needed re-drafting owing to alterations made in the Bill.

The MINISTER FOR WORKS: None of the schedules required re-drafting, although some would come out in consequence of amendments carried.

Mr. DRAPER: It would be advisable to adjourn the discussion on the schedules. Personally he had amendments to move to some of them. There was a most important clause left out of the Bill.

The CHAIRMAN: The member could not go into the clauses now.

Schedule put and passed.

Progress reported.

House adjourned at 10.45 p.m.

PAIR.

Hon. J. Price	Mr. W. Price

Legislative Assembly,

Tuesday, 9th November, 1909.

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

ELECTION RETURN—KATANNING.

The Clerk announced the return of writ for the election of a member for Katanning, showing that Mr. Arnold Edmund Piesse had been duly elected.

Mr. Piesse took the oath and subscribed the roll.

PAPERS PRESENTED.

By the Premier: 1, Statistics relating to Pearling Industry—Return ordered on motion by Mr. Troy. 2, Public Service Commissioner—Report to 30th June, 1909. 3, Fremantle Harbour Trust Commissioners—Report to 30th June, 1909. 4, Commissioner of Taxation—Report for 18 months ended 30th June, 1909. 5, Report on North-West Shipping—Return ordered on motion by Mr. Underwood. 6, By-laws passed by the Mullewa Local Board of Health.

By the Minister for Railways: By-laws for the conduct of licensed private luggage porters on Government Railway premises.

QUESTION—RAILWAY COAL SUPPLIES, COLLIE.

Mr. A. A. WILSON asked the Minister for Railways: What was the exact wording of the decision of the Government in February, 1908, that fixed the equitable price per ton, and sliding scale conditions, for Collie coal supplies to the Government Railways, as based upon the railway prices of the imported coal?

The MINISTER FOR RAILWAYS replied: That the colliery owners be advised that the Government, as from 1st February of this year, would pay 10s. 3d. per ton for approved Collie coal of 10,500 B.T.U. or more, the price of same to be reduced according to lesser calorific values, such price of 10s. 3d. being fixed as its equitable value to Newcastle coal when the contract price for same is 18s. 11d. per ton in the ship's slings, Fremantle; the price to be paid by the Government for Collie coal to rise or fall in proportion to the contract price for Newcastle, but that the maximum price shall not exceed 12s. per ton and minimum price to be not less than 8s. 9d. per ton; the colliery owners to undertake to accept a proportionate reduction in price if Newcastle contract price should become less than 18s. 11d.; on the other hand, the Government to undertake to pay a proportionate increase if the Newcastle price should be increased, and the undertaking to hold good for a period of two years from 1st February, 1908.

LEAVE OF ABSENCE.

On motion by Mr. Troy, leave of absence for one fortnight was granted to Mr. O'Loghlen (Forrest) on the ground of urgent private business.

BILL—LAND AND INCOME TAX.

Leave—First Reading.

The PREMIER (Hon. N. J. Moore): I beg to move—

For leave to introduce a Bill for an Act to impose a land tax and an income tax.

Mr. BATH (Brown Hill): I move an amendment—

That the words "amend the Land and Income Tax Assessment Act and" be inserted before the word "imposed."

If leave is given to introduce the Land and Income Tax Bill this afternoon hon. members will not have an opportunity of dealing with the incidence of the tax, because after all the Land and Income Tax Assessment Act cannot be dissociated from the Act which imposes a land and an income tax, and which, of course, it is necessary to introduce every year. The Land and Income Tax Assessment Act was passed in another Parliament, and, therefore, hon. members of this House, or those who have been elected for the first time to this Chamber in the present Parliament, have not had an opportunity of considering that measure in any shape or form. That deals entirely with the incidence of both taxes, with regard to exemptions on both land and income, and I submit hon. members cannot deal entirely with the question of this taxation unless they have both measures before them. It is all the more necessary because this is an entirely different Parliament from the Parliament which passed the previous legislation, and hon. members should not be asked to pass any measure of taxation unless they can have a full say in drafting the companion measure. If this opportunity is allowed to pass no private member can introduce any Bill for the amendment of the machinery, as that is the one dealing with the imposition of taxation, and we will merely have to submit to the introduction of a measure without any opportunity whatever of dealing with the companion machinery Act. Under these circumstances I desire to move the amendment in order that members may express their desire for the opportunity to discuss both measures, and so have the fullest opportunity of debating our land and income taxation as a whole, and not in a piecemeal manner as will be done if this motion, as submitted by the Premier, is carried without the amendment I have moved.

The PREMIER: I should like to ask Mr. Speaker whether the hon. member is in order in moving the amendment. It appears to me he is endeavouring to substitute another Bill for the measure which is under consideration. With all due deference I maintain that the amendment cannot be accepted. The Land and Income Tax and the Land and Income Tax Assessment Acts have been made two distinct measures so as to do away with the necessity every year of debating the machinery. Our attention should now be simply confined to the re-enactment of the taxation.

Mr. SPEAKER: I would point out that there is only one question before the House, and, therefore, the hon. member is introducing a matter which is foreign to that on the Notice Paper.

Mr. BATH: I am not submitting a motion to amend a Bill that has been introduced by the Premier; I am seeking to amend a motion for leave, and I think it is quite competent for any member to move to amend a motion for leave.

The Premier: You might as well substitute a Railway Bill for it.

Mr. BATH: If hon. members were in favour of the amendment of a motion for leave by the substitution of a Railway Bill for the taxation measure, they would be quite in order in so doing. It is a question of amending a motion for leave, and I submit that such an amendment is quite proper.

Mr. SPEAKER: I am afraid I will have to rule against the Leader of the Opposition. The amendment would cause the Premier to introduce a measure which he is not seeking to do.

Mr. BATH: I would like a direction as to which Standing Order prevents a

member from amending a motion for leave to introduce a Bill.

Mr. SPEAKER: There is no specific rule, but the fact remains that it is against the order of practice of the House to force an hon. member to introduce a measure which he is not seeking to do. I shall rule that the hon. member is not in order in moving this amendment.

Mr. BATH: It is a remarkable thing if hon. members have to submit to a ruling without being informed as to which Standing Order, or which of the rules, such ruling is based upon.

Mr. SPEAKER: It is against commonsense.

Mr. BATH: We have Standing Orders which set down the alleged commonsense, or the commonsense which is presumed to guide us.

Mr. SPEAKER: I do not say that offensively. What I want to call attention to is the fact that the Premier seeks to introduce a Bill, while the hon. member proposes to strike out certain words and insert others which are altogether apart from the subject.

Mr. WALKER: I would submit that the one includes the other. If the hon. member's amendment be carried, the Bill proposed to be introduced by the Premier will be introduced, but in addition thereto and collateral therewith will be the Bill dealing with the machinery.

The Premier: That is not the amendment.

Mr. WALKER: That is the object of the amendment, and if it does not quite cover it the words might be allowed to be amended to that effect; the words might be added "And the Income Tax and Land Assessment Bill." I know that is the purpose of the Leader of the Opposition, namely, that the machinery Bill should be reconsidered. Not that there should be no consideration of the measure proposed by the Premier, but that in addition thereto the other Bill should be brought in and that they should come down practically together. Therefore, the amendment is perfectly germane to the order. It is not a substitution of an entirely different thing, but the introduction of the self-same matter with something thereto added.

The ATTORNEY GENERAL: While I submit that your ruling is entirely in order, I wish to take the point of order that the House is not in order in discussing your ruling. I submit that proposition, and I shall be prepared to advance authorities in support of it. I am about to quote from an established authority, *The Procedure of the House of Commons*, by Redligh, published in 1908, which is, therefore, the latest available authority on the subject. Speaking of the functions of the Speaker the writer states—

> "But the most important function discharged by him, that which gives him his chief political influence, is that of being the sole and final judge of whether any motion or amendment is in order or not."

Further, if that be not sufficiently conclusive we have these remarks—

> "It must not, of course, be overlooked that, from a purely technical standpoint, the House is the sole and absolute master of its order of business. Its jurisdiction is most clearly seen in its power at any time to alter the rules of business; as we have already remarked, no special procedure, no particular majority is required for the purpose."

I quote that for the information of hon. members opposite. I do not wish to hide anything from them. The writer continues—

> "In point of fact alteration in rules is nowhere subjected to so few difficulties as in the House of Commons. But so long as they remain unchanged, whether they depend on some express order of the House or on customary practice, their maintenance is confided to the Speaker alone: it is his duty to see that they are obeyed, to explain and apply them. In principle the supreme authority of the House is retained: it is clear enough from an express order, made so long ago as 1604, that when precedents are not conclusve the Speaker is to lay the matter before the House for decision;

but it is entirely in the Speaker's discretion to judge whether and when to call for such a decision of the House. If he deems it unnecessary to do so, his ruling is final. Among so great a multitude of precedents it can but rarely happen that the Speaker will be unable to find a more or less relevant guide for his conduct without an appeal to the House."

Mr. ANGWIN: On a point of order. Has any hon. member moved that your ruling be disagreed with? If not, why should your ruling be discussed?

The Minister for Works: The ruling has been disagreed with.

The ATTORNEY GENERAL: Hon. members were seeking to discuss your ruling, and I wished to point out that they are out of order in so doing.

