

The amendment by the member for North Perth would have been applicable if Clause 15 had been struck out. As this clause has been retained, to strike out the words in the title, I submit, would not be in order.

The CHAIRMAN: The amendment of the title to a Bill, except in consequence of amendments to the clauses, does not seem to be contemplated by "May," but there does not appear to be anything against it. In this case, however, the omission of the words "and to prevent the unauthorised cessation of work on the part of public servants" would leave Clause 15 uncovered by the title. Therefore I rule that the amendment is out of order.

Title put and passed.

Bill reported with amendments.

BILL — PRICES REGULATION ACT AMENDMENT AND CONTINUANCE.

Received from the Council and read a first time.

BILL—WESTRALIAN MEAT WORKS.

Returned from the Council with an amendment.

House adjourned at 10.57 p.m.

Legislative Council,

Tuesday, 12th October, 1920.

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

VISIT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES. RESOLUTION OF LOYALTY—LETTER IN REPLY.

The PRESIDENT: I have to inform hon. members that I have received under cover of a letter from the Private Secretary to His

Excellency the Governor a copy of a despatch which has been sent to the Governor. The despatch is as follows:—

Downing-street, 12th August, 1920. Sir, I have the honour to acknowledge the receipt of your telegram of the 10th August conveying the terms of a loyal resolution passed by the Legislative Council of Western Australia on the occasion of the visit of His Royal Highness the Prince of Wales. The resolution has been laid before His Majesty the King, who desires that an expression of his sincere thanks and appreciation may be conveyed to the members of the Legislative Council. I have the honour to be, Sir, your most obedient humble servant, Milner.

BILL—REGISTRATION OF NURSES.

Introduced by the Minister for Education and read a first time.

BILL—PARLIAMENT (QUALIFICATION OF WOMEN.)

Second reading.

The MINISTER FOR EDUCATION (Hon. H. P. Colebatch—East) [4.35] in moving the second reading said: In submitting the second reading of the Bill it may perhaps be as well, for the sake of those members who were not present when the second reading was moved on a previous occasion, if I repeated briefly the arguments I used in favour of this proposal. It will be remembered that during the last session of Parliament the Government introduced a Bill providing for six different amendments to the Constitution. That Bill did not secure the necessary majority in this House and, consequently, was laid aside. One of the six proposals was immediately afterwards embodied in another Bill, which became law. This is the second of these proposals. I do not intend to labour the question as to whether or not it is desirable that women should sit in Parliament. The Government merely take up the attitude that there is no reason why the choice of the electors should in any way be restricted. There is no reason why the people of a constituency, if they desire that women should represent them in Parliament, should not have their desire gratified. If we look at the matter from the point of view of precedent, we find that women are competent to sit in the House of Commons; that indeed a woman has been elected to the House of Commons. We also know that women are competent to stand for election under the Constitution of the Commonwealth of Australia, and it does seem rather extraordinary that when a woman is eligible to stand for the Parliament of Australia, she should be excluded from standing for the Parliament of Western Australia. For these reasons I move—

That the Bill be now read a second time.

Hon. J. DUFFELL (Metropolitan-Suburban) [4.37]: I have pleasure in supporting the second reading of the Bill. It is true that on a previous occasion I opposed the second reading of a Bill which contained this proposal as one of six clauses, and which has already been referred to. I deemed it policy on that occasion to oppose the second reading of the Bill, though not for the reason that it would have rendered women eligible to become members of Parliament. I have already stated that, in my opinion, they are as capable as a good many men to fill a position of that nature. There is no doubt that women have earned the full rights of citizenship. Although I supported the appointment of women as justices of the peace, I would point out that there is a big difference between such an appointment and an election by the people. This Bill would enable women to qualify for election to Parliament, and if they are selected by the people, I have no doubt that they will be capable of carrying out the duties they will be called upon to perform. In the circumstances, I take this opportunity of saying that I opposed the amendment to the Constitution last session because it contained other drastic changes which I was not prepared to take the risk of voting for. Therefore, I voted against the second reading of the Bill. I am, however, of opinion that women should be able to sit for Parliament.

Hon. J. Cornell: You sacrificed the minor for the major.

Hon. J. W. HICKEY (Central) [4.39]: I support the second reading of this Bill enthusiastically and earnestly. What appeals to me most is the death-bed repentance of Mr. Duffell.

Hon. J. Duffell: There is no death-bed repentance about it.

Hon. J. W. HICKEY: We are getting gradually, bit by bit and Bill by Bill, that which was contained in the Constitution Act Amendment Bill of last session. This particular proposal was contained in that Bill, but was strongly opposed by Mr. Duffell. I am glad to think he has come to his right senses.

Hon. J. Duffell: Do not be too sure of that.

Hon. J. W. HICKEY: The Bill now before us represents one of the clauses of another measure which he opposed but is now supporting. I hope when the other clauses of the Bill to which I refer come before us they will have the same cordial reception that Mr. Duffell has now accorded to this one.

Hon. J. Duffell: That is where you will fall in.

Hon. J. W. HICKEY: Possibly so. At all events, it appears to suit the hon. member to support it now, and I hope he will do so on future occasions. I heartily support the Bill and I think it will commend itself to every member of the House. Women play a very important part in the life of the State at the present juncture.

Hon. J. CORNELL: (South) [3.41]: Had Mr. Duffell not thrown the gauntlet into the ring, I would not have had anything to say on this matter. He makes a second reading speech as an excuse to explain his attitude on this occasion. I had hoped that the second reading of the Bill would go through without debate. As I interjected, the hon. member has sacrificed the minor for the major. The hon. member is about to do something now which is a contradiction of something he did last session.

The PRESIDENT: I would point out that the subject under discussion is the second reading of this Bill.

Hon. J. CORNELL: Mr. Duffell is putting forward an excuse as to why he is supporting it.

The PRESIDENT: The hon. member is discussing nothing but the remarks made by Mr. Duffell. He is not in order in discussing the reasons which actuated that hon. member in supporting the second reading.

Hon. J. CORNELL: The hon. member is supporting the widening of the franchise so far as women and their election to Parliament are concerned. Although on a previous occasion he was not prepared to alter the franchise of this House, he is now prepared to confer an additional franchise so far as women are concerned and their standing for Parliament.

Hon. J. Duffell: This is a question of qualification.

Hon. J. CORNELL: The hon. member is prepared to extend the law relating to male candidates so as to permit women to stand for Parliament.

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

Ayes	18
Noes	2
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Majority for	16
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AYES.

Hon. R. G. Ardagh	Hon. E. H. Harris
Hon. F. A. Baglin	Hon. T. Moore
Hon. C. F. Baxter	Hon. J. Nicholson
Hon. E. M. Clarke	Hon. E. Rose
Hon. H. P. Colebatch	Hon. A. Sanderson
Hon. J. Cornell	Hon. A. J. H. Saw
Hon. J. Cunningham	Hon. H. Stewart
Hon. J. E. Dodd	Hon. J. W. Hickey
Hon. J. Duffell	(Teller.)
Hon. J. Ewing	

NOES.

Hon. G. W. Miles	Hon. J. J. Holmes
	(Teller.)

Question thus passed.

The PRESIDENT: I may further certify that this Bill, which is one affecting the constitution, has been passed by an absolute majority of the House.

Bill read a second time.

In Committee, etc.

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

BILL—CARRIERS.

In Committee.

Resumed from 7th October; Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 11—Act binding on Crown but not on the Commissioner of Railways:

The MINISTER FOR EDUCATION:

When the Bill was previously before the Committee I moved that progress be reported at the request of Mr. Sanderson in order to make quite clear to the Committee the reason why the Bill is not applicable to the Commissioner of Railways, whereas it will apply to the Midland Railway Company. I explained at the time that the Bill is not one to impose liabilities on carriers; it is one to protect them, and it will protect the Midland company in exactly the same way as it will protect other common carriers, and it is to the advantage of the Midland Company that it should apply to them. The reason why it does not apply to the Commissioner of Railways is that the Government railways are already protected by their own Act. The provisions of the Imperial Act of 1830, which are exactly the provisions incorporated in the Bill now before the Committee, were embodied in the Railways Act of this State when it was passed in 1904. Reference to Section 25, Subsection 4 of the Government Railways Act 1904, will show that the principles of this Bill are embodied in the Government Railways Act as it at present stands. It was considered desirable to state that the present Bill should not apply to the Commissioner of Railways, because had that not been done, it might have been contended that the present provisions in the Railways Act would be repealed by the passing of the Bill before the House. It was considered more desirable that the position of the Commissioner should remain as it is in the existing Railways Act. We are now extending to the Midland Railway Company, in common with other carriers, the privileges which have been enjoyed by the Commissioner of Railways by the passing of the Act of 1904.

Hon. Sir E. H. Wittenoom: It was to a large extent conferred on the Midland Railway Company by the Act passed last year.

