest in the Fremantle district than I have To take it a little further, the properties which those gentlemen own in the Fremantle district are a mere bagatelle to them, whereas my property in the district represents all my worldly possessions. Mr. Holmes and Mr. Stephenson are, however, entitled to twice as many votes as I am. Yet what I have described is the only argument in favour of plural voting.

Hon. J. J. Holmes: I think my tenants have all the votes in the Fremantle district.

Hon. G. FRASER: In that case they are fortunate. All tenants do not enjoy the same privilege.

Members: It is their own fault.

Hon. G. FRASER: That may seem so to hon. members interjecting. However, in many cases it is not so. In Fremantle there is much vacant land, the owners of which have held it for years, not in the interests of the municipality, but purely in their own interests. Indeed, the land has been held to the detriment of the town. Any hon. member who cares to visit Fremantle can see that for himself. The land is held for speculative purposes. Yet such people are given twice as many votes as the person who has all his interests in the municipality. To me that seems utterly wrong. Still, it represents the only argument against plural voting. I hope that the amendment will be defeated and that the Bill will be carried.

HON. E. H. HARRIS (North-East) [8.21]: I hope the amendment will not be carried. The Bill should be read a second time after the people who believe in its principle have applied that principle to their

own domestic affairs. The Municipal Corporations Act provides that property within a municipality shall be rated, and that on the basis of the rates one pays one shall have votes within a minimum of one and a maximum of four. In introducing the Bill the Honorary Minister said it was a matter of principle, and he thought there should be no distinction between ratepayers. There is an institution known as the Australian Labour Party, which is governed by representatives, or, to use another term, delegates. Each organisation comprised within the Australian Labour Party is entitled to so many delegates, practically according to the amount of contributions paid. Each organisation pays in affiliation fees so much per head of its membership. If the organisation has 100 members, it is entitled to one delegate, and then to another delegate for every succeeding 100 members, with a maximum of 10 delegates. Whether an organisation has 1,000 members or 10,000 members, it is limited to that principle, which is also embodied in the Municipal Corporations Act.

Hon. A. Lovekin: I take it that, to be consistent, the Australian Labour Party will repeal that provision.

Hon. E. H. HARRIS: I take it the hon. member interjecting is aware that a measure of a similar nature to this was brought before us just before the general elections. However, that measure, which was defeated, went a little further. The present Bill is something of the same nature, but in a milder form. The defeated Bill provided adult franchise for municipalities. That is in keeping with the decisions from time to time of the Australian Labour Congress. It has been put into operation in other States.

Hon. E. H. Gray: Nobody in the Australian Labour Party has three votes or four votes.

Hon. E. H. HARRIS: I understand that the Trades Hall represents three or four votes in Perth and in Fremantle, and I daresay Mr. Kitson or Mr. Gray or Mr. Fraser exercises those votes.

Hon. E. H. Gray: No member of the Australian Labour Party has three votes under the constitution.

Hon. E. H. HARRIS: The hon. member interjecting wishes to contend that every individual ratepayer should be limited to one vote. When the Australian Labour Party declare that each organisation, irrespective of capitation, shall be limited to one delegate, when the principle of this Bill is thus established within Labour's own ranks, it will be time enough to apply that principle to ratepayers. Let me point out that the adoption of the principle of one ratepayer one vote must be the forerunner to adult franchise within municipalities.

Hon. A. Lovekin: The amendment gives six months to put that matter in order.

Hon. E. H. HARRIS: I think that in six months it could be done very successfully.

The Honorary Minister: Will the hon. member explain the whole situation, and not part of it?

Hon. E. H. HARRIS: Any part I omit the Honorary Minister will look after in replying.

The Honorary Minister: I have not the right of reply; otherwise I would do so.

Hon. E. H. HARRIS: If the hon. member will indicate the lines which he wishes me to pursue, I shall endeavour to do so.

The PRESIDENT: The hon. member should not prompt interjections. Mr. Harris will proceed.

Hon. E. H. HARRIS: The principle of calling on ratepayers, irrespective of whether they pay 5s. or £100 in annual rates, to restrict themselves to one vote is not quite equitable. Illustrations might be adduced to show that the principle does not apply in every instance. Suppose, for the sake of argument, that the ratepayers of a municipality decide to build a new town hall, or public baths, or markets, or something of that nature involving considerable expenditure. The ratepayers are the people who will have to pay. But under adult franchise a man who could put on his hat and walk away would be in a position to leave the burden to be borne by the other ratepayers. Further, the small ratepayer rated on a vacant block of land, for instance, or on a camp erected upon a small bit of property, would be entitled to exactly the same voting power as the man with extensive properties who was paying hundreds of pounds in rates annually, as illustrated by Mr. Lovekin. If the municipal enterprise did not prove a success, for some such reason as deterioration of property, the man with extensive possessions in the area would be the man who would have to stand up to the obligation to pay.

Hon. G. Fraser: Would not the small man be hit still harder?

Hon. E. H. HARRIS: I do not know that. I have been stone-broke before to-day. At one time I had 5s. and lost it, thereby losing all I possessed. At the same time another man, who had thousands of pounds, said, "I have lost thousands of pounds." He lost all he possessed, and I did likewise. I do not know whether that is the illustration the hon. member wishes to make with regard to the man of small property and the man of large property. The man with small property might have a good deal of money invested in some other direction, perhaps outside the State. Even so, one finds many men—men owning perhaps more than their share of this world's goods—holding a small property in each municipal district in case the district should go ahead. On the municipal rolls of goldfields towns are the names of many people who formerly held extensive properties there, and who still hold on to some of them. Does the hon. member suggest that those people are poor men because their property is now rated at a low value?

Hon. G. Fraser: I did not suggest that, but I said a majority of the people would be in that position.

Hon. E. H. HARRIS: The majority, equally with the minority, have their rights.

Hon. G. Fraser: We want to put the minority on an equal plane with the majority.

Hon. E. H. HARRIS: The hon. member will not succeed under the measure now before us. On this point the chairman of the Canning District Road Board, with whom I am acquainted, sent me the following communication:—

> Regarding the Municipal and Road Districts Electoral Bill at present before the House, I desire to point out that it would appear, if the Bill is passed, that two absentee persons, part owners of a block of land valued at £5, the rates on which would amount to about 5s. per year, would have one vote each for that block of land, whereas a residential owner who pays, say, £100 per year in rates, would have one vote. That is a gross injustice, in my opinion. I hope the Bill will be thrown out.

Hon. C. B. Williams: You have to go outside your district to get advice?

Hon. E. H. HARRIS: I did not have to go outside my district. This communication came to me and as it was apropos of the interjection by Mr. Fraser, I quoted it.

Hon. G. Fraser: I would like to know who pays £100 in rates in the Canning Road Board district!

Hon. E. H. HARRIS: There may not be such an individual in the Canning Road Board district, but Mr. Lovekin gave us an instance of a ratepayer who contributed £1,000 or more in rates.

Hon. G. Fraser: Yes, in the city.

The PRESIDENT: Order!

Hon. E. H. HARRIS: I have here the platform of the Australian Labour Party. It is headed "Municipal and Road Board Platform." It sets out in the first plank that there shall be adult franchise, and any elector is to be qualified for election as a representative. That means that any person may have the vote, whether he be a ratepayer or not.

Hon. E. H. Gray: What has that to do with the Bill?

Hon. E. H. HARRIS: It has a lot to do with it. Formerly we had a more comprehensive measure than the one we are dealing with now, and that earlier measure failed to pass. It is apparently suggested that an effort shall be made to get what the Labour Party desire by dribs and drabs. If the Bill be passed, other items from the Labour Party's platform will be submitted to us from time to time in the hope that ultimately the whole of the objects the party have in view, will be in operation.

Hon. G. Fraser: That proves that we believe in evolution.

