

year. I think those figures show that the port has justified itself and that the improvements effected there have been for the public benefit. I honestly and sincerely believe that if this work is constructed it will lead, perhaps not to a direct profit on the work itself, but that by reason of the increased facilities provided at Fremantle, the value of the port will be so appreciated by shippers that the indirect gain through lower freights will, we have every reason to expect, be a considerable asset to the State. I hope this Bill will pass the second reading and I am sure that the more hon. members look into the question the more they will agree that it is a reasonable proposal.

On motion by *Mr. J. P. McLarty*, debate adjourned.

ADJOURNMENT.

The House adjourned at 8.26 o'clock [members' excursion to the opening of a railway]. until the next Tuesday.

Legislative Council,

Tuesday, 22nd October, 1907.

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

ADDRESS-IN-REPLY, PRESENTATION.

The PRESIDENT reported that he had presented the Address-in-Reply to

His Excellency the Governor, and had received the following response:—

"I thank you for your Address in Reply to the Speech with which I opened Parliament, and for your expression of loyalty to His Most Gracious Majesty the King."

PAPERS PRESENTED.

By the Colonial Secretary: 1, Supplement to the Western Australian Timber Tests. 2, Report in accordance with Clauses 54 and 83 of the Government Railways Act for the quarter ending 30th September, 1907. 3, Annual Report of Government Railways and the Roebourne-Cossack Tramway for the year ending June, 1907. 4, Second Annual Report of the Public Service Commissioner for the year ending June, 1907.

RETURN—SAVINGS BANK DEPOSITS.

Hon. W. T. LOTON (East) moved—

That a Report be laid on the table showing as at this date the number of accounts open at the Government Savings Bank in which the deposits standing to the credit of the depositor are under £100; and like Returns—(1) Where the deposits exceed £100 and do not exceed £200, (2) Where the deposits exceed £200 and do not exceed £300, (3) Where the deposits exceed £300 and do not exceed £400, (4) Where the deposits exceed £400 and do not exceed £500, (5) Where the deposits exceed £500.

From the report of the Savings Bank, it would be noticed that the deposits during last year had increased by some £400,000; and as we heard a lot about the dull times, he was anxious to know whether the increase of deposits was due to the small savings of the masses of the people, or whether it emanated from deposits by wealthier classes in larger sums.

The COLONIAL SECRETARY: There was no objection to the motion. The return would be ready in a day or two.

Question passed.

MOTION—BROOME WATER
SUPPLY.

Hon. R. W. PENNEFATHER (North)
moved—

That the papers in connection with the Broome Water Supply be laid on the table of the House.

The object he had in view was to lay before the House some facts that would not only justify the motion, but obtain an expression of opinion from the Colonial Secretary as to the probable intention of the Government in the matter. For a considerable time there had been correspondence between the Broome municipality and the Public Works Department. Under the Act passed in 1904, designated the Water Boards Act, power was given to the Government from time to time, to vest in municipalities the administration of the department of water supply so far as it applied to local bodies. One could quite understand that the application of that Act entirely depended on the conditions surrounding it and the particular facts of the case. The municipality of Broome had been in existence for a good number of years, and during that time it enjoyed a very excellent reputation for administration. It had been able, upon comparatively speaking a low ratal value, to successfully administer the local affairs of that town, to pay its way and keep out of debt. The object of the Water Boards Act of 1904 was to throw the administration as far as possible on to the local bodies in connection with these public services. The municipality had approached the Minister for Works on several occasions to endeavour to get authority from the Government by which the administration of the local water supply of the town might be vested in the municipality. For a considerable time the water supply of Broome had been administered by the Public Works department. If there was an instance where the successful administration of the Act might be carried on by the local body, it was in this case, for Broome was some eight to ten days' sail from Perth. It was the most important town on the North-West coast of the State. Its fixed