Hon. J. J. HOLMES: I considered it my duty to look into this matter, as it is my duty with regard to most Bills which come before the House, and my object was to see that the Government railway system did not have an advantage, over that of the Midland Railway Company. I thought it was a correct thing that both should be conducted on fair lines. I interviewed the General Manager of the Midland Railway Company, and he stated that in his opinion an amendment to the clause was necessary, and that in order to put the company in the same position as that held by the Commissioner of Railways, an addition should be made to the clause. The leader of the House has told hon. members that the object of the Bill is to protect

carriers, but we may be protecting the Government railways under their own Act to a greater extent than we are protecting the Midland Company under the Bill before the House. I move an amendment—

That the following words be added to the clause:—"and shall be subject to the provisions contained in the Midland Railways Act 1919."

Hon. A. SANDERSON: It is not a question of whether we are satisfied, but after what we have heard from Mr. Holmes we should see that the Midland company are perfectly satisfied. They have to consult not only their representatives here but their legal advisers on the subject. I am not in a position to deny or to criticise what the leader of the House has said, and if Mr. Holmes proceeds with his amendment, I shall support it.

The MINISTER FOR EDUCATION: The Midland Railway Act which we passed last year contained this provision, "The Company shall be deemed a common carrier and (except as by this Act otherwise provided), shall be subject to the obligations and entitled to the privileges of such carrier." It seems to me the hon. member's amendment will have no effect, because the Act already provides that they shall be subject to the obligations and entitled to the privileges of such carrier except as by this Act otherwise provided. It seems to me the amendment will have no effect.

Hon. J. J. Holmes: I am not prepared to advance my opinion against what I presume is the opinion of the Midland Company's solicitors.

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

Hon. J. J. HOLMES: I suggest that progress be reported. I do not want to fill up the Bill with unnecessary words, but no harm can be done by postponing the consideration of the matter for 24 hours.

The MINISTER FOR EDUCATION: I am thoroughly satisfied in my own mind about the clause, but I have no desire to rush it through.

Progress reported.

BILL—SUPPLY (No. 2) £350,000.

Received from the Assembly and read a first time.

BILL—ROADS CLOSURE.

In Committee.

Hon. J. Ewing in the Chair; the Minister for Education in charge of the Bill.

Clause 1—agreed to.

Clause 2—Closure of portions of roads:

The MINISTER FOR EDUCATION: Mr. Holmes desired some information regarding Clause 2, in connection with the proposed closing of Phillip-street, North Fremantle, with a view to getting an assurance that the

rights of private owners would not be interfered with. I have made inquiries and have ascertained that the portions of land which are to be resumed are the property of the British Imperial Oil Company, and it is their desire that the road be closed. There are private owners along other portions of Phillip-street, but those portions of the street are not to be closed, and the rights of those people, therefore, will not be interfered with.

Hon. J. J. HOLMES: The matters that I desire to refer to are contained in each of the subclauses of Clause 2. I know that this land, particularly having reference to the North Fremantle area, is to be re-vested in His Majesty. The question is what is to become of that land?

The Minister for Education: If the hon. member is referring to the land between Edmund-street and Amberst-street, that land on both sides is at the present time vested in the education endowment trustees.

Hon. J. J. HOLMES: Schedule 1 refers to Queen's Square, Fremantle, which is situated between High-street and Parry-street, and has streets crossing it east and west and north and south, cutting it up into four sections. These four sections are really part and parcel of the road, and the proposal is to re-vest the land other than the road in His Majesty. The question arises, what is to become of this land also. I desire to know whether it is to be handed over to the municipality.

The Minister for Education: The intention is that the municipality shall have the jurisdiction over it they are exercising at the present time.

Hon. F. A. BAGLIN: I am not satisfied with the remarks of the leader of the House, and desire some further information regarding the position at North Fremantle. There the road to be closed is Phillip-street. The closing of that road will be a great inconvenience to the people living on the northern shore of North Fremantle. Those people will have a long walk to get to the trams or railway station if this road is to be closed. The closing of Phillip-street will mean that those living in Bailey-street and Broome-street will be put to much inconvenience. It has not been explained why the proposed closing of the roads in North Fremantle is to take place. I know where the property affected is situated, and why they want the roads closed. But before hon. members are asked to vote for the closure of a road in these circumstances they should be given further information. Unless we get the reason for the closing of the roads, I shall have to vote against the clause.

Hon. J. J. HOLMES: I have had occasion to look into this matter also, and the reason for the closing of the road is that Phillip-street cuts the Imperial Oil Company's property in two, and prevents them carrying on their building, the erection of plant and other

operations in connection with the storage of oil. The point I wish to raise is that I understand the closing of this road makes this property much more valuable for the Imperial Oil Company, and the Mayor and Councillors of North Fremantle are under the impression that when this land is re-vested in the Crown, it will be re-sold to the Imperial Oil Company and the North Fremantle Council will get the proceeds. That is the opinion of the council. I suggested to the council when I was in communication with them that they should have something more definite regarding the position, and I want to get something more definite now. Of course, it will be recognised that under this proposal the council will be faced with the necessity for maintaining a much wider road than is the case now. It is putting more responsibility on the shoulders of the council to maintain a road of this increased width. It seems to me that sufficient consideration has not been given to the question at issue, and we should look further into the matter before we grant the authority asked for in the Bill.

The MINISTER FOR EDUCATION: As I explained in moving the second reading of the Bill, the proposal is to grant this portion of the street to the Imperial Oil Company in exchange for portion of Lot 47 shown on the litho. I am informed that the North Fremantle council approved of the proposal, as it will provide a better road. These are all narrow streets around here.

Hon. J. J. Holmes: Is there anything on the file from the Council?

The MINISTER FOR EDUCATION: Not on this file. I cannot follow Mr. Baglin's argument that the residents of the other streets he mentions will be affected. Personally I cannot see how it will affect them, for all these streets are very narrow and the road proposed to be closed is not used. I am informed that it is through sand hills, and the proposal will have the effect of providing them with a decent road in Lancelot-street, a chain wide. I am surprised to hear that the North Fremantle council is under a misapprehension.

Hon. J. Nicholson: Who will get the proceeds of the sale?

The Minister for Education: There is no sale. It is an exchange.

Hon. F. A. BAGLIN: Phillip-street is already a macadamised road with stone walls for keeping back the sand drift. Isidore-street is also a macadamised road, but no retaining wall is provided for keeping back the sand. The best road, and the one most used, is Phillip-street, and not Isidore-street. There would not be so much objection to the closing of Isidore-street. The proposal will mean that the residents in the portions I have referred to will be put to great inconvenience in having to walk so much further to get to either tram or train. I shall oppose the clause unless we have more information regarding the matter.

Hon. J. J. HOLMES: What Mr. Baglin has said should give food for thought, and I am glad to know that he is convinced that we should look further into the matter. Last year when a Bill introduced by Mr. Panton was before the House he was connected with Lord Inchcape, the shipping magnate, and all the shipping combines in the world, and I congratulate the newly elected member for Fremantle upon the fact that he thinks it necessary now to look into the actions of another of his colleagues and his connection with the oil company. Seriously speaking, however, we are told that the North Fremantle Council are to have, instead of half-chain roads, one full chain road, and this full chain road is to be of that width through the area owned by the Imperial Oil Company, and will then be only half a chain wide at both ends where it emerges from the company's lands. Therefore, we have a good chain road linking up and being continued by two half-chain roads. The council are of opinion that the proceeds are going to be handed to the municipality of North Fremantle, who will buy a playground for the children with them.

Hon. F. A. BAGLIN: I do not know why Mr. Panton's name has been dragged into the discussion. If he were present, I feel sure he would oppose this clause. To-day I have learnt for the first time that the two blocks in question belong to the British Imperial Oil Company Ltd. I have always understood that one of them belonged to a company trading in galvanised iron. In the case of John-street there has been huge expenditure to the Government in building a retaining bank; and if Phillip-street is blocked, people will be forced into Isidore-street, which, although macadamised, is so subject to sand-drift that one cannot see the metalled road. Residents of the north shore of North Fremantle should not be compelled to submit to such an inconvenience just for the sake of some pecuniary benefit to an oil company.

Hon. A. SANDERSON: Surely this matter requires some ventilation. In connection with road closures, I pay especial attention to the opinions of the municipal council concerned, but every opportunity should be given to the individual to put his point of view to the Government.

The MINISTER FOR EDUCATION: Some of the statements made by Mr. Baglin and Mr. Holmes are new to me, and are absolutely contrary to the instructions which I have. I am definitely informed that this portion of Phillip-street is a sand hill, and quite useless for a road; and that the North Fremantle Municipal Council approve of the proposal in this clause, subject only to an exchange. I understand, further, that the only difference of opinion is as to whether the additional land in view should be granted for the widening of a street to a chain, or for the widening of two portions of the street, which are now only half a chain, to three-quarters of a chain each. I am instructed that this Bill has the approval of

the North Fremantle Municipal Council, and in another place it was supported by the member for the district. In view of the differences of opinion, I am quite willing, however, to postpone consideration of this clause.

Hon. A. J. H. SAW: In view of the differences between the various high authorities we have heard, I fail to see how the Committee can give an intelligent vote on this clause. Moreover, I gather from Mr. Holmes that the municipal council is suspect in this instance. Therefore I trust the clause will be postponed.

Progress reported.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Second Reading.

Debate resumed from the 7th October.

