

# Legislative Assembly.

Thursday, 20th December, 1934.

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

## QUESTION—RABBIT PEST.

Mr. HAWKE asked the Minister for Lands: 1, Did he urge the growing seriousness of the rabbit menace in this State at the conference he attended recently in Eastern Australia? 2, Did the conference agree to provide any funds to enable the menace to be fought? 3, Will he give early consideration to the operation of a plan under which all farmers and road boards affected could co-operate for the purpose of making a united and widespread onslaught against the rabbit pest?

The MINISTER FOR LANDS replied: 1, The subject was not set down for discussion. 2, No. 3, The Vermin Act gives statutory powers to Road Boards (as Vermin Boards) to deal with vermin destruction, and co-operation between Road Boards and farmers is, therefore, a matter for arrangement between those concerned.

## QUESTION—FRUIT FLY.

Mr. SAMPSON asked the Minister for Agriculture: 1, Is he aware that some time ago the Minister for Agriculture in New South Wales authorised the issue of posters illustrating the life of the fruit fly, also leaflets giving particulars of treatment to be adopted to secure control of the fly, and that these were made available to schools in dis-

tricts concerned? 2, Will he give consideration to the issue locally of similar matter for display and distribution throughout State and private schools in areas affected by fruit fly, such matter to be available immediately after the holidays?

The MINISTER FOR AGRICULTURE replied: 1, Yes. Posters and leaflets were published, and it is considered probable that these were distributed to schools. 2, In this State the department has issued leaflets containing full information regarding fruit fly and its habits. Also the most effective way to deal with it. These have been widely distributed to settlers, also to school children, and copies are available on application to the department. The Entomologist also sent mounted specimens of the fly to several schools.

## BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.

*Council's Further Message.*

Message from the Council notifying that it did not concur in the opinion expressed by the Assembly regarding the Council's power to amend the Bill, and was unable to accede to the Assembly's request, now considered.

*In Committee.*

Mr. Sleeman in the Chair: the Acting Premier in charge of the Bill.

The ACTING PREMIER: I have had the privilege of reading the "Hansard" notes of the discussion in another place and also the Press reports, and I find there was no debate whatever on the Constitutional point that was raised when the Bill was last before the Assembly. The President of the Council merely stated that he disagreed with the ruling of the Chairman of Committees in the Assembly but gave no reasons whatever for his determination. At no time during the discussion in another place was the Constitutional point referred to, much less argued. I propose not to ask you, Mr. Chairman, to rule further at this stage, but to leave the Constitutional aspect to be dealt with in a motion I intend to move later on. At the moment I ask the Committee merely to deal with the Bill itself. I move—

That the Committee continue to disagree to the amendments insisted upon by the Council.

Question put and passed; the Council's amendments further disagreed to.

[*The Speaker resumed the Chair.*]

Resolution reported, and the report adopted.

*Assembly's Request for Conference.*

The ACTING PREMIER: I move—

That the Council be requested to grant a conference on the amendments insisted upon in the Bill, and that the managers for the Assembly be Hon. J. C. Willecock, Hon. C. G. Latham, and the mover.

Mr. SLEEMAN: I am sorry the Government have decided to ask for a conference. During the course of the 11 years I have been a member of this House, I have become an opponent of conferences. I consider that in most instances they represent a farce, and more especially do I regard it as such with respect to the assessment Bill. I regard it in that light in this instance because the Council has a Standing Order the effect of which is that if any one manager stands out, the conference must be abortive. I do not think it is right to place the Government of the country in the hands of six men, particularly when it is generally only the most important Bills that go to a conference. It means not merely the handing over of the Government of the country to six men, but actually to one man in view of the Council's Standing Order by virtue of which one man standing out makes the conference abortive. It means that one member can upset the whole of the proceedings. In the present instance I think the situation is worse than ever before because the Assembly, without a dissentient voice, decided that the amendments insisted upon by the Council were out of order. Despite that, it is now proposed that we shall ask the Council to grant a conference on the amendments. I cannot see how it is possible to confer on something we have agreed is out of order. We might just as well permit someone to continue a discussion that has been ruled out of order as to seek a conference to consider amendments that have been ruled out of order. I desire to register my objection to conferences of managers generally, and particularly so in the present instance. I would prefer that some other means of dealing with the situation

be determined upon instead of resorting to conferences. I will not agree to this Chamber being dragged at the heels of another place respecting matters that they should not be permitted to deal with.

Question put and passed, and a message transmitted accordingly to the Council.

## RETURN—LOTTERIES COMMISSION.

Debate resumed from the previous day on the following motion moved by Mr. Needham:—

That a return be laid on the Table of the House showing (1) the names of the charitable organisations in Western Australia that have been assisted by the Lotteries Commission during 1934; (2) the amount granted to each organisation.

**THE MINISTER FOR POLICE** (Hon. H. Millington—Mount Hawthorn) [4.39]: I have no objection to the motion and I submit the required return as supplied by the Lotteries Commission.

Question put and passed.

*Sitting suspended from 4.10 to 8.45 p.m.*

## BILLS (4)—RETURNED.

- 1, Public Dental Hospital Land.
- 2, Geraldton Sailors and Soldiers' Memorial Institute Enabling.  
Without amendment.
- 3, King's Park and University Land Exchange.
- 4, Road Districts Act Amendment (No. 4).  
With amendments.

## BILL—LOTTERIES (CONTROL) AMENDMENT.

*Council's Amendments.*

Bill returned from the Council with amendments, which were now considered.

*In Committee.*

Mr. Withers in the Chair; the Minister for Police in charge of the Bill.

No. 1.—Clause 2: Delete this clause.

The MINISTER FOR POLICE: I move an amendment—

That the Council's amendment be amended by adding after "delete the clause" the words "and insert the following in lieu thereof":—

2. Section 3 of the principal Act is hereby amended as follows:—

- (a) by striking out the word "four" in line one of paragraph (c) and inserting the word "three" in lieu thereof.
- (b) by striking out the word "three" in line one of paragraph (d) and inserting the word "two" in lieu thereof.
- (c) by striking out the whole of paragraph (e) and inserting the following in lieu thereof:—
- (c) The members of the commission so appointed shall hold office as follows:—
  - (i) the chairman shall hold office for the term of five years;
  - (ii) the remaining two members shall each hold office for the term of one year, provided that they shall be eligible from time to time during the continuance of this Act for re-appointment to office at the expiration of such period.
- (d) by striking out the second proviso in paragraph (f) and inserting the following:—
 

Provided that the aggregate fees payable to all the members in any one year commencing on the first day of January shall not exceed the sum of one thousand pounds, of which sum the chairman shall be entitled to receive a sum not exceeding seven hundred and fifty pounds, and the remaining two members a sum not exceeding one hundred and twenty-five pounds each.
- (e) by striking out the words "one year's" in lines 4 and 5 of paragraph (i).