population was about 3,000, and its floating population about 1,500, including luggers. The people there had been supplied with water which the Government was instrumental in securing for them, by an excellent method, and at comparatively cheaper cost to the State, from a bore which gave a very large supply of water indeed, more than ample to supply the local wants and the shipping that came from time to time to the port of Broome. The department was faced with a considerable handicap, as it had to have officers stationed at Broome paid directly by the Government, and the work was not at all commensurate with the remuneration that had to be paid. That was one of the many reasons why the Act was framed, to cut down the cost of administration in these outlying parts. So far from the municipality of Broome being disinclined to administer the Act, it had exercised the liveliest sense of its responsibility and wished to administer the Act, and had several times approached the Works Department to have an order in Council passed, throwing on the local body the administration of that department. He (Mr. Pennefather) had received several communications from the municipality of Broome in reference to this matter, and the last which was on the 28th of last month urged him to bring before the House the prayer of their petition. It was not a petition exactly and he would not present it as such. The object in moving the motion was to have the papers laid on the table and to explain to the House, and through the House to the Minister for Works, the facts in connection with this case. On the 28th September last the mayor of Broome had written as follows:—

"I enclose copy of accounts submitted last year to ratepayers. This year will show even better, for the health board has now £300 to credit, including the £100 which the Colonial Treasurer promised but did not pay at New Year, which the Premier and Acting Treasurer promised but did not pay on 1st July, and which was finally paid last month when the health board had struggled out of its difficulty without any assistance from council funds

or Government. In the matter of rate collection you will notice only £10 uncollected in two years.

That certainly was an indication that the council were keenly alive to their duty:—

This year with more than a month still to run, only £20 is still outstanding. This is most creditable. Even on the sanitary charges only about £6 is outstanding. The water supply on the contrary is thousands of pounds in arrear of what it ought to have collected at Broome in years past, and now these arrears are piled on to capital.

Eventually when this work would be sought to be transferred to the municipality, as it undoubtedly would, these arrears which would keep on increasing and this extensive cost of administration would burden the project so much that after a while the municipal ardour would cool off, and the council would not care to take on the work. The letter proceeded:—

This year of course, having sown its wild oats, it will amend its ways and wipe the slate clean by the simple expedient of adding the arrears on to capital. Even now, when there is an unusual amount of attention paid to it, its rate book is really inaccurate inasmuch as the rateable values lowered on appeal have not been amended. When there is possibly a choice of having the water supply administered by the council with its eminently successful record, instead of by the Water Department, it will not be surprising if we feel strongly. The operations of the department in water management cannot well be successfully controlled from Perth any more than our municipal matters could be, and the Water Boards Act 1904 recognises that over and over again. Section 6 says "for every water area there shall be a water board."

Hon. M. L. Moss: The Act had never been brought into operation.

Hon. R. W. PENNEFATHER: It had in one sense he believed. The letter proceeded:—

Section 7 says 'The local authority of a water area district may be the Water Board.' Section 13 says 'With

respect to local authorities constituted Water Boards under this Act, the provisions of the Acts under which they are respectively constituted shall be applicable to them and their servants with respect to all things done and proceedings had under this Act.' Section 14 says 'With respect to Water Boards not being local authorities the provisions of Sections 15 to 29 inclusive shall have effect.' If the Council had the water control it could pay to the credit of water the £52 a year it pays to the institute for rent of the premises in which the operations are now carried on.

That was a saving of £52 on the one item.

The department's amended estimate of £150 for salaries would be wholly saved.

At present the administration cost £150 a year in salaries; this would be saved, because the work would be carried on by the municipal officers.

This year the council could have paid £700 interest, etc., and all other expenditure and had a surplus on a rate of 7d. in the pound. Rate at 7d. in the pound, £315; water to pearlers, £310; water to shipping, £180; excess water, £250; rent from council for use of water offices, £52; total, £1,107. Expenditure:—Interest and sinking fund, £700; expenses, £350; total, £1,050. Balance—surplus £57. The working of the bore supply is simplicity itself. To administer the Act no better school in which to qualify can exist than a properly managed council, the two Acts being so alike in their machinery."

