

*In Committee.*

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

*House adjourned at 10.15 p.m.*

**BILL—FINANCIAL EMERGENCY TAX ASSESSMENT ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the previous day.

**HON. L. B. BOLTON** (Metropolitan) [4.36]: Like several previous speakers, and probably like the Chief Secretary himself, I regret the necessity for the introduction of the Bill. I fear that the Act, instead of continuing as a measure of emergency taxation, is here to stay. The only thing to be done is to continue it as an emergency measure and embody it in our general scheme of taxation. I am definitely opposed to the principle of the Bill. I would support such a Bill only if a fixed money figure were stated as the amount of exemption. I am totally opposed to the basic wage being adopted as the exemption figure. It is almost waste of time to discuss the Bill further. I may say, however, that a good deal of criticism has been levelled at the Auditor General for remarks in his report regarding the Act. For my part, I support the Auditor General. If there is one Government official who should be allowed to express candid opinions on affairs of State, it is the Auditor General. I agree with the suggestion he makes. Unfortunately, however, this continuation measure is necessary for the maintenance of the finances of the State. Still, the remarks of the Auditor General strengthen our hands. Under present conditions I oppose the second reading of the Bill.

On motion by Hon. J. M. Macfarlane, debate adjourned.

**Legislative Council,**

*Thursday, 4th November, 1937.*

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

**BILL—JUDGES' RETIREMENT.**

Read a third time, and *passed*.

**BILL—NURSES REGISTRATION ACT AMENDMENT.**

Report of Committee adopted.

**BILL—LOTTERIES (CONTROL) ACT AMENDMENT (No. 2).**

Report of Committee adopted.

**BILL—ANNIVERSARY OF THE BIRTHDAY OF THE REIGNING SOVEREIGN.**

*In Committee.*

Resumed from the previous day; Hon. V. Hamersley in the Chair, the Honorary Minister in charge of the Bill.

Clause 2—Governor may proclaim a day to be observed as the birthday of the reigning Sovereign (partly considered):

Hon. H. S. W. PARKER: I move an amendment—

That after the word "Act," in line 1, there be inserted "or under any industrial award or agreement made or entered into under the

provisions of the Industrial Arbitration Act, 1912-1935."

If this amendment is carried there will be some consequential amendments. The object of the amendment is to provide that one day shall be definitely fixed, whether under an Act of Parliament or under an industrial award or agreement, as a holiday to celebrate the anniversary of the birth of the reigning Sovereign.

The HONORARY MINISTER: I oppose the amendment, firstly because it is not necessary, and secondly because it is unwise and against Government policy for any Act of Parliament to interfere with industrial awards or agreements. This is a phase to which the House should give serious consideration. I am informed that the Bill affects only two industrial awards or agreements—those referring to the Harvey shopping district and the Kalgoorlie shopping district. Three Acts of Parliament refer to public holidays, those which fix bank holidays, Public Service holidays, and holidays in shops not warehouses. Women and boys employed in shops are affected, but I am informed that no trouble is experienced in making satisfactory arrangements with employers.

Hon. H. S. W. PARKER: I am under the impression that factories are affected, and not shops. It is only factories that get a holiday on King's Birthday. The Bank Holidays Act already provides for the making of the proposed proclamation by the Governor, who can at any time declare any date he pleases for any bank holiday. I am not in a position to state what industrial awards and agreements are affected. Some awards and agreements do provide for a holiday on King's Birthday. If there are no awards or agreements this will have no effect.

The Honorary Minister: There are only two awards, those affecting the shop assistants at Kalgoorlie and the Harvey area.

Hon. H. S. W. PARKER: Section 42 of the Factories and Shops Act provides that the occupier of a factory shall allow, amongst other holidays, a holiday on the birthday of the reigning Sovereign, and when that day falls on Sunday the holiday is to be allowed on the next ensuing Monday. Any factory under this Act, if there is no award, will close on the date proclaimed. If there is an award or agreement the employees will get their holiday on the King's Birthday and not on the day proclaimed.

The Honorary Minister: The Bill will remedy that.

Hon. H. S. W. PARKER: It will not, because if there is an award covering these people they will be taken out of this Act.

