

advisability of erecting bridges over the railway line in William Street and Melbourne Road; with power to call for persons and papers, to confer with the similar committee chosen by the Legislative Assembly, to meet on days on which the Council does not sit, and to report on 1st September. And further, that the first meeting of the committee be held in the Committee Room of the Legislative Assembly on Friday, 21st August, at 12 o'clock."

Question—put and passed.

A ballot having been taken, the Hon. F. T. Crowder, J. W. Hackett, A. B. Kidson, S. H. Parker, H. J. Saunders, and F. M. Stone were elected, in addition to the mover, to serve on such committee.

FEDERAL COUNCIL REFERENCE BILL.

This Bill was received from the Legislative Assembly and was read a first time.

ADJOURNMENT.

The House at 6:15 o'clock, p.m., adjourned until Thursday, August 20th, at 4:30 o'clock, p.m.

Legislative Assembly,

Wednesday, 19th August, 1896.

Question: Goldfields regulations and time for disallowance—Fencing Bill: first reading—Excess Bill (financial year 1895-6): first reading—Motion: Board for control and management of water supplies—Motion for Return re Analysis of Butter—Married Women's Property Act Amendment Bill: third reading—Constitution Act Amendment Bill: discussion on report—Statutory Declarations Bill: in committee—Post Office Savings Bank Bill: second reading; in committee—Public Works Bill: second reading moved—Adjournment.

THE SPEAKER took the Chair at 4:30 o'clock, p.m.

PRAYERS.

QUESTION: GOLDFIELDS REGULATIONS AND TIME FOR DISALLOWANCE.

MR. ILLINGWORTH, without notice, asked the Attorney General why the Regulations for the management of goldfields had not been laid on the table of the House, in accordance with section 99 of the Goldfields Act?

THE SPEAKER said the Regulations had been laid on the table.

MR. ILLINGWORTH said they had not been laid on the table within the 14 days required by the Act.

THE SPEAKER said his attention had been drawn to the matter by the Clerk; and, on inquiry, he found the Regulations had been laid on the table, but could not remember at what time they were placed there.

MR. ILLINGWORTH said they were not on the table within the 14 days required by the Act. It was within the province of Parliament to disallow the Regulations, or any of them, and he wished to ascertain from the Attorney General whether the time for such disallowance had now passed. Some of the Regulations required alteration.

THE ATTORNEY-GENERAL (Hon. S. Burt) said it seemed to him, on reading the section referred to, that it was open to the House, at any time, to disallow the Regulations, or to pass a resolution respecting them. It need not necessarily be done within 14 days. Certainly the Regulations had to be laid on the table within 14 days, and such members be appointed to report upon the

Regulations, so far as they were not disallowed by Parliament, were afterwards to be deemed to have been properly made. He believed he had been the means of misleading the hon. member (Mr. Illingworth), by having told him they had not been laid on the table; but since then he (the Attorney General) had been informed by the Minister responsible for the Regulations that they were duly laid on the table, and there was the assurance of the Under Secretary that they had been laid on the table within the time required. However, nothing happened if they were not laid on the table within the time.

THE SPEAKER said the Clerk of the House kept a register of every paper laid on the table, with the date in each case; and the Clerk would be able to inform the House when these Regulations were laid on the table.

THE CLERK was understood to explain that the fact of the Regulations having been laid on the table was recorded in the register book, and in the Votes and Proceedings of the House.

The subject dropped.

FENCING BILL.

Introduced by MR. LEFROY, and read a first time.

EXCESS BILL (FINANCIAL YEAR 1895-6).

Introduced by the PREMIER, and read a first time.

MOTION: BOARD FOR CONTROL AND MANAGEMENT OF WATER SUPPLIES.

MR. VENN, in accordance with notice, moved "That, in the opinion of this House, it is desirable that the Government should, as early as possible during the present session, introduce a Bill to make provision for the appointment of a board for the control and management of all Government water supply works, the making and collecting of rates for the supply of water, and to provide for the payment of interest and sinking fund on the amount expended on the various water works throughout the colony." He said: This motion will not require many remarks from me, as it will commend itself to the unanimous judgment of this House. After hearing the re-

marks of the Premier, when dealing with the Goldfields Water Supply Loan Bill, that it was the intention of the Government to bring in a measure something similar to this one, for the purpose of controlling and managing the supply of water on the goldfields, I have brought forward this motion with a desire to strengthen the hands of the Government, and enable them to introduce a Bill of that character at an early date, so that the people not only on the goldfields, but in all places which may be supplied with water throughout the country, shall at once realise that it is the intention of Parliament, as it is also the intention of the Government, to provide that those persons who receive water shall pay for it, either by a process of taxation according to the quantity consumed, or by a water rate. That, however, is a detail. The fact that, if such a measure as is indicated in this motion be passed, a statutory board will be in existence, must commend the motion to hon. members. This board would carry out the provisions of the Act irrespective of any parliamentary influence whatever, and be, in a measure, independent of the Government. The passing of such a Bill will relieve the Government of a great deal of responsibility, and will, I believe, be a right and proper course to take. I do not think the subject needs labouring on my part. It may be said the Government, having purchased or intending to purchase the Perth Water Works, will have to provide machinery of this kind in a Bill which they must bring in for the management and control of those works, and that the provisions which I have suggested in the motion may be embodied in that Bill, and be made generally applicable to all systems of public water supply throughout the country. That may be so or may not, but at any rate, so long as we have a Bill embracing the whole of the provisions indicated in this motion, I do not think the House will cavil as to whether such provisions should be all incorporated in a Bill for regulating the Perth Water Works, or whether those provisions should be put in a separate Bill.

MR. R. F. SHOLL: I second the motion.