Hon. J. J. HOLMES (North) [5.25]: When Mr. Dodd finished his second reading speech on this Bill, a good many members of the House were apparently impressed with the idea that there was nothing to be said in opposition to the measure. Indeed, it was nearly passing its second reading without discussion. However, I did not feel justified in letting the second reading pass without further investigation. To judge from what we have heard, one would think that the mayors and councillors of municipalities throughout the State have been neglecting their duties for the last 25 years, and that the only man seized of the necessities of the position is a Mr. Cargeeg, of South Perth, who has been pegging away at the subject with the object of bringing everybody concerned into line with himself. To my mind this Bill provides that those least able to pay rates shall pay a greater proportion than they are now paying, and that those who can pay rates shall in future pay less. In all other forms of taxation the rule is that the better qualified a man is to pay, the higher is the proportion of tax extracted from him. Under this measure, however, the man who has only been able to buy a piece of land and is engaged in endeavours to get the money necessary for putting a building on it, is to have his rates increased, while the rates on improved land are to be decreased. Mr. Dodd told us that under the Bill it would be optional for a municipality to adopt this new system. There would be very little objection to leaving it optional to the mayors and councillors; let them adopt either this new system or the existing system; but let the system employed be the same as regards all ratepayers throughout the municipality.

Hon. A. Sanderson: All ratepayers?

Hon. J. J. HOLMES: All land owners. Surely the hon. member would not suggest having one system of rating for land that is vacant and another system of rating for land that has been built upon. The proposal of this Bill is to rate the land, and the land only, and not the improvements. Complications would follow the passing of this Bill.

Hon. J. E. Dodd: Why?

Hon. J. J. HOLMES: Because in numerous leases, extending over terms of years, there is a provision that the tenant shall pay the rates. Now, there may be a block with a five-storey building on it consisting of flats, and each flat may cover the whole of the block, and the occupant of each flat may have a condition in his lease that he shall pay the rates. This Bill would release such a tenant from paying rates under his lease.

Hon. J. E. Dodd: Not necessarily.

Hon. J. J. HOLMES: Yes, because the Bill puts the tax on the land. Another complication might arise in connection with the Water Supply Department, who base their charges for water upon the annual rental value or the capital value of property. The Bill proposes to impose a rate on the land only, and the maximum rate that can be imposed is sixpence in the pound on what the land would realise at public auction or by sale in the ordinary way. That provision, if enforced, would complicate matters with the Water Supply Department, and would also penalise a number of people who have bought land either to build on it or to hold it until they can afford to build. I can give a specific instance: Some business people bought property in the city of Perth to the value of £5,000, with the legitimate object of building upon it. Owing to various difficulties—among them, embezzlement to an enormous extent by one of their staff—they found themselves not in a position to build upon the land as they had originally intended. To enforce a rate of sixpence in the pound on the capital value of their property would mean imposing on them, in respect of their vacant block of land, no less a payment than £125 annually for municipal purposes, and municipal purposes only. I may be told that the owners could hold the land which they have bought and wait for the unearned increment. But hon. members who take the trouble to inquire into the land dealings in Perth over the last 25 years will find that those who hold the land to-day bought it at top price. Those who bought it cheaply in the early days resold it at a profit and, perhaps, got out of the country, and the man now to be penalised is the man who bought the land in a legitimate way. Let us consider the small man in the suburbs, who buys a block at £500 with the object of building a house. While he is getting together funds for his building, under the Bill he will have to pay £12 10s. per annum municipal rate. And it must be remembered that land-owners in this State at present have to pay Federal land tax, State land tax, municipal, health, sewerage, and other rates, including an enormously increased water rate. Coming on top of all those other charges, the Bill would do a grave injustice to a large number of people. I have no objection to any municipality being permitted to adopt this system, but not in the manner suggested by the Bill. The mayor and councillors should decide the point.

Hon. J. Cornell: Why not the ratepayers?

Hon. J. J. HOLMES: Why do we not ask the ratepayers to decide all that comes before the House? Because we are elected to decide the questions coming before us, just as the mayor and councillors are elected to deal with local problems. Under the Bill the decision can only be made by referendum. What would happen in Perth if such a referendum were taken? Consider the cost in the first place. Surely the better plan would be to provide that the municipal council can adopt either system. At the same time, whichever system they adopt should be the system for the whole of the municipality. Also there should be a proviso that a system once adopted shall remain in force for at least five years.

Hon. J. E. Dodd: A referendum can be taken only once in five years.

Hon. J. J. HOLMES: But under the Bill that could be altered by a referendum, and 100 dissatisfied ratepayers could secure a referendum. The Bill requires to be closely looked into.

Hon. A. SANDERSON (Metropolitan-Suburban) [5.35]: The House has already agreed to the principle of the Bill. Personally I am a strong supporter of the bringing forward of the Bill. I do not think this system of taxation is going to bring about the millennium, but I am convinced that it is a sound principle. We already have it at work in the road boards. Most of the points raised by Mr. Holmes are of importance and must be fully cleared up when in Committee. But as we have already agreed to the principle of rating on the unimproved value, I hope we shall get through the second reading stage as quickly as possible. Then, when in Committee, we can discuss the points raised by the hon. member. If the Bill is to be thrown out on the second reading, it is not worth while doing what, no doubt, the sponsor of the Bill is prepared to do, namely, send the Bill round to the various municipal councils and to some of those people who are particularly interested in land, such as the land owners and agents, and get their considered opinion on the measure.

Hon. J. E. Dodd: We can get that all right.

Hon. A. SANDERSON: Of course so, but it will be of no use going to the labour of that—even the postage has gone up, I find, since my return—unless we can get the Bill through the second reading as quickly as possible. To any who are hesitating on the question I would point out that the Bill is purely permissive. The question of whether it is to be the ratepayers or the council who shall decide which system of rating is to be adopted can very well be discussed with authorities outside the Chamber who have given a great deal of attention of the problem. Under local conditions in the country the system of rating on the unimproved value has worked admirably, and although I admit

that Mr. Holmes' objections require the fullest investigation, yet I am under the impression that if further provisions are made to prevent hardship, the principle will be found to work very well in the city and the towns.

Hon. A. J. H. SAW (Metropolitan-Suburban) [5.40]: I will support the second reading, but I am not altogether seized with all the arguments put forward. In the first place, the Bill seems to me to strike at the very foundation of the principle of taxation adopted by that party of which Mr. Dodd, the sponsor of the Bill, is so distinguished a member. I have understood that their principle of taxation is essentially that taxation should be put on the broadest shoulders, on those most capable of bearing it. The Bill undoubtedly will not have that effect. Take, for instance, as a concrete example, a huge building such as Boan's, or that of the A.M.P. They are to be rated municipally on exactly the same rate as any similar area of land adjacent to them. To my mind that is directly against the principles of taxation to which we are accustomed. The Bill will undoubtedly hit very hard the holder of vacant land in the suburbs. I imagine there will be a very great slump in land values, and I have no doubt many people will suffer great pecuniary loss from the Bill if it becomes law. Very many people seem to imagine that the man who holds vacant land, waiting for the unearned increment, is making his fortune. As a rule he is one who is extremely foolish; because when one considers the loss of interest on the money invested, combined with the payment of rates and taxes, which he has to make through holding that land, it will be seen that there is very little indeed left for him. I can quote an instance of some land which I had the good fortune to get rid of over 20 years ago. The person who bought it from me held it for 12 years, during which time he lost the interest on £1,250 and paid rates and taxes, including State and Federal land tax, municipal tax, health rate and sewerage and water rate, although the land was vacant. At the end of 12 years he sold the land for £1,250, exactly what he had paid me for it. I consider he lost at least £1,000 by the transaction. I am sure that a large number who hold vacant land are going to suffer a pretty hard knock if the Bill passes. But there is one point to which I draw special attention, namely, the proposed rate of 6d. in the pound on the unimproved land value, which the municipal councils are to be empowered to levy. If the council should levy as much as that, it will almost amount to confiscation.

Hon. J. E. Dodd: They levy the full amount they are entitled to now.

Hon. J. J. Holmes: They always do levy the highest they can.

Hon. A. J. H. SAW: Supposing the annual rental of the land is five per cent. on

the capital value, it will be seen that this 6d. in the pound will represent $2\frac{1}{2}$ per cent. of the capital value or one half the rental value. Add this to the other rates and taxes, and it will be seen that it amounts almost to confiscation. I trust that when in Committee the proposed 6d. in the pound will be considerably reduced.