The Honorary Minister: There are only two places affected—Kalgoorlie and Harvey, and in those cases the Factories and Shops Act will be overruled by this Bill.

Hon. H. S. W. PARKER: The award covering Harvey will not be affected by the Bill. These people will be entitled to their holiday on the 14th December or the Monday after. In Kalgoorlie under the award the people concerned in that award will be entitled to a holiday on the 14th December or the Monday after. The Bill will not affect them. They will still have their holiday on that day. The whole object of the Bill is to ensure that there shall be no interference with industry about that period, and that is why we should include the words I have suggested, so that we shall have it clear that where there is an award or agreement the holiday observed shall be on the day fixed by proclamation instead of in December.

Hon. L. B. BOLTON: It seems to me that the whole thing is a farce. If we are going to be patriotic and observe the King's birthday let us observe it on the actual day. Let us be really patriotic and not consider our pockets. As a matter of fact, I do not think His Majesty wishes that people should be inconvenienced as a result of the observance of his birthday.

Hon. J. CORNELL: I cannot see how this is an infringement of the prerogative of the Court of Arbitration inasmuch as it does not alter conditions at all but makes it definite that the date fixed by proclamation for the observance of the holiday shall be the day observed by all.

Hon. J. M. MACFARLANE: I ask the Honorary Minister to accept the amendment. I would like to support the Minister in regard to the intentions of the measure but I have a healthy suspicion that there will be trouble if it is accepted without the amendment attached. One has to be very careful about how one acts in these days, and has to be careful about committing breaches of awards or agreements. I want to see these words inserted so that there shall be no possibility of a comeback afterwards.

The HONORARY MINISTER: There is a dangerous principle involved.

Hon. J. J. Holmes: What is the dangerous principle?

The HONORARY MINISTER: I have heard Mr. Holmes wax eloquent on the same score, that Acts of Parliament should not override the Arbitration Court. That is the principle involved. If members carry the amendment, then the responsibility will be theirs.

Hon. H. S. W. PARKER: Under the Bank Holidays Act, the Government can proclaim any day they like a public holiday. Under the Factories and Shops Act, the Governor can now declare any day he likes a public holiday, but curiously enough the King's Birthday is not a day included as a holiday for shops, although it is for factories under the Factories and Shops Act. I am afraid it is going too far to suggest that by this amendment we are interfering with Arbitration Court awards or agreements. We are doing nothing of the sort. We are not suggesting that the Arbitration Court should or should not have given the King's Birthday as a holiday; we are merely suggesting that, where the court may have set aside a day for the observance of the King's Birthday, that day may be transferred by proclamation to another day. I would be the first to object to any suggestion of an interference with an award of the Arbitration Court.

Amendment put and passed.

On motion by Mr. Parker, consequential amendments were made by striking out in line 4 the words "by any such Act," and substituting the word "thereunder," and by striking out the word "the" in the same line and substituting the words "any such," and by adding at the end of the clause the words "award or agreement."

Clause, as amended, agreed to.

Title—agreed to.

Bill reported with amendments.

#### BILLS (4)—FIRST READING.

- 1, Farmers' Debts Adjustment Act Amendment.
- 2, Land Act Amendment.
- 3, Collie Hospital Agreement.
- 4, Financial Emergency Act Amendment. Received from the Assembly.

#### BILL—JURY ACT AMENDMENT (No. 2).

*Second Reading.*

THE HONORARY MINISTER (Hon. E. H. Gray—West) [5.10] in moving the second reading said: The purpose of this small Bill is to exempt members of the crews of aircraft engaged in the carriage of mails and passengers from service on juries. Provision is already made, under Section 8 of the Act, for the exemption from jury service of persons whose absence from duty would involve inconvenience to the public. Included amongst those persons are employees in railway transport, pilots, mariners, naval and military officers, etc. The Bill seeks to bring the section into conformity with modern requirements. We propose to add to the list of persons already exempted commercial pilots engaged in public air transport, and all navigators and radio operators who are licensed as such and are employed in public air transport for the carriage of mails and passengers. Members are aware that the work performed by these men is of a highly technical nature and that their services are not easily replaceable. Further, the aircraft on which they are employed are required to fly to schedule, and it follows that disorganisation of our air transport services might well occur if members of crews were to be summoned to act as jurymen. Members will realise the necessity for the amendment, and I anticipate no objection to the Bill. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

