

## Legislative Council,

Thursday, 11th October, 1894.

Marriage Bill: third reading—Municipal Institutions Bill: committee—Homesteads Act Amendment Bill: committee—Registration of Births, Deaths, and Marriages Bill: second reading: committee—Dentists Bill: second reading—Roads Act Amendment Bill: second reading—Droving Bill: second reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shelton) took the chair at 4:30 o'clock p.m.

## PRAYERS.

## MARRIAGE BILL.

## THIRD READING.

This Bill was read a third time, and passed.

## MUNICIPAL INSTITUTIONS BILL.

## IN COMMITTEE.

Clause 157.—“Valuers”:

THE HON. J. C. G. FOULKES, by leave, withdrew the amendment he had previously moved.

THE HON. J. W. HACKETT: Has the Hon. Colonial Secretary considered the question of valuations for municipalities newly proclaimed? I might point out that before there can be a list of ratepayers there must be a valuation.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It does not appear to me to be possible to have an electoral list until after the council is appointed. The Governor is empowered to appoint persons to settle and revise the list, but it is evident, as the hon. member points out, there can be no list until there are ratepayers, and there can be no ratepayers until there is a valuation. I think the simplest course will be for the Governor to appoint the council and mayor in the first instance. I will draw the attention of the Attorney General to the matter, and see what he suggests.

Clause agreed to.

Clauses 158 to 163 passed.

Clause 164.—“Manner of making rate”:

THE HON. S. J. HAYNES moved that the words “have levied a distress upon the goods of the occupier” be struck out, and the words “be unable to enforce payment by any such occupier” be inserted

in lieu thereof. He said: This section provides from whom the rate may be recovered: it may be recovered first from the occupier, and if there is no occupier then from any subsequent occupier, and if there is no subsequent occupier then from the owner. As the Bill was originally drawn, this clause was in the form I propose it should be, but I do not think the owner should be liable until the councils have exhausted their powers against the occupiers.

THE HON. F. M. STONE: I shall oppose this amendment. I would point out that the object of the clause that the hon. member tries to strike out is to prevent tenants going away without the Council getting payment of the rates from them, and the landlord having to pay them. The rates may have been in arrear for years and the landlord know nothing about it, and then suddenly be called upon to pay them.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I think it is right that councils should be able to push matters against occupiers as much as possible, before coming upon owners. When I occupied the position of mayor, it was said that in several instances it was impossible to collect the rates, because the occupiers could not pay, but when distress warrants were issued the money was paid immediately, in every case. I trust, therefore, the Council will allow the clause to stand, so that the rates may be recovered from the occupiers, who are the legitimate persons to pay them.

THE HON. E. W. DAVIES: The clause involves a certain amount of hardship, because the rates are made up in one month, and are not due until afterwards. In the intervening time one tenant may go away and leave the subsequent tenant to pay the whole of the rates, for which he is not really liable. I think, however, it will be well to leave the Bill as it is.

THE HON. H. MCKERNAN: I am inclined to make the owner liable, because he can at all times so increase the rent as to cover the rates.

Amendment put and negatived.

Clause agreed to.

Clause 165.—“Notice of valuation and rating”:

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the words “clerk of the municipality” be struck

out, and the word "Council" be inserted in lieu thereof.

Question put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the following words be added to the clause:—"two or more properties may be inserted in one notice."

Question put and passed.

Clause, as amended, agreed to.

Clauses 166 to 168 passed.

Clause 169.—"Distress for amount payable in respect of rates and costs, charges and expenses":

THE COLONIAL SECRETARY (Hon. S. H. Parker): I move to strike out the first sub-section and to put in another. Clause 164 says that rates may be payable half-yearly, but this clause evidently overlooks that fact. I therefore move to strike out the first sub-section, and insert the following in lieu thereof:—"Subject to the right of appeal hereinbefore mentioned, in case any person liable to pay the amount due in respect of any rate, who has been served with the notice mentioned in the 165th section of this Act, does not pay the whole amount of the rate due in respect of any property mentioned in the said notice, or (if payable by instalments) any instalment thereof then due at the time, in the manner, and at the place required by the said notice, and if such default continues for 14 days, the mayor may at any time thereafter, and as often as occasion may arise, by warrant under his hand, distrain the goods and chattels found upon the land in respect of which the rate is payable."