Hon. V. Hamersley: Or in revolution?

Hon. E. H. HARRIS: The hon. member may believe in either or both, but he knows that it is also proposed in the Labour Party's municipal and road board platform that all local government rates and other services are to be assessed on the unimproved value of the land. We know that the municipal authorities throughout the State have been endeavouring to have various matters dealt with. From time to time since 1906 when the original Act was passed, municipal conferences have carried resolutions urging the Government to amend the existing legislation. We have had various Bills before us with that end in view. In 1926 the Government were asked whether it was their intention to comply with the requests of the local authorities to introduce a consolidating measure. The Government then replied that time did not permit of such a measure be-

ing dealt with during the session of Parliament that year. It would be more to the credit of the Government if they introduced a consolidating Bill and complied with the desires of the local authorities. I would also draw attention to a Bill introduced by a private member in another place. I presume it will be placed before us in due course. It provides for the erection of workers' homes.

The PRESIDENT: Order! The hon member cannot refer to that Bill at this stage.

Hon. E. H. HARRIS: I do not desire to do so beyond pointing out that there is much in common between the Bill before us and the one I refer to, and I think the two should be taken together, because one has a material bearing upon the other. Should a municipality or road board be empowered to construct homes for its employees, that will entail the expenditure of ratepayers' money, and those ratepayers who pay the major portion of the rates should, in my opinion, have a major voice in saying if such a proposition should be agreed to. I have formerly drawn attention to the fact that in the Leonora district 16 per cent. of the ratepayers pay about 70 per cent. of the rates collected during a year. They are the pastoralists, and they have a vote in each of the respective wards of their district Would it be fair and just to force those people to pay the same amount of rates, and yet give them one vote only and limit them to the franchise for one ward alone? While they have their representatives on the board, naturally the greater number of people in the township control the vote for the election of representatives.

Hon. E. H. Gray: Who do you say pay the major portion of the rates?

Hon. E. H. HARRIS: The pastoralists pay the major portion, and the minority who pay that should be entitled to greater representation, through their votes, than is provided for in the Bill.

The Honorary Minister: Did you always speak along those lines?

Hon. E. H. HARRIS: I have always done so, and I challenge the Honorary Minister to quote from reports of my speeches in "Hansard" or from statements in the public Press to show that I have spoken to the contrary.

Hon. C. B. Williams: It is all right: the Honorary Minister made a mistake! He thought you once belonged to the Labour Party, but you never were associated with it.

Hon. E. H. HARRIS: I can assure the Honorary Minister he has been under a misapprehension on that score.

HON. E. H. GRAY (West) [8.40]: I oppose the amendment. Mr. Harris has not engaged in his usually clear and concise criticism of the Bill under discussion. He suggests that the person who pays the most should have extra representation. Let him consider the position in a municipality such as North Fremantle. Does he suggest that because there is a big concern like the Vacuum Oil Company, in respect of which a large sum is paid in rates, the firm should have enough votes to swamp the council?

Hon. E. H. Harris: But the firm would be limited to four votes.

Hon. E. H. GRAY: Would the hon. member advocate such a position as I have indicated?

Hon. E. H. Harris: I have never done so.

The PRESIDENT: Order! The hon. member had his opportunity to address the House. Mr. Gray may proceed.

Hon. E. H. GRAY: The hon. member argued that because one man paid more than another, he should have greater voting power. People who make their homes and live with their wives and families in a locality are the people who should have representation, rather than such a firm as I have mentioned, merely because a larger amount is paid in rates. Mr. Harris must surely realise that the advocacy of plural voting is inconsistent when we consider the franchise for the legislature. If Mr. Harris were to advocate on any platform throughout Western Australia, the adoption of the system of plural voting for Parliament, he would never be elected. Would he suggest that an elector should have three or four votes to cast in favour of a candidate for election to this Chamber? That would be wrong. The whole matter must be viewed in the light of experience. In the Old Country especially, plural voting has been abolished over a period of years. They discovered that there it was wise to do away with it. Notwithstanding that plural voting has been discarded there, the experience in England is that the control of local governing matters, and of various activities associated with municipal life, has been exercised to the great advantage of the wealthy as well as of

the masses. The great disadvantage of plural voting is that it deadens interest in local governing matters. It is hard to arouse interest in municipal elections.

Hon. E. H. Harris: It was done recently.

Hon. E. H. GRAY: Only after the expenditure of a lot of money and a tremendous amount of work being put into it! Even then a great many people were not allowed to participate in the election. Had plural voting been abolished, the Mayor of Perth would not have been elected with a majority of 4,000 votes but of 12,000, because the workers have every confidence in the present Mayor of the city. The great argument against plural voting, apart from its deadening influence upon civic affairs, is the fact that it does not give the people who should have the say, a proper voice in the government of their affairs.

Hon. J. J. Holmes: They had a good chance in Sydney!

The PRESIDENT: Order!

Hon. E. H. GRAY: I am talking about Western Australia, not New South Wales. It is deplorable that so little interest is taken in local governing affairs here, and my contention is that we should take cognisance of the results that followed the abolition of plural voting in the Old Country and follow that course here. We should be progressive and profit by the experiences elsewhere. Why should people possessing property be allowed to dominate the ordinary householder and his family? Plural voting is repugnant to Australian sentiment, and no true Australian will tolerate it at all. I ask hon. members to be progressive and follow the example of the Old Country.

Hon. J. Nicholson: Not of New South Wales?

Hon. E. H. GRAY: If they do what I suggest, they will see a great revival of interest in local governing affairs, and that will be to the advantage of Western Australia as a whole.

HON. J. T. FRANKLIN (Metropolitan) [8.45]: I will support the amendment, because I think a mistake has been made in trying to alter an obsolete Act by piecemeal. For a number of years we have been promised that an up-to-date Bill would be brought down with a view to giving not only Perth, but the other municipalities of Western Australia, a better measure to work under.

Hon. E. H. Gray: You will have it if you carry this Bill.

Hon. J. T. FRANKLIN: No, we cannot do it by piecemeal. We say you are not giving the ratepayers a fair go. Under the Bill the idea is that only one vote shall be cast, no matter what property the voter may own or in what ward it may be, and that the voter must decide in which ward he will cast that vote.

Hon. E. H. Gray: Do you believe in the ward system?

Hon. J. T. FRANKLIN: Yes, because I think it is more conducive to the administering of a city like Perth to have ward members than to have only one ward. In other States they have exactly the same as we have. In Melbourne they have plural voting with a maximum of three votes. In Hobart they have four votes and in Launceston five votes. In Perth we have eight wards. Those eight wards are represented by three councillors each. We are not doing an injustice to the owners, the householders or the tenants in the various wards by giving them the opportunity to be on the roll. Under the franchise in municipal elections the householder has a greater privilege than even the property owner, because on every occasion the householder is given preference in getting on the roll. Say for argument's sake that any town goes down and the property is passed back on to the owners. Is it fair that an owner should not have the same voting power, or is there any reason why he should not carry out the affairs of the ward as well as the affairs of the city? The policy we have adopted is fair to all concerned, especially if it is asked that everyone shall have an opportunity to cast his vote. It is not the owner that has the vote. It is the householder, and the owner of the property cannot have that vote because the householder is on the roll. That is quite fair. Take Perth: Within the next two or three weeks there will be some very important proposals brought before the City Council, proposals for the advancement of the greater Perth scheme. I think the householder has actually a better opportunity and is more favoured than even the property owner. Take any one ward, east, south, north or west. If a tenant leaves the property it does not matter to him whether or not that particular ward goes ahead. In the long run it is the owner that has to foot the bill.

Hon. E. H. Gray: The occupier pays the rates.

Hon. J. T. FRANKLIN: But the owner has to erect the building and has to pay for it; or if he has a mortgage he has to pay interest and sinking fund. But it does not affect the householder one iota. If he is not satisfied with the place, he can leave it and go to another ward.