The effect of the Council's amendments is merely to extend the duration of the Act for one year. The Government propose to amend the duration of the Act in conformity with the proposed term of the chairman, making the duration five years instead of one. When the Bill was before this Chamber it was successfully manoeuvred into a party measure. The Labour Party and the Government are in no way responsible for the principal Act, which was evolved as the result of an agreement between both sides. It is not in accordance with the principles of the Labour Party. Had we had our way in the matter, there would have been State lotteries instead of public lotteries. I do

not think there is anything to compare with—

Hon. C. G. Latham: This is a second reading speech. Let us get on.

The MINISTER FOR POLICE: Never mind about you! You took up a whole night talking about the Bill. Now I want to take the time I need to explain what the Government propose to substitute for the Council's amendment.

Hon. C. G. Latham: What you propose will not make these lotteries State lotteries.

The MINISTER FOR POLICE: No. Another place would not agree to State lotteries. This is not a party measure; it is nothing evolved by the Labour Party; and therefore the attempt to make it a party measure will fail so far as we are concerned. The Acting Premier will have something to say on that aspect. I take the opportunity of stating that although on the last occasion of the Bill being before this Chamber the divisions were strictly on party lines, members on this side are perfectly free to vote as they please. However, when challenged, people naturally stand together. Still, on this occasion no member on this side of the Chamber is in any way bound to vote either for this proposal or for any other proposal relating to the measure. We are anxious that if there is to be a Lotteries Act in Western Australia, it shall have the effect desired. Irrespective of the allotments from time to time made to various charities, we consider it desirable that a permanent lotteries office should be established with a view to building a hospital as has been stated, and contributing towards it a certain annual grant. The proposal of the chairman of the Lotteries Commission was read out by me when introducing the Bill. We still regard that proposal as satisfactory. Accordingly we propose to amend the Council's amendment by making the duration of the principal Act five years and appointing the chairman for five years. Otherwise it will be impossible for the Government to deal with the proposal put up by the Lotteries Commission. As the Acting Premier has pointed out the community hospital will cost something in the neighbourhood of £300,000. The Lotteries Commission propose to donate towards the building of that hospital £100,000 spread over a period of five years, and it will be necessary for the Government to guarantee

the bank if the hospital is to be built. Certainly the Government do not intend to go on with this work unless there is a guarantee that lottery funds can be provided for that purpose. That cannot be done while the Lotteries Act has a tenure of one year only. It is impossible to look ahead in connection with any such scheme in a period shorter than three years. Therefore it is proposed that the duration of the Act shall be for five years. I have already made it quite clear that our view is that the principal man on the commission is the chairman. He is responsible for the introduction of this proposal, and for the building up of the funds to their present dimensions. This year there will be a distribution of between £70,000 and £80,000 irrespective of the administration costs, which have been kept well within the limit by the Commission. It is true there is no need for a personnel of four members. Really I do not think there is any need for more than one, that is, the chairman. Parliament refused to allow the Government or a Minister to have any voice in the allocation of the funds.

Mr. Patrick: But the Minister can veto.

The MINISTER FOR POLICE: No; we inserted a clause on the last occasion giving the Minister the right to approve, but that was cut out, and although Governments handle millions of pounds and are placed in the positions they occupy for that purpose, this House or another place would not give a Minister any control in respect of the funds to be disposed of by the Commission. Recognising that the chairman of the Commission is the man who is responsible and does the work, and who directs the policy of the Commission, and who has had experience in the allocation of funds, and has given satisfaction, it is considered advisable that he should remain there. We think in this instance he is peculiarly well fitted to hold that position, and so we make it a full time job. With regard to the other members it is not so. For them it was proposed to provide two guineas a sitting with a maximum of £125 per annum, but we have decided to fix the remuneration at £125. That means that a total amount of £1,000 will be allowed to the chairman and members of the Commission. The important fact is that there will be an efficient chairman who will give satisfaction not only with regard to the control of lotteries, but also in respect

of the distribution of the funds. The first amendment I intend to move will be to Clause 2. The Legislative Council's amendment is to delete the clause. I propose to ask the Committee to strike out the word "Delete" and to insert "Amend," and then we can add other words to the amendment, the words I have read to the Committee.

Hon. C. G. LATHAM: I desire to know, Mr. Chairman, whether I shall be allowed to discuss fully the lotteries ramifications as the Minister has done.

The CHAIRMAN: I hope the hon. member does not want to do what the Minister has done. I should have stopped the Minister from speaking generally, but his idea, I thought, was simply to make an explanation.

Hon. C. G. LATHAM: I am not complaining about the attitude of the Chairman of Committees, but you, Sir, permitted the Minister to discuss lotteries generally, and if you prevent me from doing likewise, that will be unfair. I asked the Minister by interjection to get back to the amendments, and he practically told me to mind my own business. I intend to oppose the Minister's amendment. This House gave full consideration to the matter last week and found it necessary to gag the Bill through. How can the Government now advance a new proposal? What was submitted previously was the fixed policy of the Government, and they must now stick to it or reject the whole lot. The Minister said we made a party measure of it. I say that statement is untrue.

Mr. Wansbrough: You had a meeting over it.

Hon. C. G. LATHAM: We did have a meeting; we always have a meeting on Wednesday just as members opposite do.

Mr. Marshall: We do not always have one on Wednesday.

Hon. C. G. LATHAM: This was not made a party measure at all and that was clearly proved by the divisions which took place. I intend to oppose the striking out of the word "Delete" and the Committee should be informed what it is intended to do. This is a new idea. Previously the Commission consisted of four members and now it is proposed to have three. Why the sudden change?

The Minister for Police: Do you object to this proposal?

Hon. C. G. LATHAM: Yes.