Amendment put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved, as a further amendment, that the words "or the instalment thereof then" be inserted between the words "amount" and "due," in the fifth line of sub-clause (2).

Amendment put and passed.

THE HON. S. J. HAYNES moved that the words after the word "trade," in sub-section (6), be struck out, and the words "not exceeding in value the sum of £5" be inserted in lieu thereof. He said: Under this sub-section a distress might be altogether inoperative, because the bailiff could not sell any clothing, bedding, tools, or implements of trade, or household furniture, which are necessary for the use

of the person whose goods are seized and his family. I propose to limit the value of goods which cannot be seized to £5.

THE HON. F. T. CROWDER: I regret I cannot support the amendment, because the sub-section as it stands only exempts goods which are absolutely necessary. If the amendment is passed, it may work a great hardship.

THE HON. S. J. HAYNES: It might be said that in some instances a piano was absolutely necessary.

THE HON. F. T. CROWDER: I do not think that could reasonably be said to be an absolute necessity.

THE HON. F. M. STONE: I shall support the amendment. I do not see any difference between an execution for rates and one for debt. If a drunkard is ordered to pay 5s., and does not pay, his goods are seized. If a person owes rates, they should be paid in the same way as an ordinary fine. Then I would ask, how is a bailiff going to decide what is absolutely necessary? If we limit the amount to £5, it will give quite sufficient protection.

THE HON. S. J. HAYNES: I might say that if £5 is considered too low, I would be prepared to make it £10; but I think we must have some limit.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Might I suggest that the sub-section be allowed to stand, and that the hon. member insert a proviso at the end of the sub-section, that the goods and chattels exempted shall in no case exceed £5 in value.

THE HON. S. J. HAYNES: I will accept that suggestion.

Amendment, by leave, withdrawn.

THE HON. S. J. HAYNES moved that the following words be added to the end of the clause:—"Provided, however, that the goods and chattels exempt from distress for sale shall in no case exceed £10 in value."

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 170 to 177 passed.

Clause 178.—"Land may be sold for arrears in respect of rates remaining unpaid for 18 months":

THE HON. J. C. G. FOULKES moved that the words "or in two newspapers" be struck out, and the words "one newspaper" be inserted in lieu thereof. He

said: I move this because I do not think it wise that we should heap additional expense on the ratepayer by causing him to advertise in two newspapers.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): Perhaps it would be better to only strike out the words "two newspapers," and to insert the words "one newspaper."

**THE HON. J. C. G. FOULKES**: I am agreeable to that.

Amendment put and negatived.

**THE HON. S. J. HAYNES** moved that the words "two newspapers" be struck out, and that the words "one newspaper" be inserted in lieu thereof.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 179 and 180 agreed to.

Clause 181.—"Bank account":

**THE HON. F. T. CROWDER** moved that the words "or any other officer" be inserted after the word "Treasurer."

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 182 to 199 agreed to.

Clause 200.—"Sinking Fund may be placed at a fixed deposit":

**THE HON. S. J. HAYNES** moved that the word "Debentures" be inserted between the words "purchase" and "Consols."

Amendment put and passed.

Clause, as amended, agreed to.

Clause 201.—"Investment of interest on Sinking Fund":

**THE HON. S. J. HAYNES** moved that the word "Debentures" be inserted before the word "Consols."

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 202 to 217 passed.

Clause 218.—"Power of Council as to expending its income":

**THE HON. F. T. CROWDER** moved that the following words be inserted between the words "Act" and "subject," in the 5th line: "And may also grant such sum for any year to the mayor for the time being, as it may think proper, provided the sum does not exceed 3 per cent. of its ordinary income." He said: I trust hon. members will support me in this, because I think it absolutely necessary that the council should have the power to vote sums of money to the mayor. It may not be considered necessary to make provision for the mayor at once,