Hon. A. J. H. Saw: The occupier does not always pay the rates.

Hon. J. T. FRANKLIN: As a rule he does, for no business man will let his house without providing that the rates shall be paid. Yet, viewing it from another aspect, does the occupier always pay the rates? He can leave the place at any time, and the owner will then have to pay the rates. I think the Bill should be sent back, not with a view to cutting this out altogether, but with a view to getting an up-to-date Bill so that the municipalities and also the road boards might get a workable measure that would carry out their views in a satisfactory manner.

The Honorary Minister: Do you think it right that one man should be able to have 16 votes in the city of Perth?

Hon. J. T. FRANKLIN: I do not think the Honorary Minister knows what he means by that. At present there is no ratepayer who has 16 votes. Under the Bill one can have only one vote in the whole of the greater Perth system. At present it is not the owner that has the vote. He can have only two votes at most for councillors, and four votes for mayor. I know a little about the voting and of what is in the best interests of the city of Perth. Each ward should have its representatives. The owner does not have the vote in every ward. Mr Lovekin quoted the example of Boans, Ltd. They can have only four votes for the whole of their property. So, too, Sir William Lathlain can have only four votes for the whole of his property.

Hon. Sir William Lathlain: And my tenants have 70 votes.

Hon. J. T. FRANKLIN: The Bill should go back and be brought up to date. I remember that some months ago, when we were trying to get the Forrest Place extension carried through, the owners in one place had 48 votes for the one building. That is where we require to adjust our Municipalities Act so that fairness will be done to all. I hope the amendment will be carried, to the end that the Government may bring down a Bill that will be workable, and under which the affairs of the municipalities and road boards will be carried out in a more business-like way than they are at present.

Hon. E. H. Gray interjected.

Hon. J. T. FRANKLIN: That is a matter of opinion. If a Bill like that is brought down it can be argued in this House and in another place. I hope that nothing but what will be an advantage to all concerned will be passed. I will support the amendment so that another Bill can be brought down. Year after year, as far back as I can remember we have been promised an up-to-date Bill.

Hon. A. J. H. SAW: Yes, it is about as stale as the new town hall.

Hon. J. T. FRANKLIN: The new town hall is always with us, but thank goodness during the past few years it has not been made an election cry. I hope members will vote the Bill out so that we can get a better Bill, suitable to all concerned.

Amendment (six months) put and a division taken with the following result:—

Ayes	15
Noes	8
Majority for ..	7

AYES.

Hon. J. Ewing	Hon. E. Rose
Hon. J. T. Franklin	Hon. A. J. H. Saw
Hon. V. Hamersley	Hon. H. A. Stephenson
Hon. J. J. Holmes	Hon. H. Stewart
Hon. Sir W. Lathlain	Hon. C. H. Wittenoom
Hon. A. Lovekin	Hon. H. J. Yelland
Hon. W. J. Mann	Hon. G. A. Kempton
Hon. J. Nicholson	(*Teller.*)

NOES.

Hon. J. Cornell	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. C. B. Williams
Hon. E. H. Gray	Hon. G. Fraser
Hon. E. H. H. Hall	(*Teller.*)
Hon. E. H. Harris	

PAIR.

AYE.	NO.
Hon. W. T. Glasheen	Hon. J. R. Brown

Amendment thus passed; the Bill defeated.

BILL—EDUCATION.

Assembly's Further Message.

Message from the Assembly, notifying the Council that it insisted on its amendment No. 3, now considered:

In Committee—Request for Conference.

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

No. 3, Clause 17—Strike out Subclause 4:

The CHIEF SECRETARY: Before proceeding with the consideration of this message, I should like to say that I have placed two messages on the Notice Paper together, with the idea that as there will probably be conferences on both, that these should take place together. I can discover nothing in the Standing Orders against such a proposition. A little trouble might arise, but that could be overcome, where the same managers were appointed to each conference. it would simply mean that one conference would have to wait until the other had concluded its deliberations. I would be glad, Mr. Chairman, if you would give a ruling on the point. We could hold the conferences to-morrow evening at half-past seven.

Hon. A. LOVEKIN: I should think that would be a good plan and would save a lot of time. I believe it could be arranged in another place that the same managers would not be on the same conference.

The CHAIRMAN: This message has been dealt with under Standing Order 220—

> If the Assembly returns the Bill with a message informing the Council that it (1) insists on its original amendment to which the Council has disagreed, or (2) disagrees to amendments made by the Council on the original amendments made by the Assembly, or (3) agrees with further amendments to amendments made by the Council on the original amendment of the Assembly, the Council may in case (1) agree with or without amendments to the amendments to which it has previously disagreed, and make, if necessary, consequent amendments to the Bill.

It concludes by saying—

> In all cases if agreement be not thereby reached, or if the Bill be again returned by the Assembly with any of the requirements of the Council still disagreed to, the Council shall order the Bill to be laid aside or shall request a conference.

The Bill was introduced here. It went back to the Assembly which amended it, and subsequently insisted upon its amendment. It is for the Committee to modify its original amendment or to insist on its original disagreement.

The Chief Secretary: Or request a conference.

Hon. A. Lovekin: Let us have a conference.

The CHAIRMAN: The committee could send a message back to the Assembly insisting upon its disagreement with the Assembly.

The CHIEF SECRETARY: I move—

> That a conference with the Legislative Assembly be requested, and that at such conference the managers to represent the Council be the Hon. A. J. H. Saw, the Hon. A. Lovekin and the mover.

Hon. J. J. HOLMES: This Bill originated here. It was sent to the Assembly, which made an amendment, and now insists upon it. It is for the Assembly to ask for a conference and not for us to do so. We should send the Bill back, and insist upon our rights.

The Chief Scretary: The Bill would be lost if we do not ask for a conference.

The CHAIRMAN: The conference provides a short cut, but it is quite within the province of the Chief Secretary to move that the amendment made by the Assembly be further disagreed to.

The Chief Secretary: That would be the end of it.

Hon. A. LOVEKIN: I do not think we can take that course. Each Chamber has arrived at a certain decision from which there will be no retraction. The only way to get over the difficulty is to hold a conference. That will keep the two Houses in better harmony with each other.

The CHAIRMAN: I do not care to set up any precedent. I will accept a motion to the effect that the amendment be made. I would prefer that the point should be cleared up in a proper manner. That is the course we ought to follow. The Assembly could then ask for a conference.

Hon. A. LOVEKIN: I rather resent that course. While it is the duty of the Chairman to advise the Committee when requested to do so, it is not his duty to intervene when the Leader or any other member moves a motion suggesting the adoption of another course. That is a very improper course to adopt. The Chief Secretary has moved a motion in accordance with

the Standing Orders. It is the clear duty of the Chairman to put that motion without advising the Committee. I am sure no precedent can be found for the course proposed.

Hon. J. EWING: I think the Chairman is suggesting the right course. If the motion is defeated the Chief Secretary can move for a conference.

The CHIEF SECRETARY: The Bill originated here. The Assembly amended it and are insisting on their amendment. If I move that the amendment be agreed to and the motion is lost, the Bill will be laid aside.

Hon. J. Ewing: I take it a conference can be held even then.

Hon. A. J. H. SAW: According to Standing Order 220 it is optional for us either to agree with or without amendment to the amendment made by the Assembly, or make consequent amendments, or insist upon our disagreement to such amendment. We could move for a conference, or insist upon our disagreement. If we did the latter, the Bill would go back to the Assembly. That House could return it and we might then ask for a conference.

Hon. A. LOVEKIN: Dr. Saw's interpretation is correct. The question now is; which is the better course to adopt with a view to maintaining harmonious relations between the two Houses. As this is not a vital matter why should we raise difficulties? We would be well advised to accept the Chief Secretary's motion.