THE ATTORNEY GENERAL (Hon. S. Burt): This motion asks the House to affirm that it is desirable that "the

Government should, as early as possible during the present session, introduce a Bill to make provision for the appointment of a board for the control and management of all Government water supply works, the making and collecting of rates for the supply of water, and to provide for the payment of interest and sinking fund on the amount expended on the various water works throughout the colony." I think the water supply that is contemplated by the Government can be grouped under three heads. In the first place there is the question of the Perth Water Works, which, as hon. members know, have been lately acquired by the Government; and in connection with these works a Bill is in preparation for constituting a board which will take the whole management of the works, not only for the city of Perth, but for the suburbs as well, so as to extend the area of supply. Therefore the hon. member's motion is not required for that, or, if it is, we meet it at once by the assurance that a Bill is in preparation, and will be introduced at the earliest possible moment. Then, secondly, the Premier has given notice this afternoon of a general Bill, which has been in preparation for some time, to regulate and make provision for supplying water generally to municipalities and other localities throughout the colony. The object of that Bill is to facilitate the borrowing of money and obtaining their own water supply under local management; therefore that is not a scheme which the Government intend to "father" in any respect, but is to facilitate the obtaining of water throughout the colony in places where the people may desire it. Then, thirdly, there is the great scheme for supplying water to the Coolgardie goldfields, and as that scheme will take three years to complete—[MR. ILLINGWORTH: Five years]—I say three years to complete, and if it cannot be completed in three years then this motion will be all the less applicable. I think it is rather premature to ask the Government to bring down a Bill this session for the management of that water supply, seeing that we have three years to complete it; and I do not think the hon. member could have had that in his mind when framing this motion, or, if he had, he would have recognised that there is no occasion to bring in, during the pre-

sent session, a Bill for regulating the goldfields water supply; consequently I have no doubt he would have toned down the motion in that respect. The Government are not prepared to say, to-day, that it would be a wise thing at first to place that supply under the control of an independent board. It may or may not be wise. That is a matter the Government will consider; and as we have got three years in which to consider it, I think it will be evident there is no need, and indeed it would be impossible, to bring in a Bill during this session, with provisions that we could consider and debate, so as to be applicable to the case, when we have not even started the work. It would be difficult to say, to-day, what provisions would be required for a work that is not yet commenced. It may turn out that it would be a wise thing for the Government to retain these large works under their own control. The Government have not come to any decision on that point, because it is too early to deal with it. The hon. member will see that, with regard to the supply in the city of Perth, and the supply to municipalities and other places throughout the colony, we propose this session to bring in Bills for placing these supplies under boards of management. With regard to the great scheme for supplying the Coolgardie goldfields with water, the hon. member will see that it is premature to ask the Government to bring in a Bill now for carrying out what he proposes. Under the circumstances, therefore, I should think the hon. member will not be inclined to press his motion for affirming that it is desirable the Government should bring in a Bill this session to establish boards for the control and management of water supplies. It will be time enough next session, or even the session after, to bring in a Bill for dealing with the control and management of the water supply to the goldfields.

MR. ILLINGWORTH: The Bill for regulating the goldfields water supply has not yet been placed before the House, and I take it that it would materially affect the action of at least some members in this House towards that Bill if they knew that the works, when completed, were to be placed in such a position that they would be free from Parliamentary influence—[THE PREMIER: It will take

you all your time to do that)—and so give a greater chance of their becoming remunerative. The very crux of the proposal is that these works shall be remunerative. Some members in this House have their doubts about its being possible to obtain anything like 3s. 6d. per thousand gallons for water delivered at Coolgardie. If I understand the hon. member for Wellington aright, his object is to get an expression of the opinion of this House as to how these works shall be managed after they have been completed. It would materially assist members to come to a conclusion with regard to dealing with that Bill if they knew the intention of the Government, because if the payment for water is to be left entirely in the hands of the Government, there is nothing more certain in this world than that very strong influence will be brought to bear for reducing the price of the water. [MR. MORAN: Oh, nonsense!] We have had an expression of opinion even from the hon. member for Yilgarn, that it is desirable all these large places on the goldfields should be supplied with water free; and I say that if this statement comes from the representative of that particular district, we may expect to hear similar statements from other hon. members who may sit for those goldfields districts at a later period, and we may be placed in this position, that in consequence of the strength of representatives from those particular districts, the Government may be called upon to supply the water free. We may have to face that issue, and it is for this House to consider, when going into a scheme involving such a large expenditure, whether it is desirable to place the country in that position. We want to get an affirmation from this House that, when these works are completed, they shall be placed under the charge of a board, and that the board shall obtain a fair price for the water. I have no doubt in my mind that it will be almost impossible for any Government to resist the influences which will be brought to bear for the reduction of the price of water. I am not speaking without knowledge on this point. When the Coliban water scheme was brought before Parliament in Victoria, the goldfields urged the construction of those works, and said they were prepared to pay

almost anything for the water; but when the water arrived in Bendigo, they were not prepared to pay even 6d. per 1,000 gallons; and, as a consequence, that colony is at the present time taxed to the extent of between £30,000 and £40,000 a year for the loss on that scheme. We ought to take into consideration as to whether we are prepared to place ourselves in a position to undertake a similar loss. As a goldfields member, I can say this, that if the country is prepared to be liberal and give the water free, we at any rate should not object; but, at the same time, we might as well face the matter fairly and squarely, and not go forward with an idea that we will get 3s. 6d. per 1,000 gallons for the water, when it is quite possible the result will be that the consumers will pay nothing at all for it. If I understand the hon. member for Wellington aright, his desire is to get an expression of opinion from this House as to the management of these works when completed, and I consider his motion is well worthy of consideration from that standpoint.

