

## Legislative Council,

Thursday, 4th February, 1909.

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

### PAPER PRESENTED.

By the Colonial Secretary: Annual Report of the Governors of High School.

### STANDING ORDERS SUSPENSION.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

*That the Standing Orders relating to Public Bills, and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the Session, so far as is necessary to enable Bills to pass through all their stages in one sitting and Messages to be taken into immediate consideration.*

This was the usual motion that was moved a few days before the close of the session in order to allow Bills to pass through their necessary stages in one day.

Hon. J. W. Hackett: Will the hon. member say when it is probable the session will close.

The COLONIAL SECRETARY: It was likely to terminate to-morrow or Tuesday. Probably he would ask members to meet to-morrow when we should have the Appropriation Bill down. Members would then be able to deal with that Bill, and perhaps the prorogation might take place afterwards. Should the Estimates not be completed in the Assembly the House would have to adjourn until Tuesday.

Hon. J. W. Hackett: Was it proposed to meet on Saturday?

The COLONIAL SECRETARY: Very probably we would have to sit on Friday and Saturday if we were to prorogue this week.

Motion put and passed.

### BILLS (2)—THIRD READING.

Roads Closure, *passed*.

Fire Brigades' Act Amendment, *passed*.

### BILL—LOCAL COURT ACT AMENDMENT.

On motion by the Colonial Secretary, report of Committee adopted.

#### Third Reading.

Bill read a third time and returned to the Legislative Assembly with amendments.

### BILL—SUPPLY, £492,747.

#### Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is the usual Supply Bill to cover the necessary expenditure of the State, principally for salaries, until the Annual Estimates have been passed. We have rather an unusual case, as two Supply Bills have been passed this session before the Estimates have been finally dealt with. That has been brought about by the late meeting of Parliament and perhaps also because of the exceptionally long time another place has taken in dealing with the Estimates of Revenue and Expenditure.

Hon. G. Randell: I think we had three Supply Bills a little while ago.

The COLONIAL SECRETARY: It probably will not be many days—or perhaps even to-day—before we receive the Appropriation Bill and pass it. This Bill is necessary to cover the expenditure for the past month. It is also necessary to pass the Bill to comply with the Audit Act, as the money has been expended or we may have the Auditor General surcharging the Treasurer. I move—

*That the Bill be now read a second time.*

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time and passed.

#### BILL—HEALTH ACT AMENDMENT (No. 3).

##### *Reinstatement.*

The COLONIAL SECRETARY (Hon. J. D. Connolly): I beg to move without notice—

*That so much of Standing Order 121 as provides for seven days' notice being given for the rescision of any Order, resolution, or vote of the Council, be suspended with a view of rescinding the vote of the Council on the second reading of the Health Bill.*

I move this motion without notice, firstly, because it is within the closing days of the session, and therefore time would not permit of giving the necessary notice. The purpose of moving the motion hon. members will surmise. It will be remembered that the Health Bill was vetoed on the second reading last night. Not that I think members were against the Bill, but merely as a protest against the procedure adopted in another place. I myself, and other members who voted on the same side with me, did not think that a further protest was necessary for the reasons I then gave, namely, that on a previous sitting this House had rightly taken exception to not receiving an answer to the Message they sent to the Assembly in respect to that Bill. Later on, at yesterday's sitting, a Message was received from the Assembly in answer to Message No. 5 from this House. That Message did not cast any doubt at all on the President's ruling and the right to introduce that particular Bill in this House. That is the view I took of the question, and no doubt it was the view of members who voted with me. As I have already stated, I am as anxious as any member to preserve the privileges of this House, but I believe the privileges of the House were fully maintained by the receipt of that Message from the Legislative Assembly, and that no further pro-

test was necessary. However, the majority of members thought otherwise and considered that a further protest was necessary, and in the carrying out of that protest the second reading of this measure, which has had such a chequered career since its first introduction, was once more temporarily put aside. This particular Bill is very badly wanted, for the reasons that I have already explained. The most pressing one is, perhaps, that it is required to validate the rates which have been struck by certain local boards of health. If the Bill is not carried, many people will get out of paying their rates which they are morally bound to pay. The vote yesterday was only a protest against the treatment shown to this Chamber by the Legislative Assembly, and therefore, I presume, members will offer no objection now to the reinstatement of the Bill.