but we must remember that this Act will be in force very many years, and it is therefore just as well that this power should be given. In all the other colonies the mayors receive a certain annual allowance. The mayor of a town like Perth has a good many calls upon him, and, therefore, only persons of means can now occupy the position. I maintain that money and common sense do not always run together. We find many persons holding the position of councillor for years, who can never become mayor, because they are afraid they cannot spend as much money as their predecessors have done. Under my amendment, the amount voted to the mayor of Perth, say, cannot be very large, because 3 per cent. on the total rates would only be about £250.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I have not heard that any of the highly respected gentlemen who have filled the office of mayor have ever made any claim for remuneration, but have been proud to do all they could for the city without entailing any expense on the ratepayers. We have had, under this system, an exceedingly good class of mayors; and I cannot believe the respectability of future mayors will be improved by paying them. I think our mayors will compare most favourably with those of the other colonies where they are paid, and I cannot, therefore, see any reason why we should agree to this amendment. It is said that the mayor has to spend a great deal of money, but I do not think that this is at all necessary, especially when 3 per cent. of the revenue is available to meet any incidental expenses that may be necessary.

**THE HON. D. K. CONGDON**: I am not in accord with the amendment, because I think that we shall get even better mayors by paying no remuneration than we should if we paid them.

Amendment put and negatived.

Clause passed.

Clauses 219 to 239 agreed to.

Schedule 7.—"Notice, valuation, and rate":

**THE COLONIAL SECRETARY** (Hon. S. H. Parker) moved that the words "or properties as the case may be" be inserted between the words "property" and "hereinafter."

Amendment put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the following words be inserted after the word "costs":—"If the rate be payable by instalments, in pursuance of any by-law of the Council, alter the form in the manner or to the effect following:—You are hereby required to pay the above amount of £ to the office of the Council by two equal instalments of £ each, on the day of next, and the day of next. And if either of the said instalments be not paid within fourteen days after the day herein named for payment of the same, a warrant will be forthwith issued by the Mayor for the recovery of the same with costs."

Amendment put and passed.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved, as a further amendment, that the word "the," between "upon" and "property," in line 14, be struck out, and that the word "any" be inserted in lieu thereof.

Amendment put and passed.

Schedule, as amended, agreed to.

Schedules 8 and 9 agreed to.

Schedule 10:

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the words "Chairman of the Council of the municipality of," at the end of the Schedule, be struck out, and that the word "mayor" be inserted in lieu thereof.

Amendment put and passed.

Schedule, as amended, agreed to.

Schedules 11, 12, and 13 agreed to.

Bill reported.

THE HON. E. HENTY moved that the report be adopted.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Bill be recommitted.

Question put and passed.

The PRESIDENT left the chair.

Clause 82.—"Bribery and corruption":

THE COLONIAL SECRETARY (Hon. S. H. Parker): This clause provides that the hiring of carriages or horses at election time constitutes an act of bribery, but I propose to strike out those words, because I see no reason why persons should not be driven to the poll. On the municipal roll there are many ladies who would not go to vote unless some conveyance were provided for them. I am aware that this clause is taken from the

Electoral Act, but we all know that at parliamentary elections unscrupulous candidates evade it. I believe that you, Mr. Chairman, and myself were the only two candidates at the last election who did not have carriages. It was suggested by our agents that we should have them as the others were going to have them, but I stated that I must, in my position, conform to the law even if I were placed at a disadvantage. But still I do not see why carriages should not be employed, even if it is only for the purpose of inducing as many persons as possible to go to the poll and vote.

Amendment put and passed.

Clause 155.—"Mode of making valuation":

THE HON. S. J. HAYNES: We have struck out "£7 10s." and inserted "£6," and I am certain it will be too low. It is 2½ per cent. lower than the present rate, and the municipalities will never be able to make up their income. I therefore move that the words "£6" be struck out, and "£7 10s." inserted in lieu thereof.

The committee divided on the question that the words proposed to be struck out stand part of the clause.

Noes ...	...	...	11
Ayes ...	...	...	5
			—
Majority ...	...	...	6

AYES.

The Hon. F. T. Crowder  
The Hon. E. W. Davies  
The Hon. J. C. G. Fonlkes  
The Hon. E. Robinson  
The Hon. E. H. Wittie-  
nium (Teller).

NOES.

