

Legislative Council,

Friday, 19th December, 1930.

AVES.

Mr. Collier
Mr. Coverley
Mr. Cunningham
Mr. Hegney
Miss Holman
Mr. Johnson
Mr. Kenneally
Mr. Lamond
Mr. Luley
Mr. Marshall
Mr. McCallum

Mr. Millington
Mr. Munsie
Mr. Raphael
Mr. Sleeman
Mr. Troy
Mr. Walker
Mr. Wansbrough
Mr. Willcock
Mr. Withers
Mr. Panton

(Teller.)

NOES.

Mr. Barnard
Mr. Brown
Mr. Davy
Mr. Doney
Mr. Ferguson
Mr. Griffiths
Mr. Keenan
Mr. Latham
Mr. Lindsay
Mr. H. W. Mann
Mr. J. I. Mann
Mr. McLarty

Sir James Mitchell
Mr. Parker
Mr. Patrick
Mr. Piesse
Mr. Richardson
Mr. Sampson
Mr. J. H. Smith
Mr. J. M. Smith
Mr. Thorn
Mr. Wells
Mr. North

(Teller.)

Assent to Bills	Page
Bills: Road Districts Act Amendment and Municipal Corporations Act Amendment, Assembly's Message, request for Conference	2871
State Trading Concerns Act Amendment returned	2873
Municipal Corporations Act Amendment, Conference Managers' report	2873
Road Districts Act Amendment, Conference Managers' report, Com., Assembly's further Message	2873
Adjournment, Christmas holidays	2873

The PRESIDENT took the Chair at 10.30 a.m. and read prayers.

Suspension of Sitting.

The PRESIDENT: Pending the receipt of messages from another place, I shall leave the Chair.

Sitting suspended from 10.32 a.m. to 2.30 p.m.

BILLS (2) — ROAD DISTRICTS ACT AMENDMENT AND MUNICIPAL CORPORATIONS ACT AMENDMENT.

Assembly's Messages—Requests for Conference.

Messages from the Assembly received and read requesting a conference on the amendment insisted on by the Council in each Bill and stating that if a conference were agreed to, the Assembly would be represented by three managers

Hon J. CORNELL: I move—

That the two messages be taken into consideration forthwith, that the conference be agreed to, that the managers for the Council be Hon. J. Nicholson, Hon. H. Stewart, and the mover, and that the conference be held forthwith in Mr. Speaker's room.

I may explain to hon. members that, owing to the President's room being required for other purposes later on, Mr. Speaker has kindly placed his room at the disposal of the managers.

Hon. A. LOVEKIN: I do not wish to take any exception personally to Mr. Stewart being one of the managers, but it has always been a practice that a member representing the majority of those who had really

Motion thus negatived.

(Members of the Opposition, with the exception of the member for Mt. Magnet (Hon. M. F. Troy) left the Chamber in a body.)

Committee resumed.

Clause put and passed.

Title—agreed to.

[The Speaker resumed the Chair.]

Bill reported without amendment and the report adopted.

ADJOURNMENT—SPECIAL.

The PREMIER: I move—

That the House at its rising adjourn until 12.30 p.m. to-day.

Question put and passed.

House adjourned at 12.3 p.m. (Friday).

brought about the conference, should be chosen, together with the Minister. Mr. Stewart voted against the amendment, and I submit that we must have at the conference, representatives of the majority view. I intended to ask that Sir William Lathlain's name be substituted for that of Mr. Stewart, but as we have the right to ask for a ballot I shall adopt that course.

Hon. H. STEWART: I was not approached with regard to the submission of my name as one of the managers, and, from a purely personal point of view, I would rather not be nominated. I take exception to Mr Lovekin's remarks, because on whatever conference I may have sat, I have always considered that I was there to represent the view of the Council, regardless of my personal opinions, or of the direction in which my vote had been cast. Until Mr. Lovekin spoke, I thought that that spirit had actuated every member of this House.

Hon. A. LOVEKIN: On a personal explanation, I assure the House that I had not the slightest idea of casting any reflection on Mr. Stewart.

Hon. H. Stewart: I did not say you did. The reflection was on the Council as a whole.

Hon. A. LOVEKIN: I know that Mr. Stewart, like other hon. members who have sat on conferences as representatives of the council, has always been willing to do his duty to the best of his ability. It is the principle that I had in mind. We must have at the conference those who represent the majority view. That is all I ask for.