THE PREMIER (Hon. Sir J. Forrest): I do not know why the hon. member for Nannine should again inform us the people of Coolgardie do not intend to pay for the water. It has not been our experience in the past that they have declined to pay. The Government have always been paid by the people on the goldfields for water supplied at the tanks. We have fixed charges for water on the goldfields, and we have raised the price at Woolgangie and Bulla-bulling and other places, when water was scarce, in order to make the people economical; yet no complaint has reached me that the people were not willing to pay. In fact, their only cry is "Give us the water, and we will pay for it." At Cue the people pay for the water, not only for the mines, but for their personal use; and they do not complain, although in other countries drinking water is usually supplied free of charge. There has been no disinclination on the part of the people of the goldfields to pay for the water supplied; and I see no reason why we should insult them by saying, now, that they will not pay for the water we propose to give them under this big scheme. I believe, myself, that they will pay for it. They pay 4d. per gallon now, and I

think they will be willing to pay 3s. 6d. per 1,000 gallons by-and-by. I do not know whether the hon. member for Wellington is aware that in the Governor's speech the Government promised to introduce a Bill to supply water to the municipalities and other places. Such was the case, and I have given notice that next week I shall be ready to bring forward a Bill for that purpose. The Bill has been under consideration for a long time past—in fact, for the last year—and we are under some sort of pledge to the people of the colony to provide means by which a municipality or any other place requiring water, and being willing to pay for it, may obtain the funds necessary for the construction of the works. This Bill will also provide not only for the construction of the works, but also for their management when in operation. It will be a useful Bill, and I think it will be availed of to some extent by the people in different parts of the colony. At any rate, it will be available for their use at any time they may require a water supply. Then there are other water supply schemes in hand. For instance, there are the schemes for Fremantle and Perth. A Bill for the purchase of the Perth Water Works will be introduced this session, and a Bill for the Fremantle supply is nearly ready. In regard to the Coolgardie supply, the intention of the Government, as far as we have come to a conclusion, is to make it a separate matter altogether. I think I explained that aspect of the question on the second reading of the Bill. There will be a separate account and separate financial management, and I believe the works will be placed under the control of a board. I suppose that will be the case; but I will say this, that whatever the method of control, the Government will require a considerable influence in it, because, having supplied the money, we shall have to be able to see that the revenue is forthcoming in order to meet the interest and contributions to sinking fund upon the expenditure. I have said it all along—in fact, it has been the main argument we have used—that the scheme will be reproductive. One of the reasons that influences members in its favour, I think, was that I was able to show, with the assistance of documents now on the table of the House, that this was a pro-

ject that would pay; and it is the intention of the Government that it shall pay. Although the price to be charged for the water is high, it is a low price as compared with the price the people of the goldfields have to pay now. As to the control of the works being independent of parliamentary influence, I do not myself hope that will be the case—I do not even look forward to that being the state of affairs—and, if I had an opportunity of voting in favour of such an independent control, I doubt whether I should do it, because I consider that Parliament must be supreme in all matters in every country. It surprises me to hear people talk of parliamentary influence as if it were not a good influence, and yet Parliament is the governing influence of the State. As for people refusing to pay for water, how is it that people do not refuse to pay for travelling on the railways? It is competent for this House to pass a resolution providing that everyone should travel free on the railways, or, in fact, that nobody should pay anything—not even the taxes. But there is a condition that you cannot get past: you cannot carry on the business of the country without means. If the Government did not provide the means necessary for the cost of administration, there would be confusion and "confusion worse confounded," and it would soon put an end to us. As to our attempting to erect a board which shall be independent of Parliament, why there is no such thing as independence of Parliament. It would be impossible to create such a board, for Parliament is supreme, and I hope it always will be so. I have, I think, shown that there is no reason for passing the hon. member's motion. I thought he had forgotten that in the Governor's Speech there was mention made of this Bill, and that his motion meant it was the desire of this House that this Bill should be immediately prepared. The very Bill that this motion seems to aim at is already drafted, and will soon be ready for placing on the table of the House. I do not know that a Bill is necessary for all the works for supplying water in the colony, for it must be remembered we are already supplying water in tanks on the goldfields, and those tanks are in operation under a law by virtue of which regulations have

already been issued. The Government have ample powers for dealing with the charges for water, and also for the prevention of pollution of water. In fact, I do not see there is anything wanted at all in addition to what the Government have already expressed their intention of doing, and therefore I hope the hon. member will not proceed with his motion. I do not see the use of the motion, if the House were to carry it, because we are doing all that is possible in the direction it indicates. Next session we will be prepared, I hope—in fact it is the intention of the Government to be prepared—with a Bill to control the great scheme for supplying water to the Coolgardie goldfields; and nothing more is wanted, so far as I can see. If the Government are shown that there is anything they are overlooking with regard to that matter, and it is shown to us that it is necessary, I am sure it will have our support.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson): I do not think this motion will be of much value, even if it is passed. There is nothing in it to prevent the next Parliament from repealing the proposed Bill, and passing another of a different character. I do not see how the motion, if passed, is going to bind future Parliaments throughout the duration of the life of this water scheme, or any other water scheme.

MR. ILLINGWORTH: The motion is simply an expression of opinion.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson): That fact only shows the force of the Premier's remark, that you need to get the scheme further ahead before dealing with the question of control. There is no doubt about it that you cannot get outside of Parliamentary control; and I am sure that Parliament will never consent to being controlled by a board. The board must be controlled by Parliament. I think it is desirable that many of these works should be placed under the control of boards; but I do not think anybody contemplates the idea that this board for the control of the water scheme will be independent of Parliament. The placing of works of this character under the control of boards is done with the object of providing a buffer to keep off political

agitation. Some persons have thought the Government should not purchase the Perth Water Works, but the Government have done that, and are providing for a board to take the control. If Parliament thinks it necessary, at any time, that the Coolgardie water supply should be placed under a board, the creation of such a board can be effected at any time; but I do not think the passing of a mere resolution like this is going to bind future Parliaments, and compel them to put the Coolgardie water scheme under that board. The Government will deal with the question at the proper time.

MR. R. F. SHOLL: I am sorry to hear members of the Government say it is their intention to keep the control of these water works when they are completed. It seems to me that, if they do this, when the scheme is completed, and with the increased representation of the goldfields, the consumers on the fields will have to pay nothing for the water. Pressure will be brought to bear and inducements offered, and eventually the matter will resolve itself into this, that the people on the fields will get their water at a very small price—probably as low as that charged at Perth and at Fremantle—or they may go the “whole hog” and say they ought to have it for nothing.

THE PREMIER: How would you prevent that?