The Hon. R. G. Burges  
The Hon. D. K. Congdon  
The Hon. C. E. Dempster  
The Hon. Ernest Healy  
The Hon. H. McKernan  
The Hon. E. McLarty  
The Hon. S. H. Parker  
The Hon. C. A. Piessé  
The Hon. J. E. Richardson  
The Hon. F. M. Stone  
The Hon. S. J. Haynes  
(Teller).

Question—That the words proposed to be struck out, be struck out—put and passed.

Question—That the words "seven pounds ten shillings" be inserted in lieu thereof—put and passed.

Clause 204.—"When treasurer may transfer":

THE HON. S. J. HAYNES moved that the word "Debentures" be inserted between the words "in" and "sales."

Question put and passed.

Clause, as amended, agreed to.

Bill reported with amendments.

## HOMESTEADS ACT AMENDMENT BILL.

## IN COMMITTEE.

Clause 2.—The Governor may order that certain lands may be available for homestead farms :

THE HON. C. A. PIESSE moved that sub-section (1) be struck out, and that the following be inserted in lieu thereof:— "That all Crown lands in the South-West Division of the colony are hereby open for selection for homestead farms, under the provisions of 'The Homesteads Act, 1893.'" He said: Land settlement in the South-West portion of the colony is not going on as rapidly as it should. The Homesteads Act, at the present time, is most unpopular, and very few people are taking advantage of it. The main cause of this is that it does not provide for free selection, and I propose now that this principle be embodied in the Bill. It is argued that, under provisions of this kind, there will be room for dummyping, but I do not see how that can be so. At present the law is altogether anomalous. If a person holds 100 acres of land already, he can go anywhere and select his 160 acres under the Homesteads Act, but if a person wants to take up land for the first time under the Homesteads Act, he must select in an area set apart. At the same time, anyone can easily evade the Act and select anywhere. By making an application under the Land Regulations for 100 acres, he can pay his £2 10s. and go on any pastoral lease. Then, having got the 100 acres, he can apply for another 160 acres adjoining it, under the Homesteads Act. This being so, we might just as well at once admit the principle of allowing persons to select wherever they like. It is said that if we allow selection in this way persons will pick the eyes out of the pastoral lands, but I have already pointed out they can do so, under the present law, by paying £2 10s.

THE PRESIDENT, at half-past six, left the chair until half-past seven.

On resuming,

THE HON. E. H. WITTENOOM: I am obliged to oppose this amendment, because it seems to me that it would simply make the present Land Regulations more confusing than they are. Under the Land

Regulations there are six ways of taking up land, and this Homesteads Act provides other ways. Now, if we embody in this Bill the principle of free selection, it will be most difficult for anyone to understand the law at all. I would suggest that the better course for us to adopt is to pass this Bill as it stands, and then ask the Government to deal with the whole of the land question in one Act next year.

THE COLONIAL SECRETARY (Hon. S. H. Parker): The Bill before the House is a very simple one, its object being to make the Homesteads Act of last year more liberal. This clause empowers the Governor from time to time to order any Crown lands in the South-West, and other divisions, to be set apart for homestead farms. There is also a provision that holders of land under clauses 47 and 48 of the Land Regulations may be relieved of the residence conditions on making certain payments. These provisions are practically the whole Bill, and if this amendment is adopted it will not only alter the scope of the present Bill, but will change the entire character of the Homesteads Act adopted last year. It is not desired to have the homestead farms distributed over the wider area of the colony, but that they should be in communities where the occupiers could have some of the advantages of civilisation. I think the land legislation is at present sufficiently liberal. I doubt whether selection before survey would conduce greatly to settlement. The Government will try to select the best localities for their homestead blocks, but they are opposed to selection before survey.

THE HON. C. A. PIESSE: The amendment will not do away with agricultural areas, but what I say is, that there are millions of acres outside these areas which will never be taken up unless some inducement is held out to people to settle upon them. I wish to see settlement of the land on the most reasonable terms, and I think it unwise that if a man wants a piece of land in any particular locality he should have to pay a high price for it because it does not happen to be in an agricultural area. I feel, however, that the House is not with me in this matter, and I will therefore withdraw the amendment.

THE HON. C. E. DEMPSTER: I think the Land Regulations are already suffi-

ciently liberal. The colony cannot advance by settling paupers upon the land. What is the good of giving a man 160 acres of land if he has nothing with which to purchase teams or to employ labour?