Hon. W. KINGSMILL (Metropolitan-Suburban): It is not my intention to oppose the motion, but at the same time I am not going to allow it to go through without some protest about the method of procedure. This suspension of the Standing Orders is, in my opinion, a course which should be taken only in extreme cases. It appears to the hon. gentleman that the circumstances which have led up to the motion he has moved are such as to justify him in moving it. For my own part, I think they fell short of it, and I think this House should encourage as little as possible the practice of the suspension of the Standing Orders. If they are to be suspended for very little at all what is the use of taking the trouble that the Standing Orders Committee have taken to get them into shape and to impress them on the minds of members. I only wish to enter this protest, I do not intend to oppose the motion, but I hope that such a state of circumstances, as have led up to the motion, will not occur again.

Hon. M. L. MOSS (West): I am quite in accord with this Bill being put on the Notice Paper again. I stated yesterday that it was not because I was opposed to the Bill that I was protesting against it then. The House has made a strong protest and the result of that

protest is, I believe, that such a thing will not happen again. It has, however, drawn attention to this fact, that more care must be exercised in the future as to the character of a Bill which is introduced in connection with the privileges of the House, because it is from that point of view that it is most serious. It is necessary for the House to uphold the ruling of the President, and from that point of view I think we were justified in following the course we adopted yesterday. We have made a strong protest. The object of the Bill is one which demands that it should be passed into law. I recognise that it is unfair that while one section of the community are paying rates, the other section of the community, because there is no legal obligation, but only a moral liability, should not pay. I have nothing further to say, except that I will assist the Bill to be reinstated.

Hon. J. W. HACKETT (South-West): I would like to ask the Colonial Secretary whether the Attorney General was aware that this privilege Bill was being introduced in this House. It is the most extraordinary succession of events I have known since I have been in Parliament. A Bill, which is supposed to be assented to by the whole Cabinet, and especially by the legal adviser of that Cabinet, who is in a certain sense, responsible for every line and every word in this Bill, with the assent of his colleagues was introduced as a privilege Bill, and then when it comes down another ruling is given, that the Bill was improperly before the House. The reason I draw attention to this is that there is an impression abroad that the learned colleague of my friend opposite is especially eager to whittle down the rights and privileges of this House. That impression is widely spread in this Chamber, and I would be glad to receive an assurance that that belief is ungrounded.

The COLONIAL SECRETARY (in reply): I can assure the hon. member that there is no ground at all for that belief. My colleague, the Attorney General, has no desire whatever to whittle away any of the privileges of this House.

Hon. W. Kingsmill: He does it by accident.

The COLONIAL SECRETARY: Not as far as I am aware, and I know his political opinions, and know that he appreciates this Chamber just as much as any other member of the Ministry, or any other elector. He is quite alive to the need for a Legislative Council, or a second Chamber, for this State of Western Australia.

Hon. J. W. Hackett: Are you quoting from something he has said?

The COLONIAL SECRETARY: I am giving what I believe to be his opinion, and I think I know his political views pretty well. I do not think the hon. member is doing the Attorney General justice, or putting his views in a right light when he says that he probably advised that it was a Bill which could be introduced here, and that it was a privilege Bill. If my memory serves me right, what the Attorney General stated was that if the Bill was brought to the Assembly without being introduced here, a controversy would arise, and they thought it better to introduce another Bill. There was no expression of opinion in that Message that it should not have been introduced in this House.

Hon. G. Randell: I do not think the Colonial Secretary has quite stated whether the Attorney General was cognisant of the fact that the Bill was being introduced in this House at the early stage.

The COLONIAL SECRETARY: As the hon. member knows every member of the Cabinet is, generally speaking, cognisant of the Bills which are introduced in both Houses. This Bill was sent to me by the Solicitor General as a privilege Bill.