The Minister for Police: Why?

Hon. C. G. LATHAM: Because it is unfair. I think we should still have four members, which was what the Minister was in favour of the other night when he said there was safety in numbers. And why should the chairman have security of office for five years?

Mr. Patrick: In order to get us a hospital.

Hon. C. G. LATHAM: That awful bogey! A sop put up for the Government.

The Minister for Mines: Why did not you build the hospital when you had a chance?

Hon. C. G. LATHAM: Because we had not the money.

The Minister for Mines: That is the reason why we have not done it.

Hon. C. G. LATHAM: But this Government have double the borrowing power that we had, yet they propose to make as many as possible of the public subscribe half-crowns for a community hospital. It is a shocking state of affairs to exploit the gambling spirit of the people in order to build a hospital.

The Minister for Police: Why did you do it by introducing the original Bill?

The Hon. C. G. LATHAM: The original Bill was for the purpose of controlling gambling, but to-day we are encouraging gambling and hoping to build a hospital if only sufficient children will each put 3d. into the lottery.

The Minister for Mines: Is it not the whole trouble that the wrong man is being nominated as chairman? If you could get your friend there it would be all right.

Hon. C. G. LATHAM: Who put that gentleman there as chairman? We put him there. Why? Because we had confidence in him.

The Minister for Mines: You did not put him there as chairman, but merely as a member of the Commission.

Hon. C. G. LATHAM: He was appointed chairman by Executive minute. But the other good colleagues he had were taken off and partisans put in their places.

Hon. P. D. Ferguson: Why were his colleagues taken off?

Hon. C. G. LATHAM: I suppose because their political faith was not the same as that of the Government.

The Minister for Justice: What about the returned soldier we put on?

Hon. C. G. LATHAM: I think there was a returned soldier on before.

The Minister for Mines: There is still a man of yours there.

Hon. C. G. LATHAM: I suppose that is why the number is to be reduced from four to three—to get rid of him. The sop put up by the Minister, this hospital stunt, does not appeal to me.

The Minister for Police: You want the money distributed as it is collected.

Hon. C. G. LATHAM: That was what was originally intended. We wanted to control gambling.

The Minister for Police: To organise gambling and drive it into the one channel.

Hon. C. G. LATHAM: Nothing of the sort. I will read the remarks of the late Minister when introducing the Bill. Perhaps that will show what the purpose was. The legislation was introduced to control gambling, to stop those crossword puzzles, to limit gambling, not to encourage it. But the present Commission are encouraging it, and there is no breathing space between the lotteries.

The Minister for Mines: They have not reached their maximum yet.

Hon. C. G. LATHAM: No doubt. Originally it was thought the prize money would be limited to £1,000, but the Commission have doubled it, and to-morrow it may be doubled again. The lotteries were limited to 15 per annum, and it was never intended to use them as a means of raising revenue. The Minister said he has no control over the lotteries, but if he will read the Act he will see that he has control, even over the surplus. Section 10 provides that the Minister shall issue permits. So he has a definite control. Section 8 provides that the Minister shall not grant more than 15 permits in a year.

The Acting Premier: Read Section 3, which sets up the Commission.

Hon. C. G. LATHAM: Paragraph (d) of Section 10 provides that where money has been set aside for expenses and not all of it used, the Commission may pay the balance into a banking account and spend it as approved by the Minister.

The Minister for Police: That is the only control I have.

Hon. C. G. LATHAM: No, for the Minister also has the control involved in the issue of a permit. The Minister admits that

he has a certain degree of control. Whether he would exercise it is a matter for himself. The hon. gentleman can have control of the expenditure of the funds, if he is not satisfied. The appointment of the chairman for five years and of the other members for one year is not justified. I have nothing against the present chairman, whom the previous Government placed in that position; but it would be a sad state of things in Western Australia if he were the only man fit for the position. There are others equally fit.

The Minister for Police: There are not.

Hon. C. G. LATHAM: Yes. The greatest responsibility the Lotteries Commission have is to see that the surplus funds are distributed wisely. The lotteries run themselves.

The Minister for Police: That is because the management has been well organised.

Hon. C. G. LATHAM: I agree. However, the proposed appointments are not justified. The proviso sets out how the amount of £1,000 allotted is to be divided: the chairman is to get £750 a year, and the other two members are to get £125 a year each. If the money were distributed equally, each member of the Lotteries Commission would have £333 6s. 8d. a year, an amount that would keep a family comfortably. What is the chairman to do?

The Acting Premier: He is to give his full time to the work.

Hon. C. G. LATHAM: He could not possibly be fully occupied unless he sold tickets over the counter.

The Minister for Justice: He has to inform himself pretty well in order to distribute £80,000 a year satisfactorily.

Hon. C. G. LATHAM: Here is a man on £750 a year who can be outvoted by two men on £125 a year. I prefer to see the principal Act remain, with a year's extension. A request for one year's extension would have provoked no discussion here, but would have been agreed to just like any other continuation measure. The Act can operate quite satisfactorily for another year. To review such legislation annually is wise. I am not satisfied with the Commission's balance sheets. I want a Government audit of those balance sheets. Private auditors merely check figures on information supplied to them. Government auditors go more deeply into matters. I have never yet known a private auditor to find a road board secretary in default,

whereas Government auditors have discovered such cases. This shows that there are two kinds of audit. I am prepared to accept the Lotteries Commission's balance sheets, knowing the chairman and having every confidence in him; but I should like to see fuller statements of accounts. I would like the Government auditors to ascertain from the books exactly how the expenditure is distributed. The Bill as returned from the Council is very satisfactory indeed. The Minister for Police himself has pointed out that his amendment is not a policy amendment. The suggested community hospital is a bait to the public. If such a hospital is needed, let the Government find the necessary money and get interest on it out of the users of the hospital.

Mr. THORN: It is hard for me to understand why the Government persist in endeavouring to carry the Bill, which was fully debated here last week, even though the gag was applied. Why does the Minister wish to delete "four" and substitute "three"?

The CHAIRMAN: We are not dealing with that matter.

Mr. THORN: I am trying to follow up the Minister's explanation as to the deletion of the clause. The Government wish to reduce the number of commissioners by one.

The Minister for Mines: You can reduce them by three, so far as I am concerned.