THE HON. R. G. BURGESS: He can go to the Agricultural Bank.

THE HON. C. E. DEMPSTER: That has not come into operation yet, and it remains to be seen what good it will be. I do not think any man can settle on 160 acres of land unless he has £300 or £400. I think it would have been better if the land had been cut up in lots of 10 or 20 acres each near townships, where men could work during the day and cultivate their land when there was no work available.

Amendment, by leave, withdrawn.

Clause passed.

Clause 3.—“Land Regulations and Homesteads Act of 1893 to also apply to such lands”:

THE HON. R. G. BURGESS: I think that the conditions for the remission of the residence condition are too heavy. I do not think that the Minister for Lands knows much about the matter. I think that he has not gained very much experience during his four years of office. By ringing and burning land in the Eastern districts it can be cleared for 15s. an acre. I think that double improvements are too much to give for the remission of the residence condition.

THE HON. C. A. PIESSE: I move that an office fee of 2s. 6d. in the place of 20s. be required to be paid, and that improvements remain the same as at present.

THE HON. E. McLARTY: I think the greatest objection to the Homesteads Act has been that the land under it was let out in alternate blocks; but I understand there is now to be free selection in any agricultural area, which is, I think, a great advantage. Owing to the short time the Homesteads Act has been in force there has been very little chance to see whether it will work well or not, and with the further concessions made by this Bill I think the Act will be largely availed of in the future.

THE COLONIAL SECRETARY (Hon. S. H. Parker): It must be borne in mind that the principle involved in all our Land Acts is settlement of the soil. Of course, if hon. members are prepared to say that we do not want the people to reside on

the land, they should certainly adopt the amendment; because we should have nothing but a lot of dummies on the land for the benefit of capitalists. Most men would be prepared to do double improvements if they were only relieved of the residence conditions, and to say that they should be relieved by paying 2s. 6d. is a complete absurdity, and will stop all *bonâ fide* settlement.

THE HON. H. MCKERNAN: I am in favour of the clause as it stands, for I think if a man wishes to be relieved of the residence conditions, 20s. is little enough to ask him to pay for the concession.

The committee divided.

Ayes ... ..	10
Noes ... ..	2

Majority ... .. 8

AYES.	NOES.
The Hon. D. K. Congdon	The Hon. C. A. Piesse
The Hon. F. T. Crowder	The Hon. R. G. Burgess
The Hon. E. W. Davies	(Teller.)
The Hon. C. E. Dempster	
The Hon. J. C. G. Foulkes	
The Hon. S. J. Haynes	
The Hon. H. McKernan	
The Hon. E. McLarty	
The Hon. E. Robinson	
The Hon. S. H. Parker	
(Teller.)	

Amendment negatived.

Clause agreed to.

Clause 4 agreed to.

New clause:

THE HON. C. A. PIESSE moved that the following new clause be added to the Bill:—“Notwithstanding any provisions to the contrary contained in Clauses 18 and 19 of ‘The Homesteads Act, 1893,’ all Crown lands contained within the “South-Western Division of the colony, “not being first class lands, shall be open “to selection, whether before or after clas- “sification by the Minister under the pro- “visions relating to homestead leases in “the said Act.” He said: I move this new clause because at present there is no inducement for a man to take up land and improve it, or if it be a lease, to improve his lease. I know a case where 20,000 acres of pastoral land carried only 800 sheep, and to-day 2,100 acres of it are carrying 1400 sheep all the year round, and this is due to the improvements which have been made. I have confined my motion to lands within the South-Western Division of the colony, so as to try the experiment. In this division

we have thousands of acres of land which are of no use unless we allow people to take them up on easy conditions. For my part, I should be in favour of the Governor declaring the whole of the South-Western Division as being open for selection under the Homesteads Act. If we do not do this, nearly the whole of the country will remain in its present unfortunate state for many years.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I would point out that the amendment is opposed to the principle of the Homesteads Act. I would also point out the absurdity of the amendment, which contains a contradiction. How can a man take up land, not being first-class, without its being first-classified? I would suggest to the hon. member to withdraw the motion.