Question put and passed.

The COLONIAL SECRETARY moved—

*That the vote of the Council on the second reading of the Health Act Amendment Bill be rescinded.*

Question passed.

*Second reading.*

The COLONIAL SECRETARY: I beg to move—

*That the Health Act Amendment Bill be now read a second time.*

I do not think it is necessary for me to say anything further on this Bill. I have already explained the provisions, and by moving this motion now we will put it in the position it was in yesterday.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Bill read a third time and *passed*.

### MOTION—LAND SETTLEMENT AND WATER SUPPLY.

Debate resumed from the previous day on the motion of the Hon. V. Hamersley, "That in the interests of land settlement and new selectors, this House is of opinion that the Government should inaugurate a systematic search for water supplies by means of cheap bore holes on every square mile of land suitable for settlement prior to selection, and increase the price of the land to the selector in accordance with the results obtained."

Hon. W. PATRICK (Central): I need scarcely say I am in sympathy with the object sought to be attained by Mr. Hamersley, but after giving the matter very careful consideration I cannot see my way to support it. We all know, and no one better than Mr. Hamersley, who has had experience in well sinking, that it would be a difficult matter in carrying this out with practical value to the settler, because it is a well known fact that in looking for water you are just as likely to sink a bore a dozen times before you find good water, or before you find water at all, and it would be unfair to charge that to the settler. I am quite certain the proposal is impracticable. The proper person to look for water is the settler himself. As said by Mr.

Piessé, it would cost more if carried out by the Government and it might not be in a place where it would be wanted by the settler. I am not in favour of the suggestion of Mr. Throssell, that the Goldfields Water Supply Scheme should be used. Farmers want water for two purposes—for irrigation and for stock, but for irrigation purposes the scheme water is out of question because it is altogether too dear, while for stock purposes in any portion of the State where it is desirable, where water cannot be found by boring or sinking wells, it can be got by constructing tanks or dams. So, although the object sought by the hon. member is very desirable and an object one can sympathise with, personally I do not think it is practicable, and I regret I cannot support the motion.

Hon. C. SOMMERS (Metropolitan): I am quite in sympathy with the motion, but not altogether with the way in which it is worded. I think that to sink holes on every square mile on land available for selection is out of reason, but I think that in opening up a new area for selection, it is the duty of the Government to show intending settlers not only that the land is good and suitable for selection, which they do, but also that it is possible to obtain water at a reasonable cost. I understand that a new area is first surveyed and thrown open for selection on a certain date. I favour that system, because it avoids all the delays selectors have to put up with in waiting for survey of their lands. In my own case I had to wait about twelve months for the visit of the surveyors. However, I think that while these parties of surveyors are out, as they are comprised of experienced men they can well advise well-boring parties that follow as to the best place where to bore for water. I would suggest to Mr. Hamersley that he should strike out of his motion, the words "every square mile of." Though this would leave the matter on the lines at present carried out by the Government, yet it would emphasise the need for doing it even more systematically than is being done now. If the hon. member accepts my suggestion, the motion would probably be more acceptable to this House.

Hon. T. H. WILDING (East): The matter referred to in this motion is most important, especially in regard to the land lying to the East of our settled districts, where there is a large tract of almost waterless country; and it is for the House to decide whether the course suggested in the motion is to be adopted, or whether we are by some other means to procure the water necessary to enable people to settle on that land. I know the country, and I feel certain that a system of putting down holes would not be the best scheme, because in a great deal of the good forest land lying to the East of the Eastern district if holes are put down salt water is struck. I do not think it would be advisable for us to suggest that the Government should send out a party to put down holes to find salt water, and if it were possible to find fresh water in these localities the selector himself would do it without our sending out a party to look for it. If the Government party could put down these holes to a hundred feet for £5, the individual could do it for £2; so I say, let the individual do it and have the opportunity of earning the £2 which would be very acceptable to him. I think Mr. Piesse's suggestion, that we should ask for dams to be put down in suitable places, is a good one. By that means we could be sure of securing a good supply of water. I hope Mr. Hamersley will amend the motion and ask that dams should be constructed to conserve water so as to induce settlement inland.