MR. R. F. SHOLL: I think it could be prevented by a Bill placing all water supplies under boards. Such a Bill could be passed through both Houses this session; and eventually, if a resolution were introduced into either House in favour of reducing the price of water, or making it free, it would have to obtain the approval of both Houses. That I consider would be a safeguard.

THE PREMIER: Plenty of safeguards can be introduced into the Bill that we are preparing. You can put in any you like.

MR. R. F. SHOLL: By experience we have found the Government not successful in managing water schemes; and, as an instance, I can refer to the Fremantle scheme. The Government said, with regard to the Fremantle supply, that they could do nothing in the direction of obtaining the revenue; and then a Bill giving them further powers was intro-

duced, but even with the aid of that Bill they were unable to satisfactorily collect the fees.

THE PREMIER: The Fremantle water supply pays very well.

Mr. R. F. SHOLL: For over 12 months after the Bill was passed, the receipts from the water supply at Fremantle were comparatively *nil*. It may pay now, but in the first place it was not paying. I have not seen the returns lately. The power is supplied by prison labour, and a great deal of the water is used by the Government. I do not know whether the hon. member for Wellington proposes to proceed with this motion; but, if he does so, I shall support him.

Mr. MORAN: Supposing this motion is carried into effect, there is no doubt it will simply have a bearing upon the Coolgardie water works. We have not heard, so far as I know, of any of the people in Perth or any of the other towns refusing to pay for their water; and I do not think there is any need for Coolgardie to be bound down by a Bill of the kind proposed.

Mr. ILLINGWORTH: It is only Coolgardie that is to get an expenditure of five millions on water works.

Mr. MORAN: I am sorry the experience of the hon. member for Nannine has led him to distrust the people on the goldfields. I think one of the most favoured quotations of the hon. member for Nannine is "No taxation without representation," and yet he and others would tax the people of Coolgardie to the extent of 3s. 6d. per 1,000 gallons for water, and shut them out altogether from any influence on the governing body of the water works. You often find people giving utterance to contradictory statements on subjects of this kind. It will be three years, at any rate, before any revenue can be coming in from the sale of water at Coolgardie; and we are not so certain that, at that time, the present Government will be in power; and, on the other hand, we cannot all be quite so certain we shall be here ourselves. Then, again, it would be out of the question for this House to pass this resolution bearing on the Coolgardie water scheme, when that very scheme has not yet been dealt with by the Legislative Council. For this House to pass the motion would, I

think, be waste of time, for the Bill it proposes would hardly bind the Parliament which, three years hence, will have to consider the practical working of the scheme. There are many matters to be considered before any decision can be come to as to the management of the water works. For instance, it has yet to be decided on what conditions the water will be served out—whether there will have to be small companies or large companies to "farm" parts of the supplies, and many other details will have to be worked out. It will be ample time, when we have found the works a success, and the water reaches Mt. Burges, for the passing of a Bill deciding the price of the water. It may be then found necessary to raise the price to 4s. a thousand gallons. To pass a Bill dealing with the price of the water now would be simply waste of time. The member for Nannine, when dealing with the second reading of the Water Supply Loan Bill, said I was in favour of giving water free of charge. The hon. member is wrong—I said no such thing—and it is quite sufficient to state that what I did say was that I considered it a sound principle for new countries, if the finances would stand it, that the first requisite of life—water—should be supplied free of charge; but I said also that the present was a case in which a charge could fairly be made. For the member for Nannine to say I advocated the supply of water without charge is a misstatement. I just wish to allude to his position with regard to this particular work. There is no doubt about it that the goldfield he represents will not get any of the water provided by the scheme; and he seeks to get the good wishes, and perhaps the political sympathies, of the people he represents by opposing the scheme. Otherwise, I do not think he believes a word he has said on the subject. He is not, I am convinced, in favour of bringing in the Bill suggested by the member for Wellington, because he knows it would be inoperative, and because he knows also that he will probably be in this House when the water scheme is completed, and will be able to bring in a Bill of the kind suggested, when it is required. I wish to disclaim, on behalf of my constituents, any idea that they will at any time refuse

to take the water at a fair price. As I said before, the goldfields people are not only interested in seeing the water delivered at Coolgardie, but they are honourable enough to pay for it, if it is supplied to them at a fair price. There need be no doubt about that whatever. I hope, therefore, the hon. member will not press his motion on this occasion; because he should be able to see, from what I have said, that the goldfields people recognise they must pay for the water, and also because the proposed Bill, so far as the goldfields are concerned, would be inoperative for three years if brought in now.

MR. A. FORREST: I hope the hon. member for Wellington will see his way to withdraw the motion, in view of the explanation given by the Attorney General, that the Government intend to appoint a board for the Perth water works, and also intend to bring in a Bill in the course of a few days providing for the control of the water works of the municipalities. The only question left is that of the great Coolgardie scheme, and I think, myself, the good sense of the House will lead to the opinion that to pass the proposed Bill now would be simply dealing with the matter long before it was necessary. I feel sure a large majority of this House cannot possibly agree to the appointment of this board that is suggested in the motion. The members of the board would be paid large salaries, the chairman receiving probably £1,000 a year, because his office would entail a large amount of work. Then the hon. member for Nannine says it should be an independent board; but if we are going to appoint independent boards all over the colony, I do not think the people would be well pleased with the proposal, because Parliament should be supreme in all matters. I hope we shall never give up any part of our rights, for, if we do, we shall regret it as long as we live. We have one independent board, a board independent of Parliamentary control, and that is the Aborigines Protection Board. Ought we to establish more independent boards of that character? What have the hon. members on the Opposition side of the House to say to that? We get no reports from that board, and we can give the members no instructions; for these

members are independent of Parliament and of the country, and they defy us to interfere with them. The hon. member for Geraldton has been moving in the direction of erasing the Aborigines Protection Board from the statute book of the colony, and I hope he will succeed, because we do not need boards that are not responsible to Parliament. I hope, and I believe, that the hon. member for Wellington will agree with me that, after the explanation of the Attorney-General, in which he clearly put before hon. members the intentions of the Government, it will be better to withdraw the motion and not go to a division.