Amendment, by leave, withdrawn.  
Bill reported.

#### BIRTHS, DEATHS, AND MARRIAGES BILL.

##### SECOND READING.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): In rising to move the second reading of this Bill, I may say that it is a measure more in the nature of a consolidating Act than anything else, although in some cases there are amendments of the present law. The Bill is divided into seven parts. The duties of Registrars are defined, and it is provided that medical practitioners shall supply the Registrar General with certificates of the cause of death of persons dying under their care, and shall sign them except in cases where an inquest is held, when the coroner shall do it. Then the Registrar is to keep registers. Ministers of religion may be licensed to perform marriages, and there is a provision that if a minister is guilty of doing anything wrong he may be struck off the roll. The Registrar General is to publish an annual list of ministers so registered. Then there are provisions and penalties for misrepresentation by ministers. Part 4 deals with the registration of births. A child born in the colony must be registered within 60 days. Part 5 deals with the registration of deaths. If any deaths occur at sea the masters of vessels must register them on coming into port. With regard to marriages, they

have to be registered by persons who perform the marriage ceremony. Then part 7 deals with miscellaneous, and power is given in it to the Registrar to ask questions for the purpose of correcting any errors in the register if necessary. The Second Schedule contains the fees payable, which are certainly very moderate. I do not think I need say any more. I move the second reading of the Bill.

Question put and passed.

##### IN COMMITTEE.

Clauses 1 to 51 put and passed.

First Schedule agreed to.

Second Schedule.—Fees:

**THE HON. S. J. HAYNES**: What would be the fee for a certified copy of a birth, death, or marriage? Under this Schedule it looks as though it would cost 7s. 6d.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I should think it would only cost 1s.

**THE HON. D. K. CONGDON**: It says 1s. is payable for every certified copy of any entry, but for every search 7s. 6d., and I take it there must be a search first.

**THE HON. S. J. HAYNES**: Recently I had to get half-a-dozen entries, and I had to pay 5s. for each of them.

**THE HON. C. A. PIESSE**: May I ask why there is a difference in the fees paid to district registrars and to assistant district registrars?

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): The reason is that the assistant district registrar has to transmit to the district registrar, and each of them gets 1s. in that case.

**THE HON. F. M. STONE**: I would ask the Hon. Colonial Secretary how Section 48 is to be applied. It says that the name of the father of the child must be given, but how is this to be done in the case of bastardy?

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I will look into that matter. I move that progress be reported.

Question put and passed.

#### DENTISTS BILL.

##### SECOND READING.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): This Bill is brought in for the purpose of registering dentists. At the present time there is no law applying in any way to dentists. We have laws dealing with medical prac-

tioners, and it is only right, I think, that some provision shall be made to see that only properly qualified dentists are allowed to practise. This Bill was brought in by a private member of the Lower House, and I have been requested to take charge of it here, and have much pleasure in doing so. Under the Bill there is to be a Dental Board, which is to consist of three medical practitioners and three dentists. The first board will be appointed by the Governor. The board so appointed by the Governor will hold office for three years, and then it will become elective. Clause 3 deals with the constitution of the board, and clause 6 provides that the board may make by-laws. The board may appoint an examiner and other officers, and under clause 9 a register of dentists is to be kept. By clause 10 every person above the age of 21 shall be entitled to be registered as a dentist who shall prove to the satisfaction of the board that he is a registered dentist in any part of the United Kingdom, or that he is engaged at the time of the passing of this Act in Western Australia in the practice of dentistry, or that he has been bound for a period of not less than four years as an apprentice to a dentist, or that he has for a period of not less than 10 years practised dentistry in any part of the world, and holds a certificate or diploma such as may be recognised by the board as sufficient qualification. Then if any dentist is found guilty of felony or misdemeanour, his name may be erased from the register. By Clause 15 no person is to be allowed to practise dentistry without being registered, nor to use any name or words implying that he is entitled to practise. These are shortly the provisions of the Bill, which I now move be read a second time.

Question put and passed.

Bill read a second time.