Hon. V. HAMERSLEY: I feel that I am partly responsible for this position, and I regret there should be any dispute as to who should represent the Council. It is due to the Acting Leader of the House that as far as possible we shall support his nominees, if he does not depart too far from the usual custom. Mr. Lovekin said the committee should be representative of the majority, but I understand the voting on the division was practically equal. The question was decided on the casting vote of the Chairman.

Members: That was not so.

The PRESIDENT: I suggest that first of all we should carry that portion of Mr. Cornell's motion that it seems the House generally will agree to. That will leave open for discussion the question as to who

shall be our managers. I suggest that the Acting Leader of the House move his motion in the following form:—

That the messages be taken into consideration forthwith, that the conference be agreed to, that the Council be represented by three managers and that the conference be held forthwith in Mr. Speaker's room.

Hon. J. CORNELL: I accept that suggestion and will submit the motion in that form.

Question put and passed.

The PRESIDENT: Now the question arises as to who shall be our managers. I have the names of four hon. members, Mr. Nicholson, Mr. Stewart, Mr. Cornell and Sir William Lathlain.

Hon. J. CORNELL: I am well aware of what has been the established practice of this House, namely, to see that the managers are drawn from the side of the House that has been against the proposal. I do not desire to take away the privileges of hon. members themselves, but there are special considerations attached to the requests for a conference on the two Bills. Although one Bill deals with road boards and the other with municipal councils, the amendments to both are identical. The only object I had in view in naming the three hon. members mentioned, was that, in all circumstances, a spirit of compromise should dominate the proceedings. With Mr. Stewart's consent, I will withdraw his name and accept that of Sir William Lathlain.

Hon. H. STEWART: I have already said that, from my personal point of view, I would be willing to withdraw. I am in the hands of the Council. Without discussing in any way the votes on the Bills, I can mention one specific instance in a previous session when we amended the Land and Income Tax Assessment Act, when there were no managers representative of the Country Party in either House.

The PRESIDENT: The discussion is irrelevant. If any hon. member wishes to make a personal explanation, I am willing to hear it.

Hon. Sir WILLIAM LATHLAIN: I desire that my name be withdrawn from the nominations for managers.

The PRESIDENT: I have now three nominations.

Hon. G. W. MILES: I am pleased that Sir William Lathlain has withdrawn. I

think the Deputy Leader of the House did the right thing by nominating one representative of municipalities and one of road boards. As one who voted for insisting on the amendment in opposition to Mr. Stewart, I hope the names mentioned will be agreed to.

Question put and passed, and a message accordingly returned to the Assembly.

Sitting suspended from 2.46 to 4.15 p.m.

ASSENT TO BILLS.

Message received from the Governor and read notifying assent to the following Bills:—

- 1, Reserves.
- 2, Anatomy.
- 3, Totalisator Duty Act Amendment.
- 4, Entertainments Tax Assessment Act Amendment.

BILL—STATE TRADING CONCERNS ACT AMENDMENT.

Returned from the Assembly without amendment.

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Conference Managers' Report.

Hon. J. CORNELL: I desire to report that the managers met and failed to agree. I move—

That the report be adopted.

Question put and passed; Bill lost.

BILL—ROAD DISTRICTS ACT AMENDMENT.

Conference Managers' Report.

Hon. J. CORNELL: I desire to report that the managers met and failed to agree on the Council's amendment, but decided to recommend the deletion of Clauses 2 and 3, and to amend the Title to read "An Act to amend Section two hundred and fifty-four of the Road Districts Act, 1919." I move:

That the report be adopted.

Question put and passed.

In Committee.

Hon. J. W. Kirwan in the Chair; Hon. J. Cornell in charge of the Bill.

Bill amended in accordance with the conference recommendations.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

Assembly's Further Message.

Message from the Assembly received and read notifying that it had agreed to the report of the Conference managers.

ADJOURNMENT—CHRISTMAS HOLIDAYS.

The DEPUTY LEADER (Hon. J. Cornell): I move—

That the House at its rising adjourn until a date and hour to be fixed by the President, which time of meeting shall be notified by the President to each member by letter or telegram.

This may appear to be an unusual motion. I asked the Premier the reason for it, and he said the position is such as from day to day it may be necessary to call Parliament together, but he cannot say when.

Hon. G. W. Miles: Has the Premier any idea when?

The DEPUTY LEADER: He hoped it would be not before February, but he is not prepared to say the meeting will not be before February, or even that it will not be necessary to meet before the New Year.

Question put and passed.

House adjourned at 4.33 p.m.