Hon. J. CORNELL (South) [5.44]: I support the Bill. I desire to clear up some misconceptions in the mind of the hon. member who has just sat down. In his opening remarks he referred to the proposal as being one that was fathered by the party, with which Mr. Dodd is so strongly associated; and to the policy of placing the taxation on the broadest shoulders. If Mr. Dodd and myself are not political Jeremiahs, we are nearly so, but, so far as politics themselves are concerned, I suppose we may be regarded as outcasts. I do not think that taxation on unimproved land values can be claimed as the prerogative of any party. Almost every reform party, which strongly advocates the principle of taxation as enunciated in this Bill, does so on the ground of justice. If justice is blind it will be found more or less in all parties. The Bill proposes to alter the incidence of taxation in municipalities, and every argument that has been used against it can be used with equal force in regard to road boards. There is all the difference between the man who legitimately buys and uses land, and the man who buys for the purpose of making money out of it. Although it is optional under the Roads Act as to which system is used for rating purposes, 95 per cent. of the road boards now rate on the incidence as laid down in this Bill. I think what is at the back of Mr. Dodd's mind is the alteration of the incidence of taxation without removing the specific values as imposed under the legislation of to-day. The hon. member has no desire by any sort of subterfuge to enable local authorities to impose a higher rating. If hon. members think that is the intention I am sure that it can easily be remedied when in Committee. With regard to Mr. Holmes's remarks about municipalities and Mr. Cargeeg, Mr. Dodd spoke of Mr. Cargeeg as being the mouthpiece of the combined municipalities of the State.

Hon. J. E. Dodd: Of almost every municipality.

Hon. J. CORNELL: The hon. member was speaking in the collective sense and not in the individual sense.

Hon. J. J. Holmes: What does the secretary of the municipalities association say on the subject?

Hon. J. CORNELL: I do not know that there is one. There is an annual municipal conference. I give this credit to Mr. Cargeeg, that he probably took the lead. Mr. Holmes takes the lead sometimes in this House and others follow him, in much the same way as mayors and councillors have

followed Mr. Cargeeg. Assuming that this Bill becomes law and the incidence of taxation is altered, how will it affect the striking of rates for water supply purposes? I hold the belief that our present system of taxation is wrong in theory and in principle. The water supply authorities base their rating on the annual value as accepted by municipalities. It perpetuates the evil. Mr. Dodd referred to the case of a man buying a vacant piece of ground and improving it, and beautifying it as a place of residence. According to the improvements, so was he rated. The water supply people come along and impose an unjust rate upon this man, who has done something to improve his property, and they strike a water rate on a false valuation. Followers of Ruskin are beginning to turn up the proposition. The man who endeavours to beautify his place by a fine building, or by making a beautiful garden, deserves to be encouraged and not discouraged, and men who sit back and do nothing with their property should be saddled with part of the burden. The incidence of this taxation will have its effect upon the man who does not use his land, for this person will pay the same water rate, minus the excess rate, as the man who has improved his property. If the incidence was altered, the water supply people would not in any way be the losers, inasmuch as such a rate would be struck as would bring in the necessary revenue.

Hon. J. J. Holmes: They will not lose but will gain.

Hon. J. CORNELL: Another point raised by Mr. Holmes was as to whether or not the ratepayers should decide on the question of an alteration, or whether it should be left to the mayor and councillors to do so. Although various powers have been vested in the mayor and councillors under the Municipalities Act, they cannot borrow money except by a referendum of the ratepayers.

Hon. J. J. Holmes: This is not a question of borrowing money.

Hon. J. CORNELL: It is a question of altering the incidence of taxation. Who has more right to say whether the present system shall be perpetuated or a new one brought into force than those who are called upon to pay, and who actually elect those who do the work for them? I prefer that the council should not—if there is a sufficient number of ratepayers to form a municipal council—be the deciding factors. The ratepayers should speak by way of referendum, at all events in the initial stages of the alteration of the incidence of taxation.

Hon. A. J. H. Saw: Many so-called ratepayers do not pay their rates.

Hon. J. CORNELL: Then I would not give them a vote.

Hon. A. J. H. Saw: But they get it.

Hon. J. CORNELL: They can be sued and the rates can be recovered at any time, but while this system holds good, they are entitled to a vote.

Hon. J. J. Holmes: The owner is always responsible.

Hon. J. CORNELL: If that is the difficulty, it can be remedied in Committee. We are only asking that there shall be put into effect what the municipal conference had agreed upon. I have no doubt the majority of ratepayers are good citizens and are interested in the welfare of the State, and that they will vote for the most just incidence of taxation without any consideration whatsoever for the gentleman who is trying to get a little out of it.

Hon. J. J. Holmes: Does the Roads Act provide for a referendum in a case of this sort?

Hon. J. CORNELL: I do not know. It is probably left to the road board to decide on the question of the incidence of taxation. That is a minor point. If the matter is left to the mayor and councillors, and they refuse to move, it may take three years before the ratepayers can alter the incidence of taxation. I have no doubt that within the three years they would alter it by returning councillors who were prepared to support the principle. It may be that to leave it in the hands of the mayor and councillors would create a delay in the event of the majority of the ratepayers being in favour of the principle not getting an opportunity of voting by means of a referendum. I have no doubt the Bill will be carried.

Hon. Sir E. H. WITTENOOM (North) [5.55]: I listened carefully to Mr. Dodd's remarks, and congratulate him on making a well reasoned and to a large extent convincing speech. I gathered from the Bill that it gives one of three alternatives in the matter of rating, namely, rating on the annual value principle, on the capital value principle, or on the unimproved capital value principle. It seemed to me from Mr. Dodd's remarks that the various municipalities throughout the State had practically arrived at the conclusion that the method of voting championed by the hon. member had been approved by them. In these circumstances, seeing that these local authorities are in the best position to judge the question, one is naturally influenced to a large extent in carefully thinking out a question of this kind before opposing it. If Mr. Dodd had introduced this Bill with only the unimproved capital value system of rating provided for I should have voted against it, but as he has given the municipalities an opportunity of rating upon one of three different systems, I am inclined to support the second reading of the Bill. I am largely influenced in arriving at this conclusion by the fact that I understand that two road boards, one acting as a municipality and the other as a mayoralty in the Province which I represent, namely, at Carnarvon and Broome, are also interested in this proposal. Therefore, if it is their wish that they should have an opportunity of rating under these systems, I do not feel

justified in opposing the second reading of the Bill. Hon. members know that I am entirely opposed to land taxation. I am opposed to it to the extent of the Government getting revenue out of it. I have always stated clearly that I am in favour of road boards and municipalities getting their revenue from land taxation, and when we have had before us the question of the taxation of land alongside railways I have always stated that the Government should resume the land and not tax the people, because taxation in those circumstances amounts to confiscation. The proper course to adopt would be to resume such lands and sell them to the people who require them. So far as municipalities are concerned, they are quite able to look after themselves, and tax the land to such an extent that it is not wise for the owners to leave it unused. Looking at the Bill from a broad point of view, I intend to vote for the second reading, but like my colleague, Mr. Holmes, I see some difficulty with regard to the referendum and the expense which will be associated with it. I see it is carefully arranged that once having arrived at a conclusion, that appears to be definite for three years, and therefore a petition cannot again be presented within that time. That seems to me a difficulty in the Bill so far as the referendum is concerned. I am quite prepared to hear arguments in favour or against it to enable me to arrive at a satisfactory decision when we reach the Committee stage. I intend to support the second reading of the Bill.

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

BILL—STALLIONS REGISTRATION.

Second Reading.

Debate resumed from 7th October.

Hon. Sir E. H. WITTENOOM (North) [6.5]: I congratulate the Government on introducing this Bill. It is a Bill that for a long time has been required by the people interested in the production of horses. It is, or should be, the object of breeders of horses in many parts of the State, that are specially adapted for the breeding of horses, to try to procure as good a class of horse as possible, and breed that class known as the Indian re-mount for export. We are quite capable of breeding draughts and ordinary hackney horses, but we should go into the matter on a commercial scale and breed horses for export to other countries. There is only one way to produce good animals, and that has been proved time after time, namely, by taking the precaution to secure the best stallions it is possible to get. If we look back upon history, we find that before a country started to breed horses, they made it their first consideration to get good stallions, and we find that for some time both France and Germany were taking away from England a great many of their best race-

horses to use as stallions for the continental breeding establishments. Numbers of people have condemned race-horses. They think that because a horse is used for racing purposes, it is not good for anything else, but experience has proved that the best horses on the track are the best horses for breeding, and that animals that are able to contend with their own kind, in long-distance races, where they require both speed and stamina, are the very ones that are most suitable as sires for the production of that class of animal required for the army, namely, remounts. Therefore to bring about this state of affairs, it is necessary that there should be some legislation to compel people to breed from nothing but the very best sires. We all know the weakness of human nature, and how careful we are in our expenditure. At times it happens that rather than pay a little more to get a good animal, we keep on breeding with the one we have, and not only do that, but good naturedly lend that animal to others and charge perhaps a guinea or a guinea and a half for the services of an animal that should be condemned. The Bill proposes to take precautions against that state of affairs, and whilst it has a clause which deals very fairly with those who have not effective stallions, it also takes precautions to see that in the future, as far as possible, the best animals shall be procured and sustained and used throughout the country for the production of horses. At one time Western Australia was famous for its good horses. I can remember when I was a young man, seeing shiploads of splendid horses going from here to India. Nowadays I do not suppose we can get anything like a shipload of horses that might be used for remount purposes. The opportunity presents itself now to begin again the breeding of horses on sound lines, a good commercial horse, instead of rubbish. One of the good points in connection with the Bill is that it has been approved by representatives of the Country party and the Pastoralists' Association, both of which bodies are interested to a large extent in the production of horses. Therefore the Bill comes forward under good auspices. One condition which seems to have been left out of the Bill, and it would have been better if it had been included, is the question of legalising the sale and export of horseflesh. I do not know, however, whether it can properly find a place in this Bill. Throughout Western Australia there is a prejudice against the use of horseflesh for food. We know it does not prevail in other countries where a large quantity of horseflesh is used. In Western Australia we have thousands of animals that are defective, animals that have been bred without care, and it would be most important if we were able to slaughter those animals and send away the carcasses. Owners in that way would receive something for them. We all know how reluctant people are to shoot animals merely for their hide and hair. Therefore if we had some induce-

ment to sell the flesh for food to those countries where they eat that kind of meat, it would be a great inducement to do away with an inferior animal and replace it with a good one. It must always be remembered that the reluctance to eat horseflesh is nothing but a prejudice.