*In Committee.*

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

#### BILL—FORESTS ACT AMENDMENT CONTINUANCE.

*Second Reading.*

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—ROAD TRANSPORT SUBSIDY.***Second Reading.*

**THE HONORARY MINISTER** (Hon. E. H. Gray—West) [5.20] in moving the second reading said: The purpose of the Bill is to provide authority for the Western Australian Transport Board to make grants in aid of road transport and the provision of landing grounds for aircraft, from the fund constituted under Section 59 of the State Transport Co-ordination Act. That section provides that a "Transport Co-ordination Fund" shall be kept at the Treasury to which shall be credited fees received from licenses issued by the Board, and any moneys appropriated by Parliament for the administration of the Act. It is further provided that after the cost of administration is paid out of the fund, the balance remaining shall be divided into two portions in accordance with the fees received from licenses issued in respect of omnibuses, and fees received in respect of commercial goods vehicles. The Act then lays down that after the balance has been thus apportioned, these sums shall be divided equitably amongst the various statutory authorities concerned in the maintenance of the roads traversed respectively by the vehicles I have mentioned. The Act, however, contains no reference to the method of treating moneys derived from air license fees. Under the existing provisions of the Act, it is found that the majority of local authorities receive not more than about £11 or £12 per annum. During the year ended the 30th June last, a sum of £1,594 8s. 2d., representing commercial goods vehicle license fees, was distributed amongst the various statutory authorities. Of this total the Main Roads Department receive £531 9s. 4d., and the balance—£1,062 18s. 10d.—was allocated amongst 97 road boards. The total amount of omnibus license fees distributed during the same period was £12,562 13s. 9d. In this case 48 authorities were concerned, and of these the Main Roads Department received £4,909 5s. 4d., and the Perth City Council £3,349 5s. 4d. Although, no doubt, a limited benefit accrues through the expenditure on road maintenance and improve-

ment of the various sums allocated from the fund for that purpose, it is nevertheless considered that a proportion of the moneys could be utilised to greater advantage in the subsidising of road transport services in isolated or sparsely populated districts. Certain subsidised services have already been brought into operation. These services, however, have been subsidised by the Treasury, as a result of representations made by the Transport Board, pending some provision being made such as is included in this measure. During the year ended the 30th June last, subsidy payments were as follows:—

	£	s.	d.
Cranbrook-Boyanup Brook Service	500	0	0
Hopetoun-Ravensthorpe Service	170	0	2
Ongerup-Needilup Service (six months only)	76	4	1

If this measure becomes law, the Transport Board will be able to give consideration to the provision of services in other country districts where settlers, by reason of their distance from the railway, have been handicapped by lack of transport facilities at reasonable rates of carriage. Similarly, the Board has in mind the question of subsidising transport services in cases where railway lines have been authorised but not yet commenced, or where existing lines may be closed or the service suspended. Under the provisions of this measure, the local authorities will not be entirely deprived of grants in aid from the fund, but will receive any balance remaining therein after the board has expended such sums as are necessary for subsidies. It is considered that those who already enjoy the advantages of rail transport facilities will not begrudge moneys from the Fund being expended in the direction I have indicated, more particularly, as it is not at present an economic proposition to build railways in the outlying country districts. To-day, the question of subsidising transport services is becoming increasingly important. Already certain local governing authorities are subsidising passenger transport to areas in an early stage of development. Thus we find the Perth City Council subsidising a service to City Beach, and the Mundaring Road Board a service from Midland Junction railway station to Swan View. However, so far as this measure is concerned, it is intended to confine practically the whole of the contemplated expen-

diture to inland areas isolated from existing railways, where, by reason of the low value of the commodities handled in relation to their bulk, there is a distinct limit to the freight charges that settlers can bear. I have already mentioned that the State Transport Co-ordination Act makes no reference as to the method of disposing of aircraft license fees. Although the amount held by the Board on the 30th June last, in respect of aircraft fees, totalled only £194, it is expected that revenue from this source will steadily increase in the future. The Bill now provides that such revenue may be utilised for the provision of landing grounds, and I think members will agree that this proposal is the most equitable method of dealing with these fees. The moneys in hand at the present time, would, of course, be quite inadequate for the purpose of establishing regular landing grounds. Expenditure, therefore, will be confined to the provision of emergency landing grounds along the main air routes. I understand that the work involved will consist chiefly of clearing, and the widening of short sections of certain roads. It is not anticipated that the cost of these operations will be excessive. I move—

That the Bill be now read a second time.