This was sufficient to show there was every justification for the demand of the municipality that it should be endowed with the power to manage its water supply. Evidently the reason for the delay in handing over the control of the work was that it brought in £50 a year over and above the expenses of the Public Works Department and the Government evidently sought to retain the profit, probably for the purpose of the consolidated revenue: but in these water supplies all the Government should properly look forward to was to make them self-supporting and to see that

they paid sufficient to meet interest and sinking fund charges. If a community did that, it was all that should be expected of it. One would be glad if the Colonial Secretary would take up this matter in a sympathetic manner, because it was a question that had created a lot of heart-burning in the district, according to letters received from the mayor and councillors, and according to conversations he (Hon. R. W. Pennefather) had had with several gentlemen from Broome. The Broome Council had at heart the making of their corporation a model municipality, not only in the matter of the ordinary rates, but also of the water rates; so that he trusted this matter would be favourably considered by the Government, and that the Colonial Secretary would do his best in advising his colleagues to repose in the people of Broome that degree of confidence which an Act of Parliament gave the Government power to confer on a municipality that had for long successfully carried out local government.

Hon. W. KINGSMILL seconded the motion.

The COLONIAL SECRETARY (Hon. J. D. Connolly) : There was no objection to laying the papers on the table; but there were one or two matters Mr. Pennefather had touched on that needed explanation. The hon. gentleman was scarcely correct in saying that for several years past there was a water supply at Broome that had been somewhat mismanaged by the Works Department.

Hon. R. W. Pennefather : Not mismanaged; the mayor said that it could be more economically managed.

The COLONIAL SECRETARY : It was not until this year when the bore was put down that Broome had gained an efficient water supply. No doubt the mayor of Broome was anxious that the council should take over the control of the water supply, but it was wrong to say that money that was spent lavishly in years past was to be added to the capital cost of the present water scheme to which it would not be of great value ;

and that therefore the citizens would be asked to pay working costs on the increased capital. As a matter of fact, the people of Broome would be asked to provide merely interest and sinking fund and working expenses on the actual cost of the present supply, namely, the bore. It was not intended that the Public Works Department should continue to control this water supply for many good reasons, among them being the reason advanced by the hon. member himself, namely, that Broome was so far removed from the seat of Government that it was not considered businesslike to control the water supply from Perth; and the mayor and councillors had been informed that after the Government had controlled the work for a year or so and had demonstrated what it could pay, namely working expenses and interest, then if the council would make a request the request would be considered, and probably the work would be handed over for their control. In fact, one could say it would be handed over at the end of twelve months. The Public Works Department would then be in a position to see what the scheme could pay, and would know on what basis to hand the work over, and what the council should be asked to pay. The papers would be laid on the table, and the request of the council would be favourably considered when these things had been demonstrated. In regard to the cost of management, the hon. member said that it was so much greater than it would be if controlled by the council. That was so for the reason just mentioned, but the whole cost of management was not debited to the working cost of the scheme. No more was debited than it would cost the council to carry on; it was not likely that the council would work the scheme any cheaper than the Government did, or that the water would be supplied at a cheaper rate than at present. In fact the mayor of Broome was under a misapprehension in saying that the total cost would be charged up to the council, and that they would be saddled with unnecessary costs.

Hon. M. L. MOSS (West) : The Water Boards Act of 1904 was passed to

enable local authorities to control works of this kind, and particularly in a case like Broome, to prevent as far as possible the centralising policy. No doubt the Broome council had proved itself a body well able to manage its own local affairs. In Part S of the Water Boards Act of 1904, there were certain sections under which the Government would not run the slightest risk in placing this work under the care of the council. Under Section 110 the Governor had to determine the amount expended on the work to be charged against the Water Board. So the Colonial Secretary was right in saying that there would be no charge against the Broome council for arrears. The sections following Section 110 cast upon the local bodies the responsibility of finding interest and sinking fund to pay for those works, and if the water boards made default there was provision under Section 126 by which the Government could withhold the subsidy on rates, while by Section 127 the Treasurer could step in at any time and levy and collect a water rate himself; so that the Government had absolutely nothing to lose if they took advantage of the Act, because the responsibility was cast on the local body to find interest and sinking fund. All the Government had to do was to see that sufficient rates were raised to pay interest and sinking fund on the moneys expended. One would have thought the Government would have tried to rid themselves of the responsibility of running a work like this mentioned, at the earliest favourable opportunity. They should not be desirous of keeping it for one year, particularly when they were dealing with a locality so far removed from the scene of government as Broome. The Hon. Mr. Pennefather had drawn attention to the difficulties of controlling work like that properly and adequately from such a distance. It was a pity the member had not gone farther and asked an expression of opinion as to the expediency or good policy of the Government in retaining possession of a work like this. The Government should seize the opportunity of giving over the control of the work. He hoped the Colonial Secretary would see that the Government