Mr. Bath: The Attorney General is wrong. Hon. members were not proceeding to discuss your ruling. What I asked for was as to the Standing Order or procedure under which that ruling was given.

The ATTORNEY GENERAL: And the member for Kanowna followed with further remarks upon the ruling.

Mr. Hudson: The Attorney General himself said that it was out of order to discuss the ruling, and he proceeded to do so. I think a ruling should have been given then; however, it is not too late to give it now.

The ATTORNEY GENERAL: I am not discussing the ruling.

Mr. Holman: On a point of order. Is the hon. member discussing any question which is before the House?

Mr. SPEAKER: I understood that the hon. member was supporting my ruling.

The ATTORNEY GENERAL: If hon. members are willing to accept the ruling without further discussion it will be sufficient, but I do not wish to lose my right to speak again.

Mr. BATH: If the suggestion of the member for Kanowna is approved of by you, Sir, I will be quite willing to amend my amendment.

Mr. SPEAKER: I would be happy to agree to that, but I am given to understand that it is not possible even to accept it in that form. I am afraid the Standing Orders are against it, or rather the rules of procedure are against it.

Mr. BATH: I am willing to insert the words "Amend the Land and Income Tax Assessment Act and."

The Minister for Works: That would be equally out of order.

Mr. Holman: Do not prompt the Speaker.

Mr. SPEAKER: The proposal of the member for Kanowna is a reasonable one, but I am not allowed to accept it under the authority of *May*, and, therefore, I must decline to accept it.

Question put and passed; leave given.

Bill read a first time.

BILL—ELECTORAL ACT AMENDMENT.

Leave—First Reading.

The ATTORNEY GENERAL (Hon. J. L. Nanson): I move—

For leave to introduce a Bill for "An Act to amend the Electoral Act, 1907."

Mr. SCADDAN (Ivanhoe): I wish to know if the Attorney General is moving for leave to introduce a Bill of his own, or one that has been drafted in the *West Australian* newspaper office, because I find that the contents of the Bill were announced to the public in Saturday's *West Australian* before the House gave leave to introduce the Bill. Is it the common procedure of this House for a Minister to give information to the Press concerning the contents of a Bill he intends to introduce, before the House agrees to its introduction, or before the House has seen the measure? This is exactly what the newspaper said—

"Compulsory preferential voting.—One of the most interesting proposals in the Electoral Act Amendment Bill, of which the Attorney General has given notice in the Legislative Assembly, will be in regard to the system of preferential voting. At present the exercise of a preference is optional, but the new Bill will contain clauses providing for a restricted compulsion, that is,

making the exercise of the contingent votes obligatory up to a certain number. The range of the compulsion, however, has not yet been decided. Most of the other amendments contained in the Bill are due to a desire to pave the way for co-operation with the Commonwealth Government in connection with electoral matters. Another clause will enact that the roll as printed shall be conclusive evidence of an elector's right to vote in the event of a case being brought before the Court of Disputed Returns."

Will the Attorney General inform the House as to whether these are the provisions contained in the Bill he is now asking leave to introduce, so that we may decide at once whether we will waste the time of the country in discussing the measure? I want to know how the newspaper can obtain information with regard to the provisions of the Bill before members of the Chamber. I remember that on a previous occasion when a similar matter was brought before the House in regard to the contents of a Bill leaking out all sorts of inquiries were made by the Minister. I want to know now how the newspaper got this information. Did the Attorney General give it, or did some civil servant who has had the Bill in his charge, or was the Bill drafted in the *West Australian* newspaper office and handed to the Attorney General to bring down?

Mr. Heitmann: It was drafted in the Palace Hotel.

Mr. SCADDAN: That is near the *West Australian* office. In any case I want to know whether it is right to have the contents of a Bill published before the Minister has leave to introduce it.

The ATTORNEY GENERAL: The question before the House is for leave to introduce a Bill for an Act to amend the Electoral Act, 1907, and if the hon. member is desirous of seeking information, if he will give me notice of the question I shall be very pleased to give him the information in regard to the matter; but if, on the other hand, he considers that a breach of privilege has been committed he also has his remedy. I submit the point he has raised is not germane to the question in the slightest degree, and therefore, I do not propose at the present time to take any notice of it.

Mr. SCADDAN: I desire to know whether it is not a breach of privilege for a newspaper to publish the contents of a Bill prior to the Bill being introduced in the House. I had no desire to bring this up as a matter of privilege. I merely wanted the Attorney General to explain how the information reached the *West Australian* before it reached this Chamber, but if the Attorney General wishes to sit back in a haughty manner and take no notice I will have to turn up *Hansard* to show where a similar matter was brought before the Chamber and taken in a more serious manner than the Attorney General is prepared to show on this occasion, and where after considerable debate a Minister promised he would look into the matter and see that it would not occur again. Now, I want to know how it is allowed to occur again; that is why I bring the matter forward; and I ask you, Mr. Speaker, to say whether it is not a breach of privilege for a newspaper to publish the contents of a Bill before the Bill is brought before the House?

Mr. SPEAKER: I am not acquainted with the details of the Bill, therefore I am not able to say whether the paragraph is right or not.

The PREMIER (Hon. N. J. Moore): The main feature in the paragraph referred to was dealt with by myself some time ago, namely, that the Government intended to take into consideration the advisability of making preferential voting compulsory. If the *West Australian* likes to comment on a Bill which has not necessarily been approved of by Cabinet, I do not think it is a matter for which the Attorney General should be blamed.

Mr. BATH (Brown Hill): The instance referred to by the member for Ivanhoe was when a copy of the Loan Estimates had been supplied to one of the newspapers before the Estimates were introduced to the House. An inquiry was held and the matter was recorded by Mr. Speaker as a breach of the privileges. This appears to me to

be a precisely similar occurence, that before hon. members are placed in possession of the particulars of a measure the Attorney General seeks to introduce, those particulars have been supplied to the Press.

The Attorney General: Not at all.

Mr. GEORGE (Murray): If there has been a breach of privilege there is a proper course. It is open for any member of the House to bring the matter under the notice of Mr. Speaker; and if the House so orders it, the publisher of the newspaper may be brought before the Bar of the House to explain.

Mr. Bath: We do not want that course to be followed if the Attorney General is courteous enough to give an explanation.

Mr. GEORGE: It does not seem an important matter. The *West Australian* is always after news. I remember the Premier making his speech at Bunbury.

Mr. Hudson: It is admitted the compulsory provisions are in the Bill.

Mr. GEORGE: The Premier forecasted something of the sort mentioned in the paragraph the hon. member read. But if members think the privileges of the House have been infringed, it is easy for them to move that the publisher be brought before the Bar of the House.

Mr. TAYLOR (Mount Margaret): I do not think there is any desire on the part of hon. members to have the publisher of the newspaper brought before the Bar of the House. The point at issue, so far as I can gather from the member for Ivanhoe, is as to the information becoming the property of the Press, and as to whether the Attorney General, with his knowledge, gave to the Press the contents of the measure before he had made them known to the House. If the Attorney General is guilty of giving that information to the Press before bringing the measure before Parliament, then I hold there has been a gross breach of privilege. All the member for Ivanhoe desires is to know how that information reached the Press, and if the Attorney General would be good enough, or courteous enough, to give that information to the House, I think we would be satisfied without taking the drastic step suggested by the member for Murray.

The ATTORNEY GENERAL (in reply): I have already pointed out that the hon. member has his remedy, that of giving notice of a question in the usual way. I altogether take exception to the contention that the paragraph the hon. member quoted, as far as I have heard it read, is in any sense of the word a breach of privilege. A more absurd contention I never heard than to say that a newspaper is not justified in publishing the general scope of a Bill before that Bill is introduced to the House. It is done every day. Do members mean to say that the whole public of Western Australia, to take an instance, did not know what was to be the general scope of the Licensing Bill before it was introduced? The matter had been referred to not once, but on several occasions, and there is nothing that can be read into the little paragraph quoted by the member for Ivanhoe that is not a general statement as to some portion of the Bill. As to the question of preferential voting, if it is to be dealt with, then it will have to be dealt with in an amendment to the Electoral Act. However, as the member for Murray has pointed out, if there be a breach of privilege committed in this case, whoever is responsible will have to answer for it; I court investigation in the matter; but it is not time to raise the question on a motion for leave to introduce the Bill. The hon. member will have an opportunity of bringing the matter forward in a proper form if he so desires.

Question put and passed; leave given.

Bill read a first time.

BILL—SUPPLY, £384,000.

All stages.

Message from the Governor received and read recommending, "That appropriation be made out of Consolidated Revenue Fund for the purposes of a Bill intituled 'An Act to apply out of the Consolidated Revenue Fund the sum of three hundred and eighty-four thousand

pounds to the service of the year ending 30th June, 1910.'"

Standing Orders Suspension.

The PREMIER (Hon. N. J. Moore) moved—

That so much of the Standing Orders be suspended as is necessary to enable resolutions from the Committee of Supply and Ways and Means to be reported and adopted on the same day on which they shall have passed those Committees, and also the passing of a Supply Bill through all its stages in one day.

This was to do away with the need for dealing with the matter on six different days.