Mr. THORN: Their desire is to give the chairman, who already holds 13 jobs, according to the member for Kalgoorlie, a salary of £750.

Mr. Cross: That is not true.

Mr. THORN: They want to reduce the poor individual who has no other job from £250 to £125. How can they reconcile their intention with the policy of the party?

The Minister for Mines: When did you become an authority on the policy of the Labour Party?

Mr. THORN: I am sure members of the party are very upset by such a policy. I credited the party with being past-masters in tactics, but these are very poor tactics. They want to build up a big fat salary for a man who already has 13 jobs, and to reduce the salary of the other commissioners.

The Acting Premier: What are the 13 jobs?

Mr. THORN: The member for Kalgoorlie knows. The Minister said that the lotteries

were unlimited, and that there was no limit to the issue of tickets.

The Minister for Police: No.

Mr. THORN: In the beginning, the lottery tickets showed that only 50,000 were to be issued. The number was then increased to 100,000, and now the limit is 150,000, so that there is a limit.

The Minister for Police: They are not limited.

Mr. THORN: The Government should go no further with this business. They would be on good ground if they left the situation where it was.

Mr. McDONALD: I am glad the remuneration for the commissioners has been reduced to £1,000, but I should feel much happier if it were brought down still further. The work done by the Commission could be done equally well by people working in an honorary capacity. Far more onerous duties are carried out for charity by other citizens without any fee or reward. The Commissioners merely have to apply for a permit to conduct a lottery, and obtain the consent of the Minister for it to be conducted for such and such a purpose. It is not a great responsibility, and is far less than that which is carried by those who control the Perth Hospital, the Children's Hospital and numerous other organisations but receive no payment for the work they do.

The Minister for Mines: They are doing good work, but the hospitals fund tax has to find all the money.

Mr. McDONALD: Every citizen has considered it something honourable and commendable to be associated in an honorary capacity with charitable work. Many of our charities are controlled by honorary councils or committees, and are doing excellent work. I do not see why that principle should be departed from. I am sorry that fees for the commissioners were ever provided. Why should one man be paid a very large sum for his work for charities while other people are carrying out similarly onerous duties for nothing? I certainly see no justification for paying the chairman of the Commission £750 a year. If the work were transferred to Government control, a civil servant at about £400 a year could attend to all the distributions of the fund, under the direction of the Minister. The entire administration could then be carried out at a very low cost. Any

member who votes £750 a year to the chairman of the Commission will be carrying a grave responsibility.

The ACTING PREMIER: The Government do not care two hoots whether the Bill becomes law or not.

The Minister for Mines: It would not trouble me if it were wiped off the statute book to-morrow.

The ACTING PREMIER: It is a measure we adopted. We do not subscribe to the principle. No matter how anxious we might be to make this a party measure, we cannot do so under the constitution of the party. The only business we can regard as party business is covered by the items that appear in our platform when we go up for election. Outside of that, every member on this side of the House has a right to vote as he pleases. There is no question of the Government asking their supporters to vote one way or another. Each member can please himself regarding what he does in connection with the Bill. There has not been, nor will there be, any appeal on our behalf to support the measure. When the original Bill was submitted, it was treated on a non-party basis, and the first time the matter has been treated otherwise was the other night when word was passed to us that Opposition members had met and had decided to fight it all the way through.

Hon. C. G. Latham: We did not decide to do that.

The ACTING PREMIER: You decided to fight it as a party matter.

Hon. C. G. Latham: That is not true.

The ACTING PREMIER: We would not attempt to make it a party measure, and if we did so, Labour supporters could defy Ministers and act as they thought fit. Even if we wished to do so—and we do not wish it, we could have no control over Labour members on such a matter. On the contrary, we declare now that every Government supporter will vote as he thinks fit and be responsible for whatever action he may take. I hope that will be made quite clear. When the legislation was first introduced, both the Premier and I, when sitting in Opposition, voted against it although many Labour members voted for it. On many of the amendments that were moved the party were divided. Even in the Legislative Council last night, no party feeling was displayed in considering the matter. We will not for one moment make the Bill

a party measure. Had it not been for the required hospital accommodation in the metropolitan area, the new proposals embodied in the Bill would not have been advanced. When I refer to hospital accommodation in the metropolitan area, Opposition members, particularly those representing country districts, know that the Perth Hospital is not a city hospital. The Children's Hospital and the Perth Hospital cater for patients from every part of the State. Opposition members know that the Lotteries Commission have provided money to build hospitals all over the State. On the other hand, so far none of that money has been used for the purpose of providing hospital accommodation in the metropolitan area.

Hon. C. G. Latham: That is not so. Some of it has been used.

The ACTING PREMIER: Where?

Hon. C. G. Latham: What about the King Edward Hospital?

The ACTING PREMIER: That is right. Some was used for additions.

Hon. C. G. Latham: And what about the Fremantle Hospital?

The ACTING PREMIER: Some was made available in connection with the Ron Doig ward.

Hon. C. G. Latham: And in the latter instance that is the only occasion that local people subscribed directly to such work in the metropolitan area.

The Minister for Health: Are you sure of that?

Hon. C. G. Latham: I think so.

The Minister for Health: The public subscribed £6,000 for the Children's Hospital, and the Government £1,000.

Hon. C. G. Latham: But that is an incorporated institution.

The ACTING PREMIER: The member for Toodyay said something about country hospitals starving. Thousands of pounds have been provided for country hospitals by the Lotteries Commission. Practically all new buildings in connection with country hospitals have been subsidised by the Lotteries Commission.

Hon. C. G. Latham: That is not right.

The ACTING PREMIER: It is right.

Hon. C. G. Latham: I know the Hospital Fund has provided a lot of money.

The ACTING PREMIER: And the Lotteries Commission have assisted in practically every instance.

Hon. C. G. Latham: For how long?

The ACTING PREMIER: Since the inauguration of the Commission.

Hon. C. G. Latham: Very well, we will get details and find out what money has been contributed.

The ACTING PREMIER: The point I was making was that the Perth Hospital does not cater for metropolitan people only.

Hon. P. D. Ferguson: And the metropolitan people solely do not maintain it.

The ACTING PREMIER: I know that. The Government provide funds.

Hon. P. D. Ferguson: And the country people have to bear their proportion.