Hon. T. Moore: It is pretty tough. I tried some of it in France.

Hon. Sir E. H. WITTENOOM: It might be said that beef is as objectionable as horseflesh. As a matter of fact I think horses are cleaner than cattle, inasmuch as they eat better food, and under the existing methods of raising horses the flesh of horses should be just as good and succulent as beef. If we respect the existing prejudice against horseflesh which exists amongst Australians, there is no reason why it should not be lawful to export this meat just as we export beef to those nations who are perhaps not so epicurean in their tastes and who are not afraid to eat horseflesh as well as beef. The Honorary Minister who has had this matter before him might be able to give us some good reason why there is not a provision in the Bill to permit of the export of horseflesh.

Hon. J. Nicholson: Is there any law in existence to prevent the export of horseflesh?

Hon. Sir E. H. WITTENOOM: I am not prepared to say, but I imagine there must be, otherwise people would have exported horseflesh before this. I may give an instance to show how permission to export horseflesh would benefit a section of the community. A telephonic conversation that I heard a little while ago led me to conclude that a man was trying to sell 130 horses. He wanted £3 per head, and apparently he was offered £2 15s. by the man at the other end. The outcome was that the vendor agreed to accept £2 15s. If it had been possible to export those horses as horseflesh, the value to the owner would have been £6 or £7 per head. The export too, would, as I have already stated, do away with the breeding of an inferior class of horse. No one can tell me that horses that will fetch only £2 15s. are anything but defective animals. I do not think there is anything else I need refer to in the Bill except to say that as a member of Parliament, and a member also of the Pastoralists' Association, and as a breeder of horses, and as one interested in horses to a large extent, I commend the Bill to the favourable consideration of hon. members and support the second reading.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Ewing in the Chair, the Honorary Minister in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Tenure of office:

Hon. E. H. HARRIS: The clause provides that every member shall hold office for

a period of three years from the date of his appointment. The Government might desire to make an alteration in the personnel of the board and it might be better if at the first election one member of the board were elected for a period of three years and the other for a period of 18 months. Then subsequent appointments could be made for a term of three years, and in that way the period of office of the members would not expire at one and the same time. I move an amendment—

That in the first line, after "provide," the following words be inserted: "and in the original appointment of the Board, when one member shall be elected for a period of three years and the other for a period of one year and six months from the date of his appointment."

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

Clause 5—Chairman:

Hon. E. H. HARRIS: Having amended Clause 4, it will be necessary to amend Sub-clause 2 of Clause 5 to coincide with the earlier amendment. I move an amendment—

That in line 2 the words "three years" be struck out and "one year" inserted.

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

Clause 6—agreed to.

Clause 7—General control vested in board:

Hon. V. HAMERSLEY: I desire to draw attention to the use of the word "effectuating," and suggest that it would be an improvement if the word "effecting" were used.

Clause put and passed.

Clauses 8 to 10—agreed to.

Clause 11—Examining authorities:

Hon. Sir E. H. WITTENOOM: What about the remuneration of the examining authorities? There is provision under the regulations for power to fix expenses. Sub-clause 7 provides for the regulating and determining of the scale or amount to be paid to members of the board or examining authority for travelling allowances or expenses. I take it that there will be some addition to travelling expenses and allowances.

The HONORARY MINISTER: Nothing has been decided regarding payment of members of the board. Under Clause 22 the expenses of administering and enforcing the Act will be defrayed out of such moneys as may from time to time be appropriated by Parliament for the purpose. It will be quite competent for the Government, should they so desire, to pay them.

Clause put and passed.

Clause 12—agreed to.

Clause 13—Examining authority to report:

Hon. E. H. HARRIS: Provision should be made for the examining authorities to sub-

mit reports in writing. I move an amendment—

That after "report" in line 2 the words "in writing" be inserted.

Hon. Sir E. H. WITTENOOM: The clause states that they must report as prescribed.

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

Clause 14—Season certificates and life certificates:

Hon. E. H. HARRIS: Under Subclause 2 it is provided that if a stallion is affected with unsoundness, the board may require the owner of the stallion to submit it for examination. It may be that the owner is out of the State, and I think provision should be made for serving the notice on the person in charge. I move an amendment—

That after "owner" in line 4 of Subclause 2 the words "or person in charge" be inserted.

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

Clauses 15 to 20—agreed to.

Clause 21—Provision as to reciprocity:

The HONORARY MINISTER: In view of the fact that there may be some difficulty regarding the administration of this measure in the northern portions of the State, I ask that we shall report progress and ask leave to sit again. In the meantime, I will have an amendment framed to meet the situation.

Progress reported.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

In Committee.

Hon. J. Ewing in the Chair; Hon. J. Duffell in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Offences of cruelty:

Hon. J. DUFFELL: I move an amendment—

That in paragraph (b) the word "animal" in the first line be struck out and the words "domestic or captive animal other than those running at large" be inserted.

Amendment put and passed.

Hon. Sir E. H. WITTENOOM: I want some information as to what is regarded as sufficient protection against inclement weather. Take a position like this: a lot of ewes may be lambing, during a tempestuous day or days. An inspector may come along and ask that the ewes be given protection against the inclement weather. I would like an explanation as to what this really means.

Hon. J. DUFFELL: The clause is not intended to apply in country districts, but in cities and suburban areas, where sufficient shelter can be provided without inconvenience.

Hon. Sir E. H. WITTENOOM: With regard to the provision that dogs chained up shall be exercised at least once a day, I wish to point out that sheep dogs when not at work are chained up, since otherwise they would spoil, through becoming addicted to chasing fowls and so forth. Further, a dog on a long chain gets a good deal of exercise. Considerable common sense will be needed in administering this provision.

Hon. J. DUFFELL: The existing Act disables the Society for the Prevention of Cruelty to Animals from taking action in the case of a dog that is chained up, so long as the animal is supplied with food and water. We know of scores of cases where a dog has been allowed to remain on a chain week after week without any exercise whatever, which we contend is cruelty.

The Honorary Minister: It depends on the length of the chain.

Hon. J. DUFFELL: In any case, it is not much trouble to give a dog a little exercise once in 24 hours. If the dog is known to be ferocious, an attendant can give it walking exercise. For reasons which I gave when replying on the second reading, I now move an amendment—

That paragraph (i.) of Subclause 1 be struck out.

Amendment put and passed.

Hon. Sir E. H. WITTENOOM: I move an amendment—

That the following be added to Subclause 1 to stand as paragraph (o): "Keep any dog that attacks bicycles, motor bicycles, motors, or horses in the public streets."

To keep such a dog should be an offence.

Hon. J. DUFFELL: A dog of that kind is undoubtedly a nuisance, but will the proposed amendment meet the difficulty? I think it would be better met by regulation.

Hon. A. J. H. SAW: I rise to a point of order. I submit that the amendment does not come within the title of the Bill.

The CHAIRMAN: The amendment is in order.

Hon. Sir E. H. WITTENOOM: I feel strongly on this matter, having seen many cases of attack by dogs in Hay-street. Serious accidents are likely to occur. Neither the police nor anyone else appears to interfere when a cur rushes out to attack a motor bicycle or a motor. Perhaps the police have not the necessary power.

Amendment put and passed.

The HONORARY MINISTER: I fail to see the force of the reference to "small vermin" in the proviso. "Vermin" should be sufficient. I move an amendment—

That in line 1 of the proviso to Subclause 1 the word "small" be struck out.

Hon. J. DUFFELL: I hope the amendment will not be pressed. Paragraph (k) deals with the indiscriminate spreading of poison. If the word "small" is struck out,

poison might be laid indiscriminately for the purpose of killing tame dogs. The good judgment of the society may be relied upon in this matter.

Hon. Sir E. H. WITTENOOM: I do not think the word "small" should be struck out. When Clause 5 is reached I propose to move an amendment making that clause apply to "wild or stray dogs."

The HONORARY MINISTER: This clause does not apply to dogs.

Hon. G. J. G. W. Miles: What is "small vermin"?

The HONORARY MINISTER: Perhaps the hon. member in charge of the Bill will inform the Committee as to that.

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

Ayes	..	..	10
Noes	..	..	4
Majority for	..	..	6

Ayes.

Hon. C. F. Baxter	Hon. T. Moore
Hon. E. M. Clarke	Hon. E. Rose
Hon. H. P. Colebatch	Hon. A. J. H. Saw
Hon. J. Cunningham	Hon. V. Hamersley
Hon. J. W. Hickey	(Teller.)
Hon. J. J. Holmes	

Noes.