**HON. J. CORNELL** (South) [5.25]: I support the second reading and commend the Transport Board for its action. The position to-day is that the Transport Board collects certain fees, and in many instances those fees are of no use to the bodies amongst whom they are distributed for the reason that they are so small and hardly worth bothering about. The board is endeavouring to give means of communication and transport facilities to the people who are on the outer fringe of our settlements. The Bill is one that every member representing distant parts of the State can well support. It is also a measure that metropolitan members, who do not take a parish-pump point of view, can also support.

Hon. G. W. Miles: The metropolitan members do not take such a view.

Hon. J. CORNELL: Perhaps some of them are forced to do so at election time; I admit they do not often adopt that view here. These funds will be used solely in the direction of providing communication

with isolated places, and there can only be one result, that by passing the Bill we will help that section of the community that needs assistance of this kind, as well as the community as a whole. I support the second reading.

**HON. H. SEDDON** (North-East) [5.27]: I wish particularly to refer to that portion of the Bill which deals with the provision of emergency landing grounds. This is a departure that has been instituted by the Transport Board as the result of charging certain fees to pilots engaged in commercial work in the State. There is a service that has been established in the remote parts of the State—the aerial medical service—and it endeavours to provide medical flights for people who are injured or are taken suddenly ill. In those cases the transport of sufferers over our roads would probably result in more serious injury to the patient, but by the provision of the aerial medical service it is possible to take them to a hospital where they can receive first-class attention. In order to do that, it is necessary that there should be emergency landing grounds provided in the more remote centres. Where the people have realised the importance of providing such landing places, they have been prepared, and the Bill proposes that assistance by way of subsidy shall be rendered in the provision of those grounds. I can quote one instance where a pilot was going to pick up a patient and the only place where he could land was on the surface of a salt lake. He had to make two or three attempts before eventually he was able to land. When it came to a question of taking off again with his patient, some difficulty was experienced in rising. The runway available was short and, of course, there was the extra weight. The only way in which the pilot was able to take off was by getting the doctor to lean over the front of the aeroplane so as to secure a more appropriate balance. Finally he was able to take off without any damage to the plane, the patient or the doctor. The need for emergency landing grounds is demonstrated by such instances of urgent flights. Certainly emergency grounds are required and we know that frequently such grounds are ultimately used for ordinary landing places for commercial air services. I understand that one proposal is that where long stretches of straight roads are available in the outer districts, assistance will be provided to clear an extra width and length so

as to enable planes to land and take off there in cases of emergency. I have much pleasure in supporting the Bill.

**HON. J. M. MACFARLANE** (Metropolitan-Suburban) [5.32]: I support the Bill, for I appreciate some of its features. By innuendo, city members were accused of lack of sympathy with the country people in their difficulties. I would reply to that by stating that I am very sympathetic and I am delighted to know that an opportunity has arisen to afford people living in isolated areas some improved means of communication. Acts authorising the construction of railways have been passed in this Chamber and yet there is no possible hope of those lines being constructed. As a matter of fact, I do not think those lines ought to be built, particularly when much more speedy transport can be made available at much less cost than would be available if those railways were constructed. I commend the Bill to the support of other so-called unsympathetic city members. There is this also to be said about the proposal, that the provision of these facilities will tend to create traffic for the railways because the services will act as feeders to other means of transport. Today nothing of the sort is available. Looking at the matter from the point of view stressed by Mr. Seddon and also from that indicated by the other great country advocate, Mr. Cornell, I and other city members can appreciate the good features of the Bill and accord it hearty support.

Question put and passed.

Bill read a second time.