Question put and passed.

Resolution reported, the report adopted and a Message accordingly transmitted to the Assembly.

BILL—WATER BOARDS ACT AMENDMENT.

Assembly's Request for Conference.

Message from the Assembly requesting a conference on the amendments insisted upon by the Council, and notifying that at such conference the Assembly would be represented by three managers, now considered.

The HONORARY MINISTER: I move—

That the Assembly's request be agreed to, that the Hon. V. Hamersley, the Hon. W. J. Mann and the mover be appointed managers on behalf the Council, and that the conference meet in the President's room at 7.30 p.m. on the 13th instant.

Question put and passed.

Resolution reported and the report adopted.

BILL—RESERVES.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [9.25] in moving the second reading said: Kojonup lot 122 is leased to the Kojonup Road Board for a period of 21 years for business purposes, to enable the board to obtain funds towards the erection of a new memorial hall, which is to be used for road board offices, etc. The board, however, desires to obtain permission to sell this lot, so that the proceeds may be devoted to such purpose. A new hall has been built on lot 247 of Kojonup Location 53, and this land has been purchased by the board at a cost of £225. There are no departmental objections to the granting of Lot 122 with power to sell, but there is no statutory authority to endow road boards, and Parliamentary sanction is necessary. A number of blocks were granted under similar conditions to various road boards under the Reserves Act. Kondinin Lot 31 has been vested in the Kondinin Road Board for an agricultural hall site, and Kondinin lot 63 has been set apart as a reserve for road board purposes. The board desire to erect substantial buildings for a hall and road board offices in a more suitable position in portion of the recreation ground, and they wish to obtain permission to sell lots 63 and 31 so that the proceeds may be applied towards the building of the new hall. There is no departmental objection and as the conditions are similar to those in Clause 2, Parliamentary sanction is also required. Kondinin Lot 91 and portion of Kondinin Lot 41 are reserved for recreation purposes, but the road board consider the land most unsuitable for that purpose on account of its long and narrow shape. The board, therefore, wish to purchase that portion of Avon Location 15090 to square up the boundaries of the recreation ground, and in order to raise funds to purchase this land, the board desire to be granted a portion of the present reserve, which it is intended to subdivide into small lots and sell. As there is no doubt this would improve the shape of the recreation ground, no departmental objection is raised to the land being granted to the board with power to sell, provided the proceeds are devoted to the purchase of the land required.

The matter is, therefore, submitted for Parliamentary approval. The Bruce Rock Road Board have been endeavouring for some time to obtain a recreation ground for Shackleton, which is a small private townsite, surrounded by alienated land. A small reserve was set apart for recreation, but most of this was taken for a gravel pit by the Railway Department but was not in a very suitable position. The board have applied for permission to sell reserve 10581, which is reserved for water, but is not now required for that purpose. The proceeds are to be applied towards the purchase of the area mentioned for the purpose of a recreation ground adjacent to the townsite. There is no departmental objection to this request being granted. The Victoria District Turf Club holds Victoria Location 7684 on a 999 years' lease for the purpose of a racecourse, and desires to mortgage the land, with a view to improving it further as a racecourse. The club states it has already expended over £1,400 in improvements and now desires to expend another £750 to complete the grandstand. The amount is to be repaid over a period of 12 years. The Crown Law Department advise that there is no statutory authority to enable the Turf Club to mortgage the land and Parliamentary approval is necessary. A similar case was dealt with under Section 8 of the Reserves Act, 1926, by which the Victoria District Agricultural Society was granted permission to mortgage the show ground. Perth Town Lot T28 was granted many years ago to trustees of the Congregational Church for an extension to the cemetery. The cemeteries at East Perth have now been closed, so it is not possible to use this lot for that purpose. The Trinity Congregational Church, however, desire to use this land for church purposes, and wish to obtain an alteration of the trust accordingly. The Bill provides that the land may be revested in His Majesty in order that it may be re-granted for church purposes.

Hon. Sir William Lathlain: Do you know what they intend to do with it?

The CHIEF SECRETARY: No, except that it is to be utilised for church purposes.

Hon. Sir William Lathlain: That is part of the East Perth cemetery, is it not?

The CHIEF SECRETARY: It is land outside the East Perth cemetery.

Hon. Sir William Lathlain: Yes, I remember. There are some lots that have not been utilised.

The CHIEF SECRETARY: That is so. The local people at Swan View, through the Greenmount Road Board, have been endeavouring to get a site for a hall near Swan View on portion of Class A reserve 2994, which is set apart for park lands. The site has been surveyed to contain 1¾ acres and it is desired that it be excluded from the park land reserve and set apart for the hall site. As the park land is classed "A," Parliamentary sanction is necessary. An agricultural society has been formed at Mullewa and it is desired that a reserve be set apart for a show ground at that centre. The Mullewa Road Board has therefore applied for that portion of Class "A" reserve 17409. The reserve is at present classed "A" for the purpose of a common, and Parliamentary sanction is necessary for it to be excluded from the class "A" reserve. There is no departmental objection. The State Gardens Board desire that a small portion of the Eastern corner of the reserve for the Old Men's Home, as shown in red on tracing No. 8, should be excluded from the reserve for the Old Men's Home and included in the Dalkeith recreation reserve adjoining. It is said that at present the corner creates an awkward angle in the grounds of the Old Men's Home and is very unsightly. If it be added to the recreation reserve, it is proposed to clean it up and plant it with ornamental trees and thus beautify the approach to the steps leading from Birdwood Parade to the beach. As the Old Men's Home land is a Class "A" reserve, Parliamentary sanction is necessary to exclude the area. The Wongan-Ballidu Road Board, on the suggestion of the committee at Ballidu, has applied for the granting of Ballidu Lot 9 to the board with power to sell in order that the proceeds may be applied to the erection of a new hall on Lot 61. There is already a hall on Lot 9, but it is proposed to sell it, together with the land. The new hall is to be built from loan funds, and it is desired to sell the old hall and site in order that the proceeds may be devoted to repayment of the loan, so that the burden on the ratepayers may be lightened. Parliamentary sanction is, therefore, sought to enable Lot 9 to be granted to the board with power to sell. There is no departmental objection. The Education Department desire Williams Sub Lot 9 shown on litho 10

to be granted for a school site at Williams. The reserve is at present set apart as a Class "A" reserve for recreation, but is not required for that purpose as the board have acquired a large area for recreation purposes in a more suitable position. There is no departmental objection to the reserve being changed to a school site, but being classed as an "A" reserve, Parliamentary sanction is necessary. Balingup Lot 198 has been granted in fee simple to the Balingup Agricultural Society in trust for show ground purposes. The society is not incorporated and the trustees wish to transfer the land to the Balingup Road Board. As the Society is not incorporated, the trustees have no power to transfer, and Parliamentary authority is, therefore, necessary. It is considered by the Lands Department good policy to place reserves of this nature under the control of road boards where convenient. The State Savings Bank wishes to acquire a site at South Perth for the purpose of a branch office, and desires to purchase portion of Perth Suburban Lot 402, at a price of £450, plus survey. As there is no power under the Land Act to sell town land, except by public auction, Parliamentary sanction is sought for the sale of this land to the bank without going to auction. The State Savings Bank desires to acquire Merredin Lot 116 for an office site, and proposes to purchase the land for £600, but it is necessary to obtain Parliamentary sanction to the land being sold to the bank without being submitted to public auction. Nungarin Lot 63 is at present held in fee simple by the trustees of the Ancient Order of Druids, Nungarin Lodge 89, and the Australian Natives Association, Nungarin Branch 88, as joint proprietors. The branch of the Australian Natives Association is now defunct, and the board of the Australian Natives Association have advised that they have no objection to this lot being transferred to the Druids. The Bill provides that the lot shall be vested in the Nungarin Lodge No. 89 of the Ancient Order of Druids as sole proprietors. The Druids wish to build a lodge room on the lot. I move—

That the Bill be now read a second time.