MR. VENN: I should like to say a few words, in reply to what has been said by hon. members and by members of the Government, and I hope that hon. members will not be misled by mere words. When hon. members speak of a measure that shall be beyond Parliamentary influence, that phrase is to be taken in this sense, that when Parliament passes a Bill it gives directions as to its views on that particular subject, and appoints officers to carry out those views. It comes to this, therefore, that when the measure is in operation, it is beyond parliamentary influence until Parliament amends it or repeals it. When hon. members talk about everything being under parliamentary influence, we know that it is so, and we do not need to be told it, for that is beside the question. According to the motion that I have laid before the House, Parliament thinks it is desirable that the Government should introduce, during the present session, a Bill dealing with the control of water works. The obvious sense of the motion is that they will not introduce that Bill until they have passed the Water Supply Loan Bill. That goes without saying. The Water Supply Loan Bill provides for the carrying out of a large scheme, a scheme approved of by this House; and the Bill I suggest should be brought in would show the views of this Parliament as to the working of that scheme. The country is not altogether satisfied with the assurances of the present Government that they are going to do something three or four years hence, because we do not know what may occur three years hence. We might then have an absolutely corrupt Government, who might prefer to

keep large schemes of this kind in their own hands for the purpose of regulating elections, and also for the purpose of keeping in touch with people directly concerned in politics. Such a Government would not prefer that this scheme should be in the hands of a board, but would desire to give the people the water free of charge, leaving the burden to fall heavily on the rest of the community who were not receiving the benefit. I take it that the motion before the House simply seeks to set forth the desire of the House, and also of the Government, as to the control of these water schemes. The Premier, when introducing the water scheme, said it was the intention of the Government to create a board for controlling the water supply works; but I can understand, and so can hon. members understand, that if the Government at this stage express their intention to make this scheme a success by constituting a board, and will say that not only the working expenses, but the interest on the capital outlay shall be returned to the country, the people on the goldfields will realise the situation, and will be fully prepared to pay for the water when it is supplied to them. I have no doubt they are prepared to pay for it. No one doubts that; and, if they do not doubt it, what can be the object of opposing this motion? The hon. member for Yilgarn says it is premature, and that the goldfields people are so straight that they never repudiate their just liabilities; but we know from experience—we do not want to be taught it, for we are not children—that large undertakings of this sort are far better out of the influence of the Government. It is far better they should be regulated by statute, so that they can be altered only by statute—that is, by the practically unanimous opinion of this House and the Upper House. The general taxpayer feels that, if there is nothing of the sort in existence, these water works will eventually become a general charge on the revenue of the colony, and the rest of the colony will be called on to pay taxation for this scheme. It is just possible the House, as at present constituted and vested with the great power of raising this large sum, whether two millions and a half or five millions, may express the opinion that if these moneys

are expended for a complete scheme, that scheme shall be worked in a certain way. That is all the motion states. It has occurred to my mind, and it must occur to the minds of other hon. members of this House, that the next Parliament may contain a very large percentage of gentlemen who will be very much interested—personally interested by the constituents they will represent—in not having this water supply under a board at all; and then do you think there will be any chance of passing a measure through this House successfully? No; there will be very small chance indeed. The chances are they would prefer to leave the works under Government control. The hon. member for Yilgarn says they would prefer it to be under Government control.

MR. MORAN: Sir, on a point of order, I never said anything of the sort.

MR. VENN: Before twelve months are over there will be a very large proportion of goldfields representatives in this House, and they, with others interested in the goldfields, may be strong enough to prevent such a board as I suggest from being appointed. I have no desire but to strengthen the feeling of the House and the hands of the Government, in bringing forward the measure I have suggested, and to give some security to the country. I thought myself that, when I moved this motion, the Government would be glad for the motion to be moved, as it might be said to them, "You are very anxious to provide for the working of this scheme, but it is just as well to stop until the House gives a unanimous opinion." I thought that if the House gave a unanimous opinion the Government would have no objection to bringing the measure forward. My sole intention was to strengthen the hands of the Government, and to excite discussion on this very serious point, because the whole crux of this great water scheme lies in the fact of five million gallons of water daily being supplied and paid for. If you once destroy the prospect of payment, you destroy the whole scheme; whereas if there were an independent board, that is a statutory board, it would be their bounden duty to act according to the statute. We cannot guarantee it would be so; but if it is left in the hands of the Government there may be a thousand and one influences,

political and otherwise, brought to bear. I have no intention of forcing this motion on, if the House does not see the wisdom of it. I think it reasonable and proper, and in accordance with a feeling I have heard expressed outside, that such a measure as I suggest should be brought in this session. I have no desire to press the motion on the House, but I should have liked to hear more expression of opinion on this very important question, as it is one full of future difficulties, which have not been met by the remarks of the hon. the Attorney General. He said the Government intended to deal with these smaller measures. We know that, and I knew it before; but, at the same time, I wanted an expression of opinion from the House on this one great measure, as I thought the Bill should deal with all the water works of the colony. With these remarks I take my seat, and shall not call for a division.

Question put and negatived.

MOTION FOR RETURN RE ANALYSIS OF BUTTER.

MR. RANDELL: In rising to move the motion standing in my name, "That a return showing the result of the analysis of butter made under the direction of the Agricultural Bureau be laid upon the table of the House," I would say that perhaps a question put to a Minister would have answered the purpose; but as the motion appears on the notice paper, I will make a few remarks. We remember an analysis was made, in Perth, of butter imported from Victoria some time since; and I think that, in the public interest, the result of that analysis should be placed on the table of this House for public information. I believe some names have been published in the newspapers of the other colonies, but at the same time it would be more useful if the names of the persons who supplied the butter which has been condemned were placed before this House, so that we may be able to judge of the matter. Exception has been taken to the analysis made here, and attempts have been made in other colonies to show that the analysis was improperly and unfairly conducted. I have no doubt the Government of this colony have confidence in their officer, and we have no reason to doubt the fairness of the tests he applied. It is very

desirable, in the public interest, to have this information made available; and I believe the hon. the Premier will have no objection to this return being laid upon the table of the House.

