

of the people of Bunbury. A clause like this should not be put in a Bill except for some extraordinary reason. We did it on one occasion, but we need not repeat it in such a small Bill as this.

Hon. W. PATRICK : We should not insist on this amendment. No doubt the Committee took a proper course from a theoretical point of view. It was a difficult matter in a small community such as ours to select a first-class man for a first-class position ; and taking everything into consideration, the wiser course would be to agree not to insist on the amendment.

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

Ayes	..	..	..	6
Noes	..	..	..	4

Majority for .. .. 2

**AYES.**  
Hon. J. D. Conolly  
Hon. J. M. Drew  
Hon. V. Hamersley  
Hon. E. McLarty  
Hon. W. Patrick  
Hon. G. Throssell

**NOES.**  
Hon. F. Connor  
Hon. J. T. Glowrey  
Hon. S. J. Haynes  
Hon. W. Maley

Question thus passed, the Council's amendment not insisted on.

Title of Bill—agreed to.

Bill reported ; the report adopted ; a message accordingly returned to the Legislative Assembly.

## ADJOURNMENT — PROROGATION ARRANGEMENTS.

The COLONIAL SECRETARY moved—

*That the House at its rising do adjourn until 12 o'clock noon of Friday.* He believed it was the intention of His Excellency to prorogue Parliament at three o'clock Friday afternoon.

Question passed.

The House adjourned at 1.40 o'clock a.m. (Friday) until Friday noon.

## Legislative Assembly,

Thursday, 19th December, 1907.

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The SPEAKER took the Chair at 2.30 o'clock p.m.

Prayers.

## PAPERS PRESENTED.

By the Premier: 1, Annual Report and balance-sheet of Karrakatta Cemetery Board; 2, Annual Report and balance-sheet of Governors of the High School; 3, Annual Report and balance-sheet of Agricultural Bank; 4, Report of Comptroller of Prisons; 5, By-laws of Municipality of Kanowna; 6, Report on portions of Kimberleys, by W. V. Fitzgerald.

## QUESTION—RAILWAY EXCURSION FARES, KALGOORLIE TO ALBANY.

Mr. BATH asked the Minister for Railways: Is it the intention of the Minister to make the Saturday week end excursion fares from Kalgoorlie to Albany available at the same rates for passengers as during last holiday season?

The MINISTER FOR RAILWAYS replied: No. The rates have been slightly increased so as to be more uniform in regard to distance to other seaports.

## QUESTION—MINING EXEMPTION.

Mr. WALKER asked the Minister for Mines: 1, Has the Minister's attention been drawn to a letter over the signature of Geo. Chishholm, referring to a certain exemption? 2, If so, will the Minister inform the House whether there is any justification for the course alleged to have been taken?

The MINISTER FOR MINES replied: 1, Yes. 2, The exemption referred to was granted by the registrar to enable the lessees to make fresh working arrangements. Since the date of granting, three fresh tribute agreements on the group of leases have been approved by the warden.

## QUESTION—PRISON WARDERS' HOURS.

Mr. TAYLOR (for Mr. Bolton) asked the Premier: 1, Has he taken any action to inquire into the representations made by hon. members on the question of excessive hours on duty of prison warders at Fremantle? 2, If so, will he state whether it is his intention to remedy this condition of affairs at an early date?

The PREMIER replied: 1, Yes. 2, Yes, in cases where such are proved to exist.

## QUESTION—EDUCATION ENDOWMENTS.

Mr. BATH asked the Minister for Education: Has he taken any farther steps towards setting apart blocks of land in new areas as educational endowments?

The PREMIER replied: The Minister for Lands has had a large number of blocks in various townsites throughout the State earmarked for the purpose, pending final selection.

## QUESTION—SESSION OF 1908, AND GENERAL ELECTIONS.

Mr. BATH asked the Premier (without notice): Will he, before the session closes, make a statement as to the intentions of the Government as to holding a session next year, and also as to the in-

tentions of the Government in regard to the date for holding the next general elections?

The PREMIER replied: Yes.

## PERSONAL EXPLANATIONS.

*Attorney General and Mr. Holman.*

The ATTORNEY GENERAL (Hon. N. Keenan): I wish to crave the indulgence of the House to make a statement by way of personal explanation. It will be within the memory of members that some time last May, at the instance of the Premier, I supplied to him a minute dealing with the procedure for conducting prosecutions under the Industrial Conciliation and Arbitration Act. In that minute I commented on the Potosi Consolidated Company's case. The member for Murchison (Mr. Holman) took exception to certain expressions that minute, and tabled a motion for the purpose of enabling him to bring the matter before the House; but owing to the exigencies of this session, that motion has not come before members. At the instance of the Premier, the member for Murchison has been good enough to lay before me his objections to certain expressions made use of in that minute. The hon. member tells me, and I feel sure he is perfectly sincere, that he places a construction on some of the words which reflect on his personal honour, and reflect on his being a party to acts which in themselves are dishonourable. I desire, without any reservation whatever, to say that I regret having been a party to anything which caused the hon. member any pain; and without any qualification I desire to express my regret, and farther to say it was no part of my intention to do or say anything which would cause such a result. As a matter of fact, nobody regrets more than I do that in the strife we at times engage in, the wordy warfare, we unfortunately say things which do cause pain. I have always held this view, that it is no part of the criticisms made by a public man, in the discharge of his public duties, to indulge in personal abuse; and if I have infringed that rule inadvertently, I regret having done so. I feel sure the hon.

member will accept that assurance from me, and also the assurance that it was in no way intended.

Mr. J. B. HOLMAN (Murchison) : I am very pleased indeed to accept the assurances of the Attorney General. I may say, in explanation, that I felt keenly the statements made in the document to the Premier, coming as they did at a critical period, when I was acting for certain people. It was the means of bringing upon me, during the session, through my using a certain expression, the censure of the House. I should not have used the expression if I had not felt the matter keenly; but no matter how keenly I may have felt the Attorney General's minute, I do not think I was justified in making the remark I did, and I desire to express my regret that I made the remark. I wish to assure you, Mr. Speaker and the House, that it was not from evil intent that I made the remark on that occasion; but my temper is pretty hot, and I say many things at times which no doubt I regret afterwards; but I am glad that I can now express regret that I made the remark I did. Although I suffered the penalty for refusing to apologise at the time, I am pleased to know now that the whole matter has been cleared up. I was justifiably heated on the occasion; but however justifiably heated I may have been, I was not justified in making the remark I did. I am glad the matter has been satisfactorily settled.

#### BILL—STATE CHILDREN.

Read a third time, and returned to the Legislative Council with amendments.

#### BILL—GAME ACT AMENDMENT.

##### *Kangaroos—Second Reading.*

Debate resumed from the previous day.

Mr. T. HAYWARD (Wellington) : I have much pleasure in supporting this Bill. The native game in the South-Western District has been decreasing for many years. We have had an Act in force, which if it were enforced would

probably prevent this decrease, but it is almost a dead letter; and I feel that unless steps are taken to enforce the measure now before the House, should it be passed, it will have about the same result. We have also a Gun License Act. At Bunbury at one time a number of licenses were issued, but latterly scarcely a license is taken out. It is necessary that more stringent measures should be taken to prevent shooting all the year round. At present I have been informed that duck shooting has been going on for a number of weeks. It is a great pity. It is unfortunate for the man who observes the law and goes out on opening day to find that someone has been there before and shot all the ducks away. The same applies to kangaroos. They are also getting scarce, and in a short time scarcely one will be found. If the law is not administered we may have to pass such an Act as they had in Tasmania prohibiting shooting for 12 months in order to prevent the extirpation of the native game altogether. As far as I can see, this measure if enforced will prevent the extinction of native game, especially the kangaroo. I support the second reading and perhaps I may suggest a few alterations in Committee.