On motion by Hon. Sir William Lathlain, debate adjourned.

BILL—TOWN PLANNING AND DEVELOPMENT.

Second Reading.

Debate resumed from the previous day.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [9.40]: I rise with great pleasure to support the second reading of the Bill and to congratulate the Government upon having brought it forward. The Leader of the House, in moving the second reading, paid a very fine tribute to a sincere and earnest body of men, who for many years have been working in the interests of town planning and have made many efforts to get a measure of this kind before Parliament. I am quite aware of many of the difficulties that beset them in the first place, and I know the keen and active interest taken in the subject by them for many years past. As far back as 1918 the Town Clerk (Mr. Bold), Mr. Saw, Councillor Berryman and I attended a town-planning conference in Brisbane, and although we had travelled from the farthest end of Australia to attend that conference, we were probably the only delegates who had paid their own expenses. But we were extremely keen on town planning and we learnt much at the conference that was highly beneficial to us. The Chief Secretary was quite right when he laid such stress upon the efforts of Mr. Saw and others. I should like to say that the Town Clerk of Perth is probably one of the most enthusiastic town planners in the whole of Australia. In a quiet, unobtrusive way he has done many things for the city of Perth and for the betterment of its thoroughfares on good sound town-planning lines, of which perhaps very few people know. The Bill has been under consideration for a long time, and the interval that has elapsed has and will cost the city of Perth many thousands of pounds which could have been saved had a similar measure been put into operation years ago. One has only to look around Perth to-day to find that, notwithstanding some of the alterations made, the City Council have had no power—and neither have the other municipalities—to put into effect many of the improvement schemes they so much desired. It will appeal to every member of the House that when the alterations were being made in Hay-street and the House Committee granted certain rights over portion of Parliament House reserve, it would have been easy to carry the widening opera-

tions down to Milligan-street. The council, however, had no power. It is essential that the council should have unlimited power in that direction, as well as extensive borrowing powers, if they are going to bring to a successful issue the efforts of those who have been working along these lines for many years. There are a lot of points connected with town planning that require close attention, and it is satisfactory to note that the Government realised that fact last session when they brought forward a measure to create the Town Planning Commission, the result of whose efforts has been the bringing before Parliament of the Bill we are now considering. In many places this power is essential. I can state of my own knowledge that on the borders of Claremont, adjoining Cottesloe, there is a large reserve. The Claremont council do not desire to spend money in improving the reserve for the benefit of Cottesloe ratepayers. The Cottesloe council, although desirous of doing something towards the improvement of the reserve, have no power to spend any money outside their own borders. Such a measure as this, providing for co-operation between two local governing bodies, must prove most beneficial. One of the most important clauses of the Bill is Clause 11, which deals with the betterment principle. Extensive town-planning schemes will undoubtedly cost much money, but under Clause 11 the depreciation of a property as the result of town-planning action will be compensated, while, on the other hand, to properties which have been improved by such action the betterment principle will be applied, and their owners will be compelled to pay something towards the cost of the operations. I have in mind cases where the clause will operate most beneficially. In Murray-street, between Barrack-street and Queen-street, and in fact right up to Milligan-street, premises which have gained enormously in value, premises fronting Murray-street and premises fronting Hay-street, are without a right-of-way. Each of those premies has had to allow resumption for the purposes of a right-of-way off the Hay-street or the Murray-street frontage in order to gain access to the rear. Had such a measure as this existed years ago, the right-of-way would have been constructed and all those premises would have had at least 12 feet more frontage to the principal street. This would have more than met the cost of resumptions. Clause 18 is also highly important. It provides that if the Minister is satisfied that a local authority has failed to take the requisite steps for having a satisfactory town-planning scheme prepared and approved in a case where a town-planning scheme ought to be made, he may compel the municipality to present such a scheme. I will cite an instance to show the difference between local governing bodies. I remember many years ago making a trip to Sandstone. I hardly expected to be able to get a bath there, but I found a splendid supply of water available from one of the mines. Sandstone had a very live road board, and the whole of the sanitary arrangements were distinctly creditable. Everything was done on a first-class basis, and the whole town was kept scrupulously clean. During the same period I visited another town, which I will not name lest I should tread on someone's corns. This second town had every opportunity for doing exactly the same as Sandstone had done, but it was in a filthy condition and no conveniences, practically, had been supplied. I had not been many years in Western Australia before I made that visit to Sandstone: it is 17 or 18 years ago. I remember most distinctly, however, the impression made on my mind by the difference in calibre as between the Sandstone road board and other road boards. Clause 19 is good in that it insists that no more reserves shall be sold unless those responsible for town planning have had an opportunity of deciding whether the reserves will be required for future use. Clause 20, dealing with subdivision, is highly necessary. One can only regret that something of this nature was not in vogue many years ago. Of my own knowledge I can state that when Victoria Park was cut up, not a single reserve was created in the process. With the exception of one comparatively small reserve close to South Perth, there were not at that time any reserves in the whole of that large area. The council bought a number of blocks and created a reserve out of them. Later, yet another reserve was created by the same means. In the case of one large estate which was being subdivided, the council induced the proprietors to create a suitable reserve. Had this measure been in operation at that time, there would not have been the trouble and difficulty and expense occasioned by want of the power to

create reserves. The City Council are endeavouring to create a new suburban area on sound town planning lines. With the exception of Daisyville, close to Sydney, this will be perhaps the only Australian town created on sound lines. As regards Wembley Beach—I do not like the name, and think we should have had a native name for it, say Katoomba—I feel that eventually it will become one of the best suburbs created on sound town planning lines anywhere in Australia. During the visit some years ago of Mr. Salmon, who is the greatest authority in Australia on town planning, we took him out to that area. He thought it an ideal place in which to make this great experiment. I am sure that when the City Council have completed Wembley Beach it will prove to be of the greatest benefit to the State, and will establish a worthy precedent and a fine example of town planning. Many Western Australian towns have, in my opinion, been wrongly planned. Take Collie, for instance. The centre of that town is absorbed by Government offices, which I consider should be at the back of the town. A proper business area should be continuous. Collie, instead of being one compact town, has been divided practically into two towns. Exactly the same conditions obtain at Southern Cross; all the middle of the town is reserved for Government offices, with the result that the business area is divided into two portions. I congratulate the Chief Secretary on the lucid manner in which he presented the measure to the House. I feel sure that in Committee any necessary explanations will be furnished, and any suitable amendments accepted. The Bill is essentially in the best interests, not only of Perth, but of all municipalities in the State. Driving to Fremantle, one sees at Cottesloe a wood yard which ought to be immediately removed. Nobody has the power to do it, except the council, who probably will have to buy many other properties before they buy that wood yard. Again, it is necessary to create many reserves. Mention has frequently been made here of reserves around Perth. I venture to say that the city of Perth is better off in the matter of reserves than most Australian cities are. Many of our reserves are exceptionally well kept, and of great benefit to the people. There are clamours for children's playgrounds, but these are not easily provided. In the first place, the City Council established such playgrounds in Hyde Park. Everyone thought that was very well, but a bad result was the congregation there of such a lot of hoodlums that neighbouring residents requested the council to remove the playgrounds. Moreover, such playgrounds are practically useless unless teachers are provided to teach the children how to play, and caretakers to look after the grounds. Probably the most succesful children's playground is that known as the Lake-street playground, where there is a kindergarten, the whole being under proper supervision and control. Where parents realise the need for children's playgrounds, they must form themselves into associations which will become responsible for the care and protection of the grounds. Quite recently the King's Park board established a fine playground in King's Park, but already vandals have been at work. The difficulty of preserving the swings and other means of amusement for the children is deplorable. The ropes of the swings have been cut, and many depredations of a like nature have occurred. One must wonder that in a civilised country such as this people should be found to do such damage. I am sure the Bill will meet with the general approbation of members, and I hope that before long it will be in operation. I very heartily support the second reading.