The ACTING PREMIER: Of course; I am not complaining about that. The inference to be drawn from the remarks of some Opposition members was that money subscribed to the lotteries was to be used for the purpose of erecting a city hospital. The position of the finances at the moment is that no loan funds can be made available for building such a hospital. All loan funds that are spent must be devoted to directions from which some contributions in return will be received.

Hon. C. G. Latham: What about the big wall you are building in connection with the Girls' High School?

The ACTING PREMIER: No building has started there yet.

Hon. C. G. Latham: There is a retaining wall.

The ACTING PREMIER: But no buildings.

Hon. C. G. Latham: There is a lot of brick work there.

The ACTING PREMIER: Why not stick to facts? I have not yet approved of the plans, much less have any buildings been started.

The Minister for Health: Any stick is good enough to beat a dog with.

The ACTING PREMIER: I have sent the plans back three times.

Hon. C. G. Latham: Do you say that no bricks have been laid there?

The ACTING PREMIER: I am not talking about bricks; I am talking about the school. What is the use of quibbling? It has been suggested that £300,000 will be necessary for the provision of hospital buildings. I have been informed that the Perth Hospital is overcrowded to an extent that is dangerous, and that the need for



more hospital accommodation is most pressing. Mr. Clydesdale has worked out a scheme under which £20,000 a year may be provided over a period of five years, without interfering with the Commission's obligations to charitable institutions that have been assisted so far. The consideration of providing £100,000 for the community hospital in the metropolitan area is the only reason that prompted the Government to suggest the alterations embodied in the Bill. That was the only consideration, and nothing apart from that weighed at all. The proposal itself emanated from Mr. Clydesdale, and to suggest, as the member for West Perth did, that his duties merely consist of presiding at meetings when the distribution of money has to be determined is far removed from the facts. Everyone who has had anything to do with it must know that Mr. Clydesdale is always to be found at the office of the Commission. He gives practically the whole of his time to the work.

Mr. McDonald: Then it is not necessary for him to do so.

The ACTING PREMIER: I do not subscribe to the view expressed by the member for West Perth that Mr. Clydesdale is only responsible for the distribution of the money. Every half-crown subscribed has to be accounted for, and the moment there is the least suspicion that there is anything loose, or that everything is not strictly correct, that will be the end of the lotteries. Mr. Clydesdale, as Chairman of the Lotteries Commission, is the man who will carry the responsibility to the public. Not only has every half-crown subscribed to be traced and accounted for, but every marble has to be correct and there must be no chance of anything being wrong. The duties attached to Mr. Clydesdale's position are not limited to the distribution of £80,000; the estimated amount of money that will be handled this year is £200,000. That does not represent any light or irresponsible job.

Mr. Doney: But will that not be Mr. Buscombe's duty.

The ACTING PREMIER: If there is anything wrong, or any scandal should arise, it will not be Mr. Buscombe who will carry the responsibility, but Mr. Clydesdale and the other members of the Commission

The Minister for Police: In any case Mr. Buscombe has nothing to do with that phase.

The ACTING PREMIER: The proposal now is that the chairman shall devote the whole of his time to the position, and the other commissioners will be asked to sit with him when the distribution of the money is to be undertaken.

Hon. P. D. Ferguson: But you told us Mr. Clydesdale already devotes his whole time to the work.

The ACTING PREMIER: That is so, and will the hon. member argue that he is fairly recompensed by a salary of £250 a year?

Mr. Hegney: The other members sit with him once a week.

The ACTING PREMIER: That is so. It is necessary for members of the Commission to keep in touch with what the organisations that have been assisted are doing.

Hon. C. G. Latham: The history of each one of them is in the possession of Government departments.

The ACTING PREMIER: That is not all that is necessary. Members of the Commission should travel round the country to ascertain what has been done with the money donated by the Commission. They should know how the different organisations conduct their business. Although that has been done to some extent, more should be done along those lines.

Hon. C. G. Latham: I think that is absolutely wrong.

The ACTING PREMIER: If large sums are allocated to different charitable organisations, it is only right that the commissioners should know that the money has been properly utilised.

Hon. C. G. Latham: What would they know about X-ray plants if they were to inspect them?

The ACTING PREMIER: I am not discussing X-ray plants. That is not the only direction in which funds have been made available by the Commission.

Hon. C. G. Latham: Most of it has been for that purpose lately.

The ACTING PREMIER: Even so, that represents one of the best moves made by the commissioners.

Mr. Hawke: And country hospital committees are very grateful.

The ACTING PREMIER: I know they are. It is strange to hear complaints from country members because X-ray plants have

been provided as the result of the funds advanced by the Commission.

Hon. C. G. Latham: Be fair. You know I did not complain about it. And the Northam hospital did not get their X-ray plant by that means.

The ACTING PREMIER: You mentioned that.

Hon. C. G. Latham: I asked what the commissioners would know about X-ray plants if they did inspect them

The ACTING PREMIER: At any rate, I did not mention anything about X-ray plants; I spoke about charitable organisations in the country. I emphasise the point that the Government do not want it to be thought for one moment that they are making this a party matter. We are not worrying at all about the measure. When it is suggested that the latest proposal differs from the original clause, which was rejected by the Legislative Council, it should be borne in mind that the practice is to suggest an alternative. We must do that in view of the position that has arisen unless we are to be adamant, stand by what we have submitted, and offer no other suggestion to overcome the deadlock.

[Mr. Steeman took the Chair.]

Mr. Moloney: Opposition members do not approve of compromise!

The ACTING PREMIER: The Government will see if the alternative proposed is acceptable. After talking with some Opposition members the other night, I concluded that the alternative proposal would be acceptable to many of them. I thought their objection was on account of the increases proposed in the salaries of the commissioners. It is impossible for the Government to give a bank guarantee for £100,000 to the Commission to raise money for the hospital with a duration of only 12 months. No Government in its sane senses would do so. The most that could be expected in the year would be £20,000. Unless a longer period than 12 months is provided, the hospital cannot be proceeded with. That is definite. We cannot give a bank guarantee for £100,000 while seeing ahead of us only £20,000. That sort of business cannot be countenanced in these times, and we are not going to gamble on it. If the alternatives are not acceptable, and the existing Act is merely to be continued for another year, the hospital pro-

posal will be killed. The proposed hospital would cater not merely for the metropolis, but for the whole State. No hospital run by the State is making working expenses; much less is it making a profit. Private hospitals that charge five guineas a week might be able to make a profit.