Hon. E. H. Harris	Hon. J. Duffell
Hon. G. W. Miles	(Teller.)
Hon. Sir E. H. Wittenoom	

Amendment thus passed.

Hon. J. J. HOLMES: I suggest the hon. member should bring Subclause 2 into line with the earlier amendment by inserting the words "captive animal." There is the same necessity for these words here.

Hon. J. DUFFELL: I think the definition of "animal" covers the whole of the ground. There is no necessity for the proposed amendment.

Hon. J. J. HOLMES: "Animal" means any domestic or captive animal. A horse may be in a paddock 20,000 acres in extent and still be a captive animal.

Hon. J. DUFFELL: It is not feasible to think it will be necessary to provide the protection referred to for a horse in a paddock of 20,000 acres. The clause as it stands is the same as the provision in the existing Act.

Clause, as amended, put and passed.

Clause 4—agreed to.

Clause 5—Exemptions:

The HONORARY MINISTER: I move an amendment—

That after "cattle" in line one of paragraph (b) "docking of horses' tails" be inserted.

The existing practice is to pull the long hairs out of horses' tails, it being important to keep the tail clear of the mud in winter time, and to prevent it getting over the reins

when the horse is in harness and so leading to accident. The docking of the tail is not so severe on the horse as the pulling out of hairs.

Hon. J. DUFFELL: I oppose the amendment. In 18 years' experience the society have never had occasion to resort to anything of this nature. The paragraph as printed is identical with the provision in the existing Act. Docking means, not the cutting of the hairs in the horse's tail, but the cutting off of a joint of the tail, which is altogether unnecessary.

Hon. Sir E. H. WITTENOOM: I oppose the amendment most strongly. Docking is, I think, cruel and unnecessary. It is a standing disgrace to the British nation to see the hunters in England with their docked tails. It is ever so much more inexcusable in a country like this where flies are such a torment to the horses during long periods of the year. I have had lengthy experience of horses and have never seen the slightest accident occur through the horse having a long tail. Of course when a horse is working in machinery the long tail is sometimes troublesome, but even then it is not necessary to do more than to cut the hairs to the desired length.

Hon. T. MOORE: I support the amendment. I have had a lot of experience with horses. If a horse with a long tail is inclined to be troublesome, he frequently gets his tail over the reins, with the result that if the person driving is of bad temper, the horse suffers by having the reins jerked with the object of freeing them from the tail. The alleged cruelty of docking the tail is very small indeed. I have repeatedly seen the operation performed.

Amendment put and negatived.

Hon. Sir E. H. WITTENOOM: I move an amendment—

That after "wild" in line one of paragraph (c) "or stray" be inserted.

Stray dogs are equally as mischievous as wild dogs.

Hon. J. W. HICKEY: I should like a definition of stray dog. I agree that even more damage is done by a half wild dog than by a dog wholly wild, but I should like to know what the hon. member means by a stray dog.

Hon. Sir E. H. Wittenoom: A dog not at his own home.

Hon. J. W. HICKEY: Many dogs with good homes destroy quite a lot of sheep. I will oppose the amendment unless I get a better definition of stray dogs.

Hon. A. J. H. SAW: It seems to me the amendment goes too far. It takes away all rights of stray dogs. "Stray dog" will apply to every dog that gets loose.

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

Clause 6—agreed to.

Clause 7—Constable may inspect sale-yards, etc.:

The HONORARY MINISTER: The clause will give to an officer appointed by an outside society the same powers as are exercised by a police constable. I think those powers are too wide for an officer of an outside society. I should like to know what the effect would be if we were to strike out "officer of the Society for the Prevention of Cruelty to Animals."

The CHAIRMAN: The hon. member is at liberty to move to amend the clause.

The HONORARY MINISTER: I move an amendment—

That in lines 1 and 2 the words "or officer of the society for the prevention of cruelty to animals" be struck out.

Hon. J. DUFFELL: I am astonished that the Honorary Minister should move this amendment. He has evidently not read the Bill carefully. These words are already in the present Act.

The Honorary Minister: That does not make it right.

Hon. J. DUFFELL: In 1912 the Colonial Secretary, in introducing the Bill of that session, said it was intended to confer upon the officers of the society, for the purpose of carrying out the Act, all the powers vested in a police constable. At present an officer of the society may hear of some cruelty to an animal in a saleyard, but he has no power to visit the premises where the animal is kept for the time being. This clause will make such an action legal. If the society does not get this power, the Bill might as well be dropped.

Hon. J. W. HICKEY: I oppose the amendment. It is very necessary, at times, that some outside official should have an opportunity of inspecting the saleyards. I see no objection to the clause.

The HONORARY MINISTER: I wish to withdraw my amendment. My remarks apply to Clause 9 and not to this one.

Amendment by leave withdrawn.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Constables and others may arrest without warrant for alleged cruelty:

The HONORARY MINISTER: I take strong exception to this clause. It is not right that an officer of the society should be enabled to arrest a person for a minor offence. I move—

That in lines 1 and 2 the words "or officer of the society for the prevention of cruelty to animals" be struck out.

Hon. J. DUFFELL: This clause is taken from the Police Act. The society has been working under that all along, and there has never been any reason given against that power being retained. There are many occasions when it is imperative that an officer of the society should have power to arrest

without warrant. I have a list of scores of cases where the offender has escaped justice owing to the officer of the society having to travel a long distance to obtain a warrant, and on his return finding that the evidence of cruelty had disappeared. There was a case of a camel which had a sore in its hump large enough to put one's hand in, but the officer of the society had to cycle a distance of about 80 miles to obtain a warrant and when he returned the camel, owned by an Afghan, had entirely disappeared. The Afghan therefore escaped justice. It is not intended to use this power for persecution, but in cases of emergency.

The MINISTER FOR EDUCATION: There is nothing in Section 43 of the Police Act of 1892 giving power to anyone except an officer or constable of the police force to arrest without warrant. The objection of the Honorary Minister is to this power being given to an officer of the society. There is nothing in the Police Act giving power to any other person to arrest without warrant.

Hon. J. Duffell: The society has contended all along that it has had this power.

The MINISTER FOR EDUCATION: This power is rarely used even by a police constable, and it certainly should not be given to an officer of the society.

Hon. A. SANDERSON: The question is as to how this power would be used. The society is not run by cranks. There is at its head a thoroughly practical man amongst stock and animals. I refer to the President, Mr. Burges. The people associated with him are doing their work without fee or reward, with the object of protecting these unfortunate creatures. Occasionally dreadful things happen in the back country, but if this power were given to an officer of the society these things might very largely be prevented. It is not reasonable to suppose that the power would be exercised other than in a careful way. I trust the clause will be passed as printed.

Hon. J. J. HOLMES: The proposal seems to be an unreasonable one, and if the hon. member in charge of the Bill desires to make any progress with it, I suggest that he agrees to the amendment. The hon. member has already told us that the society have been bluffing the public into believing that they had this power.

Hon. J. Duffell: But they never abused it.

Hon. J. J. HOLMES: To ask the House to give an officer of the society power to arrest any person without a warrant seems to me like asking us to do something that is suggestive of the dark ages.

The HONORARY MINISTER: To ask that the power which is only given to a police constable in extraordinary cases should be given to an officer of the society is asking for something that is beyond my comprehension. We are here to pass legislation which will be of use, and if the clause goes through as the hon. member desires it, with

the extraordinary power proposed, we shall be doing something which is not in the interests of the community.

Hon. J. DUFFELL: Perhaps it is necessary for me to give further reasons why the power sought is necessary. I may call attention to the case of a man named Thompson, a well known criminal, who was wanted by the police. There was a warrant out for this man's arrest, and he came under the notice of an officer of the society on one occasion. The officer knew that Thompson was wanted. Thompson was on horseback, and the officer stopped him and told him he desired to have a look at the horse. Thompson inquired who he was, and on being told, and being informed also that his name was wanted, replied that his name was Smith. The officer, of course, knew that that was not so. If the officer of the society had been possessed of the power it is proposed to give in the clause, Thompson could have been arrested there and then. Fortunately at a later stage Thompson was arrested, after having committed further depredations. Another reason why the power should be given is that it frequently happens that an officer of the society comes across a man in an intoxicated condition in charge of a vehicle. If the proposed power were given that man could be arrested.

Hon. A. J. H. SAW: If I understand the hon. member rightly, he proposes to give this power in order that the inspectors of the society may arrest criminals and drunks.

Hon. J. DUFFELL: Perhaps I did not make myself quite clear. We know that in the case of Thompson the horse had a sore shoulder, and if the power proposed to be given to the officers of the society had existed, Thompson could have been arrested there and then; but, in polite language, Thompson told the officer of the society to catch him if he could.

Hon. T. MOORE: If we pass the clause as desired by Mr. Duffell we are likely to get the officers of the society into serious trouble. Picture an officer approaching a man who is ill-treating a horse and attempting to place him under arrest. Naturally the man will want to know under what authority the officer is acting. It often happens that a policeman when he is effecting an arrest has to use more than ordinary force, and a policeman is trained for that sort of thing. If we give this power to officers of the society they will have to take lessons in ju-jitsu, and, in addition to that, we shall have to give them handcuffs and batons as well; and, in fact, make real policemen of them.