Mr. BATH (Brown Hill): At this stage of the session, when we were only about five weeks from Christmas, we should be given some idea as to the intentions of the Government, especially in regard to the Estimates, both Revenue and Loan, and as to how long supply should be granted for. There was a good deal of legislation before us, for instance, the Licensing Bill, the Health Bill, the amending Electoral Bill, and the proposed Constitutional reform. If the Estimates were to be subordinated to these Bills it would mean that they would not come on for some considerable time. Members should be given some idea as to the programme of the Government so as to know exactly for what term this supply, pending the passing of the Estimates, should be granted. He did not intend to oppose the motion.

The PREMIER (in reply): It would be within the recollection of the House that three months' supply was obtained, and he was now asking for another £384,000 to be voted from the Consolidated Revenue Fund. That should see us through this month, and it was anticipated that the Estimates would be passed before the end of next month. He was not going to be hypocritical enough to say he did not hope they would be. Now that the Metropolitan Water Supply, Sewerage, and Drainage Bill was out of the way he hoped we would be able to give full consideration to the Estimates, as well as to the three Railway Bills that had been given notice of to-day, and the matters now on the Notice Paper. He hoped to obtain the leave of the House to sit on Fridays so that there would be an extra day a week for dealing with the matters before us.

Mr. Scaddan: What about the "kite-flying" Licensing Bill?

The PREMIER: We would endeavour to make what progress we could with that measure. The Government proposed to put it through. It was to be hoped a motion sent down from the other House would be carried, so that we would be able to pick up some of these Bills in the future at the stage they were left at the end of the previous session. If we could get the Licensing Bill through this Assembly fair work would have been done. Doubtless there would be one or two reasonable amendments the House would be prepared to agree to if the Bill were recommitted. As a rule two Supply Bills were introduced each session. The Bill was designed to provide sufficient to pay routine expenditure on the same Estimates as last year. Members had full information on the Estimates before them. It was to be hoped the discussion on the Estimates would be continued on Thursday next.

Question put and passed.

Committees of Supply, and Ways and Means.

The House resolved into Committee of Supply, and Committee of Ways and Means, formal resolutions being passed preliminary to a Bill. Resolutions were reported, and the reports adopted.

Bill introduced.

Supply Bill introduced, and passed through all stages, and transmitted to the Legislative Council.

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE.

In Committee.

Resumed from the 4th November; Mr. Daglish in the Chair; the Minister for Works in charge of the Bill.

Second Schedule:

Mr. DRAPER moved an amendment—

That all the words between "centre" in line 11 and "to" in line 23, be struck out.

The words included the reference to all the foreshore of the Perth district lying to the south of the Swan River, and the idea was to omit all the land in that district on the south of the river. He had already mentioned his intention to move in this direction. His objection to the schedule as it stood was that the Perth district was too scattered, and to carry out a sewerage scheme at the present time in the outlying portions would not pay in the districts where that scheme was carried out. If the scheme had to be carried to the south side of the river, then the burden of paying would fall to a large extent upon the ratepayers on the north side of the river. There was really no community of interests between the two divisions, and in addition the river was a natural boundary between the two sewerage districts or stormwater districts. It was understood that the reason why this land had been included in the Perth district was because at the present time it was supplied by water which came from the Victoria reservoir. Although it might be convenient for the purpose of a water supply, it did not follow that it would be convenient for the purpose of a sewerage scheme, or a stormwater scheme, and it would be obvious to anyone who was acquainted with these outlying districts, that the scheme could not possibly pay for many years to come. If that was the case there was no justification at the present time for saying that the land at the south of the river should form a portion of the Perth district for the purpose of the sewerage scheme, or for the purpose of stormwater drainage. There could be no doubt that the land to the south side of the river should be a separate district. The argument might be anticipated from the Ministerial side or from the Minister himself, that it would be inconvenient for this alteration to be made because the Committee had already passed Clause 5, but when Clause 5 was before the Committee the subject was mentioned and the Minister said that the proper time to refer to the matter was when the Committee were dealing with the schedule. It might be a matter of inconvenience, and it might mean a recommittal of Clause 5, but either of these was a matter of small importance if an injustice was to be done to the ratepayers of the metropolitan area. It might be convenient that the water should be supplied to one district, but that convenience with regard to the supply of water was no justification for including the land to the south side of the river in the metropolitan district for other purposes.

The MINISTER FOR WORKS: The hon. member had made it clear that he wanted to cut out of the metropolitan area the townships of South Perth, Victoria Park, and the roads board district of Cannington, and the municipality of Queen's Park, all of which were included, as at present defined in the Bill, in the metropolitan district. Had it not been that there were three separate water schemes throughout the metropolitan area, or it might be more correctly stated that there were four because Guildford should be included, the division of the area into districts would not have been dreamed of; that was made clear when the Bill was being introduced, and so much was it thought that these different districts had a direct community of interest that there was no hesitation in including them in one area. Seeing that there were different water schemes and that these water schemes were different as well in cost and price to the ratepayers, it seemed inequitable that we should treat them altogether in one area, and, therefore, of course, average the cost of all the different schemes from time to time constructed in different centres. Hence the proposition to divide them into districts. The member for West Perth referred to the water supply as one of his objections to having this portion of the area included in the Perth district, and he took exception to the Sewerage Act, fearing that there might be some injustice done to the city of Perth by a premature instalment of a sewerage scheme in South Perth, Vic-

toria Park, and other portions of that district. The hon. member could be assured, however, that there need not be any fear of that description for all extensions of existing schemes, or the initiation of new schemes in any portion of the district were all based not only upon the requirements of the people who lived there, but the probabilities of the scheme being able to pay its way. No Government would ever dream of constructing a sewerage scheme in South Perth, and force the citizens of Perth to carry half its cost, unless it was an extreme case, where it was of advantage from a health point of view to the citizens of Perth, nor would a sewerage scheme be imposed on Victoria Park or Belmont, or the more sparsely populated district of Cannington, so that all the burden of the scheme might be borne by Perth. The first essential was to obtain a report from the engineers as to whether the scheme could be justly borne by the particular portion of the district affected. Then on that report the Minister would send a recommendation to the Governor-in-Council, and eventually the work would be carried out. Even when the authorities at the present time extended the mains into the streets beyond the existing reticulation, a preliminary estimate was made as to what that main was going to return to the waterworks board in the shape of rates, and the price paid for water supplied, and upon that basis, when it was found there was a sufficient return, then the extension was authorised. The hon. member could rest satisfied that the Government were not going to depart from that principle. If the matter were argued to a logical conclusion it would be necessary to subdivide Perth as the hon. member had mapped out, because it could not be said that Maylands was as thickly populated as Perth, and certainly it had not the same ratable value. Where could the line be drawn? There was quite a sufficient number of districts at the present time. The water scheme which now existed, and which was really the cause of dividing the area as shown on the map, served the city of Perth, and went right through to the townships on the south side of the river, including Belmont and Cannington, and it would be an extremely difficult matter to attempt to allocate the different values of that water scheme to the various districts on both sides of the river. Not only was there reticulation to take into consideration, but the sources of supply as well. It might be possible to allocate the cost of the reservoir, but when it came to dealing with the number of bores which ran for a certain period of the year, and then the connection with Mundaring Weir which came into one portion of the City, and the Victoria reservoir as well, it would become a difficult matter to endeavour to allocate the proportionate amount of works of the description given, between the different townships, and make an equitable distribution of the capital cost. Then again, all the extensions having been carried out on the principle which had been referred to went to prove that the outlying districts, as far as water, at any rate, was concerned, had not been a burden to the city of Perth. The municipalities of Victoria Park, Queen's Park, and South Perth brought in an average revenue equal to 17 per cent. upon the amount expended in their districts. There was no reason at all why a sewerage scheme could not be worked on the same principle as the water scheme had been worked in the past, and as in the past there had been no injustice done it should not be anticipated that any injustice would be done in the future. Clearly this extension in reticulation was a factor in keeping down the general price to 1s. 6d. per thousand gallons as against 2s. Were the scheme not a feasible one the engineers would not recommend it nor would the Governor-in-Council pass it. If, when it was desirable to inaugurate a sewerage scheme in the districts referred to, it were found that it would require a very much higher rate to meet the expenditure, then the Governor-in-Council would immediately exercise his power to create a new district.

Mr. Draper: Of what use would it be for sewerage now?

The MINISTER FOR WORKS: There was no intention to put sewerage in it now. The water was there already. The hon. member seemed to raise up an amount of trouble merely in order that it might be knocked down. The department would have to finish the work it had in hand before it could think of installing new sewerage works, of the cost of which the hon. member was afraid. When it seemed necessary he (the Minister) propsed to go on with the sewerage works on the south side of the river; but if it were found that as a result any section was being unduly weighted by the scheme, then the Governor-in-Council would be asked to alter the boundaries and so relieve the burden.

Mr. Draper: Why not do it now?

The MINISTER FOR WORKS: Because there was no burden now. The hon. member apparently wanted to make the water scheme unworkable because he feared that the sewerage scheme would press heavily at some time in the far distant future.

Mr. GEORGE: The question was not one of raising trouble, and the attitude of the member for West Perth was, apparently, due to a feeling of responsibility to his constituents to bring these matters before the House. Seeing that power was given under the Bill to alter the boundaries at any time, why could the Minister not fall in with the views of those who wished to alter the boundaries now?