Hon. E. M. CLARKE (South-West) : Any suggestion for assisting agricultural development I would gladly follow, but I cannot follow the suggestion in this direction. Candidly speaking, I do not think Mr. Hamersley's suggestion is within the bounds of practical politics. As Mr. Wilding has said, if it would cost the Government £100 to put down bores the private individual could do it for £50. To my mind we practically give the land away, but I realise the difficulties pioneers have to face with regard to water. At the same time I cannot support the proposition before the House. It looks feasible at the first glance that when we sell land, it is right that we should supply

water at the same time; but when we come to analyse it, it seems to me to be going further than this House and the Government would be warranted in doing. I am sorry I cannot support the motion.

The COLONIAL SECRETARY (Hon. J. D. Connolly): My opinion on this matter is in line with the opinions of several other members. No doubt the hon. member's intentions in bringing this matter forward are good, but I do not think putting down bores every square mile prior to selection is at all practicable; in fact I think it would rather tend to retard the progress of settlement than help it. The Government are quite alive to the necessity for finding water for new selectors, but I do not think it at all necessary to put down bores every square mile. The time spent in doing so would rather retard settlement than help it.

Hon. V. Hamersley: At the Government stroke?

The COLONIAL SECRETARY: Even at the hon. member's stroke. I hope now the hon. member has brought this matter under the notice of the House and the Government, he will see fit to withdraw the motion. No doubt the hon. member gave the House very valuable information in respect of the wants of new settlers, information that a good many of us certainly did not possess before, but if the Premier is alive to one thing more than to other things, it is in this regard, that of giving grants and every assistance in order to find water in new and unsettled country. Of course, I will undertake to bring this matter under his notice and under the notice of the Government generally. Therefore, I trust the hon. member will withdraw the motion.

Hon. V. HAMERSLEY (in reply): I do not propose to take up the time of the House at any great length in replying to the very kindly remarks that have been made in reception of the motion I had the honour to bring before the House. I at least feel that I have done some good, and I am very pleased to learn that the Government will do what we all wish and that is give some consideration to this matter with the object we all have in view, that is the better settlement of our

lands. Since I moved this motion, I have had several letters from men connected with land matters, and from men who had been particularly interested in some of our pastoral areas. One in his letter makes this remark, "I am sure it is a good sound move in the right direction, and until this is done the permanent settlement of a desirable class will be extremely slow." That is undoubtedly the whole trouble with the State at present. We are spending money in the hope of settling our lands; and, as I pointed out when moving the motion, it is rendered extremely slow on account of the fact that many of the settlers who go upon the land have probably no water nearer to them than twenty or thirty miles away. As pointed out by Mr. Throssell the Government in South Africa, and I believe also in this State, are prepared to lend settlers boring plants, but as I have also pointed out, the boring plants in many instances cost more money to shift from one point to another than this plant that will do the whole of the testing. Now, if this system I propose were adopted, and each bore hole or other test recorded, we could show on our plans in the Lands Department, not only the classification of the land fit for settlement, but also where the Government recommended the settler to sink wells or, if only salt water had been reached, where the settlers could make dams. In the case of the South-West where these bores are not necessary, they would recommend where dams or tanks should be constructed. I feel that this is most necessary, and I regret that so many of the tests undertaken by the Government in the past have not to the present been recorded. I think it may more than likely happen that many settlers will go to the same expense, probably in the same spots where the Government have already put down expensive tests. At present no records remain on the spot to show what depth the Government bores had been sunk and settlers might go to the same expense of putting down a well at the same spot. All the tests in this direction made by the Government should be recorded both on the ground and on the plans. I do not agree that this question

is beyond the scope of practical politics, for if there is anything at the present time that should enter into the politics of this State it is that the water supplies should run hand in hand with land settlement. It has been said that if the course I suggest in the motion were followed settlement would be retarded, but surely that is wrong, for the one work that will help to settle the arid pastoral areas is that bores should be put down and water located. If this is done a man will know before he risks his money what results he is likely to obtain. I feel sure that to carry out these tests will not cost more than one penny per acre. With the leave of the House I wish to withdraw the motion.