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

Clause 10—agreed to.

Clause 11—Vehicles and animals, etc., may be detained:

Hon. J. W. HICKEY: This clause gives power to confiscate any property

that a man may have as security for the payment of a penalty and for the expenses that have been incurred for taking charge of and keeping an animal or a vehicle. By carrying out the clause in its entirety we more than necessarily penalise people who are unfortunate enough to have proceedings taken against them. In the back country a man may borrow a horse with a sore shoulder and ride him into a camp, and the man's saddle and swag which may be on the horse can, under the clause, be confiscated. That will operate very harshly in many cases, and it will certainly not have the effect that is desired. I move an amendment—

That all the words after "Act," in line 7 of Subclause 1, be struck out.

Hon. J. DUFFELL: This provision is already in the existing Act, and I think it is a reasonable one and should appear again. It has not so far operated harshly, and will not do so.

Hon. A. J. H. SAW: The purpose of Mr. Hickey will be served if he strikes out merely these words, "or as security for payment of any penalty to such person or the owner of such vehicle or animal may become liable and the expenses which have been or may be necessarily incurred for taking charge of and keeping same." That would leave it in the power of the constable then, to take possession merely of any implement such as a stick or whip, or other weapon in the possession of the offender.

Amendment put and negatived.

Clause put and passed.

Clause 12—Constable under certain conditions may destroy injured animal:

The HONORARY MINISTER: Subclause 2 gives wide powers, but the powers contained in Subclause 4 are too far-reaching. It provides that whenever in the opinion of a constable an animal is so weak, disabled, or diseased, or from any cause sustains such injuries that its recovery is impossible, such constable may, on obtaining the order of a justice of the peace, immediately kill such animal. I do not mind giving these powers to a constable, but a constable is not a judge as to whether an animal is diseased or whether its recovery is impossible. That is a matter for a veterinary surgeon to determine. I move an amendment—

That in line 2 of Subclause (4) the words "or diseased" be struck out.

Hon. J. DUFFELL: The Honorary Minister would be well advised not to press the amendment. There are many different phases of this question regarding decrepit animals coming before officers of the Society and the words complained of are in the Act at the present time. There is nothing new about it at all. In any case, we are protected because an application has to be made to justices before an order may be secured for committing the act. There is not very much to be gained by deleting the words and there is very much to be gained from the point of view of the society.

Amendment put and negatived.

Clause put and passed.

Clauses 13 to 15—agreed to.

Clause 16—Obstructing constable:

The HONORARY MINISTER: In this clause reference is made to any person who unlawfully obstructs, hinders, molests or assaults any constable or "other person." "Other person," I presume, is meant to apply to an inspector of the society. I move an amendment—

That after "person," in the second line, the words "who produces an authority" be inserted.

This is necessary so that, should any officer be a little officious, he shall be compelled to produce his authority to the person whom he is desirous of prosecuting.

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

Clauses 17 to 20—agreed to.

Clause 21—Sale or purchase of decrepit horses:

The HONORARY MINISTER: This clause places a lot of responsibility on the shoulders of auctioneers who have to say whether or not a horse is decrepit. In many instances of internal complaints, no auctioneer would be able to say whether the horse was decrepit or not. I have known of instances where qualified veterinary surgeons have made mistakes and have classed horses as incurable, whereas the animals after a few weeks have been quite right again. If qualified veterinary surgeons can make such mistakes, how can auctioneers be expected to comply with the clause? I oppose the clause.

Hon. J. DUFFELL: It is well known to inspectors of the society that there are certain men who are looking for these decrepit animals, picking them up for a few shillings. We have only to go along the North Beach-road to see them. These animals are turned out in the bush in the hope that they will recover sufficiently for their purchasers to make a few shillings on them, so that the animals continue the life of torture until death releases them. I could have furnished photographs of many horses with legs swollen and in an awfully emaciated condition, and it is to such cases as these that the clause is intended to apply, and not to instances such as the Honorary Minister describes. The society through the Commonwealth and New Zealand are adopting this course and are putting it in their legislation. I hope the Committee will agree to retain the clause because it is not intended to operate in the way the Honorary Minister indicates and never will be used in that way.

Hon. A. J. H. SAW: I do not know that Mr. Duffell has given us any information that these horses are suffering any injury. So far as I can tell, they are not ill treated. They are like many human beings who get old and decrepit. Very few men would like to take the responsibility of knocking

them on the head, which seems the only alternative for the unfortunate animals.

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

Ayes	6
Noes	8

Majority against	..	2
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AYES.

Hon. H. P. Colebatch	Hon. A. Sanderson
Hon. J. Duffell	Hon. J. W. Hickey
Hon. V. Hamersley	(Teller.)
Hon. E. H. Harris	

NOES.

Hon. C. F. Baxter	Hon. E. Rose
Hon. E. M. Clarke	Hon. A. J. H. Saw
Hon. J. Cunningham	Hon. T. Moore
Hon. J. J. Holmes	(Teller.)
Hon. J. Mills	

Clause thus negatived.

Clause 22—agreed to.

Clause 23—Persons under 16 years of age not to be present when animals are slaughtered:

Hon. J. DUFFELL: I move an amendment—

That in lines 2 and 3 the words "a place where animals are slaughtered" be struck out and "an abattoir" inserted.

The intention is not to hamper people in the country who have boys under 16 years who are engaged in killing animals for domestic purposes. What we desire is that boys shall not be allowed to be employed in abattoirs. It has a most baneful effect on the child and work in abattoirs has been proved to be detrimental to them in after life.

Hon. V. Hamersley: Have you any proof of that.

Hon. J. DUFFELL: We have evidence that men engaged in slaughtering are exempt from serving on juries, indicating that blood will have an effect on the mind of the boy.

Hon. J. J. HOLMES: I would like further information on this point. It would appear that a young man in the country is to be allowed to actually commit the act of killing, but the young man in town is not to see it.

Hon. J. Duffell: The boys we refer to are entirely employed in the killing.

Hon. J. J. HOLMES: No. It says that he must not be permitted to remain in an abattoir.

Hon. J. Duffell: There is a difference between doing it once and seeing it done always.

Hon. J. J. HOLMES: I believe that Dr. Saw will bear me out in my statement that for a boy with a weak constitution, there is no more healthy occupation than that associated with the slaughtering of animals and coming into contact with the hot blood arising from this operation. My experience is

that if a boy is on the weak side the best thing one can do with him is to put him into an abattoir. Everyone associated with the business of slaughtering and butchering grows fat and well. I am opposed to the clause.

Hon. J. DUFFELL: This provision is taken from the English Act, and may safely be accepted.

Hon. J. CUNNINGHAM: I shall not oppose the amendment, but shall vote against the whole clause. The provision is of no value to the work of the Society for the Prevention of Cruelty to Animals.

Hon. A. J. H. SAW: I share Mr. Cunningham's opinion, though perhaps on different grounds from his. To me it seems that we are overloading the Bill. The question of the age at which a boy should begin to learn the slaughtering trade has nothing to do with cruelty to animals. This clause seems to me open to the same objection as the amendment regarding dogs attacking bicyclists and motorists, in regard to which amendment I raised a point of order which was not sustained. I cannot agree with what Mr. Holmes has said regarding the healthiness of the occupation of butchering. Butchers rank after publicans and before doctors among the three most unhealthy professions in the world.

Hon. J. W. HICKEY: The clause should be amended in the interests of the Society for the prevention of Cruelty to Animals. It has nothing to do with their work. If a boy waits until he reaches the age of 16 before he begins to learn slaughtering, he will never know much about the business.

Amendment put and passed.

Hon. J. CUNNINGHAM: I ask the Committee to give this clause special attention. If it is passed, how are we going to deal with lads desirous of taking up the trade of slaughtering? I have no desire to force lads into that trade at less than 16 years of age; but that is the business of the boy and of those who conduct the slaughtering industry. Unless I hear from the member in charge of the Bill better reasons in favour of this clause than I have yet heard, I shall vote against it.

Clause put and negatived.

Clause 24—Inspection of traps:

Hon. J. W. HICKEY: I move an amendment—

That the words "and at least once every day between sunrise and sunset" be struck out.

It is an absolute impossibility to put this clause into operation in the case of dog trappers. Dogs are very troublesome in various parts of the State, and the passing of the clause will mean that various trappers who are coping with the dingo pest will suddenly find themselves liable to penalties of £25. On the other hand, where rabbits are being trapped, the man who does not

visit his traps twice a day is almost guilty of inhumanity.

Hon. J. DUFFELL: I hope the amendment will not be carried. This is another provision taken from the English Act of 1912. The reason for it is that the society has repeatedly had information of tame dogs having been caught in traps and lingering there for several days before dying.

Hon. J. J. HOLMES: Mr. Duffell says that this provision is taken from the English Act. The proposition may be all right for a gamekeeper controlling an area of perhaps a couple of hundred acres; he may be able to visit every trap between sunrise and sunset to see whether anything has happened. But how can that be done on the rabbit-proof fence, or on the stations in the north with their paddocks of 40,000 or 50,000 acres?