Mr. R. H. UNDERWOOD (Pilbarra) : I support the second reading of this Bill, because I hold it is desirable to preserve the Australian game as much as possible; but at the same time the Bill gives considerable power to the Minister. I think members are entitled to have a little more information as to where the measure will apply. There is no area mentioned in the Bill. Of course I admit it is one of those Acts in which the Minister is not likely to go very far wrong; but the position is that in the whole of the northern part of the State kangaroos are a pest to a considerable extent.

Mr. Stone: It does not apply there.

Mr. UNDERWOOD: The Bill does not say where it applies and I would like a little information as to the intentions of the Minister as to its application. The Bill merely says that certain parts may be set aside; in fact the whole of the

State may be set aside. I am pleased to give my support to the measure.

Mr. T. L. BROWN (Geraldton): It is not my intention to oppose this Bill; but like the member for Pilbarra, I would like a little more information. We are told that a certain area is to be restricted but it does not say so in this Bill. It is not defined. It may be desirable for certain districts to be reserved. At present kangaroos in particular are very scarce; but there is a possibility that we may take a step in the wrong direction. If the Minister receives a request from members for certain districts to have certain areas restricted from time to time, no doubt they may become breeding grounds for kangaroos that would be a menace to outlying districts that rely on pastoral pursuits. So I think it is necessary in restricting areas to proceed carefully. The member for Wellington will probably add something to the clause in Committee, and I trust the Minister will see his way clear to allow it, so that we will know exactly what we are dealing with, so that the area will be defined, and so that we will not be told merely "so many miles south of Geraldton," or "so many miles south of some other place." With the member for Pilbarra I would like to see the area defined, so that we will know what we are doing. I should be sorry to think that for many years at all events killing kangaroos in the North will be restricted; but under the measure the Minister has power to do it. The only weak point in the measure to my way of thinking, is that it gives the Minister too much power. It gives him power to obtain an Order-in-Council to restrict any portion of the State whether it is desirable or not. There is another matter I would like to see clearly defined, and that is the amount of the license fee to be charged. It should be fixed at a nominal rate; because there are many men who rely solely on kangaroos for their livelihood, while others obtain a precarious livelihood by getting a little sandalwood and a few kangaroos.

Mr. G. TAYLOR (Mount Margaret): I am pleased to be able to support the

second reading of this measure, but I am very sorry it has come down so late. I think the Leader of the Opposition made that clear last night; but there is a necessity for this Bill even if it be brought down at this late hour of the session. I have been interviewed by farmers in the south-western portion of the State who have complained bitterly of the way in which the district is being denuded of native game by hunters who are making a living by killing kangaroos. They point out that in the farming areas in the South-West and along the Great Southern Railway it is now almost impossible for the farmers to take their guns and get kangaroos for consumption to take the place of beef or mutton. The member for Williams will bear me out. Several of his electors met me in the street about a fortnight ago and asked me to put the question in the House whether the Government intended to enforce the Game Act and prevent this kind of thing. They pointed out that the onus of proof practically rested on the policemen. This Bill will remove that by Clause 3 which points out that the fact of native game being found in the possession of a person, if he has no license and is within a prohibited area, is sufficient proof of guilt. It will be pleasing if this Bill is passed and if we can preserve our native game, where it is of great value to our settlers in the early stages of settlement. Clause 2, line 11, will get over the difficulties mentioned by members who have already spoken. It provides for prohibiting the killing or taking for sale or barter of any prescribed native game generally or in any defined portion of the State. "Any defined portion of the State" will meet the wishes of hon. members who have raised objections. We know that where areas are reserved by the Minister it is done by proclamation. I do not think it is giving the Minister too much power, because he can by proclamation bring in any portion of the State in an area; and if the settlers in that area think it is a wrong step they will at once bring it before the Minister that he has proclaimed an area without having sufficient knowledge, and I presume the proclamation will be rescinded.

So I do not think there is any possible chance that it will work any hardship. It may not be necessary for the north-west portions of the State to be brought under the prohibited area. We know there is game up there that will stand any amount of hunting yet before any diminution will be noticed in it to any large degree. I am pleased to support the Bill. I do so at the request of a number of our new settlers in this State. I hope the Bill will pass and become an Act, and I hope that when it does become an Act it will not be a dead letter. The member for Wellington (Mr. Hayward) has put his finger on the kernel of the position when he says that we already have laws, and that if they were administered, as it was the intention of Parliament they should be, we would perhaps not have need for this measure. The hon. member is one of the greatest sports in this State with the gun. I know that when he is relieved of his Parliamentary duties and returns to his home at Bunbury he immediately takes down his gun and sees that it is in good going order. The hon. member had pointed out that there are unscrupulous people who shoot during the close season. We cannot blame them if the Act is not administered. [*The Premier* : They are keen sportsmen.] There can be keen sportsmen who respect the close season, like the member for Wellington. It is a hardship on those who, knowing the gaming laws, adhere to the close seasons ; while others through the laxity in administration of the laws take no notice. I shall help the Minister to place this Bill on the Statute Book, and I hope that when it is there we shall have no complaint in regard to laxity in administration. I am pleased to know there will be no license given to anyone within a prohibited area to kill kangaroos or to dispose of their skins for barter. They will only get licenses outside prohibited areas. I am also pleased, as I have always been, to be able to assist the Government in putting measures on the statute-book.

Mr. P. STONE (Greenough) : I do not object to this Bill so long as it does not apply to the northern part of this

State. If it applies much to the north of Perth, I am afraid we shall not have sufficient police in the State to administer it. The Government have been giving £1,000 to the squatters in the North to eradicate the nuisance of kangaroos, and I know they are a great nuisance in the agricultural districts where they are not kept down. They get in at night and knock down the corn and create great havoc. I do not think the Game Act is an Act that is closely administered in a scattered country like this. In fact I have met a gentleman in a responsible position with a turkey in his possession. He had shot it during the close season. I asked him how he came to shoot it in the close season. He said, "I had to shoot it in self-defence ; it came flying at me and I had to protect myself." I think there will be many cases of this sort if this Act is made general throughout the northern part of this State.

Mr. G. S. F. COWCHER (Williams) : I have much pleasure in supporting the Bill. It is quite true what the member for Mount Margaret says about the scarcity of kangaroos in the South-East. It has been brought under my notice, I have seen it myself, that kangaroo hunters settle down in tents all over the place in the close season, shooting kangaroos. This is done in a wholesale manner. We know kangaroo is good food properly used, but this wholesale destruction should not be allowed.

The HONORARY MINISTER (in reply as mover) : It is not intended to apply the Bill to other than the South-West districts of the State. The idea is to proclaim an area south of Jurien Bay, about midway between Perth and Geraldton, as the area within which the Act shall be operative. The license fee for kangaroo hunters will be only nominal. The real object is that these men shall be watched within the prohibited area for preventing the wholesale destruction of kangaroos and other protected game.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Clause 1—agreed to.

Clause 2—

Mr. TAYLOR: It would be well for the Minister to make the intention clear, so that we might have it in the records of Parliament what the Act was intended to prohibit. There was a hazy idea that persons might kill kangaroos as they had been doing hitherto; and it should be made clear that it would be unlawful to kill kangaroos within the prescribed area, whether for sale or barter, and that the only case in which it would be allowed was when kangaroos were killed for food. If a person were found killing twenty or thirty kangaroos a week, professedly for food, that would be a case requiring close supervision.