HON. A. J. H. SAW (Metropolitan-Suburban) [9.59]: I desire to support the Bill and to congratulate the Government on having introduced the measure. The pity of it is that the Bill was not introduced some 30 years ago. Had that course been taken, Perth would have had the opportunity of becoming a model city at very little expense. However, it is never too late to mend; and it is a good thing that at long last the measure is being introduced. The Bill appears to be very sound, and it certainly gives considerable powers to the local authorities and to the Minister administering the measure with the advice of the Town Planning Board. At the same time it is liberally sprinkled with safeguards, so that I do not think anyone's interests are likely to be unduly affected. There have been references to mistakes made in the City of Perth during the last 30 years, mistakes due largely to want of power on the part of the City Coun-

cil. The municipal authorities were not clothed with sufficient power to enable them to carry out certain desirable reforms. On the other hand, I think the mistakes were due, to a certain extent, to errors of judgment on the part of those in control of the destinies of the City Council. Nowadays I think a wiser spirit with reference to municipal affairs is pervading both the local authorities and the public generally. I was pleased to hear the kind references made by the Chief Secretary to the work of that small band of enthusiasts who, during the last 12 years, have laboured so strenuously in the direction of creating a proper appreciation of the value of town planning in our midst. The Chief Secretary was good enough to refer to the efforts of my brother, Mr. W. A. Saw, and I know that he and a few others associated with him had to face considerable apathy and hostility on the part of those who, for a long time, did not realise the purpose for which they were working. That has been remedied, and I think the majority of the people are now aware of the good work that this small band of people have done, with no hope of reward and at an expenditure of much time and energy. Sir William Lathlain rightly mentioned the name of the Town Clerk, Mr. W. E. Bold, in connection with this movement. From inside information I have had for many years past, I know the great value Mr. Bold's work has been in connection with the town planning movement. Others whose names should be remembered are Mr. Klem and Mr. Boas. Those gentlemen are putting in much valuable work for the City of Perth and for the State generally, and I think the great majority of people do not realise that the members of the Town Planning Commission, who are at work at present, constitute an entirely unpaid body. They are giving up a large part of their time that might, with great advantage to their private interests, be devoted to their own businesses, and they are engaging upon that work in order to do something of value to the community. I believe the Bill is likely to be passed with but small amendment. The only clause to which I take exception is that portion of Clause 21 that refers to "a transfer, conveyance lease or mortgage" of any piece of land. I do not think the words "lease or mortgage" are necessary, and they might be omitted quite safely. Their inclusion might inflict a certain amount of hardship without any commensurate good resulting from their retention. I feel that the Bill meets the desires of the great majority of the people, and I congratulate the Government upon introducing it.

On motion by Hon. W. J. Mann, debate adjourned.

BILL—ROAD CLOSURE (No. 2.)

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [10.7] in moving the second reading said: The Texas Company (Australasia) Ltd. have purchased North Fremantle Lots 53 and 52, and wish also to purchase land included in portion of Vaughan-street, in order to consolidate the property. The North Fremantle Municipality have no objection to the closure of this portion of the street and there is no departmental objection, seeing that there are other streets providing access to the beach in the vicinity. The Shell Company of Australia Ltd. have purchased North Fremantle Lots 44, 45 and part of 48, and are desirous of purchasing the land in portion of Philip-street. The company also desire the closure of a right-of-way in order to consolidate the holding. The North Fremantle Municipality have no objection to these closures and there is no departmental objection, as the land in the locality is being utilised mainly for industrial purposes and there is now no need for small subdivisions. In the case of the right-of-way on Lot 48, provision is made in the Bill for closure by proclamation, which will not take place until it has been definitely ascertained that the holders of one or two of the small lots fronting on Bracks-street have been bought out, and that there is no one to raise any objection. The closure of part of Thompson-road, North Fremantle, was included in the Road Closure Bill last session, but was thrown out by the Legislative Council, owing to opposition by the North Fremantle Council. The North Fremantle Council have now withdrawn their objection. The reason for the closure is that it is proposed to make available for sale by public auction, on the application of the Ford Motor Company of Australia, another block which includes this portion of road. The Busselton Council wish to close a por-

tion of Brown-street. The South-West Co-operative Dairy Products Ltd. are desirous of purchasing portion of the land for a manager's residence. The Council state it is a "mud hole" at present and wish to see it improved. The City Council have acquired land at Mount Hawthorn for a recreation ground, and desire to close a portion of Federation street, so that it may be included in such ground. The Council will provide continuations of North-street and Berryman-street, which will provide necessary road access westward. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

BILL—LICENSING ACT AMENDMENT.

In Committee.

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

Clause 1—agreed to.

Clause 2—Continuation of Part V., subject to amendment of Section 97:

Hon. A. LOVEKIN: I move an amendment—

That in line 2 "1930" be struck out, and "1929" inserted in lieu.

The object of the amendment is to allow the Licenses Reduction Board to operate for one year instead of two. We have the dictum of the Premier that the board have completed their work.

Hon. E. H. Harris: The Chief Secretary does not agree with that statement.

Hon. A. LOVEKIN: I cannot read the report in "Hansard," but I am aware that the Premier admitted that the board had practically completed their work and if we provide for a further year that will enable the remaining matters to be dealt with.

The CHIEF SECRETARY: I am advised that the board have not practically completed their work. There will still be some work to do. Twelve months will give but very little time in which to clean up. There is still some money in the fund, and it may be necessary for the board to consider further reductions.

Hon. J. J. HOLMES: I will support the clause as it stands. The board have been acting in a dual capacity and if we relieve them of any of their duties as suggested, it will not have any effect on their salaries. No economy will result. The board have done splendid work and I do not think they have finished their task. There are still hotels that may be closed, and the mere fact of having the board in control will make the licensees continue to live up to the mark.

Hon. A. LOVEKIN: The hon. member does not agree with the Premier, who on the 28th November last said that but little more remained to be done by the Licenses Reduction Board, that practically all hotels requiring to be closed had already been closed.

Hon. J. J. Holmes: The board have full authority. The Premier has nothing to do with them.

Hon. A. LOVEKIN: But the Premier says that practically all hotels that should be closed have been closed. If we give the board 12 months in which to finish the little that remains to be done, we shall be giving them a quite sufficient margin and will be able to spend to advantage the money it would cost to maintain the board.

Hon. E. H. HARRIS: I will support the amendment, provided there is nothing better. I think the best thing to do would be to strike out the clause altogether. The board have completed their work, and on the statements made by the Premier there is no further need for the board. If the amendment be not carried, I will vote against the clause.

Hon. J. NICHOLSON: I will support the amendment. The advice given to members in another place indicates that the work of the board is practically at an end. That being so, there is no justification for continuing the board, or not beyond another 12 months. The utmost praise is due to the board for the work they have done. Still, that is no reason why the board should be maintained unnecessarily. The members of the board will continue as licensing magistrates. All that is proposed is that their duties as members of the Licenses Reduction Board should cease. If it should be found desirable to continue that board after the close of next year, it will be an easy matter to extend their term.

Hon. A. J. H. SAW: I do not think sufficient evidence has been adduced that the duties of this board have really come

to an end. I do not know that the Premier is the best authority on the subject or that he knows what the Licenses Reduction Board intend to do.

The Chief Secretary: He does not control them.

Hon. A. J. H. SAW: If the board themselves had said that they did not intend to continue their work of reducing licenses, I should have voted for the amendment. Neither Mr. Lovekin nor I take every word uttered by the Premier as being derived from some higher authority, and I do not see why we should so regard it now.