Hon. J. Duffell: Surely traps are not set all round those places?

Hon. J. J. HOLMES: Certainly they are. The clause is an impossible proposition. Its framer has gone out of his way to make the proposition impossible by laying it down that the person setting the trap shall return between sunrise and sunset, not even permitting him to return after sunset on his way home.

Hon. E. ROSE: In a number of cases it would be impossible to get round the traps every day to see whether any dogs or other animals had been caught. I support the amendment for that reason, and also because a rabbit trapper sets such a large number of traps that he cannot visit each of them every day. The framers of the Bill apparently did not think of the cruelty of dogs preying on sheep.

Hon. T. MOORE: I see no reason why one engaged in rabbit or opossum trapping should not be called upon to visit his traps once a day, but where a person is engaged in wild dog or fox trapping, it is impossible for him to go round his traps in one day. I should like to see this amendment defeated, whereupon I would move an amendment in line 3.

The CHAIRMAN: That can only be done if Mr. Hickey agrees to withdraw his amendment for the time being.

Hon. J. W. Hickey: I will do so.

Amendment by leave withdrawn.

Hon. T. MOORE: I move an amendment—

That after "marsupial" in line 3 "dingo or wild dog, foxes" be struck out.

Hon. J. J. HOLMES: The hon. member admits that the long distances to be travelled by dog trappers make it impossible for them to get round their traps in one day. If it is difficult to return and inspect a dog trap, it is equally difficult to return and inspect a rabbit trap.

Hon. E. H. HARRIS: The objection raised to the clause is that it is impracticable, owing to the long distance to be traversed by the trappers. I suggest to the

hon. member in charge of the Bill that he might meet those objections by inserting after "time" in line 6 the words "where practicable."

Hon. T. MOORE: I had overlooked the fact that in this country rabbits are being treated as vermin and are not trapped in the ordinary way. I should like to include rabbits in my amendment. I still think that persons trapping opossums should go round their traps every day. I will withdraw my amendment with a view to amending an earlier line.

Amendment by leave withdrawn.

Hon. T. MOORE: I move an amendment—

That in line 2 "any hare or rabbit" be struck out.

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

Ayes	..	..	8
Noes	..	..	7
Majority for	..	..	1

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. E. M. Clarke	Hon. E. Rose
Hon. H. P. Colebatch	Hon. J. J. Holmes
Hon. J. W. Hickey	(Teller.)
Hon. T. Moore	

NORS.

Hon. J. Cunningham	Hon. T. Moore
Hon. J. Duffell	Hon. A. Sanderson
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. G. W. Miles	(Teller.)

Amendment thus passed.

Hon. T. MOORE: I move an amendment—

That after "marsupial" in line 3 "dingo or wild dog, foxes or vermin" be struck out.

Hon. J. DUFFELL: I cannot follow the hon. member at all. Under the amendment the clause will make nonsense. We shall be providing for the trapping of marsupials, and of nothing else.

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

Ayes	..	..	7
Noes	..	..	8
Majority against	..	..	1

AYES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. H. P. Colebatch	Hon. E. Rose
Hon. J. J. Holmes	Hon. J. W. Hickey
Hon. T. Moore	(Teller.)

NORS.

Hon. E. M. Clarke	Hon. E. H. Harris
Hon. J. Cunningham	Hon. G. W. Miles
Hon. J. Duffell	Hon. A. Sanderson
Hon. V. Hamersley	Hon. A. J. H. Saw
	(Teller.)

Amendment thus negated.

Hon. T. MOORE: I intend to vote against the clause. It would be ridiculous to pass it in its present form.

Hon. J. W. HICKEY. The amendment outlined by me should have some good effect, and make the clause workable. I move an amendment—

That all the words after "time" in line 6 down to "sunset" inclusive in line 7 be struck out.

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

Clause 25—Inspection of chemists' poison books:

The MINISTER FOR EDUCATION: I would like some explanation from the hon. member in charge of the Bill as to the purpose of this clause.

Hon. J. DUFFELL: It was inserted for the purpose of assisting the officers of the society or the police to get evidence in cases where poison had been administered to animals. If the society can have access to the chemists' books it will enable the officers to get information leading up to convictions.

The MINISTER FOR EDUCATION: If this provision is good law it is not in its right place. There may be good and sound ground for amending the Pharmacy and Poisons Act in this way, but not for the inclusion of the clause in this Bill. If there was suspicion that poison was sold for the purpose of killing a human being certain formalities would still have to be gone through before the police could demand the production of the poison books, and yet if it is a case of killing an animal it is intended to permit a constable to demand the production of the books without further trouble.

Hon. J. DUFFELL: There have been many instances of animals being poisoned, and the society has had to apply to the president of the Pharmaceutical Society or the registrar before permission could be given to inspect the chemists' books and trace the offender.

The MINISTER FOR EDUCATION: If the police have reason to suspect that a murder has been committed they have to go through a certain procedure before they can inspect the books, but now Mr. Duffell proposes that for the poisoning of an animal an officer may inspect the books without any formality at all.

Hon. J. DUFFELL: This is straining at a gnat and swallowing a camel. I contend this is in its right place, because it is in a Bill which deals with the prevention of cruelty to animals.

Hon. A. J. H. SAW: A chemist's relations with his clients are confidential, and it should not be possible for anyone to go in and inspect his books.

Hon. J. NICHOLSON: This is an instance of seeking to introduce into a Bill something which is foreign to it. Acts dealing with particular matters should be properly classified under their proper headings.

Mr. Duffell will not find any provisions similar to this in the Criminal Code, which would be the right place for the insertion of such a provision.

Hon. J. W. HICKEY: But for the remarks of Dr. Saw I would have voted for the clause, but I can see it opens up a question which may have far-reaching effects. Although such a provision may be very necessary, the proper place for it is apparently in the Pharmacy and Poisons Act.

Clause put and negatived.

Clause 26—Injuring trespassing animals:

Hon. E. H. HARRIS: The object sought by this clause is apparently defeated by its very wording. Whilst it provides that if an animal is injured and escapes to an adjoining property the person who injured the animal shall report to the owner, if the animal escapes to a property which is not adjoining, or into the street, there is no occasion for the person to report.

Hon. J. DUFFELL: Certainly there is.

Hon. E. H. HARRIS: I am not quite clear as to whether the word "adjoining" includes property which does not adjoin.

Hon. J. J. HOLMES: I suggest that the clause should be amended. If we provide that the report shall be to the nearest justice of the peace or to an inspector of nuisances, it may be possible to get a workable clause. As the clause stands it suggests something which will be unworkable.

Hon. J. DUFFELL: If a dog attacked sheep depasturing in a paddock, no owner of the sheep would allow that dog to escape on to an adjoining property. The owner would make short shrift of the dog. There have been cases where dogs have been shot and have then got through the fence on to the roadway where a dog may not be shot. There is really nothing in the clause which should exercise the minds of hon. members.

Clause put and passed.

Clauses 27, 28—agreed to.

Clause 29—Interpretation:

On motion by Honorary Minister, paragraph (d) was amended by inserting "cattle" before "bull" to provide that "cattle" should cover "bull, cow, bullock, etc."

THE MINISTER FOR EDUCATION: I make the suggestion that the hon. member should now report progress on this clause. There is no doubt that it is a new departure to put the interpretation clause at the end of the Bill instead of at the beginning. It may or may not be good procedure, but it is desirable to stick to the practice of defining in the interpretation clause the expressions that are used in the Bill. We find, for instance, in the interpretation clause that "goat" includes any kid, but I do not know that the word "goat" appears in any part of the Bill except in the interpretation clause. If a particular word does not appear in any portion of the Bill, there is no need to refer to it in the interpretation clause.

Hon. J. J. HOLMES: The word "sheep" includes lamb, ewe or ram. It is wethers that are to a great extent killed and the word "wethers" does not appear in the Bill. I agree with the Minister that it is desirable that progress should be reported at this stage.

Hon. A. SANDERSON: I suggest that my colleague should meet the wishes of the Minister, especially as very good progress has been made with the Bill.

Hon. J. Duffell: I will agree to report progress at this stage.

Progress reported.

House adjourned at 10 p.m.

Legislative Assembly,

Tuesday, 12th October, 1920.

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

QUESTION—BREAD BONUS.

Mr. THOMSON asked the Premier: 1, Has his attention been drawn to the statement made by the Premier of South Australia (Mr. Barwell) in the House of Assembly regarding the price of bread and the payment of world's parity price to the farmers for their wheat? 2, If so, will he take action to assist Mr. Barwell in the convening of a conference of Premiers to formulate a scheme for the payment of a bonus to limit the price of bread to the consumers and provide that the farmers will receive the full market price for their produce?

The PREMIER replied: 1, Yes. 2, A conference of Premiers is to be called to consider the question of wheat supplies for local consumption.

QUESTION—APPEAL, JOHN HURLEY.

Hon. T. WALKER asked the Attorney General: Has he any objection to placing all the papers relative to the appeal of John Hurley on the table of the House?