gave the work over to the local authority promptly. At present the control must be a source of annoyance to the department and must multiply the work in Perth considerably, while in addition a good deal of harm must be done and many grievances arise. He supported the motion and hoped that after the hon. member saw the papers he would move that a water board be created at Broome and the work be placed under their control.

Hon. R. W. PENNEFATHER (in reply as mover): There was one point to which he would refer in reply. He had kept it in the background as he did not wish to use it as a weapon to farther the motion; but, as the Hon. Mr. Moss had referred to it, it was right that members should know there was a great feeling of soreness in the North-West at the apparent apathy with which the people there were treated. The present case was the kind of thing that lent colour to that feeling. The Minister would do good service to the Government if he expressed an opinion that the request should be granted forthwith. It would allay a lot of soreness and establish good feeling between the people of the outlying parts and the Government in Perth.

Question put and passed.

BILLS (2)—FIRST READING.

1, State Children; 2, Workers' Compensation Amendment; introduced by the Colonial Secretary.

BILL—MARINE INSURANCE.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I do not think it is necessary, in moving the second reading of this Bill, to say much on the question. The Bill before the House is an exact copy of the one passed previously without amendment in this House, but which did not go through another place before Parliament prorogued. There is one slight amendment proposed to this measure, and that is to strike out the form of Lloyd's policy set out in the

first schedule. It has been thought that this form of policy would not be suitable for this country. A similar course to the one I am now suggesting has been adopted in New Zealand, for they also have struck out the form of policy and leave it open, as is proposed here. There is nothing farther I can say, as I fully explained the provisions of the Bill when introducing it last session.

Question passed.

Bill read a second time.

In Committee.

Clauses 1 to 30—agreed to.

Clause 31—Construction of terms in policy:

The COLONIAL SECRETARY moved an amendment—

That the words "the policy may be in the form in the first schedule to this Act" be struck out."

This was necessary owing to the proposed alteration of the schedule.

Amendment passed; the clause as amended agreed to.

Clauses 32 to 66—agreed to.

Clause 67—General average loss:

Hon. J. A. THOMSON: There was a very unfair system in the mercantile community or in the insurance world with regard to this general average, and he would give an illustration in point. Several months ago a man imported £200 worth of horses from Sydney on which he had paid the freight and all other charges before embarking them. There happened to be a small fire on the steamer in which they were being brought to Western Australia when the vessel was at Melbourne. No loss was occasioned to his horses, as he took them off the vessel for his own safety and put them aboard again when the fire was extinguished. On arrival at Fremantle, although he had paid the freight and other charges, the sum of £40 was demanded from him as general average, and he was informed that unless this sum was paid the animals could not be landed. He only had £2 in the world, and he would have been unable to obtain the £40 without either selling or pledging the horses unless a friend had advanced

him the sum. He never recovered a penny of the £40. It was said he ought to have insured, and he would then have got his money back. The shipping company compelled him to pay the £40, so that when he again brought over horses he would insure them. This general-average custom or usage was pure black-mailing, and ought to be abolished.

Hon. M. L. MOSS: The last speaker would recognise that every general-shipment of cargo was a joint adventure. For the safety of the whole cargo it sometimes became necessary to jettison a portion. Had it been necessary to jettison half the horses mentioned, the owner would have been paid for them by contributions from the owners of the rest of the cargo. A man who shipped goods ought to insure them, and any charge imposed on him by way of general average would then be paid by his underwriter. Blackmail was a most improper term to apply to general average.