THE PREMIER (Hon. Sir J. Forrest): I shall be glad to apply to the Agricultural Bureau for a copy of the analysis of the butter, and I have no doubt they will be able to supply it. I may say I had a communication, by telegram, from the Premier of Victoria, asking that the sample of butter condemned should be sent over at once; but, on application to the Bureau, I was informed it had been destroyed; so I was unable to comply with the request. I shall be very pleased to request the Bureau to supply to this House the information asked for.

Question put and passed.

MARRIED WOMEN'S PROPERTY ACT AMENDMENT BILL.

THIRD READING.

Bill read a third time, and *passed*.

CONSTITUTION ACT AMENDMENT BILL.

DISCUSSION ON REPORT.

The amendments made in committee having been reported,

THE PREMIER (Hon. Sir J. Forrest) moved that the report be adopted.

MR. SIMPSON: I would like to inquire from the Premier or the Attorney General whether the Government purpose taking any steps for securing earlier information about the election returns. During the last month or two, the country has been waiting for weeks to learn the result of some of the elections. We have an antediluvian system which is very tiresome, and I think we should have some means of providing earlier information.

THE ATTORNEY GENERAL (Hon. S. Burt): I sympathise with the hon. member in the difficulty to which he alludes; but one reason of the delay is that we have to go so far afield for the results. The completion of the election returns has been delayed owing to the non-arrival of the returns from Carnarvon. It has been suggested the votes should be counted in the district, but

there are difficulties in the way of that, as I have before explained to hon. members. In that district, for instance, you get very few votes—not because there are only a few voters there, as there are a number on the roll, but they do not come in to vote; consequently if, say in the district represented by the hon. the Premier, at one polling place there was only one vote recorded, as happened in one case, and the returning officer opened the box and telegraphed that there was one vote for Brown, the whole district would know who voted for Brown, and the secrecy of the ballot would be gone. I think in future the Government will take special steps, regardless of expense, to get these boxes delivered to the returning officer earlier than has been the case.

Report adopted.

STATUTORY DECLARATIONS BILL.

The House went into committee to consider the Bill.

IN COMMITTEE.

Clauses 1 to 5—agreed to.

New Clause:

MR. MOSS drew the attention of the Attorney General to the fact that there was no short title to the Bill. He moved that the following new clause be added to the Bill:—"6. Where a clerk of petty sessions or a clerk of a local court administers an oath, or takes an affirmation in lieu of an oath, or takes a declaration in pursuance of the provisions of Sections 2 and 5 of this Act, he shall state in the jurat, after the name of the place where the affidavit, affirmation, or declaration is sworn or made, the words 'there being no justice of the peace resident within three miles,' and such statement shall be taken as conclusive proof thereof." He said such a clause would prevent any contention arising afterwards as to whether or not a justice of the peace had been resident within three miles of the place where the declaration was made.

THE ATTORNEY GENERAL (Hon. S. Burt) said the new clause would improve the Bill, and supply an omission. Question put and passed.

Preamble and title—agreed to.

Bill reported, with an amendment.

POST OFFICE SAVINGS BANK BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest) in moving the second reading, said: This is a very small Bill, for which there are two grounds. First, under the present law £3,000 is the maximum amount that can be lent by the Post Office Savings Bank on any property. There are many good properties now in Perth and other towns that would be excellent security for the funds of the Post Office Savings Bank, but we cannot avail ourselves of these securities owing to the smallness of the amount in each case. It is better to get good security, in a fairly large amount, than to have to take a number of small securities, which cause a lot of trouble for insurance, legal procedure, and other things; and the time has arrived when we may, with safety and advantage, increase the maximum amount of investment from £3,000 to £5,000. [MR. LORON: Why not make it £10,000?] I do not know whether it would be wise to make it so large; but we think £5,000 is a reasonable amount. There is a difficulty in lending the money of the Post Office Savings Bank satisfactorily, and there is between £200,000 and £300,000 awaiting investment now. Of that amount, £220,000 will go for the Perth water works, and then a considerable amount will be left. The alteration of the law will lead to a larger amount being deposited, and it is a fact that people put their money into a bank where they know it is perfectly secure. The second object of this Bill is to allow the Post Office Savings Bank funds to be invested in the purchase of debentures issued by municipalities in accordance with the Municipal Institutions Act. Hon. members will remember that some time ago, before we amended and consolidated that Act, there was power given to the Bank to lend money to municipalities; but when the Act was consolidated, that power was withdrawn. On further consideration, however, we think that in the way we propose to authorise the lending of money to municipal institutions, the power to do so will not only be of benefit to them, but also to the Savings Bank as well. Hon. members will notice that we propose to lend Savings Bank

funds to municipal councils, in accordance with the provisions of the Municipal Institutions Act; that is to say, municipalities having the power, under that Act, to borrow a certain sum of money will call for tenders in the ordinary way, and it will be competent for the Savings Bank to take up the loan, or a portion of it, if the managers of the Bank so desire, by purchasing the debentures of the municipality in question. As these debentures will be negotiable, the purchase of the debentures will not be like lending the money to the councils in the ordinary way, which might be open to the argument that the municipal bodies might not pay their interest because it was owing to a Government Savings Bank; for the councils will not know, in fact, who the holders of these negotiable debentures may be. Therefore, you may be quite certain the municipalities would pay their interest, because they would not know to whom they were paying it—whether it was to the Government or anyone else. A short time ago there was a difficulty in getting many people to invest their money in the municipal debentures of Perth and some other towns of the colony, although those debentures were a good and safe investment. [MR. ILLINGWORTH: That is not the case now.] It has been the case, and no doubt it would be the case in many of the towns of the colony. I remember that the Government, on one occasion, were asked by the hon. member for West Kimberley, who was then Mayor of Perth, whether the Savings Bank would take up the unsubscribed balance of a loan for the city of Perth; and, when we consented to do so, nearly the whole of that loan had to be advanced by the Savings Bank. I may say we still hold the bonds for that loan, which was at five per cent. interest, for we thought the interest so good, and the security so good, that we have not disposed of them. But there are other towns in the colony that are entitled to raise money under the Municipal Institutions Act; and, not being so well known, nor so prominent as the metropolis or as Fremantle, they might find some difficulty in negotiating their bonds. Therefore, under this Bill it will always be open to the Savings Bank to go to the rescue in cases in which the security is so good; and in that way the bank may be doing

good not only to itself, but also to the towns and municipalities of the colony. The Government are of opinion that it will be perfectly safe to invest Savings Bank funds in the purchase of debentures issued by municipalities, in accordance with the Municipal Institutions Act; and that it will be to the advantage both of the municipal bodies and of the Bank to do so. I have much pleasure in moving the second reading of the Bill.