The Minister for Works: Because they would have to be altered back again immediately after the Bill had been passed by the House.

Mr. GEORGE: The Minister would scarcely do anything so absurd, nor was it likely that the Minister would instal a sewerage scheme in South Perth immediately. Why, then, should the schedule not be altered now?

The Minister for Works: We want to collect the water rates in South Perth.

Mr. GEORGE: Surely the Minister had power to do that apart from the Bill. Some consideration should be shown to the people who had to bear the burden in the city of Perth. By declaring the South Perth district the Minister would obviate all the trouble foreseen by the member for West Perth. It was not so much a question of experience as of common-sense.

The HONORARY MINISTER: If the member for West Perth would go further into the question he would see that there was no likelihood of any injustice being inflicted under the Bill. The only service common to both parts of the area was the supply of water, and in all probability it would be many years before the sewerage scheme was undertaken on the South side of the river. Under these circumstances, surely the power reserved by the Governor-in-Council would meet the case for the time being. Seeing that South Perth had the same water supply it should be allowed to remain as part of the one district; and if at some future date a sewerage scheme were installed, and it were found that a higher rate was required than that paid on the North side of the river, then it would be time to exercise the powers provided in the Bill and divide the district in the manner suggested by the member for West Perth. It was desirable to have as few districts as possible under the Bill. The hon. member would see that while no sewerage works existed on the South side of the river no injustice could be done to the people on the North side. The effect of the extension of the water supply to the South side of the river had been to decrease the general rate of the whole district; to that extent the district had benefited by the extension. Until sewereage were installed on the South side and it were found that it involved a higher rate, the district should be left as it stood to-day. In the past the officers of the department had resisted to the utmost of their power any extension which would be unprofitable to the Government, and it was only reasonable to suppose that they would pursue a similar policy in the future. It was pretty certain that no sewerage scheme would be recommended for the South side of the river until the population in that district was sufficiently dense to ensure that the rate would cover the interest and sinking

fund and the working expenses. Until then the officers of the department would strenuously oppose any extension not likely to be profitable. The hon. member was perfectly safe; it was only now a question of water supply, and in any case the Bill provided facilities whereby the southern side of the river should, if necessary, be made a separate district. On the other hand, the fewer the districts the better for administration. The principle of the Bill in the matter of districts was to make the water supply and sewerage districts co-terminus as far as possible, so that there would be the one rate notice for the two services, and considerably less cost of administration.

Mr. SWAN: The interests of the people of the City were amply safeguarded in the schedule. Not only in regard to sewerage, but in all questions of local government; we should rather go in for amalgamation than for splitting up. It was the opinion of those able to judge that the alteration suggested by the member for West Perth would seriously hamper the administration. With Ministerial control and the necessary check of Parliament upon the Minister the people of Perth were amply safeguarded.

Mr. GORDON: The people of Canning were now paying their full share for water, and if it were necessary to have sewerage laid down those people on the south side of the river would be prepared to pay their burden. The hon. member forgot to point out that the filter beds were on the south side of the river, and that the source of water was on the south side of the river also. If the hon. member persisted in the amendment, one felt inclined to move a further amendment, that the filter beds be taken across the river to the Perth side.

Mr. FOULKES: The Minister for Works had no power to bind subsequent Governments, nor should we judge the future by actions taken in the past; nor should we have parliamentary interference in a matter of this kind. It should be clearly laid down in the schedule, and finally settled to-day; because if we left it open, we should have members bringing pressure on the Minister. The matter should not altogether be left under the control of the Minister; because, though acting in all good faith, a Minister, while thinking he was doing right, often did great injustice to certain districts. There was no analogy between Perth and Fremantle. At Fremantle there was a large population on each side of the river but in Perth there was a comparatively small populaton living on the south side of the river. It was strange that the Minister should argue that it would be difficult to arrange a scale of water charges if separate schemes were established in connection with the sewerage, while the other evening in regard to the Mundaring water supply being brought into various districts, the Minister had argued that it was perfectly easy to apportion the charges. It was pointed out that the member for West Perth need not apprehend anything for some time, but who would say that the member for Canning might not become Minister controlling the department, and for his constituents might order work to be undertaken on the south side of the river?

(Sitting suspended from 6.15 to 7.30 p.m.)

Mr. DRAPER: There was this fact before the Committee, one not denied, that the expense of initiating and installing a scheme of sewerage to the south of the river would by comparison be much greater that a similar one on the other side of the river. If that were so, and it was not contradicted, it must be borne in mind that the district on the south was more thinly populated than that on the north, and consequently the people on the north side would be contributing in an unfair proportion. The argument advanced by the Minister was one of convenience. We must consider the ratepayers in the metropolitan area, for they alone had the right to be considered, not the convenience of the Minister or the department. The Minister had said that the convenience existed in the fact that there was a water scheme administered in the whole district as defined by the Bill. If that were so, all the Minister had to do was to recommit the

Bill and provide that there should be a separate district for the south of the river for the purpose of water supply. It might cause a little trouble or inconvenience in adjusting the accounts, but that would be nothing compared with the good that would be brought about by the adoption of such a course. The Minister had admitted that there was no necessity for the district for the purposes of sewerage. It the amendment were not carried, Ministers relying on the authority of the House authorising them to initiate a sewerage system on the south side of the river could do so without fear of incurring the censure of the House. and could install a system which they now admitted would not be revenue-producing. If any objection were raised, the Minister would say he had the authority of Parliament for initiating the system there, and that the time for objection was past. The Minister appeared to shirk the responsibility of initiating the scheme on the south side of the river. He said that by Clause 6 he could at any time alter the boundaries of the district with the consent of His Excellency the Governor. True, he could, but if he as a responsible Minister advised the Governor to alter the boundaries, when he met Parliament again he would have to take the responsibility of his action. In one case he took the responsibility for a Ministerial act in altering the boundaries with the consent of the Governor, while in the other case he was initiating a scheme with the sanction of the House. It was the former position that the Minister should be placed in, and this could only be brought about by an amendment of the nature he had moved.

Amendment negatived; the schedule agreed to.

Third Schedule to Sixth Schedule—agreed to.

Seventh Schedule and Eighth Schedule—struck out.

Ninth Schedule to Thirteenth Schedule—agreed to.

Fourteenth Schedule:

Mr. GEORGE: Was it necessary for this schedule to remain?

The MINISTER FOR WORKS: It was necessary that it should be in the Bill.

Schedule passed.

Fifteenth Schedule—agreed to.

Title:

The MINISTER FOR WORKS moved an amendment—

That in line 2 all the words after "established" be struck out and "the method of control and for other purposes incidental thereto" be inserted in lieu.

Amendment passed; the Title as amended agreed to.

Bill reported with amendments.

BILL—LICENSING.

Postponement.

Order read for further consideration in Committee.

The ATTORNEY GENERAL moved—

That the Order of the Day be postponed.

Mr. ANGWIN: There should not be any postponement of the consideration of this Bill. It was an important measure and the Government should not delay it. If the Bill were delayed much longer it would be practically impossible to pass it this session.

The MINISTER FOR WORKS: The Leader of the Opposition had entered into an arrangement with the Premier that this Order of the Day should be postponed. The Leader of the Opposition had a large number of amendments to move, but, with the Premier, he was unfortunately absent.

Motion passed; Order postponed.

BILL—FISHERIES ACT AMENDMENT.

In Committee.

Resumed from the 19th October; Mr. Taylor in the Chair; the Honorary Minister in charge of the Bill.

Clause 2—Amendment of 1905, No. 18, s. 30, Exclusive licenses: (An amendment had been moved by Mr. Scaddan that the words "to the exclusion of all other persons" be struck out.)

The HONORARY MINISTER: The hon. member should seriously consider the question of withdrawing the amendment. It was desired to give the people who intended to take up the coastline something in the nature of security of tenure. These people desired to have a reasonable amount of the coastline, more particularly for preserving turtles. If all and sundry were to be permitted to enter this section of the coastline and destroy turtle, the money of the syndicate would, to a large extent, be wasted. Before entering into negotiations of a definite nature the Government must be in a position to give these people control, so far as getting the turtle was concerned, over a certain length of coastline. That was only a reasonable request, and the Committee should give favourable consideration to it.

Mr. BOLTON: Such a request had not been made in connection with other applications of a similar nature. One instance could be cited in the Mandurah district where a man had been tinning fish for the last 30 years, and some three or four years ago two others settled on much the same ground, within three or four miles of the already established industry, and the man who had been tinning fish for a number of years was not given the protection that it was now sought to give to the syndicate on the North-West coast. It would be a dangerous thing to give away too big a coastline in view of the fact that others had been allowed to settle close to where a canning industry was being conducted on another part of the coastline.