#### ROADS ACT' AMENDMENT BILL.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): This, Mr. President, is a very short Bill, brought in for the purpose of amending the Roads Act. By it Section 97 of the Roads Act of 1888 is repealed, and a new section substituted for it. In the present Act provision is made as to how the Registrar of Titles shall regis-

ter a purchaser of any piece of land which may be sold by Roads Boards for non-payment of rates; but it is rather a cumbersome proceeding, and the present section in this Bill will simplify it. Thus in the present Act, while the Roads Boards have power to levy rates, they have no power to obtain them from lands leased by the Crown for pastoral purposes. By section 3 of this Bill such lands will in future be rateable in the same manner as freehold lands, but it is provided that the annual value shall be taken to be the amount payable by the lessee to the Crown, so that the amount will not be very much. The reason for this amendment is this, that in the North all the land is leased, and consequently there are no ratepayers to elect the Roads Board. In one district, I believe, one person elects the whole of the board, he being the only one qualified to be on the ratepayers' list. As the Roads Boards, with one or two exceptions, have never levied rates, it does not matter much about our giving power to rate Crown lands, for there will be very little chance in future, I think, of any rates ever being levied. Still, the clause will enable ratepayers' lists to be made up, and thus give an opportunity for the formation of boards. Then it is provided that the manager or superintendent or owner of rateable property may be registered as a voter. Another provision will enable the Governor to place under the management and control of a board any public works such as buildings, tanks, dams, etc., and the Government may allot to boards money for pressing objects. At the present time Roads Boards have no power to use any of the money allotted to them by Parliament for use in the construction or keeping in order of tanks. This clause gives the boards power to make up lists, and penalties are provided against persons who damage or destroy any property belonging to the boards. I now move the second reading of the Bill.

**THE HON. C. A. PIESSE**: In reference to the taxation by Roads Boards, I may say that I have been chairman of a board for about five years. During that time we all wanted to levy a rate, and we asked the Government whether we could tax the lands held by the Great Southern Railway. We were told, however, that it would be undesirable to tax those lands,



and the consequence was that we have taxed ourselves and let them go free.

Question put and passed.

Bill read a second time.

### DROVING BILL.

#### SECOND READING.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I have much pleasure in introducing this Bill, which will commend itself to the members of this House who are interested in pastoral pursuits. The object of the Bill is to prevent drovers increasing their flocks improperly when droving through the land of pastoral lessees, and to prevent them from boxing their sheep with the sheep on the run, and disseminate the disease known as "scab." When drovers start they must have a way-bill, which shall describe the sheep entrusted to them. The sheep are to have a brand, which must be shown on the way-bill, and any owner of a run can inspect the way-bill and sheep, and see that the latter correspond with the statements in the former. Sheep must keep travelling, and there is a penalty if drovers turn them back evidently for the sake of feed. Before entering a run drovers must give notice of their intention to enter it. Then clause 7 provides that all travelling sheep shall be branded with the letter T, so that any one who sees them may know they are travelling sheep. These are the principal provisions of the Bill, which has been brought in particularly at the request of those interested in travelling stock, and I hope it will have the effect which is intended for it. I move the Bill be read a second time.

**THE HON. C. A. PIESE**: I move, as an amendment, that the Bill be read a second time this day six months, because I think it undesirable to put owners to the cost of branding their sheep with the letter T every time they want to travel them, perhaps only a short distance. I think, too, owing to the difficulty we are experiencing with regard to scab, it would be as well to put this Bill aside until the House meets next year. It is all very well for districts infected with scab to be compelled to brand, but there are other districts in the colony besides the North.

**THE HON. R. G. BURGESS**: I rise to support this amendment, because I consider the Bill will interfere with the working of the Scab Act. It is well known the scab in the South comes from the North; and if every man brands his sheep with a T we shall never know where the sheep come from.

**THE HON. E. ROBINSON**: I have much pleasure in supporting the amendment, because I think we ought to have some means of knowing, if we find a scabby sheep in our flocks, who the owner of it is; and we shall never be able to ascertain that, if all sheep which travel are branded with a T. It would be monstrous to compel a man to brand his sheep if he were only going to take them a few miles.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): They are not travelling sheep until they have gone 40 miles.

**THE HON. E. ROBINSON**: Even for that short distance I think it very hard that a man should be put to the expense of branding all his sheep with a T.