*In Committee.*

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

**BILL—MUNICIPAL CORPORATIONS  
ACT AMENDMENT (No. 2).**

*In Committee.*

Resumed from the previous day; Hon. J. Cornell in the Chair, the Chief Secretary in charge of the Bill.

Clause 23—Amendment of Section 105, repeal and new section; preferential voting:

The **CHAIRMAN**: Progress was reported on this clause.

The **CHIEF SECRETARY**: The clause should appeal to members. When the Act was amended in 1919, provision was made that at the election of a mayor and, when a municipality had been divided into wards, at the election of councillors, each elector should indicate his preference in the same way as at State or Federal elections. The clause applies the same principle to voting at municipal elections where the municipalities are not divided into wards.

Clause put and passed.

Clause 24—Amendment of Section 108:

The Chief Secretary: The clause is consequential on the passing of Clause 19.

Clause put and passed.

Clause 25—Amendment of Section 109, repeal and new section; voting in absence:

The **CHIEF SECRETARY**: The clause deals with absentee voting. If agreed to, it will make a big difference as compared with the existing system. It provides that a person who, for satisfactory reasons, is unable to attend a polling booth on the day of election, may vote in absentia before a returning officer, a town clerk or some other person appointed by the Minister. It precludes justices of the peace from witnessing absentee votes unless appointed to do so by the Minister. I do not think it requires any explanation from me as to the reason for that amendment. Members are well aware of what has taken place in the past, and it is hoped that the provision will prevent those happenings about which there have been hitherto so many complaints.

Hon. H. SEDDON: The clause represents a considerable improvement upon the old system but, even so, it is rather restricted inasmuch as it makes provision for town clerks to exercise the powers stated, but secretaries of road boards are not included.

The **CHIEF SECRETARY**: If the hon. member will read the clause, he will see that the Minister may appoint other persons as well.

Hon. H. Seddon: That is so, but I should think road board secretaries should be included as among those recognised as eligible to take absentee votes.

The **CHIEF SECRETARY**: I shall not raise any objection to the inclusion of road board secretaries, but I think they will be covered by the provision that the Minister can appoint others. If a district desired

the road board secretary to be appointed under the Act, an application could be made to the Minister to that effect, and I feel sure the Minister would raise no objection.

Hon. H. SEDDON: I move an amendment—

That in line 13 of proposed new Subsection 1, after "district," the following words be inserted:—"or the secretary of a road board."

Hon. H. V. PIESSE: I support the amendment. The secretary of a road board can be approached easily and people will know where they can secure his services.

Amendment put and passed.

Hon. H. SEDDON: There will be consequential amendments in other parts of the clause.

Hon. G. W. Miles: They are consequential, so they can be inserted by the Clerk.

The CHAIRMAN: The Clerk would prefer to have specific instructions. Wherever the words "town clerk" appear, it will be necessary to insert the words "or the secretary of a road board." That will have to be done in Subclauses 2, 3 (in two places), 5, 6, 7, 9, 10, and 11.

Clause, as amended, agreed to.

Clause 26—Amendment of Section 110:

The CHIEF SECRETARY: This is consequential upon the new method of voting, the preferential system.

Clause put and passed.

Clause 27—Repeal of Section 111:

The CHIEF SECRETARY: Section 111 is no longer necessary in view of the new system, of marking the ballot papers.

Clause put and passed.

Clause 28—Amendment of Section 112:

The CHIEF SECRETARY: In the principal Act provision is made that if ballot papers have to be destroyed they shall be destroyed by the town clerk. It is considered that there is no necessity for this.

Clause put and passed.

Clause 29—Amendment of Section 155:

The CHIEF SECRETARY: As the Act stands at present no wages employee can expect a gratuity, no matter how much the council may wish to consider that employee. Therefore it is thought there

should be in this legislation the same provision as there is in the Road Districts Act.

Clause put and passed.

Clause 30—Amendment of Section 156:

The CHIEF SECRETARY: This deals with the holding of ratepayers' meetings. At present there are two each year, but it is now proposed to reduce them to one each year. It will be recognised by those with experience of municipal affairs that these meetings are but ill attended as a rule, notwithstanding which the local authority has to bear the expense of two of them when seemingly one would suffice.