Mr. SCADDAN: The Committee had been asked to pass the Bill without having been informed of the facts. What was the intention of the amendment which appeared on the Notice Paper. What did the syndicate propose to do? The Committee should be given the information. Was it not a fact that there was a certain syndicate in London prepared to put between £25,000 and £50,000 into the turtle industry in Western Australia; that was, in the event of their being granted certain rights along a certain portion of the foreshore, and was it not a fact that they stated that they wanted the coastline between North-West Cape and Cape Lambert? Was it not a fact also that the Government had stated that they were only granting the coastline between North-West Cape and Cape Preston? On the other hand, in the event of those exclusive rights being granted to the company, they were prepared to give a guarantee to spend a certain amount of money in the erection of works for the treatment of the turtle, and to do the whole of the treatment work in Western Australia. The object of the company, it seemed, was to break up the turtle monopoly existing in the old country.

The Minister for Works: Who has the hon. member been interviewing?

Mr. SCADDAN: That mattered not at all. The point was that no one had to go outside to get this information, for the Government, instead of taking the members of the Committee into their confidence, attempted to bludgeon the Bill through. He recognised that very little harm, if any, could be done so long as the Government were careful in the wording of any license they might grant to this or any other syndicate desirous of obtaining the monopoly. He would have preferred to see the agreement ready for signature, as in the case of a provisional order for the construction of a tramway. It was clear that if the syndicate was going to erect expensive buildings they would not destroy the turtles, but, rather, would cultivate them with the view of providing permanent employment for the plant. If the Minister would give an assurance that the syndicate would be asked to put up a substantial deposit by way of guarantee of its bona fides, he would be prepared to withdraw his amendment. Above all, hon. members should endeavour to prevent any Western Australian concessions being hawked about in London.

The HONORARY MINISTER: The hon. member would hardly expect a Minister to come down to the House and make public certain facts in respect to negotiations which were still in progress. There was as yet no signed and sealed agreement between the parties.

Mr. Hudson: Give us some information about the syndicate.

The HONORARY MINISTER: If the hon. member would keep quiet he (the Minister) would do so.

Mr. Heitmann: I doubt whether you are able.

The HONORARY MINISTER: It was doubtful whether the hon. member was able to do anything. What the Government was desirous of doing was to enter into an agreement with these people. The object of the Government was exactly the same as that of the member for Ivanhoe, namely, to prevent any concession being hawked about in London. He (the Minister) would promise that every scrutiny and care would be exercised to ensure that these people gave substantial proof of their bona fides before any agreement was entered into between them and the Government. However, the path of a Minister would be made exceedingly difficult if he were to be in any way hampered in connection with negotiations yet to be entered into.

Mr. ANGWIN: Perhaps the Minister would consent to tell the Committee what area it was intended to give to the company.

The Honorary Minister: It was limited to 75 miles.

Mr. ANGWIN: It would be interesting to know what was the area applied for, and what area the Government intended to give to the company.

The Honorary Minister: The length of coastline asked for was about 125 miles; the length of coastline we can allow these people must not exceed 75 miles.

Mr. ANGWIN: It was clear that the Government were more ready to assist a foreign company than to assist any local enterprise. A local company had applied for an area for the establishment of a sponge industry.

The Honorary Minister: What money were they prepared to put into the enterprise?

Mr. ANGWIN: The company had given an assurance that they would put in £3,000 or £4,000 to start with. The best they had been able to get from the Government was a promise that if they would thoroughly prospect certain parts of the coastline they would be given an area of five miles; yet the London company was to have 75 miles.

Mr. Male: There is no analogy between the two.

Mr. ANGWIN: There might be no analogy, nor was there any comparison between the two treatments meted out. It seemed that the Minister, while willing to assist a foreign company, desired to strangle the local company.

Mr. Heitmann: They should go to London and apply from there.

Mr. ANGWIN: That apparently was the only satisfactory way of dealing with the present Government. Only the other day a man had gone to Melbourne and applied from there for land in Western Australia, having first satisfied himself that this was the only way of securing a suitable piece of country. The Government should extend to people already in the State the same generosity as they were ever ready to bestow upon outsiders.

Mr. SWAN: Some further assurance was needed from the Minister before the amendment was withdrawn. There was no need to grant an exclusive right to the company. One gentleman who was one of the first to enter into the sponge industry certainly made a failure of it, but it was owing to want of capital and not owing to the absence of an exclusive right. That gentleman had become poorer, but those associated with him had benefited by his experience, and were now attempting to make use of it to get an exclusive right. The area proposed was too great, and was not necessary.

Mr. SCADDAN: One who knew a great deal about the industry had asserted in a letter to the *West Australian* that there was room for a hundred men to make a living on the coast between the North-West Cape and Cossack, and that many were making a living by collecting the different products of the sea. This gentleman believed in having exclusive licenses for reasonable areas, and wondered what the member for Roebourne was doing in not speaking on the subject, though that hon. member must know that there were many from Cossack and Roebourne making a living out

of this particular part of the coast. It was useless to go on with the amendment, but one could not refrain from regretting that the Government had not brought down the terms of the agreement as a schedule to the Bill, because the clause would allow the Government to do what they liked, and the amendment proposed by the Premier would not get over the difficulty very much. He desired to withdraw the amendment.

Mr. Swan objected.

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

Ayes	15
Noes	20
Majority against ..	5

AYES.

Mr. Bolton	Mr. McDowall
Mr. Collier	Mr. W. Price
Mr. Gill	Mr. Scaddan
Mr. Gourley	Mr. Swan
Mr. Heitmann	Mr. Underwood
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. Troy
Mr. Johnson	*(Teller).*

NOES.

Mr. Angwin	Mr. Male
Mr. Butcher	Mr. Mitchell
Mr. Carson	Mr. S. F. Moore
Mr. Davies	Mr. Nanson
Mr. Foulkes	Mr. Osborn
Mr. George	Mr. Piesse
Mr. Gordon	Mr. J. Price
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Hayward	*(Teller).*
Mr. Jacoby	

Amendment thus negatived.

The HONORARY MINISTER moved an amendment—

That the following be added to Subclause 1:—"Provided that before any license is granted in respect of any length of foreshore exceeding 75 miles, the draft of such license shall, at a time when Parliament is sitting, be laid upon the Table of both Houses of Parliament."

Mr. ANGWIN: What was the use of this? On only one occasion had one House of Parliament disagreed to anything the Government had drawn up. If the Government granted a lease and the papers were laid on the Table, the majority would back up the actions of the Government, so that there was no safeguard in the proposal, and it was evidently only brought forward with a desire to pacify members of the Opposition.

Mr. UNDERWOOD moved an amendment on the amendment—

That all the words after "Provided that" be struck out and the following inserted in lieu, "no license be granted under this Act in respect of any length of foreshore exceeding 50 miles."

It was not advisable to give an exclusive right to any great length of foreshore. If it were not possible to make a success of an undertaking with 50 miles, it would not be possible to make a success of it under any circumstances. On the other hand, the area proposed by the Government would debar competition in the turtle industry. The amendment would get over the difficulty of having the agreement laid on the Table of the House, and if the Government were honest in their expressed intention to prevent large areas being granted, they would accept the amendment, and have it defined in the Act. We should put it in the Act and not leave it to future Parliaments to decide. His amendment was moved, not with any desire to show antagonism, but with the object of conserving the best interests of the State, and particularly of the northern portion of Western Australia.

The HONORARY MINISTER: The amendment appearing on the Notice Paper was, according to the statement of the Premier, in the nature of a compromise with members opposite. The matter was only now in the initiatory stage, and it would be a mistake to unduly tie the hands of the Minister controlling the question. It was possible that when the inquiries the Minister now had in hand were completed, it would be found that 50 miles of foreshore would be quite sufficient to grant to any one company. On the other hand, however, it might be found absolutely necessary to give a distance of 75 miles or more. The number of turtles varied considerably in the different localities, and they altered their

habitat in the different seasons; therefore what would be sufficient coastline in one part would not be enough in another. It would be most unreasonable to tie the hands of the Minister. Members could be well assured that the interests of the State would be safeguarded in the matter.

Mr. SWAN: A distance of 75 miles was altogether too great. He had no desire to tie the hands of the Minister, but the exclusive right to a foreshore of 50 miles would surely be ample.

Mr. TROY: No sufficient reason had been given by the Honorary Minister why the amendment on the amendment should not be carried. It was only right that a definite decision should be come to now as to the length of coastline to be granted. No harm could be done to anyone by the adoption of the amendment moved by the member for Pilbara. It must not be forgotten that provision was made whereby if the leaseholders worked their territory legitimately the Government could give them another lease.

The MINISTER FOR WORKS: It was a weakness of certain members of the Opposition to aver that members of the Government did not give sufficient information on various matters that came before the House. It was a very easy matter to make this charge, and to say that the mover of an amendment had given all the information. The member for Pilbara undoubtedly gave members all the information he possessed on the question, and he was quite right in bringing forward any amendment which he considered would improve the Bill. The Honorary Minister, however, gave good reasons why the amendment on the amendment should not be pressed. He pointed out that it had yet to be found out what would be a fair coastline, and said that whereas 50 miles might be ample in some cases a much larger coastline would be necessary in others. Members should not take such an action now as would stamp out a new industry in its infancy. The desire of all should be to encourage the industry. The whole trend of the remarks made by members opposite in opposition to the amendment on the Notice Paper was that they did not trust the Government. If this were so, why did not the Opposition turn the Government out, rather than quibble over a matter of this kind. What difference did it make whether the Minister gave a license for 50 miles or for 70 miles? What difference was there in principle? All the other conditions were left to the Government, such as the amount of money to be expended, the amount of deposit, the question of labour, etcetera. All these things were to be decided by the Government, yet the one thing objected to was a few miles of coastline. The Government were entrusted with the administration of the country, and every day transacted much greater things than was proposed to be done now. The Government would take every care to see that the interests of the State were safeguarded, and he doubted whether members could point to any agreements the Government had made which were detrimental to the best interests of the State. He understood the Premier had made certain arrangements for the amendment on the Notice Paper to be carried, and that it was acceptable to members.