The Minister for Justice: Some of them charge seven guineas and eight guineas.

The ACTING PREMIER: There is no suggestion that the proposed hospital should do that kind of business. It is certain that a community hospital would not be able to pay its way. We want a hospital if we can get it. Apart from getting the hospital, the extension of the duration of the Act does not concern us. Members on the Government side are free to vote as they think fit.

The CHAIRMAN: If the Minister retains the words "Delete the clause," he can then move to insert the proposed paragraphs, but if he strikes out "Delete" and inserts "Amend," Clause 2 still stands. I suggest that he alters his amendment.

The MINISTER FOR POLICE: I ask leave to alter the amendment accordingly.

Leave granted.

Hon. N. KEENAN: There appears to be a misconception as to the power of the Minister under the existing law. It has been disputed that he has any power in the case of the Commission conducting a consultation or lottery. Under Section 5, where the Commission desire to conduct a lottery, they shall make application to the Minister for a permit at least 14 days before the proposed opening of the lottery. The only difference between the Commission conducting a lottery and any other person or organisation doing so is that the individual or organisation must make application to the Commission, who, in their discretion, may recommend or refuse to recommend that a permit be granted. Otherwise they remain on the same level. Under Section 7 and subject to Section 8, which places a restriction on the number of lotteries to be conducted in one year, the Minister may, in his absolute discretion, approve of or reject any application to conduct a lottery. Thus the proper procedure is for the Commission to apply to the Minister for a permit, and it is in his absolute discretion to grant or refuse it. As pointed out by the Leader of the Opposition, under Section 10, where no

restriction is imposed by a permit granted by the Minister as to the locality in which tickets may be issued, the Minister is entitled to specify the charitable purpose for which the lottery shall be conducted. As the law stands and will stand even if the proposed amendments are made, the Minister has absolute power to determine the manner in which the surplus shall be appropriated and the charities to which it shall be devoted. To indulge in a great deal of enology of the work of the Commission is to shut our eyes to the responsibility of the Minister, who is the only person charged with the duty of determining the charity to benefit from any lottery for which he gives a permit.

The Minister for Justice: You would not suggest that the Minister has time to run around and find out about all those charitable institutions.

Hon. N. KEENAN: The statute imposes the duty on him, though maybe he is not doing that duty. When we first passed this legislation, we did so with deliberate intent to restrain lotteries and gambling. We had no idea that the people were about to indulge in an orgy of gambling. But that is what is happening. Everywhere we see advertisements inviting and inducing people to subscribe. In order to augment the subscriptions, the actual stake has been cut down considerably; quarter shares of tickets may be purchased. All that tends to promote instead of to control gambling. When we have this indiscriminate gambling, surely we have nothing upon which to congratulate ourselves. We are to-day doing all we can to encourage people to gamble. By every means in our power we are inducing them to spend any money on which they can possibly lay their hands for this form of gambling.

Mr. Hegney: Are you in favour of dropping the lotteries altogether?

Hon. N. KEENAN: I favour restricting the number of lotteries in any year.

Mr. Moloney: The number is restricted now.

Hon. N. KEENAN: It is not. Although under Section 8 provision is made for not more than 15 permits in any one calendar year, that is overcome by having over-subscriptions or increasing the amount. That was never contemplated. I find it hard to believe, though I accept the Minister's assurance, that the Government do not care

two hoots what happens to the Bill. If that is so, why this effort to send the Bill back to another place in practically the same clothes in which it was garbed before? When the Bill was first sent there, the proposal was to appoint a chairman for five years. That proposal is again being made. When the Bill was first sent to another place, the chairman was to be paid a salary of £1,000. Now £750 is proposed, which is not much different. When the Bill first went to another place, there were to be three other commissioners who were to receive £750 between them. Those figures have been cut down to two commissioners with £250 between them. Except for those small details, there is no difference in the proposal to be sent to another place now and the one in the Bill that were rejected. There is not the slightest likelihood of another place accepting these newly dressed-up proposals. The Acting Premier said almost as a threat that, if the measure were not accepted, the Government would not proceed with their proposal to build a community hospital in Perth. If Bills to promote gambling are to be forced on us under the threat that, if we do not accept them, no money will be found for a present necessity, then indeed we have reached a most extraordinary state of affairs. If we are to be told that we must accept a gambling proposal in all its hideous forms, or do without something that is absolutely necessary for the community, it will be time to take stock and endeavour to regulate our actions in a more commendable manner. I ask what is there about the distribution which requires that the Bill shall go forward in the particular form put before us? It cannot be questioned that if a large proportion of the surplus is to be earmarked for the community hospital, there will be a considerably reduced sum to go to other charities, and consequently there will be less work to do by those who are allocating the surplus. I agree with what the member for West Perth said that there would be no difficulty whatever in finding reputable members of the community who would be only too glad and willing to discharge the duties without asking for any reward. That is being done to-day at the Perth Hospital and the Children's Hospital and in other forms of public charities, and there is no thought of fee or reward. Why then should it be suggested that if we do not accept the proposal as submitted by

the Government we shall not be able to obtain an equitable and fair distribution of the surplus remaining from the lotteries? I find it impossible to support the amendment submitted by the Minister to present to another place, an amendment which practically means the original Bill with only very small and unimportant details altered.

Mr. SEWARD: I move an amendment—

That in subparagraph (i) of paragraph (e) of proposed New Section 3 "five" be struck out with a view of inserting "one."