Hon. F. H. Piessé: What would be done with the skins, in that case?

The HONORARY MINISTER: It was intended that within the protected area men might kill for food, and it was not intended that in such case the skin should be wasted, but that it might be turned to good account. The object was to have some method for regulating the disposal of kangaroo skins.

Mr. TAYLOR: There should be close supervision, with the object of preventing men from killing kangaroos on the plea of wanting them for food; and returns should be required by the department from persons licensed to kill kangaroos, so as to show the number killed, and enable the department to ascertain how the skins were disposed of. This would be a check on the practice of killing wholesale.

Mr. T. L. BROWN asked whether persons who went out shooting at the weekend would require a license, also whether a settler accompanied by one or two of his boys would require a license for each boy?

The HONORARY MINISTER: The intention was to charge a license fee for shooting kangaroos outside the declared area, and the amount would be £1. It would be permissible for a man to have his sons with him, and in the regulations we might provide say for a son under eighteen years of age. The suggestion

for requiring returns to be sent to the department was a good one, and would enable it to exercise greater control. He would make a note of that. As to persons going out shooting at week-ends, that would be all right if the skins were not disposed of by sale.

Mr. STONE: Could the owner of a field of corn shoot kangaroos destroying his crop? If not, would the Government prevent the kangaroos from trespassing?

Mr. UNDERWOOD: Many North-West squatters supplied natives with firearms to destroy kangaroos, and supplied part rations to whites kangarooing on the runs. North of Geraldton, where kangaroos were a pest, there should be no license. Various Governments had offered rewards for the destruction of kangaroos.

Clause put and passed.

Clause 3—Burden of proof:

Mr. Bath moved an amendment—

*That Subclause 2 be struck out.*

By this subclause an averment that the person charged was unlicensed, or that the killing was for the purpose of sale or barter, should be deemed to be proved in the absence of proof to the contrary. This provision was an entire subversion of the common law rule that a person must be considered innocent till proved guilty.

The HONORARY MINISTER: Surely it was easy for a licensed person to prove that he was licensed.

Mr. Bath: That was not the point.

Mr. TAYLOR: The difficulty in the administration of the present Act was a difficulty of proof; hence the scarcity of prosecutions and the wanton destruction of native game. If a man with no license was found with game in his possession, he should have to show how he got the game.

Mr. Stone: Why not make every licensee carry a disc round his neck?

Mr. BATH: A malicious person could easily hang game in a man's tent during his absence, and by the clause the burden of proof would lie on the owner of the tent. We had local examples of conspiracies much more serious than this.

The HONORARY MINISTER: Under the existing law stolen goods might be placed in a man's tent; but under this clause, having the goods in his possession for sale or barter was an essential feature of the offence. Again, a man with a license could easily prove he was licensed, whereas the police might find it difficult to prove that he was not licensed.

Amendment put and passed; the clause as amended agreed to.

Clauses 4, 5—agreed to.

#### Clause 6—Regulations:

Mr. TAYLOR: The member for Geraldton objected to boys under eighteen having to take out licenses. Boys aged from fourteen to twenty would probably be far more accurate marksmen than their fathers. The father's license should not extend to the sons. If the father had the license and the son infringed the Act, who would be punished? Boys of 18 did things without realising how it would affect others. The licenses should be granted to the sons as well as to the fathers, and the blame should rest on the lads for their own acts. It was suggested that a man should be allowed to employ unlicensed natives to shoot game for him. All persons who killed kangaroos with the object of trading should be compelled to obtain licenses. No man should be given power to employ eight or ten natives to go out with rifles and shoot game for him, unless all were licensed.

Mr. T. L. BROWN: The difficulty pointed out by the hon. member was easily overcome. When a father applied for a license the names of the members of his family who would be shooting for him under that license could be stated upon it. He moved an amendment—

*That the words "and areas" be inserted in line 2, after the word "conditions."*

There were certain areas in the North where kangaroos were a pest, and no man should be called upon to have a license to shoot there.

The HONORARY MINISTER: There was no necessity for the amendment, as the object desired thereby was attained by the provisions in Clause 2 of the Bill. Under the clause it was provided that cer-

tain areas should be proclaimed. This would meet the object of the hon. member.

Mr. T. L. BROWN: The clause did not clearly enough define that persons need not be licensed who were shooting in areas where kangaroos were a pest.

Mr. TAYLOR: There was no necessity for the amendment. In any case he opposed it, for he believed that all men who hunted kangaroos for trading purposes should be licensed. In the North-West squatters would not permit men to shoot kangaroos on their runs without a permit from them. As a rule a permit was given to one man, and he knew of cases where kangaroos earned as much as £10 a week by shooting on the run. Such men would be well able to purchase a license. It was impossible to control these men unless they were compelled to obtain a license.

Mr. T. L. Brown: A permit would do that.

Mr. TAYLOR: All should be compelled to pay for their licenses.

Mr. UNDERWOOD: Although a man should have a license for timber-cutting, gold-mining and so on, while kangaroos were a pest there should be no restriction. The Government were paying for the destruction of kangaroos, therefore why restrict the destruction of them? From his experience in the North, men would not shoot kangaroos when they were scarce because it did not pay. Men only shot kangaroos to fill in time. There were one or two kangaroo shooters up North who were good at the game, but they went shearing in the season. Many of the squatters equipped natives and supplied them with tucker and ammunition to go out shooting kangaroos. His reason for objecting to the license in the North was that the kangaroos were a pest, and it was not advisable to put a restriction on the killing of a pest.

The HONORARY MINISTER: The desire was to protect the native game in the South-West portion of the State, but not to deter people from destroying kangaroos where they ought to be destroyed. He did not think the Bill would operate in that way. He would frame regulations to prevent it.

Mr. BUTCHER: The Committee would be safe in allowing the clause to pass now that the Minister had given an assurance that he would frame regulations not preventing the free shooting of kangaroos in the North. A squatter told him that more kangaroos watered at certain wells on his run than sheep. He was strongly opposed to licenses being issued to kangaroo shooters in the North-West portions of the State, for persons should be encouraged to destroy kangaroos there.

Mr. T. L. BROWN: After the assurance of the Minister the Committee could safely leave the matter in his hands. If men had to obtain licenses less kangaroos would be shot. He asked leave to withdraw his amendment.

Amendment by leave withdrawn.

Clause passed.

Clause 7—agreed to.

Title—agreed to.

Bill reported without amendment; the report adopted.

Bill read a third time and *passed*.