Mr. Troy: With whom did he make the arrangements?

The MINISTER FOR WORKS: That he could not say. The member for Mount Magnet, and other members, were of course entitled to vote as they pleased on the amendment, but there was no gainsaying the fact that the Premier's amendment was a reasonable adjustment of the difficulty.

Mr. UNDERWOOD: If the Minister would accept the second portion of the amendment there would be no objection to increasing the distance from 50 to 75 miles. It had to be pointed out also that the amendment did not say anything with regard to Parliament having a say in the matter, but merely stipulated that the license should be laid on the table of the House. The Minister had referred to the attempt which the Opposition were making to stifle an industry in its infancy. This industry, however, was not

yet born, therefore it was not possible to stifle it in its infancy. Members might, however, prevent its birth, and it would be better to do that than to have it as an incubus on the State. All that the Opposition were trying to do was to advocate for fair conditions. In the country that was being applied for there were quite a number of islands, and the people who would get this 50 miles of foreshore would have hundreds of miles of foreshore around those islands as well. This was the only part of Western Australia where the turtle-fishing industry could be carried on with success, and if too large an area were granted, there would be only one company and no competition. Australia had had sufficient experience and should guard against monopolies, and members should do all they possibly could to prevent that kind of thing. The Minister should agree to the proposal that no greater area of coastline than 75 miles should be granted.

The HONORARY MINISTER: It was possible that the Minister would find 25 miles or 10 miles a sufficient area to grant and in that case he would not grant a license for any greater length. The Bill would apply to other parts of the State as well, and it might be necessary to give a greater length of coastline than in that particular spot in the North-West. Members could be assured that the Colonial Secretary, who would administer the Act, would not be a party to granting a license which would create a monopoly.

Mr. ANGWIN: The granting of 75 miles would be too much, and it would be an impossibility for anyone else in that area to start another factory. Moreover, in addition to the coastline the company would have an extensive area of foreshore by reason of their taking in the large number of islands which were situated off that part of the coast.

Mr. SCADDAN: Did the proposal of the Government mean that they could grant 75 miles of the mainland in addition to all the islands which might be adjacent to the coast?

The Honorary Minister: The foreshore is not of much use to them without the islands.

Mr. SCADDAN: The Minister should make that point clear, and the Committee would consider whether 75 miles was not an extensive area when the islands were included. It had to be remembered that there were very many islands there.

Mr. Underwood: Between 300 and 400.

Amendment on amendment (Mr. Underwood's) put, and a division taken with the following result:—

Ayes	.. .. ..	17
Noes	.. .. ..	20
Majority against	..	3

AYES.

Mr. Angwin	Mr. McDowall
Mr. Bolton	Mr. W. Price
Mr. Collier	Mr. Scaddan
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Underwood
Mr. Heitmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. Troy
Mr. Johnson	*(Teller).*

NOES.

Mr. Butcher	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Davies	Mr. S. F. Moore
Mr. Foulkes	Mr. Nanson
Mr. George	Mr. Osborn
Mr. Gordon	Mr. Piesse
Mr. Gregory	Mr. J. Price
Mr. Hardwick	Mr. F. Wilson
Mr. Hayward	Mr. Layman
Mr. Jacoby	*(Teller).*
Mr. Keenan	

Amendment on amendment thus negatived.

Amendment (the Honorary Minister's) put and passed.

The HONORARY MINISTER moved an amendment—

That after the word "unlawful," in line 2 of Subclause 2, the words "except as hereinafter provided" be inserted.

He would move subsequently to add the following words to the subclause:—"Provided that it shall nevertheless be lawful for any person to collect or gather therein any marine animal life or product of the sea for his personal use or consumption but not for sale or barter."

Mr. SCADDAN: It would be necessary to amend the subsequent amendment by striking out the words "not for sale or barter" as they were wholly unnecessary, and if left in they might lead to difficulty in proving that a person gathering any marine animal life was not doing so with the intention of selling or bartering it. After all, all that was necessary was to prevent competition by other companies.

Mr. HOLMAN: There was a fairly considerable industry on the North-West coast in connection wth the gathering of tortoise shell. The effect of the amendment would be to prevent scores of men from earning a livelihood by this tortoise shell industry, for it would stamp out the industry.

The Honorary Minister: The license will be for edible turtles only.

The Attorney General: The non-edible turtle is not a food fish.

Mr. HOLMAN: Those people who were earning a living by collecting tortoise shell should be fully protected. If the amendment were carried it would certainly have the effect of taking away from these people the right to gather tortoise shell.

Mr. UNDERWOOD: The information given by way of interjection from the Ministerial benches was decidedly misleading. The fact that the turtle carrying tortoise shell was not a food fish made no difference at all. The Bill contemplated giving an exclusive right over turtles, and it was absurd for Ministers to pretend that because the shell bearing turtle was not a food fish it would be open for anybody to come along and gather it.

The Honorary Minister: The point raised might very well be overcome by providing in the license that the people gathering tortoise shell should continue to enjoy that right.

Mr. HOLMAN: The amendment provided that a person might take these turtles for personal consumption but not for barter. The people engaged in the tortoise shell industry would not want the shell for personal use or for personal consumption. Consequently, the amendment would take from them the right they had hitherto enjoyed to that shell. It was all very well to talk of putting a safeguard in the license, but it should be in the Bill. Hon. members were granting a monopoly in respect to the turtle soup industry, but that was no reason why they should give away a monopoly over all the industries on the coast.

Mr. MALE: Under the existing Act the Minister already had power to grant an exclusive license to persons for the collecting of hawk's-bill turtles bearing tortoise shell. The amending Bill was to enable him to give an exclusive license to certain persons for the taking of the green-backed turtle, which was the turtle required for soup. There was on the coast a small industry in tortoise shell, and it certainly would be advisable, when drafting the agreement, that a clause should be inserted protecting those gathering tortoise shell. That could be effected by giving only a license to collect the green-backed turtle. The two industries were quite distinct.

Mr. JACOBY: If the amendment were carried the company would certainly have power to exclude from their avocation those men who were utilising the shell of the hawk's-bill turtle. If it were not desired to give that power to the licensee it would be just as well to express it in the Bill.

Mr. SCADDAN: The amendment was not sufficient, and it would be better to report progress to have a satisfactory amendment drafted. We might make the amendment which the Minister intended to move later read, "provided that it shall be nevertheless lawful for any person to collect any marine animal life or product of the sea," and then make a further proviso protecting turtle or any other product of the sea mentioned in the particular license granted from being destroyed or taken by any person except for his own personal use or consumption. Then persons could go on the area licensed and take shell or anything of the kind. It was evident the amendment would only provide that a person could collect nothing except for his own personal use, and if the agreement would not allow the company to take the shell there would be no chance of any person getting it.

Mr. ANGWIN: We did not know how far this would be extended. What other

industry did the company intend to deal with?

The Honorary Minister: The only one they have asked for is edible turtle.

Mr. HOLMAN: This was a sufficiently important matter for progress to be reported, so that a proper amendment might be drafted. The matter should not be left to the lease. Many people were now getting a living out of turtle shell, and they should be protected. It was an important growing industry, and the shell was becoming more valuable. It was better to have a few score men getting a living out of gathering the shell than to give the sole right to a company. If ample protection were given to these men, the clause would pass, but it was impossible for a member to draft the necessary amendment in a few moments. Therefore progress should be reported.

The ATTORNEY GENERAL: There was no need to report progress. The Bill had been before the House for many weeks, and members had had numerous opportunities of putting amendments on the Notice Paper. If the hon. member had given any attention to the amendment now before the Committee he would see there was nothing in it that should not be intelligible to the average intelligence. The amendment was introduced in consequence of objections raised previously to provide that the exclusive license should not prevent any individual catching fish subject to the license for his present consumption, but not for sale and barter. Instead of destroying the privileges of the ordinary citizen it conserved them, and provided a limitation to the exclusive right.

Mr. ANGWIN: The question had not been answered as to whether the foreshore included the foreshore of the thousands of islands. The Bill was brought in for the express purpose of providing for one special company, and his reason for taking exception to it was that he desired to protect the interests of the people of the State generally. Some of the islands along the coast were of value in many ways, and should not be handed over to the exclusive control of any one company.

The HONORARY MINISTER: It would be impossible to say, until further inquiries had been made, exactly what extent of coastline should be granted to any company. That must be left to the Minister to decide. Along the coast were hundreds of islands, many of which were not even surveyed, and it would be practically impossible to define 70 miles along them. It would be no advantage to any Government to give away rights along the coastline, and the best course for the Committee to adopt would be to leave the question of distance in the hands of the Minister. The Bill only made a slight variation from the existing Act, and it provided but few powers that did not exist to-day. The only thing the House had been approached for was to give the right to collect edible turtles.