The intention is to reduce the term of office of the chairman from five years to one year. The other night I opposed the extension of the term of the Bill for five years and I do so again. When the Bill was before the House last year and the Minister was speaking to it dealing with the money in hand, he said that the money was paid into the Treasury. The Leader of the Opposition asked "Do you say they have a credit balance of £7,000?" and the Minister replied, "Yes, but they have just completed a sweep the profits from which amounted to £6,382. It is not that they keep it long; they have no opportunity to keep it in hand, for the call is greater than the amount." It is common knowledge to most people that shortly after the Minister made the statement that the commission had no opportunity to keep the money in hand, a Royal Commission came along and extracted the information from the commission that they had in hand no less a sum than £20,000. If the commission can accumulate a balance of £20,000 that, I say, is a very weighty reason why we should not increase the term for more than one year. Provided everything goes along satisfactorily the term of office can be renewed at a later date for another year. It has also been stated by the Acting Premier that a large amount of this money has been paid to country hospitals. On looking through the return that was laid on the Table the other day I found that a total of £73,000 had been paid out. Of course country hospitals benefited, but I also found that the larger amounts, £1,000 or more, had in every instance been paid to city institutions. The object in appointing the chairman for five years we were told was that an amount might be raised to assist in the building of a community hospital. Many people from the country patronise the

city hospitals, perhaps, because they are able to obtain better medical advice here. That, however, may not always be the case. When it is desired to build a country hospital, it is stipulated that the people in the particular town shall raise half the amount. The Government propose that the amount to be raised for the community hospital over a period of five years shall be £100,000, but if the principle that is applied to country hospitals is applied to the community hospital, only half the amount will be needed for the latter, and the Lotteries Commission will be required to provide £50,000. Consequently there is no necessity to appoint a chairman for five years so that we might ensure the raising of this sum. The £50,000 could be raised by him in half that time.

Amendment put and a division taken with the following result:—

Ayes	..	..	..	..	13
Noes	..	..	..	..	21

Majority against . . . . . 8

AYES.

Mr. Ferguson	Mr. Sampson
Mr. Keenan	Mr. Seward
Mr. McDonald	Mr. Stubbs
Mr. McLarty	Mr. Thorn
Mr. North	Mr. Warner
Mr. Patrick	Mr. Doney
Mr. Piesse	(Teller.)

NOES.

Mr. Clothier	Mr. Nulsen
Mr. Coverley	Mr. Rodoreda
Mr. Cross	Mr. F. C. L. Smith
Mr. Hawke	Mr. Tonkin
Mr. Hegney	Mr. Troy
Mr. Keenally	Mr. Wansbrough
Mr. Lambert	Mr. Willcock
Mr. McCallum	Mr. Wise
Mr. Strington	Mr. Withers
Mr. Moloney	Mr. Wilson
Mr. Munsie	(Teller.)

PAIRS.

AYES.	NOES.
Mr. Latham	Mr. Collier
Mr. Mann	Miss Hoiman
Mr. Welsh	Mr. Raphael

Amendment thus negatived.

Mr. SEWARD: I move an amendment—

That in paragraph (d) "one thousand" be struck out and "seven hundred and fifty" inserted in lieu.

The object of increasing the payment to the Chairman is said to be the good work he has done. I have no intention of reflecting on his work, but if it be thought necessary to make any special payment for his work in the past, let him be granted a special bonus. To say that he shall be appointed for a

term of five years at a largely increased salary is not right, because his work in the future will be much lighter than it has been in the past. So if we allow £750 for the remuneration of all the commissioners, it should be sufficient.

Amendment put and negatived.

Hon. C. G. LATHAM: I move an amendment—

That in paragraph (d) "seven hundred and fifty pounds" be struck out.

When these words are struck out, I will move to insert "five hundred pounds." Today there is no need for anything like the attention that had to be given to the work of the Commission in the early days. There is no hospital building outside Perth on which money has been spent by the Commission: all the payments have been restricted to the metropolitan area. Yet the Commission are travelling about the South-West and the Great Southern gathering information that could be supplied by the Health Department in Perth.

Mr. McDONALD: In view of what has been said about this being a whole-time job, and in order to keep the Bill consistent, if the Government wish to pay the chairman on the basis of a whole-time job, will the Minister be prepared to consider a further amendment that the chairman shall devote the whole of his time to the conduct of the lottery?

Amendment put, and a division taken with the following result:—

Ayes	..	..	..	..	20
Noes	..	..	..	..	15

Majority for .. .. . 5

AYES.	
Mr. Clothier	Mr. Piesse
Mr. Ferguson	Mr. Rodoreda
Mr. Hawke	Mr. Sampson
Mr. Hegney	Mr. Seward
Mr. Keenan	Mr. Stubbs
Mr. Lambert	Mr. Thorn
Mr. McDonald	Mr. Tonkin
Mr. McLarty	Mr. Warner
Mr. North	Mr. Withers
Mr. Patrick	Mr. Douey

(Teller.)

NOES.	
Mr. Coverley	Mr. Nulsen
Mr. Cross	Mr. F. C. L. Smith
Mr. Kenneally	Mr. Troy
Mr. McCallum	Mr. Wansbrough
Mr. Millington	Mr. Willcock
Mr. Moloney	Mr. Wise
Mr. Munsie	Mr. Wilson
Mr. Needham	

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Latham	Mr. Collier
Mr. Mann	Miss Holman
Mr. Welsh	Mr. Raphael

Amendment thus passed.

Hon. C. G. LATHAM: I move an amendment—

That "five hundred pounds" be inserted in lieu of the words struck out.

Amendment put and passed.

Hon. C. G. LATHAM: I move an amendment—

That in the last two lines of paragraph (d) "one hundred and twenty-five pounds" be struck out, and "two hundred and fifty pounds" inserted in lieu.

Amendment put and passed.

Amendment as amended put, and a division taken with the following result:—

Ayes	..	..	..	..	21
Noes	..	..	..	..	14

Majority for .. .. . 7

AYES.	
Mr. Clothier	Mr. Nulsen
Mr. Coverley	Mr. Rodoreda
Mr. Cross	Mr. F. C. L. Smith
Mr. Hawke	Mr. Tonkin
Mr. Hegney	Mr. Troy
Mr. Kenneally	Mr. Wansbrough
Mr. Lambert	Mr. Willcock
Mr. McCallum	Mr. Wise
Mr. Millington	Mr. Withers
Mr. Moloney	Mr. Wilson
Mr. Needham	

(Teller.)

NOES.	
Mr. Ferguson	Mr. Piesse
Mr. Keenan	Mr. Sampson
Mr. McDonald	Mr. Seward
Mr. McLarty	Mr. Stubbs
Mr. Munsie	Mr. Thorn
Mr. North	Mr. Warner
Mr. Patrick	Mr. Doney

(Teller.)

PAIRS.

AYES.	NOES.
Mr. Collier	Mr. Latham
Mr. Johnson	Mr. Mann
Mr. Raphael	Mr. Welsh

Amendment thus passed.