Hon. J. A. THOMSON: The general-average contribution was well enough for those who insured; but none could convince him that it was not unfair to compel a man to insure by threatening that he would have to contribute to the general average if an average were struck. If all this man's horses had been lost, he would have had to bear the whole loss.

Hon. M. L. Moss: No.

Hon. J. A. THOMSON: Undoubtedly, if he were not insured.

Hon. M. L. Moss: True, if the whole cargo were lost; but not if he lost the horses and the rest of the cargo arrived safely.

Hon. J. A. THOMSON: If the horses had been burnt in the fire at Melbourne, would not the owner have borne the loss?

Hon. M. L. Moss: No. The other shippers would have had to pay in proportion. That was the meaning of "general average."

Hon. R. LAURIE: If the horses had been thrown over the side to get at the fire, the owner, though he had not insured them, would have recovered the value of the horses less the amount of the general average on the whole cargo.

Hon. J. A. Thomson: This man took his own horses off the ship.

Hon. R. LAURIE: True, he had to pay his share of the amount computed to be the general average. Such an average might take twelve months to adjust. If the man applied in the proper quarter, he would have a portion of the £40 returned to him. "General average" was one of the fairest means of settling the difficulty when one man's goods were destroyed to save another man's.

Clause put and passed.

Clauses 68 to end—agreed to.

Schedule 1—Form of policy:

The COLONIAL SECRETARY moved an amendment—

That all the words from "Be it known," on page 26 of the Bill, to "stranded," on page 27, be struck out.

Lloyd's policy had been found unsuitable in New Zealand, and might not be altogether suitable to Australia.

Hon. G. RANDALL: Was it intended to substitute another policy?

The COLONIAL SECRETARY: The parties could provide their own form.

Amendment passed; the schedule as amended agreed to.

Schedule 2—agreed to.

Bill reported with amendments.

BILL—POLICE FORCE (CONSOLIDATION).

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. CONNOLLY): In moving the second reading of this Bill, the same remarks apply as applied to the preceding measure. This Bill passed through the House last session, without amendment, in precisely the same form as that in which it now appears; but it did not pass the other Chamber. It is a re-enactment of Parts I. to V. of the Police Act 1892. That Act deals with the regulation of the police force and with police offences. It is now proposed to make two statutes containing these provisions; one with the provisions in this Bill for the regulation of the police force, and the other containing provisions dealing with police offences. The Bill now before the House is, with one or two exceptions, an exact copy of

the existing law regulating police offences. A new clause, No. 31, deals with inquiries into misconduct, so as to enable certain matters to be inquired into by the Commissioner of Police in a less formal way where the offences are of a comparatively trivial nature. The present section in the Act provides that when a constable or officer commits any offence, he is to be dealt with by a board. Sometimes the offence is very trivial; and the man may be suspended for a week or so. This clause provides that, by consent, such cases may be dealt with by the Commissioner without having to go through the formality of investigation by a board. Another new clause is No. 27, which was inserted in this House when dealing with the Bill in Committee during last session. It is a clause giving the Fremantle Harbour Trust Commissioners power to employ an officer who is to have all the powers and privileges of a police constable; this being found necessary for the better protection of the landing of goods and the detecting of pilfering of cargo. This provision is similar to one in the English Railways Act relating to railways owned by private companies. I move—

That the Bill be now read a second time.

Question passed.

Bill read a second time.

In Committee.

Clauses 1 to 57—agreed to without discussion.

Clause 58:

Hon. M. L. MOSS: This was the most appropriate clause enabling him to put a question as to whether it was the intention of the Government to reintroduce this session the Bill dealing with police offences, which was considered by this House in the last session.

The Colonial Secretary: Yes, if time will permit.

Hon. M. L. MOSS: If that Bill were not to be reintroduced this session, he would give notice of intention to introduce a short Bill for carrying into effect the principle which was affirmed when dealing with a similar measure last session, that in the case of any offence

punishable with three months' imprisonment or more, the person charged should have the right to go before a jury. This was a necessary amendment of the law which he desired to see enacted; but he would not press the matter now, after the Minister's promise that the Bill of last session would be reintroduced.