MR. SOLOMON: I am glad to see the Government moving in this direction, and I think many of the municipalities will take advantage of the measure, to borrow funds from the Savings Bank. There is no danger whatever in regard to the councils not paying their interest, because the coupons will be presented in the ordinary way. I do not think it is necessary to say more about this matter, because I feel sure that every municipality throughout the colony will approve of the measure.

MR. A. FORREST: The Government are to be congratulated for bringing in this simple amendment of the Savings Bank Act, to increase the amount which the Bank may lend upon any one property from £3,000 to £5,000, and also for the purchase of debentures of municipal bodies. I recollect that, while I was Mayor of Perth, I asked the Colonial Treasurer to guarantee a City Council loan for £15,000—other tenders came in for about £4,000, and the remainder of those debentures were purchased at par by the Savings Bank; and the Bank could now make a large profit out of them, if desired. Of course there are people who say that municipalities could refuse to pay the interest on their loans; but if any council did refuse, we should know what to do with it. There is a law making people who borrow money meet their obligations, and it would be put into force if any council should fail to do so. But there is no fear of a municipal loan: it is just as safe as any other, if not more safe, because the council has only to tax the people in order to enable them to pay it. While everyone will be glad to hear that the Government desire to increase the amount which the Savings Bank may lend on any one property from £3,000 to £5,000, I am sure it would be far better, as the hon. member for the Swan has suggested, to make the maxi-

imum £5,000, for large blocks offer better security than smaller ones. In committee, perhaps the Government may see their way to increasing the maximum to £10,000, as it is no use having this Bill altered every year. I am glad to be informed that the Government are in a position to take up any loan that is offered by any municipality which is in a good position to pay the interest, because the Perth Council will be floating a loan in a few days on most favourable terms for investors. I hope the Bill will pass.

Question put and passed.

Bill read a second time.

The House resolved itself into committee on the Bill.

IN COMMITTEE.

Clause—1 agreed to.

Clause 2—Amendment of 57 Vic., No. 3, s. 20:

MR. A. FORREST moved that the word "three," in the fourth line, be struck out with a view to the insertion of the word "seven," the effect of the amendment being to raise the amount which the Savings Bank might lend on any one property from £5,000 to £7,000.

MR. ILLINGWORTH asked the hon. member to make his amendment for £10,000.

THE PREMIER (Hon. Sir J. Forrest) said £7,000 would be all right.

MR. VENN was of opinion that the best securities were the larger ones, the owners of which would be entitled to ask for a loan of £10,000. It was no use making two bites at a cherry, and it would be far better to raise the maximum to £10,000.

MR. ILLINGWORTH pressed the Government to accept a maximum of £10,000. A lower limit would exclude many first-class securities altogether, because the owners of them, not being satisfied to accept less accommodation than that sum, would go elsewhere than to the Savings Bank for what they wanted. Now that the Savings Bank was making a charge upon the general revenue in order to pay interest to depositors, it was very desirable the Savings Bank should be permitted to invest its funds in tolerably large amounts.

THE PREMIER (Hon. Sir J. Forrest) said he regarded £7,000 as a good limit. The maximum of the Savings Bank had, at one time, been £1,000; then it was

made £3,000; and now, if it were raised to £7,000, he thought hon. members would do very well. The House need not go too fast. He should advise the committee to leave the amendment as it stood.

MR. RANDELL pointed out that, as the Savings Bank was a Government institution, it was desirable to increase the number of persons who did business with it, instead of lending £10,000 to single borrowers. If a man were in a position to borrow £10,000 he would be able to get the money anywhere he chose.

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

Preamble and title—agreed to.

Bill reported, with an amendment.

PUBLIC WORKS BILL.

SECOND READING MOVED.

THE ATTORNEY-GENERAL (Hon. S. Burt), in moving the second reading, said: This Bill is designed, in the first place, to consolidate the law at present on the statute book in relation to public works; and, secondly, it provides for all matters relating to the taking of lands from private owners for public purposes, and the payment of compensation for the same. When we first started making railways in this colony, somewhere about 1870, a practice began, which has since been followed, of inserting in Railway Bills power to take land for railway purposes. This power should properly belong to a distinct measure, providing for the taking of land for any public purpose; but all that was done was to insert what are called "land clauses" in each of the eight Railway Bills. When this was done, it was not contemplated to take land for any other public purpose than the making of railways; and therefore it comes to pass that our law for the compulsory acquisition of land for public purposes is to be found only in the Railway Act and the amending Acts. We propose, in this Bill, to repeal those portions of the Railway Acts, and to place them in this Bill, which give the Government, and also what is called the local authority, power to take land for any public purpose. At present a municipal body cannot obtain a piece of land for any public purpose, except by purchasing under a private agreement; but, in introducing this measure, we propose to give not only to the Director of Public