Hon. L. B. BOLTON: It is considered that the ratepayers' meeting should be held before the annual election.

The CHAIRMAN: That is provided here, in Subclause 1.

Hon. L. B. BOLTON: I think the meeting should be held a little before the date of the annual election. It would be better to make it seven days before.

The CHIEF SECRETARY: Surely we can leave this to the desires of the various local authorities, who will know best what suits their respective districts. There is here a provision that will give a longer period in which to hold the meeting.

Hon. L. B. BOLTON: A longer time between nomination day and election day. I do not know how other members view it, but if we fix the annual meeting to be held at least seven days before the annual election, it may be an improvement.

Hon. H. Seddon: Fourteen days' notice must be given, and the meeting must be held before the annual election.

Hon. J. J. Holmes: What does it all matter here?

The CHAIRMAN: Seven days' notice must be given at present, and the Bill proposes that it shall be 14 days' notice.

The CHIEF SECRETARY: Irrespective of the notice provided for, Mr. Bolton wishes to fix a particular time when the meeting shall be held. I can see no need for that. A date that would suit one district might not suit another. All that is necessary is that the 14 days' notice should be given.

Hon. J. T. FRANKLIN: It would be a mistake to state the time when the annual meeting shall be held. The end of the year is a very busy period for any municipality. It is almost impossible for the returns to be ready and the accounts audited earlier than practically the day of the annual meet-

ing. In some municipalities, a vast amount of clerical work is required to be carried out before everything can be got ready.

Hon. J. M. MACFARLANE: If the accounts are not got out any earlier than is suggested by Mr. Franklin, that may account for the small attendance at annual meetings. No one can take an intelligent interest in accounts that have just been presented.

Clause put and passed.

Clause 31—Amendment of Section 158:

The CHIEF SECRETARY: This deals with the question of who should preside at ratepayers' meetings in the absence of the mayor. The existing provision allows the ratepayers to choose one of their own number to preside. It is considered that if a councillor is present at a meeting, he should be the man to preside.

Hon. H. SEDDON: This is a desirable amendment. We have had interesting meetings of the ratepayers of the Kalgoorlie municipality, and people have attended, stormy petrels, with the intention of dominating the meeting. If a councillor took the chair, it would make for some semblance of control.

Hon. L. B. Bolton: I, too, think the amendment is a good one.

Clause put and passed.

Clause 32—Amendment of Section 161:

The CHIEF SECRETARY: This deals with the disqualification of the mayor if he becomes directly or indirectly pecuniarily interested in any matter that comes before the council.

Clause put and passed.

Clause 33—Amendment of Section 168:

The CHIEF SECRETARY: The object of this clause is to prevent any out-voting of the council on any recommendations made by a standing or special committee.

Clause put and passed.

Clause 34—New section:

The CHIEF SECRETARY: No provision is made in the Act for the payment by the council of expenses that may be incurred by the mayor or councillors delegated to represent the council on municipal conferences. This power is contained in the Road Districts Act, and it is thought desirable to extend the same provision to the municipal councils.

Hon. C. H. WITTENOOM: I do not like this amendment to the Act. A great deal of responsibility is placed upon mayors and councillors, and it should not be necessary for them to have to obtain the approval of the Minister for this expenditure. It also is wrong that the number of delegates should be limited to one. The work at conferences could probably be better done if each municipal council had the right to send two delegates.

Hon. J. J. Holmes: Why not make it three?

Hon. C. H. WITTENOOM: I move an amendment—

That in proposed Section 178A the words "with the approval of the Minister" be struck out.

The CHIEF SECRETARY: Apparently the hon. member wishes a municipal council to have a free hand in this matter.

Hon. V. Hamersley: Why not?

The CHIEF SECRETARY: The principal Act does not provide for any payment. This provision appears in the Road Districts Act, and for the sake of uniformity we should follow that principle in this measure. Greater power should not be given to a municipality in this respect than is given to a road board.

Hon. C. H. WITTENOOM: With the permission of the Committee, I will withdraw the amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Progress reported.

*House adjourned at 6.14 p.m.*