## BILL—EXCESS.

### Second Reading.

The PREMIER (Hon. N. J. Moore), in moving the second reading, said: This measure is brought down in accordance with a promise made by the Treasurer last year when he introduced an Excess Bill covering the years 1902, 1903, 1904, 1905, and 1906. I regret exceedingly that the Treasurer owing to indisposition is not able to be present in his place to explain the measure, but I think members realise that it is to a large extent a formal measure, because the whole of the amounts have been dealt with under the Auditor General's report and the authority for the expenditure is covered by the item "Treasurer's Advance," which is annually submitted on the Estimates, but which is not included in the Appropriation Bill. The Bill covers an excess of £78,240 charged as against revenue, £10,480 charged against General Loan Fund, and £1,404 charged against Loan Suspense Account, making a total of £90,228. The whole of the items are shown on the Estimates which have already been passed by the

House as the expenditure for the last year, and they are expressly set out on pages 16 to 44 of the Public Accounts placed before members when the Budget was introduced. The Treasurer has an advance of £150,000 and from this these items are paid, while the excess expenditure has to be provided for by the Bill. It is suggested that in the future the Excess Bill for the last financial year shall be brought down prior to prorogation. I would like to point out that in several cases there have been considerable underdrafts which may be brought under the notice of the House at the present time. In the Lands Department, for instance, there is an excess of £2,938 16s. 9d. and there is an underdraft amounting to £10,751; that is to say in some cases, for instance, in salaries, there is an underdraft of £2,819 5s. 1d., while in some other votes there are excesses. In the item "Surveys generally" there is also an underdraft of £6,537 16s. 4d.; in the Woods and Forests, and Maintaining State Nurseries, there is an underdraft of £26, and in the item "Salaries" £185 1s. In the travelling and transport allowances for the department there is an excess of £1,050. This item was not created by the Lands Department but by the Treasury to meet the travelling and transport allowances for land inspectors. An amount was provided on the Loan Estimates under "Incidentals," but the Treasurer would not allow the expenditure under that heading, although the excess was put through under "Salaries"; therefore there is a corresponding saving in the item "Incidentals." I do not know that I need delay the House farther.

Mr. Bath: What would be the total underdrafts?

The PREMIER: I think they are set out on page 44 of the Public Accounts, "Unexpended balances, grand total £184,646 13s. 7d." In Committee, if I can give any information that hon. members want I shall be only too pleased to give it.

Mr. T. H. BATH (Brown Hill): I recognise this Bill is necessary, in accordance with the Audit Act. It is a matter which has been neglected in past

years until 1906 when an Excess Bill covering several previous years was introduced. The point to which I wish to refer in connection with this Bill is that there is a considerable amount embodied in excess here for what might be termed the administrative cost of various departments; and it conveys the impression that votes on the ordinary Estimates are under-estimated with a view to showing economy effected, while the balance is made up by what is really unauthorised expenditure, belated legality being given to it by an Excess Bill. One has only to look at the Mines Department.

*The Premier:* How much is that? Not £1,000 altogether.

*Mr. Scaddan:* It is just over £1,100.

*Mr. BATH:* A great deal of it is used up by items which should really appear on the Estimates. The same applies in connection with the Department of Works; there is £202 in salaries, and there are a number of other items amounting to £442. But it is more apparent in the Colonial Secretary's Department than in any other. That department is one that should not be subject to fluctuations as in other departments, and should be the department above all others in which a reasonable amount of accuracy should be obtained in preparing Estimates for Parliament. We see a considerable amount in this Bill in the various departments under the Colonial Secretary in the way of excess. I think it should be avoided in the future. The same may be said of the Agricultural Department. A great deal was said in 1906 as to the great economies which were effected by the Honorary Minister in the reduction of his Estimates, but we see it was really only an under-estimation instead of economy. Subsidies to agricultural and horticultural societies may be an item liable to be underestimated, but the department should have been able to estimate the expenditure in connection with the Agricultural Bank.

*The Premier:* The new Act was not enforced until the end of the year.

*Mr. BATH:* The Agricultural Bank should be like any other institution. The fact that there is an increase of business

should not necessitate a substantial increase in the cost of administration.

*The Premier:* More inspectors are necessary; where one might do before four or five are needed now.

*Mr. BATH:* The total excess is £2,185. I hardly think the increase of business warrants that increased expenditure. In connection with the Loan Suspense Account, I referred to this when dealing with the Loan Estimates yesterday. I hope that the remarks of the Auditor General will be noticed by the Treasurer and that consideration will be given to the Auditor General's suggestion embodied in his report, that a committee of accounts should be appointed by Parliament in order to confer with the Auditor General, and to see that the recommendations contained in his report each year are not wasted on the desert air. I speak of his recommendations for the more effective keeping of the accounts of the various departments of the State. There is one question I would like to ask whether members of this House have the right to consult the Auditor General at any time on matters contained in his report, or on matters on which information is sought. In the Auditor General's report there are many matters I would like explained by the Auditor General, and seeing that he is a servant of Parliament, directly responsible to this House, I think we should be allowed to see him if there is any point on which we should like information.

*Mr. Scaddan:* The report should be an Order of the Day for discussion. It is Parliament's duty to discuss it.

*Mr. W. D. JOHNSON (Guildford):* I endorse the remarks of the Leader of the Opposition. It is a very undesirable practice to bring down an Excess Bill at the tail end of the session to cover items that should be discussed on the Estimates. In looking through this Bill we find grants to certain libraries and special grants for the purchase of recreation grounds; and right through we find items that would be discussed and possibly struck out in Committee of Supply provided they appeared on the Estimates. By the omission of these items it makes

the Estimates appear considerably better. Consequently I take strong exception to many items, the details of which I shall draw attention to when we are in Committee. There are several on which the Minister for Works should give an explanation. The London Agency is another item on which we want some information. I think the majority of members hold the opinion that the London Agency is too expensive already. As it appeared on the Estimates exception was taken to it, yet we find that the Estimates did not contain the true cost of the Agency, because we find in this Bill an excess of some hundreds. However, I take it we will have an opportunity of getting some information in Committee.

The PREMIER (in reply as mover) : The Leader of the Opposition has referred to the fact that in the Colonial Secretary's Department particularly the Minister should be in a position to gauge more correctly his expenditure. I would point out to the hon. member that the Colonial Secretary controls different departments, such as the Charities Department, when unforeseen expenditure often crops up, and which in framing his Estimates he is not in a position to forecast. There is an excess of £2,550, which is mostly made up of grants in aiding indigent patients.

Mr. Johnson: It is mostly grants to unemployed; yet you are encouraging immigration.

The PREMIER: Why do we want to give it to the unemployed? We give them work.

Mr. Johnson: It is what you must be doing—giving them food.

The PREMIER: To any man who comes along we will give a job if he likes to work.

Mr. Johnson: At a fair wage?

The PREMIER: Yes; at contract work, ring-barking—as long as they are not like some men who go up there who cannot earn their salt at anything. Some are asked to send in an account for rations for three or four months, and in some cases these rations come to £3 or £4 a week. I have a schedule in my office as a sample of one gentleman who was

anxious to go on the land ring-barking; and among his schedule of rations he mentioned such things as self-raising flour, currants, raisins, sauces, and every luxury of the season. If the hon. member wants to send men of that class along we have no time for them, but if he sends along any man who likes to take a contract we will give it to him.

Mr. Johnson: I shall send along some of the men retrenched from the Railway Department. You will be inundated with them.

The PREMIER: Well, send them along. There is another item in regard to the Perth Public Hospital Board. There is an excess of £4,679 12s. 2d. caused by the increase in the number of indoor and outdoor patients. The indoor patients during last year were 3,110 against 2,682 in the previous year, and the outdoor patients numbered 7,100 last year as against 6,500 in the previous year. I have already pointed out that as against these underdrafts there is, as will be seen by members if they turn up the Public Accounts a considerable unexpended balance of the vote in the case of the Lands Department amounting to £10,000.

Mr. Bath: Can any hon. member consult the Auditor General at any time in connection with matters in his report?

The PREMIER: I do not know that the point has ever been raised, but if it can be done by letter I shall arrange to see that it is forwarded to the Auditor General. I do not know whether in the conditions of his appointment it is provided that he can be interviewed, or whether information can be solicited in regard to any items connected with his report, but I shall ascertain for the hon. member.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Mr. Daglish in the Chair, the Premier in charge of the Bill.