Hon. J. J. HOLMES: What the Premier said has no bearing on the subject. Parliament armed the Licenses Reduction Board with greater authority than has any judge in Australia. From the board's decisions there is no appeal. Yet without any word from the board we are asked to believe that the work of the board is finished. Surely that is for the board to say. Even if their de-licensing duties are finished, they themselves will continue as licensing magistrates, and that without any difference in salary.

The Chief Secretary: No difference at all.

Hon. J. J. HOLMES: Why then should not the board be allowed to continue as a licenses reduction board?

Hon. G. FRASER: I hope the amendment will be defeated, for the work of the board is not yet completed.

Hon. E. H. Harris: How did you arrive at that conclusion?

Hon. G. FRASER: By a visit I paid to your district not very long ago.

Hon. E. H. Harris: They have closed eight hotels since you were there.

Hon. G. FRASER: And they ought to close more. If the hon. member were honest he would express the same opinion.

Hon. E. H. Harris: I demand a withdrawal. The implication is that I am not honest.

The CHAIRMAN: The hon. member will withdraw that statement.

Hon. G. FRASER: I withdraw. But if the hon. member were representing some other province, he would be of the same opinion as I am. We have the assurance of the Chief Secretary that there will be no difference in the salaries of the board, even if the Licenses Reduction Board come to an end.

Hon. E. H. Harris: Where is the money to come from?

Hon. G. FRASER: From the compensation fund, but that is to cease with 1928.

Hon. E. H. Harris: And where will the money come from for the next two years?

Hon. G. FRASER: There is in the fund now sufficient money for the next two years.

Hon. E. H. Harris: But that is for the closing of hotels.

Hon. G. FRASER: That is the point I am dealing with. There is still work for the board to do, no matter how thoroughly and efficiently they may have carried out their duties. They ought to have two more years to clean up and review the work they have done.

Hon. E. H. HARRIS: Parliament said that the board could do their work in five years, and that their duties should come to an end on the 31st December of this year.

Hon. A. Lovekin: And no longer.

Hon. E. H. HARRIS: Parliament showed good judgment in fixing that term, for they have now completed their work. The compensation fund now amounts to £13,700. This should not be whittled away in the expense of maintaining the Licensing Board.

Hon. J. J. HOLMES: I was not responsible for the inclusion of the words "and no longer."

Hon. E. H. Harris: But you raised no protest against them.

Hon. J. J. HOLMES: It is as well that we should have some control over the legislation of the country. I am not going to be misled by the inclusion of these words. The job undertaken by the board has not yet been finished, and we must give them time in which to complete their task. The board themselves have not said they have finished their duties, and I am not going to assume anything to the contrary. Mr. Lovekin assisted in giving them power which no judge in Australia possesses, but he assumed they had completed their task without any word from them on the subject or any knowledge of it.

The CHIEF SECRETARY: I am frequently being confronted with the remarks that a Minister in another place has made. When they are quoted they should be quoted correctly. The Premier did not make the statement suggested by Mr. Lovekin. He said that whilst there was not very much work for the board to do, there was some work left. When the Bill was placed in my

hands I got into touch with the Crown Law Department. I did not see any Minister on the subject. The information I gave to members I secured from the Under Secretary for Law. He said there is still some work for the board to do and it is desired that their term should be extended for two years. We would not be justified in allowing the Act to lapse. If it did the £13,700 would have to go into the Treasury. It could not be distributed amongst the hotelkeepers, for there is no provision for that, and it would be impracticable to do so. If the Bill does not pass, another £11,000 will go into the Treasury. The salaries of the members of the board must be paid, for they will still be retained as members of the licensing bench. There has been no ministerial interference in any matter I have submitted to members.

Hon. A. LOVEKIN: If next year it was necessary to renew the Act, this could be done. If we waited until the board recommended their own abolition, they would never go out of office. The cost comprises far more than the year's salary of members, for it also includes travelling expenses. The cost last year yas £4,700. The Premier said that two years would give time to enable the remaining amount of the fund to be used. The balance in hand is £13,700. Apparently the cost of the board is £4,700 a year, which is equal to £9,000 in two years to come out of the £13,000. Very little will be left for compensation. If next year there is work for the board to do, we can continue the Act. The present method is far from being economical.

Amendment put and negatived.

Clause put and passed.

Hon. J. NICHOLSON: I move an amendment—

That Subclause (2) be struck out.

There is a provision in the principal Act for the payment of so much for each class of license and in addition the licensee must make a return each half year and pay five per cent. on the amount of his purchases. Whilst the Government are striking out the two per cent. compensation fund, in view of the large sum standing to the credit of that fund. the five per cent. plus the ordinary license fee should be adequate for all purposes.

The CHIEF SECRETARY: The subclause is intended to remain permanently on the statute book and it is necessary to have it there owing to the abolition of the compensation fund. The extra one per cent. will mean a further contribution of £5 a year which will be little more than sufficient to meet the expenses of the board. The extra one per cent. will not be oppressive in any way to the hotelkeepers.

Hon. J. J. HOLMES: Assuming that the board will carry on for two years there will still be about £7,000 left for the payment of compensation. When the State has to pay the whole and not one third, why should not the trade pay the additional amount. A good portion of the £7,000 will be required for the payment of compensation, because there are outlying districts in which there are hotels that have not yet been visited, I cannot see that the board have yet finished their job. At the end of two years the board are to be paid by the State and it will cost £5,000 a year to keep it going.

Amendment put and negatived.

Clause put and passed.

New Clause:

Hon. J. NICHOLSON: I move—

That the following new clause be added to the Bill to stand as Clause 3:—"Subsection 7 of Section 47 of the principal Act is amended by deleting all the words after the word 'license' in the 5th line to the end of the subsection; (2) a subsection is added to the said Section 47 as follows:—'(8) The licensing magistrate say fix the premium for the conversion of a hotel or wayside license into a publican's general license, and also for a license, the granting of which would not not exceed the number of licensed premises of the same description in the district on the 31st December, 1922.'"

Hon. J. J. Holmes: Mr. Nicholson should make some explanation of the new clause when moving it.

Hon. J. NICHOLSON: Section 47 provides that subject to the provisions of Part VI. every applicant for a license for premises not licensed at the commencement of the Act shall be granted or refused if at the discretion of the court but the number of licensed premises in the district shall not exceed the number of premises licensed as at the end of December, 1922. The next section deals with the presentation of petitions. The Licenses Reduction Board still have a function to perform in connection with new

licenses. The procedure for that is laid down in Subsection 4. No new license can be granted beyond the number in force in a district at the end of December, 1922, unless a petition has been presented and a new license has been recommended by the board. Subsection 7 provides that if as the result of a petition and inquiry a new license is considered necessary in any district where a de-licensed house exists, the court may, without calling for tenders, fix a premium to be paid by the owner of the premises for the granting of the license, and the licensing magistrates may fix a premium for the conversion of a hotel or wayside-house license into a publican's general license. The latter part was incorporated in Subsection 7 instead of being made a separate subsection. Only after petition and inquiry is it possible for the court to call for tenders and fix a premium in a district where a de-licensed house exists. I am informed there are districts where there may not be a de-licensed house and the court have not the power to fix a premium. It is desired that the court should be able to fix a premium in a district for which a license is to be granted and in which there is no de-licensed house. To cure the defect in Subsection 7 I submit the amendment.

The CHAIRMAN: This is a Bill for an Act to continue the operation of Part V. of the Licensing Act, 1911, and to amend Sections 73 and 97. Were the title a Bill to amend the Licensing Act, 1911, I would rule the amendment admissible, but as it purports to amend other sections not in conformity with the title, I think it is outside the scope of the Bill.

Hon. J. NICHOLSON: Later I intend to move to amend the title. I realise that will be necessary.