**THE HON. F. T. CROWDER**: I shall vote against this amendment, because I think we can make what alterations are required in committee now as well as we can next session.

**THE HON. E. McLARTY**: I shall oppose the amendment, although I think there is a good deal in what has been said; and if all sheep are branded T, and some stray sheep infected with scab are found, it will be difficult to discover the owner of them. Still, I think we must make some attempt to get rid of the scab at the North, and this Bill is brought in particularly to assist the settlers there; and, I think, to get over what does appear to be a hardship in the Southern portion of the colony, we might make the distance somewhat longer than 40 miles.

**THE COLONIAL SECRETARY** (Hon. S. H. Parker): I think the objections raised by hon. members go to show that we should amend the clause relating to what shall constitute travelling sheep rather than reject the whole Bill. This is a Bill in the interests of the Northern settlers, so that they may have control over the drovers, and see that they do not box the sheep and disseminate scab. The large pastoralists are most anxious to have this Bill; and I hope, therefore, hon. members will assent to the second

reading, and we can defer the committee stage and further consider the points raised by hon. members.

**THE HON. C. E. DEMPSTER:** I think it would be better to defer the consideration of this Bill, because it is open to many objections. In the first place, I take it the stock would travel along a stock route, and a great hardship would be inflicted on the drovers to have to give notice when within 10 miles of a run. I do not think, when sheep are travelling along a stock route, this notice should be necessary. Again, I think, instead of travelling sheep being branded with a T, it would be better that they should bear the station brand, and thus anyone could see, if a stray sheep were picked up, who it belonged to.

Amendment negatived.

Bill read a second time.

#### ADJOURNMENT.

The House, at 10 o'clock p.m., adjourned until Wednesday, 17th October, at 4:30 p.m.

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## Legislative Assembly,

Thursday, 11th October, 1894.

Imported Labour Registry Act Amendment Bill: first reading—Report of Joint Select Committee on the Working of the Scab Act—Local registered offices for Mining Companies—Agricultural Bank Bill: consideration of committee's report—Small Debts Ordinance Amendment Bill: Legislative Council's amendment—Loan Bill (£1,500,000): Legislative Council's suggestions—Estimates, 1894-5: further considered in committee—Adjournment.

**THE SPEAKER** took the chair at 4:30 p.m.

#### PRAYERS.

#### IMPORTED LABOUR REGISTRY ACT AMENDMENT BILL.

Introduced by **MR. BURT**, and read a first time.

#### WORKING OF THE SCAB ACT: REPORT OF JOINT SELECT COMMITTEE.

**MR. LEFROY:** Sir,—The report of the Select Committee of both Houses appointed to inquire into the working of the Scab Act is before members, and it is my duty to ask the House to adopt the proposals submitted by the committee in their report. It will be seen that the conclusion the committee arrived at was that the introduction of scab into the Southern districts of the colony is due to sheep not being inspected after passing through the Irwin dip. The committee have been led to take this view in consequence of a flock of sheep belonging to Messrs. Dempster Brothers having been found infected with scab about nine months after they had passed through this dip last year; the committee considering that if those sheep had been again inspected after they passed through the dip, all this trouble would have been prevented. We next propose that all sheep passing from an infected district into a clean one should be examined by an inspector some time after entering the clean district; the committee being of opinion that the spread of scab in this Southern part of the colony is due to want of proper supervision and vigilance on the part of the inspectors from time to time in charge. We think that if sheep were examined a fortnight or a month after they enter a clean district, an efficient inspector would discover at once whether there was any disease amongst them. Had this been done in the case of Messrs. Dempster's sheep, the evil would have been nipped in the bud. I think it is proved conclusively, by the evidence given before the committee, that the spread of scab in the Southern districts during the last twelve months is entirely due to the lack of proper supervision. The flock referred to travelled from Rockingham towards Newcastle in July last year, and when they reached a place called "Silver Castle," on the Swan, it was found that the sheep were scabby; at any rate, Mr. Dempster came down to the Colonial Secretary's office and reported that there was scab in his flock. The Under Secretary at once wrote to the Chief Inspector, who was then at Geraldton, informing him of this fact, but, unfortunately, the Chief Inspector was then laid up in the hospital, and was unable to