Clauses 1, 2, 3—agreed to.

Schedule A—Literary and Scientific Grant—Item, Victoria Park Library:

Mr. JOHNSON: Under this head appeared a special grant for purchase of Victoria Park library. Why was that?

The PREMIER: The Victoria Park Municipality was a subdivision of private estates, and no Government land was reserved within its area; consequently the Government advanced this amount to the Committee of the local public library for purchasing a site on which to erect a building, the amount for the site being £35.

Mr. JOHNSON: The item said this was for the purchase of a library, not for a site on which to erect a library building.

Aborigines:

Mr. BUTCHER: Referring to the Aborigines Grant, what steps did the Government propose taking towards protecting whites against the terribly incurable disease from which natives in the North-West were suffering?

The CHAIRMAN: The point was not in order as to this item.

The PREMIER: The amount of this item as voted was increased last year because more decrepid natives received assistance than was anticipated when the vote was passed. With regard to the hon. member's request for information, he would give that information to a deputation of settlers who were about to wait on him.

London Agency:

Mr. JOHNSON: The London Agency was administered on most expensive lines. If Parliament could have discussed sufficiently the items in the Annual Estimates for the London Agency, some of them would not have been passed and we should not now be asked to pass a vote to cover excess expenditure which ought not to have been incurred. All we could do now was to get explanations.

The PREMIER: The first item of excess expenditure was in regard to the inspecting engineer, who was short-paid in August 1904, also for a later part of the year he was paid at a higher salary than was provided for in the Estimates. As to what had been said about the expensiveness of the London Agency, he had promised the Committee of this House when items were being discussed on the Annual Estimates, that the Agent General would be requested to prevent the creation of a distinct department for

the inspecting engineer, who was desirous of being a department distinct from the secretary's department. It was desirable the whole of the business should be under the secretary of the Agency, and the Agent General had been requested to resist any desire to have separate departments for immigration, Agent General and inspecting engineer. The Agent General had recognised that by consolidating the work of the office a considerable saving could be effected, and although in the present year there would be additional work in connection with the Franco-British Exhibition, yet some reduction could be effected later.

Municipal Grants:

Mr. H. BROWN: Last year's estimate of the amount of subsidy to be paid to municipalities was £60,000, yet over £30,000 additional was paid. Could the Premier give any explanation as to why such a huge amount in addition to the authorised had been paid?

The PREMIER: The payment of subsidies for 1906 was based on a reduction of 20 per cent. of the amount of general rate collected in the municipal year ending 31st October; but in view of the fact that municipalities were aware it was the intention of the Government to reduce the subsidy by 20 per cent. in the next year, a special effort was made by many municipalities to get their rates collected as fully as possible before the end of the 1906 municipal year, and the collection were so large as compared with previous years that the Government had to pay considerably more than had been estimated. Of course the object of municipalities in doing this was to get the subsidy on the higher amount allowed by collecting as large a sum as they could within the year, before the lower scale of subsidy came into operation. But of course the Treasury would have to pay less during the present year as a result of so much more having been collected in the previous year.

Mr. BUTCHER: The explanation showed how putrid the principle was of subsidising municipalities. It showed how the municipalities fleeced the Government; it showed also that municipalities

ould if necessary carry on without a subsidy from the Government; that when they saw the Government were going to make a reduction they made greater efforts to collect rates than had been made before. The sooner these subsidies to public bodies were abolished, the better.

The PREMIER : On the basis on which subsidies were paid now, we paid on the actual balance-sheets of the municipalities; so that the Treasury could check the balance-sheets for three years, take the average of the general rate collected in that period, and pay on the basis of a farther reduction of 20 per cent. for this year. The idea was to gradually reduce the subsidy to municipalities, so that ultimately the subsidies might be abolished. Members would recognise that a gradual reduction was better than stopping the subsidies at one stroke; it was more equitable.

Mr. H. BROWN : If the annual subsidy was to be paid on the basis stated by the Premier, the Government would still be overpaying, because the select committee which had been inquiring into the overpayments of subsidies to municipalities found that large sums of money had been paid by the Government illegally. He had asked whether the Government intended to reduce the subsidies in accordance with those overpayments. A Government auditor should be appointed to see what repayment was owing by municipalities that had been overpaid, and this would apply particularly to three municipalities represented by members of the Government. Fremantle alone in the last six years had been overpaid by £8,000, moneys having been first collected at general rate, and then portions transferred to aid the separate health rate, after a subsidy had been claimed on the total amount of general rate collected. Over £9,000 had been overpaid to Norham in the same loose way; and a large amount was overpaid to Kalgoorlie; and so with other places. One witness called before the committee admitted he could not find a balance-sheet.

The PREMIER : The subsidy would be paid on the amount of general rate collected for three years, taking the average.

Item—Belmont, Purchase of recreation ground, £337 2s.:

Mr. JOHNSON : Why was not this expenditure discussed by Parliament ?

The PREMIER : The whole of the property in the municipality having belonged to a private person, in surveying the town no provision was made for a recreation ground or public reserve. There was not any Crown land for even a post office or a town hall.

Mr. SCADDAN : The objection was to granting the money without the consent of Parliament, when similar grants or grants for the improvement of reserves were refused to other municipalities.

Item—Gwalia Hotel, maintenance, £2,346 16s. 5d.:

Mr. JOHNSON : Was this expenditure included in the balance-sheet of the hotel ?

The MINISTER FOR MINES : Yes. Owing to the good business done, the amount estimated for the purchase of stock etcetera had been largely exceeded. The hotel was highly profitable. It had now paid off the whole of the capital, and thus owed the State nothing whatever.

Item—Inspection of Machinery, temporary assistance, £65 12s.

Mr. SCADDAN : Why the necessity for temporary assistance when the branch was already over-manned ?

The MINISTER FOR MINES : Reductions were to be effected. The amount for this year was over-estimated.

Item—Indoor Relief, £1,482 10s. 3d.:

Mr. JOHNSON : The Government were tolerating a continuous influx of impecunious persons from the mother country, who came here only to increase an overloaded labour market, and many of them were assisted from the Charities vote. In view of the Premier's promise this afternoon, he (Mr. Johnson), when he had applications for assistance from men willing and able to work, would send them to the Premier.

Mr. BUTCHER : If the hon. member travelled more extensively about the

country, he would know that on certain occasions it was utterly impossible to get the labour necessary to carry on various industries in the country districts. Men were not willing to leave a municipality or to go far from a railway.

*Mr. Bath* : Some of the men had families, and could not keep two homes.

*Mr. BUTCHER* : That was true; but members must not forget that portion of the State was languishing for want of labour, while other portions had an enormous number of unemployed.

*Mr. STUART* : It should not go forth without contradiction that it was impossible to get labour to carry on various industries. There was something radically wrong with the hon. member's statement. To say that it was difficult to get men to go outside municipalities was a libel on the workers. Go to departing steamers, and see emigrants leaving who were tired of looking for work. Within the last week three of the best-known goldfields workmen, after a residence of ten or fifteen years, had left the State because there were better openings elsewhere.

*Mr. SCADDAN* : The hon. member (*Mr. Butcher*) voiced a complaint heard on several occasions. On that member he was not reflecting; but all knew that the wages offered by certain employers made it impossible for married men to accept billets. The difficulty of obtaining dairy-farm hands was complained of, but employers wanted single men who would work from 4 a.m. to 9 p.m. for the magnificent wage of 15s. a week. No wonder such men preferred to leave the country.