Clause put and passed.

Title—agreed to.

Bill reported without amendment; report adopted.

BILL—REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly): This is a short Bill making some necessary amendments in the Registration of Births, Deaths, and Marriages Act of 1894. The Bill provides, among other things, amendments in the existing law similar to those in existence elsewhere for enabling the appointment of a deputy registrar general, and giving power to appoint district registrars and deputies for taking over the work of the Registrar General or of district registrars whenever the necessity arises through death, illness, or unavoidable absence of the proper officer. Strange to say, no such provision has been made in the present Act. These amendments are provided in Clauses 3, 4, and 5. The Bill also provides for the form of certificate of death to be uniform with the system as provided in the Commonwealth Act. These provisions are made in Sections 6 to 13; and in addition the Bill makes it clear that the existing provisions also include fees under the Marriage Act as provided in Clause 7, which amends Section 19 of the principal Act, which is not clear at the present time. Clause 3 (paragraph b) and Clauses 8 and 10 provide a more simple means of removing when necessary any clergyman who has ceased to officiate in the capacity of minister of a denomination in respect of which he had been licensed to celebrate marriages; also enabling the Colonial Secretary to

suspend any minister against whom charges have been made, pending inquiry into such charges. The Bill gives necessary power to register deaths after the expiration of fourteen days and within twelve months after the death of any person in Western Australia. It also supplies a want in the principal Act in connection with registration for the protection of infant life, that is the registration of still-born births, which is in force in most European countries. Royal Commissions have dealt with this matter in England and in some of the States of Australia, and have recommended this amendment for the registration of still-born children, and that is why the amendment is provided in the Bill. These are briefly the amendments sought to be made by the measure before the House. I move—

That the Bill be now read a second time.

Hon. C. A. PIESSE (South-East): I interjected as to what provision the Government have made for the registration of deaths after twelve months, and my reason for doing this is that some three or four years ago a case came to my knowledge in connection with the death of a girl, 16 years of age. I was thoroughly conversant with the particulars of the death, and at the time it was considered that all necessary procedure had been carried out, that is all the forms in connection with the registration had been attended to, and I am in a position to state that the parent of the child had the documents handed to him with the remark, "These are all the papers in connection with the death of your child." Some three or four years later it was found necessary to take out letters of administration in connection with a small property the child had died possessed of. In taking out the letters of administration it was necessary that some documents should be forthcoming showing that the child had really died. The parent in looking through the documents found that there was no registration of the death, and in making inquiries it was found that through a mistake on the part of the district registrar, who

was a schoolmaster and a very busy man, no registration had been made, and there was no document showing that the child had died. The parent offered to pay a fine of even £10 to have the death registered, but the Registrar General replied, "You are completely out of court as if the child had not been born." There was nothing in the Act which enabled the parent to register the child's death. To show members that I know the position exactly in connection with this case, I happened to be the parent of that child. The Act should be amended so that a record should be kept of the death of persons who die intestate. The position stands thus to-day, that there is the eldest child of a large family whose name in the course of events must always be mentioned in connection with that family; the child's birth is registered, but the child's death is not registered. Even the offer on my part to pay a fine of £10 would not bring about the registration. The Registrar General expressed regret at the time, and said that if an amendment of the Act was about to be made he would remember this case, but he has not kept the matter in his memory. In connection with wills and estates generally it is absolutely necessary that we should have some record of the death of people for the benefit of those interested, and I hope some provision will be made so that the registration of deaths may take place even five years, ten years, or up to twenty years afterwards provided the proper documentary proof is forthcoming. This matter applies with the same force to the registration of births. There are many reasons why births which take place in this country are not registered, and there is also the registration of marriages. The registration of a marriage cannot take place after twelve months has elapsed. I think I have said sufficient to show that some provision should be made by which the registration of deaths should take place after twelve months, or even after twelve years, if circumstances are brought forward to show there has been an oversight. In this case it was the district registrar who was at fault, and I remember perfectly well the circumstances. It

was overlooked by the officer who was a busy man, and so far as the law is concerned that child lives to-day. It is time that an end was put to such a ridiculous state of affairs. I welcome this Bill. Once or twice I have thought of bringing forward an amendment of the Act myself; but I am not particularly happy in this class of work, and I have mentioned the matter to one or two of my friends. I hope the legal gentlemen will be able to suggest a manner of inserting a clause amending the Act by which the difficulty can be overcome.