The CHAIRMAN: I do not think that will meet the position. It would enable you to open up the whole Act for discussion.

Hon. J. NICHOLSON: I am merely proposing an amendment to Section 47.

The CHAIRMAN: The Bill is specifically to continue the operation of Part V. and to amend Sections 73 and 97. The amendment applies to another portion of the Act and I rule that it is inadmissible.

Hon. J. NICHOLSON: Surely we can amend the title!

Hon. J. J. Holmes: You must accept the ruling of the Chairman, or move to disagree.

Hon. J. NICHOLSON: I ask you to consider the question of amending the title to overcome the difficulty. I understand Dr. Saw has an amendment to the same section.

The CHAIRMAN: I have given my ruling and the hon. member can move to disagree with it. The Bill was introduced last Tuesday week and now at midnight the hon. member moves without notice an amendment to open all portions of the Act. He has given no indication of the direction in which he desires to amend the title, and therefore we have to grope in the dark to determine how to amend the title in order to cover his amendment.

Hon. J. NICHOLSON: I was going to suggest amending the title by including Section 47.

The CHAIRMAN: I have ruled that the amendment is not admissible. The hon. member can disagree with my ruling.

Hon. J. NICHOLSON: When we come to the title I shall move to amend it, and then ask for the recommittal of the Bill. Dr. Saw's amendment deals with Section 47 and apparently that also will be inadmissible.

The CHAIRMAN: I shall deal with that when it is moved. I have ruled your amendment inadmissible.

Dissent from Ruling.

Hon. J: Nicholson: I move—

That the Committee disagree with the Chairman's ruling.

Question put and negatived.

Committee resumed.

Title:

Hon. J. NICHOLSON: I move an amendment—

That after "sections" in word "forty-seven" be inserted.

The CHAIRMAN: I have ruled that the amendment is not admissible. The Committee have upheld my ruling and the hon. member has not called for a division.

Hon. J. J. HOLMES: I do not think an amendment to the title to cover an amendment not in the Bill is admissible.

Title put and passed.

Bill reported without amendment.

Recommittal.

On motion by Hon. J. Nicholson, Bill recommitted to consider the insertion of new clauses.

In Committee.

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

New clause:

Hon. A. J. H. SAW: I wish to move a new clause. I must apologise for its not appearing on the Notice Paper. The reason is that it was only to-day I received a communication from some of my constituents at Bassendean. The letter says—

> During the past five years we, the residents of Bassendean, have successfully opposed six applications for publicans' licenses for our town—three times during 1928; and still they are applying for licenses.

The letter asks me to try to secure the insertion of a new clause to the effect that when a district has successfully opposed the granting of a license, no further applications shall be received by the licensing bench for the ensuing three years. On receipt of that letter I communicated with Mr. Sayer, who was good enough to draft a clause following the lines suggested by my correspondents—

> Section 41 of the principal Act is amended by adding thereto a subsection as follows:—"Subject to the proviso in Subsection 1, if in any district any application for a new license or a provisional certificate has hitherto been made, or may hereafter be made, under the preceding provisions of this section, and such application was or is refused by the court, no new license or other provisional certificate shall be granted by the court for any premises in such district or in the area defined in the petition relating to the proposed application, as the case may be, on any subsequent application, for a period of three years following the date of the refusal by the court of such prior application.

It seems to me there is considerable hardship in cases where repeated applications are made for a new license in a district, such as Bassendean, where there is no license, and where the people do not wish a license, and yet those who have successfully opposed the application are put to the expense, within a very short time, of again having to fee counsel to appear for them, and perhaps of having to prepare a petition, in order again to defeat an application. The people themselves have no financial interest in the matter. It is quite a different position for the person applying for a license, because the license may be worth to him a considerable sum, especially if he has not to pay a premium. It is worth the applicant's while to try to get the court to reverse its decision. The opponents of the license, on the other hand, have no prospect whatever of financial gain. Therefore the new clause seems to me desirable. Whether I shall be in order in moving it, is another matter. Mr. Sayer apparently was under the impression that I would be in order, because he said that the next step would be to amend the Title of the Bill by inserting the words "forty-seven" before "ninety-seven."

The CHAIRMAN: I very much regret that I have to mete out the same fate to this proposed amendment as I did to Mr. Nicholson's amendment. It is not admissible. It is not within the scope of the Bill. I wish to add that it seems to me a simple matter so to amend the Title as to include Section 47, but I would remind the Committee that hon. members could continue the same course and amend every section of the parent Act. If this were a Bill to amend the Licensing Act, I would allow the amendment; but in the circumstances I cannot allow it.

Hon. J. J. HOLMES: May I suggest that as we are in a difficulty, the Minister should report progress. I think the clause should go into the Bill if it can be got in.

Hon. Sir WILLIAM LATHLAIN: I agree with Dr. Saw's proposal. If the Leader of the House would report progress, we would have an opportunity of seeking some way out of the difficulty. The people of Bassendean have been put to legal expenses over and over again, and have suffered grave hardship.

The CHAIRMAN: The position is that I have ruled that Dr. Saw's amendment is not admissible for the same reason as Mr. Nicholson's amendment is inadmissible. Mr. Nicholson moved that my ruling be disagreed to. The Committee upheld me. I have now ruled similarly in regard to Dr. Saw's suggested new clause. In the event of the course now proposed being adopted, I hope the Committee will also include Mr. Nicholson's amendment.

The CHIEF SECRETARY: I am prepared to move that progress be reported.

The CHAIRMAN: There is nothing really to report progress on. The Bill has been considered in Committee, has been agreed to without amendment, and has been reported to the House. The Chief Secretary has moved that that report be adopted, and the Bill has been recommitted for the purpose of considering new clauses. One new clause has been suggested, and I have ruled that it is inadmissible.

Hon. J. J. Holmes: Cannot we get out of the difficulty by reporting the Bill to the House, and then dealing with the new clause on the third reading?

The CHAIRMAN: I suggest that the Minister move that I report the Bill to the House, and that when the question of the adoption of the report is stated he should move that consideration of the report be made an Order of the Day for the next sitting.

The CHIEF SECRETARY: I move—

That the Chairman do now report the Bill to the House.

Question put and passed.

Bill again reported without amendment.

The CHIEF SECRETARY: I move—

That the consideration of the report be made an Order of the Day for the next sitting of the House.

Question put and passed.

BILL—EDUCATION.

Assembly's Further Message.

Message received from the Assembly notifying that it had agreed to the Council's request for a conference, and had appointed Mr. Davy, Mr. Willcock and Mr. Millington as managers, the Ministers' room as the place, and 5.45 p.m. on the following day as the time.

BILL—LOAN, £4,800,000.

Received from the Assembly, and read a first time.

House adjourned at 11.27 p.m.

Legislative Assembly,

Wednesday, 12th December, 1928.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the following Bills:—

1, Forests Act Amendment.

2, Bunbury Electric Lighting Act Amendment.

3, Feeding Stuffs.

4, Land Tax and Income Tax.

5, Wheat Bags.

6, Railways Discontinuance.

QUESTION—BRAN AND POLLARD SUPPLIES.

Mr. LINDSAY asked the Minister for Agriculture: 1, Has his attention been called to the Press statement to the effect that the by-products of the flour milling industry are being exported to Japan, Java, China, and Egypt? 2, Is he aware that the quoted prices for bran and pollard in Melbourne are £2 5s. less than in Perth? 3, Will he bring under the notice of flour millers the importance of the dairying, pig, and poultry industries, with the object of ensuring ample supplies of mill offals at reasonable rates and similar to those obtaining in the Eastern States where other conditions are similar to those in Western Australia?

The MINISTER FOR AGRICULTURE replied: 1, Yes. 2, In to-day's Press the relative prices quoted are—Melbourne, bran