Item—Harbour and Light. Jetty Working Expenses, £3,812 6s. 2d.:

*Mr. JOHNSON* : This expenditure should have been foreseen.

*The CHAIRMAN* : This discussion was altogether foreign to the Excess Bill. The schedule dealt only with certain money which had been expended. Members must keep to the schedule.

*The PREMIER* : Now that all the jetties were run departmentally, it was found that the vote was under-estimated. Previously the jetties were let under contract.

Schedule put and passed.

Schedules B and C—agreed to.

Bill reported without amendment, the report adopted.

Read a third time, and transmitted to the Legislative Council.

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

### *Second Reading.*

*The MINISTER FOR WORKS* (*Hon. J. Price*) in moving the second reading said : This is a Bill of a purely formal nature, and is the result of representation made by the Registrar General's Department. There are certain inequalities in the existing law which should be removed. I may mention that the statistical methods throughout the Commonwealth are being brought into line, especially with reference to vital statistics, and a certain provision in this Bill will enable the Registrar General to adopt similar methods to those existing in the other States. Again there has been a good deal of trouble recently owing to the fact that registrars going away on leave are replaced for the time being by assistant registrars who are unable to conduct marriages. The Bill gives power to properly appointed deputy registrars to take the place of the registrars and to perform marriages. A difficulty has arisen during the last few days in connection with the branch of the department at Kalgoorlie. The registrar there is on leave, with the result that those persons desirous of entering the matrimonial state are unable to be married by the deputy registrar. It is desired that the deputy registrar should be enabled to perform all the functions of the registrars who may be away on leave. Another difficulty has occurred recently owing to the fact that it is impossible to register a death six months after it has occurred. I had a case cited to me this morning in which a well known individual, whose name is familiar to everyone in this House, is concerned. His daughter died, the papers were left with him, and through an oversight he failed to register the death. More than six months elapsed

and when he came to take out probate for the administration of the estate he found that as a matter of fact his daughter was not legally dead. The Bill will provide that in certain circumstances, and with every safeguard, the registration can take place up to two years after death. This Bill was introduced in another place and comes under the wing of the Colonial Secretary's Department.

Mr. T. H. BATH (Brown Hill) : The Bill may be all that the Minister for Works claims for it. I have had a look through the parent Act, and I can find no reason for some of the proposed amendments in the Bill. In my opinion they are in no sense an improvement on the provisions of the Act. Apart from that it seems to me that measures of this kind, no matter how desirable they are, should have longer consideration than is possible in the existing circumstances.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Clauses 1 to 3—agreed to.

Clause 4—Deputy Registrar General :

Mr. BATH : There was a reason in appointing deputy registrars to officiate in the absence of the registrar, but surely there was not the same necessity for appointing a deputy registrar general. The Registrar General only exercised general control over the department. If the clause were inserted it would mean additional expense in the department without a corresponding advantage.

The MINISTER FOR WORKS : The desire was merely to give any man filling an acting position the full powers of the individual he was relieving. There was no idea of giving an increased salary to a deputy registrar general. At the present moment there was an acting Registrar General at the head of the Department.

Clause put and passed.

Clauses 5 to 9—agreed to.

Clause 10—Amendment of Section 25, When registration of Ministers may be cancelled :

Mr. BATH : Practically the only difference between the clause and a section

of the original Act was that discretion was given to the Registrar General to cancel the registration of ministers in certain circumstances. If those circumstances arose, the cancellation should not be a question of option at all ; it should be compulsory. He moved an amendment—

*That the words "if he thinks fit" be struck out.*

The MINISTER FOR WORKS : If the question of the necessity for cancelling the registration were so obvious, a responsible officer such as the Registrar General might well be expected properly to exercise his functions. It might be that he would receive representations which made a delay in the cancellation of the registration desirable. The insertion of the clause would give greater freedom of action to the Registrar General, and in this respect good would result.

Amendment negatived ; the clause passed.

Clauses 11 to 15—agreed to.

Title—agreed to.

Bill reported without amendment ; the report adopted.

Bill read a third time, and passed.

#### MOTION—RAILWAY PROJECT, NANNINE TO MEEKATHARRA.

Debate resumed from the 16th October, on the motion by Mr. Holman "That it would be in the best interests of the State and especially of the mining industry on the Murchison and Peak Hill Goldfields, if the Government would immediately construct a railway line from Nannine to Meekatharra."

Hon. F. H. PIESSE (Katanning) : It is now some time since we listened to the very interesting speech of the member for Murchison in introducing this motion. I have taken the opportunity of looking through that speech and noting the references he made to the prospects of that part of the country, and the development that has taken place. He gave a very good history of the past, and also placed before members very good grounds for carrying out this most important work. When development has so far advanced

as appears to be the case in this mining district, it is in my opinion necessary that railway construction should be carried out for the purpose of placing such an important district in touch with the general railway system of the State. It enables development to be carried on more economically, and encourages development to such a degree as to make such district and the industry, important to the State generally. I am desirous at all times of seeing that railways are built where there is a necessity, especially in a case where such evidence is given of the progress as of the Meekatharra district. I have also had an opportunity of reading the report of the State Mining Engineer on this important district, and the latter part of the report distinctly states it would be a great advantage to the development of that mining centre if railway communication were given. In fact he recommends it. So that shows there are good grounds, and that a good case has been made out by the member for Murchison. It seems a very flourishing district. I have not had an opportunity of seeing it, but I judge from the reports from that centre that the case deserves the earnest consideration of the Government. It is rather late to deal with an important railway proposal such as this; but it is probable that after the facts placed before us, the Government will, in the interests of the district and the country, take into consideration the necessity for giving railway communication to this district. It is one of the proposals, if the information which has been given is supported, that the Government should take into consideration. I am glad to hear of the developments which have taken place in the district. Although the Murchison for many years was one of the chief mining centres, it went under a cloud, but it has come forward again, and now a good case for a railway has been made out by the member for Murchison. The district appears to be one well deserving of consideration of the House; I have therefore much pleasure in supporting the motion.

**THE MINISTER FOR RAILWAYS**  
(Hon. H. Gregory): I do not desire to

delay the House by speaking at length; but I can assure members the speech made by the member for Murchison has been very carefully considered, and members can rest assured that the figures he gave and the statements he made on the matter are fully borne out by the Government statistics in every way. The Meekatharra district has only lately come to the front in the matter of railway requirements, and it is only during the last twelve or eighteen months that it has been a place which warranted the earnest consideration of the expenditure of a large sum of money for railway construction. Since then the district has been carefully reported on, and there is no doubt that from the developments which have been proved up to the present the district is one that has come to stay and one that will employ a large number of people. The district has particularly good prospects. At the same time, owing to the peculiar formation of the lodes, a mullocky formation, much mining timber is necessary, and it will be an exceedingly costly district for railway communication. As I pointed out the other night, I do not think the demands of a place like Meekatharra were so great as the demands of Black Range; and that whereas in the case of Black Range timber has to be carried 80 or 90 miles, Meekatharra is only 24 miles from a railway line; therefore it had to take second place to Black Range. I think from what I know of the place it is going to be an important goldfield. At the present time it is important. The request deserves the consideration of the Government when looking into the railway propositions of the future.

**MR. T. L. BROWN (Geraldton)**: I rise to support the motion. This is a matter that should commend itself to all members. We have read the reports and we have heard the member speak on the motion. There seems to be little doubt that the motion will be carried, and I trust the Government will give it their earnest consideration next session and see if they can bring forward a measure for the construction of the line.