Hon. M. L. MOSS (West): The hon. member has raised an exceedingly important question, and one which has already been dealt with in a patchwork way. I rise to point out to the Colonial Secretary what is necessary to be done in order to remedy the grievance which the hon. member refers to. In the original Act—that is the Act passed in 1894—there was Part IV., which dealt with the registration of births, and Part V., which dealt with the registration of deaths. The same provision which alluded to the impossibility of the registration of deaths after twelve months applied to the registration of births, because Section 20 provided that it was not lawful to register a birth after twelve months. But that has been rectified, for in 1900 Parliament rectified it in a very simple manner, providing that after the expiration of twelve months following the birth of a child or following the arrival of a child born at sea it should not be lawful for the district registrar to register a birth unless with the written authority of the Registrar General, and upon payment of the prescribed fee. It is strange that when Parliament dealt with and remedied the grievance as to a birth after twelve months it did not go farther and deal with Part V. in reference to the registration of deaths. My references are made with the object of putting the Colonial Secretary in possession of sufficient facts that he can go to the Parliamentary Draftsman and get a clause drafted to remedy what the hon. member requires. All that will have to be done is to repeal Section 36 of the

original Act of 1894, and to pass a small clause with reference to the registration of deaths after twelve months, as we find in Section 3 of the amending Act of 1900 with reference to births. The hon. member is quite correct, you cannot get letters of administration granted in the State unless you produce evidence of the death of a person and produce a certified copy of the registration of the death. In a country like Western Australia where persons die in the backblocks people may be landed in chaos. Although a person may have conclusive evidence of a death he may not be able to get letters of administration granted because he is not able to get a certificate of registration of the death within twelve months. The hon. member has done a signal service to the country by bringing this matter forward.

Hon. R. W. PENNEFATHER (North): I remember the occasion on which that amendment was made. I was Attorney General in the Ministry at the time, and a complaint was made in another place by a member of the gross injustice done by the non-registration of births after twelve months. A Bill was brought in hurriedly, as these Bills generally are, and passed through both Chambers. No reference was made at all to the subject brought forward by Mr. Piesse to-day. Had it been brought forward at the time it would have been just as easy to remedy the matter on that occasion. However, it is not too late now. It is satisfactory to know that the attention of the House has been directed to it. I suggest in the making of the amendment the clause which may form the subject of the amendment be made retrospective in effect. If this is done no injustice can result.

Hon. W. Patrick: What about marriages?

Hon. M. L. Moss: You cannot deal with the registration of marriages in that way.

Hon. W. PATRICK (Central): I am in sympathy with what has been said by Mr. Piesse and Mr. Moss. It seems to me so far as unregistered births are con-

cerned they are exactly in the same position as all people were before the passing of the original Registration Act in the old country. As that Act remedied the matter in reference to the whole population a clause such as that suggested by Mr. Moss ought to be passed to rectify the matter in regard to deaths not registered within twelve months. I think the Colonial Secretary might promise that such a clause will be introduced.

Hon. C. A. Piesse (in explanation): I regret that I used the argument in connection with the registration of births as I did in regard to the registration of deaths. I was not aware that an amending Act had been passed in regard to births. I am pleased to hear it is so.

The COLONIAL SECRETARY (in reply): I am pleased my attention has been drawn to this grave omission. It is rather surprising that the amendment was not made previously, but no doubt the explanation is as Mr. Pennefather says that when the amending Act was brought in it was rushed through. I shall fix the Committee stage a few days later and have an amendment drafted and placed on the Notice Paper in the meantime.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 6 o'clock, until the next day.