Mr. MALE: Evidently the Bill was introduced solely with the object of validating a certain agreement. It would have been far easier for the Government to have brought in a Bill for that particular purpose, rather than bringing in one to amend the Act. In the circumstances, therefore, he proposed subsequently to move a new clause to read as follows: "Nothing herein contained shall apply to, or shall authorise, the issue of any license to collect any hawk's-bill turtle, pearl shell, oysters, trepang, beche de mer, dugong, or sponges." That would overcome the whole difficulty, and such an amendment would without doubt meet with the approval of the Committee.

The ATTORNEY GENERAL: The hon. member apparently wanted to propose a new clause to prevent the granting of licenses in respect of the hawk's-bill turtle. If that were desired it would be necessary to amend the existing Fisheries Act which gave the power for licenses to be given in respect of such turtle. Why it should be supposed that the Bill would cause any trouble with regard to the hawk's-bill turtle he was at a loss to say. There had been no abuse in the past with regard to the catching of turtle. Any license granted under the amending Bill would state specifically the purpose for which it was granted. The object of the proviso was to allow a person to go and fish in the area covered by an exclusive

license, so long as the turtle for which he desired to fish was to be utilised for his own consumption. As to the hawksbill turtle, there could be two exclusive licenses granted over one area, one for the tortoise-shell turtle and the other for the edible turtle.

Mr. KEENAN: The only object of the Bill was, as the member for Kimberley had said, to enable an agreement to be entered into for a specific purpose, and it would have been much better if the Government had introduced a direct Bill for the purpose rather than to have taken the course adopted. Under the Bill as it stood a license could be granted to cover, not merely edible turtles, but also the hawk's-bill turtle. Assuredly the only object of the Bill was to enable an intended agreement to be given effect to. It was hard to understand why the time of the House should be spent in discussing the issues raised that evening, when it would have been a very simple matter to introduce a short Bill giving the Executive power to enter into the agreement. He would support the member for Kimberley in his amendment.

The ATTORNEY GENERAL: The first object of the Bill was to remove any doubt as to the meaning of "food fish." If the Government cared to do so they could have entered into an agreement to give exclusive licenses to collect these edible turtles and argued that a turtle was not a fish at all, and therefore, not being a fish it could not be a food fish. Then the question would never have been raised. It was advisable, however, that the point should be clear, because in the future there might be licenses issued with regard to not only turtles, but other fish not included in the second schedule of the principal Act, and which, by a certain stretch, might be regarded as food fish. The Bill would remove all possible ambiguity, and would provide that exclusive licenses could be granted for every product of the sea, except the fish mentioned in the second Schedule of the principal Act. The Bill had been drafted in a simple form, and the discussion which had taken place with regard to the clauses was mainly owing to a misconception in the minds of hon. members as to the object of the Bill.

Mr. Walker: What harm will the suggested amendment by the member for Kimberley do?

The ATTORNEY GENERAL: The amendment was hardly necessary, but the hon. member might furnish the Government with a copy of it.

Mr. Walker: It would make it clearer.

Mr. HOLMAN: As the Attorney General and the ex-Attorney General were at variance on the question, it was time that members were given more information about the subject. Speaking personally, he would prefer to take the opinion of the ex-Attorney General. The Honorary Minister had stated that he would not trouble about restricting the Minister, but he (Mr. Holman) would prefer to protect the men engaged in the industry. When, on the previous occasion, progress was reported and it was suggested that amendments should be framed for submission to the Committee it was thought that those amendments would give ample protection to those engaged in the industry. This, however, had not been done. The proviso which was before the Committee would prevent those who were at present earning their livelihood in connection with the industry from catching the turtles. It had to be considered that the livelihood of a great number of men depended on this industry, and there was no desire to grant a monopoly to any single company. At any rate it might be advisable to accept the suggestion which had been made by the member for Kimberley.

Mr. ANGWIN: If pains were taken to protect the various enterprises it would be quite safe to pass the subclause, but not otherwise. It was to be remembered that the Government were about to give away 75 miles of coastline to a London syndicate, whereas the best a local syndicate could get was an offer of five miles.

The CHAIRMAN: The hon. member was repeating what he had already stated.

Amendment put and passed.

The HONORARY MINISTER moved a further amendment—

That the following words be added to Subclause 2:—"Provided that it shall

nevertheless be lawful for any person to collect or gather therein any marine animal life or product of the sea for his personal use or consumption, but not for sale or barter."

Mr. ANGWIN: Before coming down to that, it would be only fair if the Minister would tell hon. members what further proviso it was proposed to add.

The HONORARY MINISTER: If the amendment before the Committee were passed, the Government would be prepared to accept a further proviso, which would meet the wishes of the Committee, as expressed in the discussion.

Amendment put and passed.

The HONORARY MINISTER moved a further amendment—

That the following proviso be added: "Provided also that nothing contained in this Act shall authorise the issue of any exclusive license to collect hawk's-bill turtle, trepang, otherwise beche de mer, or dugong."

Amendment passed; the clause as amended agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

In Committee.

Resumed from 19th October; Mr. Taylor in the Chair; the Minister for Lands in charge of the Bill.

Clause 2—Amendment of No. 15 of 1906, s. 10:

Mr. ANGWIN: When progress was reported the Committee had been discussing the question of fees for the trustees of the Bank. It would be difficult to find a reason why the trustees should be paid three guineas instead of two guineas. An institution such as the Western Australian Bank was paying its directors only two guineas per sitting; and these directors were not provided with free railway passes as were the trustees of the Agricultural Bank. Yet the Minister proposed to increase to three guineas the fees for the trustees of the Agricultural Bank. Members on the Government side had supported the proposal to strike out the clause. There was no occasion for this increase at a time when retrenchment was proceeding throughout the public service; and apparently there was no need for the trustees. The bank was in capable hands under the charge of Mr. Paterson, who had the full responsibility, and whose judgment carried the day whether there were trustees or not. It was agreed on all hands that the success of the bank and the absence of losses were entirely due to Mr. Paterson's management, and it was a doubtful point whether, during the chats about the crops the trustees had when they occasionally met, the value of any farm offered as security was considered. At any rate two guineas a sitting with a free railway pass was sufficient remuneration. When this matter was previously discussed the clause would have been deleted had not the Government reported progress.

Mr. GEORGE: The managing trustee of the bank felt the responsibility of his position, and no doubt any man dealing with two millions of money at times needed assistance and someone to share the responsibility if he could get it. The two trustees, Mr. Richardson and Mr. Cooke, were men to whom the mere question of a guinea or two per sitting meant little; their time was valuable to them; they worked hard, and knew the country well, and had attained their position today through it; and we had no particular right to call upon them to give us their time and experience at a remuneration which was less than the exercise of their time and experience in their own concerns would return. No doubt the managing trustee had done the work well, it was because of his earnestness that the bank had been so successful, but he might not be with us always. It was always desirable not to have all our eggs in one basket. It was not advisable to throw the whole responsibility on one man. There was no warrant for making the assertion that the trustees did their duties in a perfunctory manner. By the assistance of these gentlemen the managing trustee added strength to his own strength. As to whether the payments should be two guineas or three guineas was only a matter of proportion. A maximum of £150

was a very small sum for the State to give for the practical experience of these gentlemen. They had to decide whether the security offered was sufficient for the State or not, and the question of a guinea or two, what was it?

Mr. Heitmann: They have to trust to the reports of the inspectors.

Mr. GEORGE: Of course they had to get reports from the inspectors, but Mr. Richardson, for instance, knew practically every quality of land likely to be brought under his notice in the State. It was an advantage to the State that there were men we could secure to advise the managing trustee in matters of this sort. It would make any member of Parliament nervous to have to handle two millions of money. Any failure on the part of the trustees would be reviewed in the House.

Mr. Collier: What is their responsibility?

Mr. GEORGE: If the hon. member advised that money should be loaned he would feel the responsibility.

Mr. Collier: The responsibility is their reputation, that is all.

Mr. GEORGE: Exactly. There were men to whom reputation was more valuable than money. We should not belittle those who felt their characters and reputations were of some value to them. Anyone going on the land near Mr. Cooke or Mr. Richardson would find both those gentlemen prepared to go out of their way, in many instances, to assist them and show them how to avoid pitfalls. The remuneration of three guineas a week was little enough for what the trustees did.

Mr. JACOBY: The Government had said this was a time of financial stress, and informed the civil servants that they could not get increases to which they were lawfully entitled, yet here was a Bill to give increased fees to gentlemen employed in one branch of the service of the State. He had the highest opinion of the ability of the trustees, and the Minister was fortunate in getting them to act, but the argument of the member for Murray that there was a high responsibility on these gentlemen's shoulders was not correct. If the trustees undertook that responsibility he would have no objection to giving them the increased fee. As a matter of fact all the recommendations of these gentlemen had to be passed by the Minister for Lands before being sent on to the Executive Council, and all responsibility was placed on the shoulders of the latter body.

The Minister for Lands: That is not correct. The advances do not have to be approved of by the Executive Council.