Works, but also to the local authority, a procedure for acquiring land for public purposes that will be of much value to the municipal bodies throughout the colony. The local authority, within the meaning of the Bill, means not only the municipal council or roads board, but also any other body undertaking the construction or supervision of any public work; including, for instance, the board of management of water works, if they should need another site for a new reservoir. The second part of the Bill, commencing at clause 19, sets out the procedure that is to be observed in the taking of private lands for public purposes other than (in the words of Clause 12) lands taken "for railway or defence purposes, or for roads made to lead to a railway station." In Part III. there is a supplementary and further provision for the taking of land for the purposes referred to in section 12, and which are, therefore, exempted from the operation of Clauses 19 and 20. Before the local body or the Director of Public Works can take land under the procedure of the Bill, a number of safeguards are provided in the subsections of Clause 19, against the frivolous or ill-advised taking of land. The owner of the land has to be notified that it is desired to take the land, which has to be described; and objections are to be heard against the taking of the land. Moreover, compensation has to be paid for the taking of the land. In the case of Government works other than those required for railway or defence purposes, the Minister, after time has been given for the lodging and hearing of objections, recommends the Governor to issue a proclamation, and takes the land at once. But, in the case of the local authority, the chairman, mayor, or other executive officer has to make a statutory declaration, stating the purposes for which the land is required, and showing that no private injury will be done for which due compensation is not provided by this Bill. If it should be made clear to the Governor that the case is one in which due compensation can be made, and he has been satisfied that all the provisions of the Act have been complied with, a proclamation can be issued to take the land. So far, the local authority has never wanted this power to take land, because a practice has grown up among

such bodies of applying to the Government to give them a piece of land whenever they have found the need of one; but that kind of thing cannot go on for ever. What this country must learn is that the Government cannot always be applied to by a deputation to the Premier, asking that a grant of land shall be made, or a sum placed on the Estimates, for every local want. We say, in this Bill, that if municipal bodies want land for the benefit of their districts they must pay for it, and if they have not enough revenue to do so they must get some more; but it is the wrong way to go to work for the local authorities to be going to the Treasurer to get something out of the public chest. I say that practice cannot last, for the time will come, and I hope it may be shortly, when the Government will not be able to give away land, because it will have no more to give; and consequently, if municipalities want land, they will have to utilise the powers named in this Bill, and pay compensation for the taking of the land, or to purchase it by private agreement, for which power is given to them and to the Minister in Part III. In connection with the adjustment of claims for compensation, we ask the House to adopt an important new procedure, instead of adhering to the plan hitherto adopted of going to arbitration with an assessor appointed by either side and an umpire. Under this Bill, when a claim is made for more than £100, it will be heard by a Judge of the Supreme Court and two assessors. If a claim is for not more than £100, the nearest Resident Magistrate is to preside; and, by consent of the parties, the magistrate may in such cases sit alone. When the claim exceeds £100, a barrister or Resident Magistrate may, by consent of the parties, be appointed to preside in lieu of one of the Judges; but if the parties will not consent, and the claim is more than £100, either party has the right to demand that a Judge shall be a member of the Court. I think this procedure will be an improvement upon the present system of having two arbitrators and an umpire, without any Judge to sit with them. I may say this Bill has been taken largely from the New Zealand system, because it happens that the chief officers in our Railway and Public Works Departments have had really good experience

in New Zealand, and have this Act at their fingers' ends; therefore, when we were adopting a new system, we naturally fell back on the Public Works Act of New Zealand. Clause 69 deals with the award of compensation. It provides that the Court shall take into account the value of the land or interests in the land, including riparian rights, and the extent to which any remaining lands of the claimant are likely to be affected by the works in question, or whether, as in the case of the making of a railway, the other portion of his land of which he is not deprived will be improved in value by the execution of those works. [MR. ILLINGWORTH: The betterment principle.] That principle, to a certain extent, but not so fully as it is carried out in other places. I think there is a great deal of justice in that principle. A man often protests that it will be ruin to him to take a portion of his land for a railway, whereas we know his property will be improved by making the railway; and in such a case it would be wrong for him to get a large compensation; therefore, the Court is authorised to take these things into account. In Clause 85 there is a provision that commonly appears in Bills of this sort, namely, that the Minister may agree to grant easements in lieu of compensation to persons (for example) whose land is taken for railway purposes. I have not deemed it necessary to go into all the clauses of the Bill in detail, on a motion to read it a second time, but have confined myself to describing its main principles. As I have said, the Bill repeals the existing law relating to the taking of land for public purposes, and consolidates that law. It also provides for the taking of land both by the Government and by public bodies, for public works as well as for railway purposes. I beg to move that the Bill be now read a second time.

MR. ILLINGWORTH: I move the adjournment of the debate until Tuesday next.

Motion for adjournment of the debate put and passed.

ADJOURNMENT.

The House adjourned at 6-35 o'clock, p.m., until next day.

Legislative Council,

Thursday, 20th August, 1896.

New member—Railway construction up Helena River—Coolgardie Water Supply Scheme: particulars of—Perth-Fremantle Road: cost of repairs to—Perth Park Fencing: cost of—Municipal Institutions Act Amendment Bill: third reading—Western Australian Turf Club Act Repeal Bill: third reading—Agricultural Lands Purchase Bill: committee—Powers of Attorney Bill: committee—Federal Council Reference Bill: second reading; adjourned debate—Coolgardie Goldfields Water Supply Loan Bill: second reading; adjourned debate—Constitution Act Amendment Bill: first reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4-30 o'clock, p.m.

NEW MEMBER.

THE PRESIDENT (Hon. Sir G. Shenton) reported that he had received a telegraphic return to the writ issued by His Excellency the Governor for the election of a member to serve in the Council for the Central Province, and that, from the return endorsed upon such writ, it appeared that Mr. Richard Septimus Haynes had been duly elected for the said province.

The Hon. Richard Septimus Haynes, having subscribed the oath required by law, took his seat.

RAILWAY CONSTRUCTION UP HELENA RIVER.

THE HON. R. G. BURGESS asked the Minister for Mines,—

1. If the Government had on record any plan of a survey for a railway line from Guildford up the Helena River and on Eastward?

2. If so, could the said plan be laid on the table of this House?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied, as follows:—A copy of reports on the Helena Valley route from Guildford to York was laid on the table of the Legislative Assembly on the 12th January, 1893, and I will now lay a copy on the table of this House, for the information of the hon. member.

COOLGARDIE WATER SUPPLY SCHEME —PARTICULARS OF.

THE HON. R. G. BURGESS asked the Minister for Mines the following questions