No. 2.—Clause 3: Delete all the words after the word "hereby," in the first line, and substitute the words "amended by deleting the word 'thirty-four' in the second and third lines of the section, and substituting the word 'thirty-five.'"

The MINISTER FOR POLICE: I move—

That the amendment be amended by striking out "thirty-five" and inserting "thirty-nine" in lieu thereof.

Amendment on the amendment put and passed; the Council's amendment, as amended, agreed to.

No. 3.—New Clause: Insert a new clause, after Clause 3, as follows:—"4. The principal Act as amended by this Act may be cited as the Lotteries (Control) Act, 1932-34."

The MINISTER FOR POLICE: I accept this amendment of the Council, and move—  
That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

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

### **BILL—ADMINISTRATION ACT (ESTATE AND SUCCESSION DUTIES) AMENDMENT.**

#### *Council's Message.*

Message from the Council notifying that it had agreed to the amendment made by the Assembly to the Council's amendment No. 51, and insisted on its amendments Nos. 12, 14, 15, 19, and 54 now considered.

#### *In Committee.*

Mr. Sleeman in the Chair; the Minister for Justice in charge of the Bill.

No. 12.—Clause 12: Subclause 2, paragraph (a): strike out "two years" and insert "twelve months."

The MINISTER FOR JUSTICE: The amendment substitutes twelve months for the period of two years. The Council are insisting on 12 months. This is practically the only point of disagreement, and I do not desire to move for a conference or take other steps. Therefore I move—

That the amendment be no longer insisted on.

Question put and passed: the Assembly's amendment no longer insisted on.

On motions by the Minister for Justice, the Assembly's amendments Nos. 14, 15, and 19 were no longer insisted on.

No. 54.—Insert the following new clause after Clause 36:—"38. Insofar as beneficial interests pass to persons bona fide residents of and domiciled in Western Australia, and occupying towards a deceased person the relationship set forth in the

Third Schedule to the principal Act, duty shall be calculated so as to charge only one-half of the percentage or rate upon the property acquired by such first-mentioned persons."

The MINISTER FOR JUSTICE: This amendment deals with the amendment of probate duty to be paid by dependants of deceased persons. No important principle is involved. The only question is whether the matter should appear in the assessment Bill or in the tax Bill. I do not know that it makes much difference if the matter appears in both. I move—

That the amendment be not insisted on.

Question put and passed; the Assembly's amendment not insisted on.

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

### **BILL—ROAD DISTRICTS ACT AMENDMENT (No. 4).**

#### *Council's Amendments.*

Schedule of two amendments made by the Council now considered.

#### *In Committee.*

Mr. Hegney in the Chair; Mr. Marshall in charge of the Bill.

No. 1.—Clause 2: In proposed new Subsection 28, delete the words "and/or the manufacture and sale, or sale without manufacture, of ice chests."

Mr. MARSHALL: The object of this amendment made by the Council is to prevent the manufacture, purchase, or sale of ice chests by the road board. I am given to understand that the Council look with strong disfavour on the manufacture of anything but ice under the Bill. In order to save the measure I move—

That the amendment be agreed to.

Most of the people now residing on the goldfields are recent recipients of the dole, and are under heavy expense in establishing new homes. It was thought that the Meekatharra Road Board might supply such persons with ice chests, which are highly necessary in the summer. However, the Council do not share that view.

Question put and passed: the Council's amendment agreed to.

No. 2.—Clause 2: Add at the end of the proposed new Subsection 28 a proviso as follows:—"Provided that the powers conferred by Subsection 28 of this section shall, until Parliament otherwise declares, be exercisable by Meekatharra District Road Board only."

Mr. MARSHALL: The Council's amendment restricts the manufacture of ice to the Meekatharra Road Board. That is rather a shame, because there are other districts labouring under the same climatic disadvantages. Most of the goldfields towns are now having a second lease of life, and are on the upgrade: and therefore should be permitted to manufacture ice. However, I move—

That the amendment be agreed to.

Question put and passed: the Council's amendment agreed to.

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

## **BILL—KING'S PARK AND UNIVERSITY LAND EXCHANGE.**

### *Council's Amendments.*

Schedule of three amendments made by the Council now considered.

### *In Committee.*

Mr. Hegney in the Chair; the Minister for Lands in charge of the Bill.

No. 1.—Clause 2: Delete from Clause 2 all the words commencing with the words "hereby vested," in line 22, on page 1, and ending with the word "respectively," in line 9, on page 2, and insert in lieu thereof the following words:—"dealt with as follows:—

(a) the land described in Part I. of the First Schedule hereto shall be and is hereby vested for an estate in fee simple in the University of Western Australia: and

(b) the lands described in Part II. and Part III. respectively of the said First Schedule shall be and are hereby vested for an estate in fee simple in the City of Perth for the purpose of additions to Winthrop avenue aforesaid."

The MINISTER FOR LANDS: The land referred to in Part I. of the First Schedule was incorrectly described as being for the

purpose of widening Winthrop avenue. It is not to be used for that purpose, but to be given to the University in exchange for other land. It is necessary, therefore, that the correction should be made. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 2. Preamble.—Delete from the Preamble all the words commencing with the words "the said University," in line 4, and ending with the word "aforesaid," in line 10, and insert in lieu thereof the following words:—"it is deemed desirable to improve and widen that part of Winthrop avenue which adjoins Reserve A.1720 (King's Park), and for that purpose it is necessary that certain portions of the land in the said reserve be excised therefrom; and whereas the said University desires a certain portion of the land comprised in the said reserve for University purposes, and, in consideration of such portion being excised from the said reserve and vested in the University, has offered in exchange portion of its said land in Swan location 3087 aforesaid."

The MINISTER FOR LANDS: A correction is necessary also in this case. I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

No. 3. Title.—Add to the Title of the Bill the words "and for other purposes relating to the said reserve."

The MINISTER FOR LANDS: I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

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

*Sitting suspended from 11.20 p.m. until  
12.2 a.m.*

## **ADJOURNMENT—SPECIAL.**

**THE ACTING PREMIER** (Hon. A. McCallum—South Fremantle) [12.2]: I move—

That the House at its rising adjourn till 2.30 p.m. to-day.

Question put and passed.

*House adjourned at 12.3 a.m. (Friday).*