Mr. JACOBY: In such circumstances his view of the case was altered, although he still adhered to the position that while curtailing increments to one class of civil servants it was neither logical nor fair to give increases to another class. The member for Murray pointed out that it was of value to have those gentlemen acting as trustees as when Mr. Paterson's services were not available they could be called upon to do the work. As a matter of fact, when Mr. Paterson was away the responsibility fell on the assistant manager, Mr. McLarty. If we were training the trustees to be understudies to Mr. Paterson there might be some reason for keeping them as trustees, but Mr. McLarty was the man upon whom the actual managing responsibility rested if the manager were away. Nothing he had said should be taken in the slightest degree as a reflection upon either of the trustees, for he had a very high opinion of them both for their practical knowledge, their ability, and their knowledge of the State. He intended to vote against the clause.

Mr. WALKER: It was a curious way of doing business to some people by meting out injustice to someone else. If the trustees had been getting a fair pay when in receipt of two guineas a day for doing certain work, surely when there was more work, and more responsibility placed on their shoulders it was not fair to ask them to do the work at the same price? Surely if members wanted to be just, increased work and responsibility merited increased pay. Larger sums of money were now being put at the dis-

posal of the trustees to be utilised at their discretion, and all along he had taken this stand with regard to those in positions of trust, that they must be paid a reasonable and a respectable amount for the management of the funds or one could not be surprised at embezzlement and at things going wrong. In connection with the trusteeships, the gentlemen holding the positions must be capable of understanding fully the use of the money for the purpose for which the Act authorised the application. That being so a salary of three guineas, with a limit of £150 a year, was not excessive. If the trustees were not worth that sum, they should be got rid of altogether. The sum of £150 was the maximum they could earn, and for that they had to devote their time exclusively to the work, when so required. Was the sum of £150 a year too much for those having a say in the distribution of two millions of money?

Mr. Jacoby: Most of that money was granted by the bank before they became trustees.

Mr. WALKER: The Bill proposed to increase the amount.

Mr. Johnson: That is necessary in order to keep them going.

Mr. WALKER: But it went back to them. The proper principle was to pay a man what he was worth, no matter what kind of work he was doing.

Mr. UNDERWOOD: It was his intention to vote in favour of two guineas for several reasons, the chief one being that it would be sufficient for the work that would have to be done. The amount of money these men had to handle was considerably less than that handled by the directors of other banks and who only got two guineas. It had not been shown that these gentlemen had any particular responsibility; as a matter of fact the manager of the bank did the work, and took the responsibility, and the other trustees simply came in and acquiesced in what had been done. Moreover, Mr. Paterson, the manager, was not controlling £2,000,000, because £1,500,000 had already been lent, and when it was paid back it would be paid into the Treasury. The member for Murray had said that it was awful to have the responsibility of two millions, yet the member himself had, single handed and without turning a hair, taken the responsibility of managing the railways. There was no fault to find with either Mr. Richardson, Mr. Paterson, or Mr. Cook. The question should be dealt with from the point of view of the value of the office, not of the officer. If Mr. Richardson was such a superior man as he had been made out to be, he was too good for the office and we could not afford to pay a man with such wonderful capacity. What we wanted was someone with ordinary capacity; about the capacity of a member of Parliament. The member for Murray had asked the Committee to believe that Mr. Richardson knew everything about Western Australia; the statement was absolutely ridiculous. If Mr. Richardson had that knowledge he would not be one of the trustees of the bank. He (Mr. Underwood) was not impressed with the great ability of Mr. Paterson as manager of the bank.

The Minister for Lands: I thought you did not know him.

Mr. UNDERWOOD: He only knew of some of Mr. Paterson's work, and it was by his work that the officer should be judged. He had complained about Mr. Paterson before, and he would continue to complain about his system of imagining that he was there to deal out charity. There was an impression that if one got a loan from the Agricultural Bank it was necessary to add Mr. Paterson to one's prayers.

The CHAIRMAN: The hon. member was out of order in discussing Mr. Paterson.

Mr. UNDERWOOD: It was as well that he was out of order because he might have said something more about Mr. Paterson. The member for Kanowna had referred to the increasing operations of the bank. There would not be any great increase in the work of the bank; the fact that we were providing more money was because the money which had been previously provided had been lent, and

the new trustees could take no responsibility for what had been previously done, neither had they to collect the money. It was collected by the Lands Department. The trustees of to-day had no more responsibility than any of their predecessors, and in consideration of the fact that economy was the order of the day we could not afford to pay the increased fees. The member for Kanowna had made a point of the honesty of the trustees; but, as a matter of fact, the trustees themselves handled no money whatever. He intended to oppose the clause.

The MINISTER FOR LANDS: These trustees had the ordinary responsibilities attaching to directors; and they not only took this responsibility but they faced the work of the bank. They were asked to administser the affairs of a bank with a capital of two million pounds, a great deal of which was outstanding. They had to see that the securities were kept good and that the funds of the State were protected. They went carefully through every application made for a loan—and it was to be remembered that there had been 3,000 such applications last year. Moreover, it was necessary for these trustees to have not only a knowledge of banking but considerable agricultural experience. As to the remarks of the member for Swan, the Agricultural Bank was vested in these trustees, and the Minister had no control over them whatever. Four years ago the Minister had had to approve of every application, but to-day the Minister did not see the applications at all.

Mr. ANGWIN: There was no great responsibility cast on the expert knowledge of the trustees in regard to security, because, after all, they relied wholly on what the inspectors advised as to the quality of the land. There was no proposed increase for Mr. Paterson, the man who did the work. We all were shareholders in the bank, but the only dividend paid from the bank was to be given to the trustees in increased fees. If the fees were maintained at two guineas the trustees would be just as honest as if they were getting three guineas.

Clause put and passed.

Clause 3—agreed to.

Clause 4—Amendment of Section 28; bank may make advances to farmers and cultivators:

Mr. HOLMAN: This clause proposed that the Minister might make advances for the purchase of agricultural machinery manufactured in the State. What steps did the Minister propose to take? There was no machinery, beyond a few ploughs and some other articles, now manufactured in the State.

Mr. HEITMANN moved—

That progress be reported.

Motion put and a division called for.

Mr. Heitmann: Was it not compulsory for a member to vote as his voice indicated?

The CHAIRMAN: No.

Division resulted as follows:—

Ayes	13
Noes	25
Majority against ..	12

AYES.

Mr. Angwin	Mr. McDowall
Mr. Gill	Mr. W. Price
Mr. Gourley	Mr. Swan
Mr. Heitmann	Mr. Troy
Mr. Holman	Mr. Ware
Mr. Horan	Mr. Underwood
Mr. Hudson	(*Teller*).

NOES.

Mr. Butcher	Mr. Layman
Mr. Carson	Mr. Male
Mr. Collier	Mr. Mitchell
Mr. Daglish	Mr. Monger
Mr. Davies	Mr. Nanson
Mr. Draper	Mr. Osborn
Mr. Foulkes	Mr. Piesse
Mr. George	Mr. J. Price
Mr. Gregory	Mr. Scaddan
Mr. Hardwick	Mr. Walker
Mr. Hayward	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Johnson	(*Teller*).

Motion thus negatived.

[*Mr. Daglish took the Chair.*]

Mr. JACOBY: With regard to paragraph (a) of Subclause 1 of the proposed new section, would the Minister say what was the intention of the bank regarding the clearing of the South-Western lands; would there be a reasonable advance for clearing so that in cases where,

say, £15 was spent on that work an allowance of a similar amount would be made?

The MINISTER FOR LANDS: The custom was to advance the full value on work done, provided that the security when the work was done was sufficient to cover the advance. If it were considered by the trustees that the cost of the work was £15, and the value was only £10, then the advance would be £10. The same treatment was meted out in the South-West as in the wheat belt.

Mr. JOHNSON: Paragraph (a) of the subclause referred to the purchase of stock for breeding purposes. The clause did not convey an altogether clear interpretation of what was meant, for it appeared from the wording that the stock could only be used for breeding purposes and not for the ordinary work of the farm. That was not intended, for both the Minister and the bank officials considered that the animals should be utilised on the farm. If the paragraph were altered to read "the purchase of breeding stock" the intention would be much more clear. That would indicate to the trustees exactly what was desired.

The MINISTER FOR LANDS: The amendment would not improve the clause. It was intended that the stock thus purchased should be used on the farm, and that procedure was followed.

Progress reported.

House adjourned at 11.18 p.m.

Legislative Council,

Wednesday, 10th November, 1909.

The PRESIDENT 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. Bills of Sale Act Amendment.
2. Licensed Surveyors.
3. Sea Carriage of Goods.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report of the Public Service Commissioner for period ended 30th June, 1909. 2, Report on Immigration for 1909. 3, Fremantle Harbour Trust Commissioners' Report for 1909. 4, Report of the Commissioner of Taxation for 1909. 5, Western Australian Government Railways: By-laws for the conduct of licensed private luggage porters. 6, Superintendent of Public Charities' report for 1909. 7, Mullewa Local Board of Health by-laws. 8, Municipality of Leederville by-laws.

BILL—OPIUM SMOKING PROHIBITION.

Report of Select Committee.

Hon. M. L. Moss brought up the report of the select committee appointed to inquire into the Opium Smoking Prohibition Bill.

Report received and read; ordered to be printed, and to be considered when in Committee on the Bill.