Mr. HOLMAN (in reply as mover): After receiving the unanimous support of the Chamber, I do not intend to delay the House more than to quote for hon. members some concluding remarks in the report of Mr. Montgomery, the State Mining Engineer. He states at the conclusion of a lengthy report, and the figures are the same as I gave:—

"The extension of the railway to Meekatharra would be of quite appreciable benefit to the Peak Hill and Abbots districts, the road to which from Nannine passes through Meekatharra, as it would save them 24 miles of road carriage. These districts are very dull at present and making a hard struggle for existence, and every improvement, however slight, in their transport facilities is of considerable consequence. The Peak Hill Goldfield up to the end of 1906 has crushed 289,603 tons of ore and produced 206,368 fine ounces of gold. Abbots centre is credited to the same date with 33,726 tons crushed for 35,886 fine ounces of gold. The Meekatharra field is rapidly becoming more and more important and gives every promise of supporting a group of mines of very fair magnitude. Extension of the railway to it would be a very great assistance in rapidly bringing it into full productiveness and is almost an absolute necessity in order to provide the requisite supplies of mining timber and fuel. In my opinion the prospects of this field justify the construction of the railway to it as soon as possible, and there is every promise of it soon becoming a profitable line. The construction should not be costly, the route of the line being through flat easy country."

I may say that since Mr. Montgomery made his report, several important discoveries have been made in this country. Four miles out from Meekatharra new discoveries have been made. At 8-miles properties are opening up, and machinery is being erected, and four miles farther west very valuable discoveries were made only last week, which all tend to assist in the development of the mining industry.

Question put and passed.

## BILL—ELECTORAL.

### *Council's Amendments.*

Schedule of 43 amendments made by the Legislative Council now considered in Committee.

Mr. Daglish in the Chair, the Attorney General in charge of the Bill.

No. 1.—Clause 2, strike out this clause:

The ATTORNEY GENERAL moved—

*That the Council's amendment be amended by striking out the words "struck out" and inserting "amended" in lieu, and that the words "on a day to be fixed by proclamation" in the clause be struck out, and the words "on the first day of March 1908" be inserted in lieu.*

If the clause were struck out the Bill would come into operation on the day on which it was assented to. The machinery was not quite ready, and it would take some time to get it ready. If the old Act was repealed, we would be in the position of having the new electoral law in force, but not able to carry it into effect. The Chief Electoral Officer had given assurance that the first of March was the earliest date at which the machinery could be got ready.

Mr. TAYLOR: There appeared to be nothing objectionable in the amendment as proposed to be farther amended, but members of this Chamber had been able to give this measure far more consideration than members of another House, notwithstanding the superior intelligence of members of another place. The Council could not have dissected this Bill in the same way as it was dissected in this Chamber. Of course another place had been called upon to deal with most important measures in a few days, but that was all the more reason why we should not accept slipshod amendments that came back from another place.

Mr. JOHNSON: It was astonishing we received so many amendments from the Legislative Council on this Bill.

*The Attorney General:* Most of them were made at his instance.

Mr. JOHNSON: There were one or two important amendments which should only apply to this House, and which had

no bearing on another place. The Council had interfered with machinery that applied solely to the Assembly. Was the Attorney General instrumental in having this clause struck out?

*Mr. Bath:* The amendment was moved by Mr. Moss.

*Mr. JOHNSON:* Apparently from the desire of the Attorney General to amend the Council's amendment it could not have been moved at the instance of the Attorney General. There was no possibility of an election before October next.

*The Attorney General:* There might be an extraordinary election.

*Mr. JOHNSON:* There was no possibility of a general election before October. The Government would not face the people until they were absolutely driven to it. They intended to draw their Ministerial salaries as long as they possibly could. Then why was there necessity to fix the coming into force of the Bill for the 1st March? Any by-election could be held under the existing machinery, which was far preferable to the proposed legislation. Several members had been returned to the Opposition by by-elections, showing how fair the present legislation was, because the whole of the people could vote, and there was no harassing restrictions put on them. The measure as passed by this Chamber would have been an improvement on the existing law, but in another place the Government had gone to the extent of suggesting amendments which had a detrimental effect and restricted the power of the people to get their names on the roll.

*Mr. SCADDAN* supported the farther amendment. If we could do so he would like to fix a date in 1909 instead of in 1908, because the amendments made by the Council certainly made the measure very objectionable; but if the Act was to come into force at the prorogation, as the Council suggested, there would be no machinery ready for holding a by-election. No Act should be brought in by proclamation. It was a matter that should not be left to the decision of any Ministry. Parliament alone should decide when an Act should come into force. Therefore it was best to accept the At-

torney General's amendment of the Council's amendment.

*Mr. BATH:* The reason advanced for the amendment was that the Bill would affect the periodic elections for another place to be held in May next. He supported the Attorney General's amendment on the amendment.

*The CHAIRMAN:* It was not in order to quote from debates in another place during the current session.

*Mr. BOLTON* sympathised with the Government on finding themselves delivered into the hands of another place at this late stage of the session. Apparently the object of the amendment was either to wreck the Bill or secure the desire of members of another place; and it was for this Chamber now to choose between these alternatives. He supported the Attorney General's proposal.

*Mr. ANGWIN:* Why was it desired to withhold the proclamation of the Bill until March?

*The Attorney General:* For the reason stated by him; to get the necessary machinery in order.

*Mr. ANGWIN:* Surely the Committee could trust the Government in a small matter like the proclamation of an Act of Parliament.

*Mr. WALKER:* Whereas under the amendment of another place there would be no certainty as to the date of coming into operation of this measure, the amendment proposed by the Attorney General fixed a definite date. The arrangement of the necessary machinery for the new Bill would entail much work on the Electoral Department, requiring at least two months' preparation. This action of another place appeared like an attempt to put the Government in a difficulty. It would be preferable to fix the date.

Question put and passed, the Council's amendment as amended agreed to.

No. 2—Clause 25, first line of clause, after the word "every" insert "Province and"—agreed to; also No. 3 (consequential) agreed to.

No. 4—Clause 41, at the end of clause add the following words: "and the lists of municipal and road board ratepayers."

transmitted to registrars in accordance with section forty-six."

The ATTORNEY GENERAL: Secretaries of municipalities and road boards were by this amendment placed under statutory obligation to supply lists of ratepayers to the electoral authorities, for the framing of rolls for the Legislative Council. The provision, he was informed by the Chief Electoral Officer, would be of great service to the department, giving a starting point not at present possessed for the compilation of rolls. In agricultural districts this information was obtained by the police when collecting the stock returns. As the property qualification existed for the Upper House franchise, these lists would be of great assistance. He moved—

*That the amendment be agreed to.*

Mr. BATH: The amendment might be comparatively harmless, except that the mover in another place, Hon. R. D. McKenzie, desired that the only lists sent in should be of those qualified for the Council franchise. But those who had the necessary ratable value were not necessarily the only qualified Council electors. The ratable value was the annual value with certain deductions. While the ratable value in a municipality or road district might be £20, a man with an annual value of £26 or £30 would be entitled to enrolment for the Council, but would be excluded from the municipal or road-board list.

*The Attorney General:* Not according to the proposed schedule.