Motion by leave withdrawn.

#### BILL — MUNICIPAL CORPORATIONS ACT (1906) AMENDMENT.

The Colonial Secretary having obtained leave introduced a Bill to amend the Municipal Corporations Act, 1906.

##### *First reading.*

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the first reading said: This is a very small amending Bill, but as it is not yet printed I cannot ask members to go on with it to-day. I promise, however, to have it printed and distributed to members early to-morrow, so that they will have an opportunity of reading it before the House meets. The measure is not of a controversial character, for in the first place it makes provision for allowing the municipality of Carnarvon to become a water board, and in the second it deals with certain of the building laws which are at present controlled by the Perth City Council. I beg to move—

*That the Bill be now read a first time.*

Question put and passed.

Bill read a first time.

#### ADJOURNMENT — PROROGATION ARRANGEMENTS.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

*That the House at its rising do adjourn until 4.30 p.m. to-morrow.*

It was not usual for the House to sit on Friday, but it was hoped that we would have the Appropriation Bill before us tomorrow. If that were so the Assembly would have practically finished their labours and at the Council meeting tomorrow we would be able to consider the Appropriation Bill, and if necessary members would be asked to meet on Saturday next to finish the Bills before Parliament and enable the prorogation to take place.

Question passed.

*House adjourned at 5.21 p.m.*

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

### QUESTION—STATE HOTEL, TRADE WITH ASIATICS.

Mr. O'LOGHLIN asked the Minister for Mines: 1. Is he aware that the greater portion of the commodities required by the State hotel are supplied by Asiatics? 2. Will he issue instructions that the practice of patronising Asiatics must cease at the State hotel?

The MINISTER FOR MINES replied: 1. No. 2. Answered by No. 1.

### QUESTION—RAILWAY GOODS TRAFFIC. DELIVERY.

Mr. COLLIER (for Mr. Gill) asked the Minister for Railways: 1. Is he aware that serious delays occur at the

Perth railway station in the delivery of perishable goods booked at parcel rates? 2. Will he ascertain if the trouble is caused by the present system of loading parcels and goods in a goods truck, and thus causing confusion and delay at the terminal station?

The MINISTER FOR RAILWAYS replied: 1. Delays have occurred in one or two instances. 2. It is only in very exceptional cases that parcels are loaded into goods trucks.

### QUESTION—MINES VENTILATION.

Mr. TAYLOR (for Mr. Scaddan) asked the Minister for Mines: 1. Has his attention been drawn to a letter by Mr. A. E. Johnson, a miner of Kalgoorlie, in to-day's *West Australian* wherein he states, "that stopes are carried nearer 25ft. than 14ft. high; that there are mines on the Golden Mile where the ventilation rises are covered over with sand or mullock ready to run down into the stopes as soon as it is beaten out, so when the blasting of big rock and firing-out occurs, generally at crib-time or knock-off time, one gets the smoke and fumes from the last shift, or from one's own firing at crib-time." Further, "that there are a lot of men suffering from this cause already on this young field, and nearly all of them men from 20 to 30 years of age." 2. In view of this testimony from a practical miner will he cause further inquiries to be made into the assertions made by gold-fields members during the passage of the Mines Estimates before finally accepting the statements of Inspector Hudson in contradiction of those assertions?

The MINISTER FOR MINES replied: 1. Yes. Statements of this sort have been inquired into repeatedly and found to be exaggerated and incorrect, and I have no knowledge of Mr. A. E. Johnson that would lead me to give more credence to his statement than to those of others who have made similar ones, or to accept it against that of the inspectors of mines. If persons knowing of cases where complaint could fairly be made would report the same to the inspectors, through the secretary