Mr. BATH: The Roads Act and the Municipalities Act provided that the lists must be forwarded because that was provided for in the Electoral Act 1904; but the result had been confusion in the preparation of electoral rolls. A man's name was sent in as a ratepayer; he might put in a claim; and his name was then duplicated. The lists were unnecessary and undesirable under the Bill. The question was, what use would be made of the lists? To accept them as evidence of qualification for the Council franchise would be a manifest injustice to the large number of people who might not have a ratable value of £26 per annum, but might have an annual value which would

entitle them to vote. Moreover, ratepayers, knowing that these lists were furnished, considered that their enrolment as Council electors was thus secured, and did not send in claims.

The ATTORNEY GENERAL: They must send in claims to be enrolled for the Council, and must also be to some extent ratepayers, or at least be rated. The lists were made up irrespective of whether or not the rates had been paid; and on receipt of the lists the Electoral Department sent a claim form to every person listed. This was done now to the persons ascertained from the stock returns. The names would not be enrolled without investigation. Clause 46 contained the procedure.

*Mr. Bath:* Could no man be put on the Council roll without signing a claim?

The ATTORNEY GENERAL: If he did not sign a claim, a claim form would have to be filled up for him.

*Mr. Bath:* What was the Minister's interpretation of the "annual value?"

The ATTORNEY GENERAL: In his opinion, the annual value would be what an owner received from his premises less the rates paid. If he had a house he let at £30 a year and paid £3 for rates, the annual value would be £27 a year.

Mr. UNDERWOOD: The amendment struck deliberately at the provision that all names should be added to the roll by means of claims. According to the amendment the names might be added from municipal and roads board lists.

*The Attorney General:* They might be, on the property qualification only.

Mr. WALKER: The more one considered the amendment the more unsatisfactory it appeared. As to the old system of registering claims, Mr. O. Burt, formerly Chief Electoral Officer, told the select committee on the previous Electoral Bill that the department had no power to put anyone on the roll, and that the sooner the public learnt that the sooner they would bestir themselves to secure enrolment; that names could be put on the Assembly roll because an applicant had made a claim, and on the Council roll because he had made a claim or because his name had been sent in as that of a municipal or roads board rate-

payer; that as some roads boards had adopted the unimproved basis of valuation for their rating, such boards could no longer return to the Electoral Department the particulars required by the Constitution and Electoral Acts, which particulars were necessary for enrolment of the names; that local bodies concerned themselves only with where the property was, and did not care where the ratepayer lived; that there were fifty rolls for the Upper House, and it was not impossible for the name of one man to be on each of these rolls; that many had their names on a dozen rolls, and the difficulty was to know for which division the voter should be registered. Mr. Burt's statement would be found on page 10 of the select committee's evidence. The difficulties referred to by the late Chief Electoral Officer would again exist under the amendment proposed in another place. These difficulties were pointed out by an old and experienced electoral officer and due consideration should be paid to his opinions. The Assembly had aimed at making every person responsible for getting his name on the roll, but under the amendment a slipshod system of sending in returns was proposed. If that were adopted it would mean that many persons would get on the rolls who were not entitled to a vote. The amendment instead of assisting the Electoral Department was likely to create confusion and perhaps make the measure unworkable. The amendment should be cast aside.

Mr. ANGWIN: Danger would exist of people getting on the rolls who were not entitled to, if the amendment suggested in another place were included in the Bill. The Attorney General had stated the Electoral Department were of opinion that the information proposed to be obtained under the amendment would be of great use to them. It would be well to point out that it was compulsory under the Municipal Act for a town clerk to send in a list to the returning officer, so that whether the clause were inserted or not the returning officer would receive those lists. Take this instance. A ratepayer might be the occupier of his property and the owner would therefore be on the municipal list, his name being at-

tached to the roll as a ratepayer. In the following year the name of the occupier would be on the roll as a ratepayer, and the owner's name would be removed. Consequently the electoral officer would have to notify the owner that there was an objection against his name and all the various forms would have to be gone through. The inclusion of the amendment would mean that a man would have to keep a very close watch on the rolls in order to see that his name was not removed from the voters' list. Another difficulty was that the municipal lists were prepared 12 months before they were printed. The information obtained for these lists was secured by the men, who went around the district valuing the different properties. On making these valuations they obtained the names of the occupiers or owners. The valuers always collected their information in November but the lists were not prepared until the following September. Therefore there was a possibility of very many persons' names being added to the municipal lists who had left the district long before the lists were printed.

Mr. STONE: It was not safe to go on the municipal or roads board lists. He had been connected with these matters for a long time and knew how inaccurate the lists were. If a man's rates were in arrear on a certain day his name would be struck off the roll. There was a case occurred recently in his district where an owner had a quarrel with his tenants and refused to pay the rates before this particular date. The result was that the names of all those tenants were struck off the roll.

Mr. BATH: The whole question hinged around the point as to the manner in which the information supplied by these bodies was to be utilised. If it were to be taken that the information was an indication of the qualification of persons to be enrolled as voters, it was misleading; but if it were not to be used in that direction it only entailed unnecessary expense on the roads boards secretaries and town clerks in forwarding the information. What was regarded as rateable value? When compiling the rolls prior to the last council elections the revision

court in the Brown Hill district, which was within one province, struck out a number of names because on the roads board lists the persons did not hold the necessary qualification; but just across the street, which was in another electorate and in another province, the names were accepted, as the annual value was sufficient to entitle the persons to vote.

At 6.15, *the Chairman* left the Chair.  
At 7.30, Chair resumed.

Mr. ANGWIN: The electoral officers and registrars had objected to the municipal and roads boards lists being used, for they caused duplication of names on the roll. The provision would only deal with the Province rolls but that was no reason why the names should be duplicated.

The ATTORNEY GENERAL: All these amendments were discussed with the Chief Electoral Officer, who advised him whether they were practicable and of any use, or whether they were impracticable and of no use. One must be guided by the advice of one's officers on whom the duty of administering the law would fall. The Chief Electoral Officer informed him (the Attorney General) that he was entirely dependent for the rolls from a great portion of the State on information obtained by police officers when getting the stock returns. He knew the information was not reliable because those who had no stock were not returned at all. This return would be useful and enable the Chief Electoral Officer to obtain information; he would then send claims to each roads board district or municipality, and each claim form would have to be returned with the qualifications. The Chief Electoral Officer thought the information might be of value to the department, and he (the Attorney General) would be wanting in common loyalty to his officers if he was not guided by them in a matter of this kind.

Mr. GULL: The Committee should accept the amendment. The electoral rolls were largely made up from the municipal and roads boards rolls, and if a name was struck off from a municipal or road board roll for the non-payment of rates, as a

consequence the name would not find a place on the electoral roll.

Mr. H. BROWN knew of a roads board where there were 5,000 assessments, and not one-third of the people were residents of the State, the greater portion being minors, therefore it would be useless to make the roads boards and municipalities send in rolls which would be no earthly good to the registrar in compiling the electoral rolls. It would be far better to send in the names only of those who paid their rates.

Mr. BATH: There was no objection to the information being sent in if we could get some understanding as to what use would be made of it. Would a statement of the ratable value be accepted as the information on which the registrar would decide as to whether a name should go on the Council roll or not? In the North-East Province at the last revision court the magistrate accepted the roads boards list as a criterion, and struck off a number of names because the persons had not the necessary £25 annual value qualification, but in the South Province the revision court allowed owners of less pretentious structures just across the street from houses in the adjoining province to have their names on the roll. We should have some definite rule by which the Electoral Department could be guided in deciding what was the annual value. Then it would not matter whether roads boards sent in dozens of lists to the registrar; though if the annual rateable value shown on the lists was used by the registrar it would be an injustice.

Mr. H. BROWN: Taking Perth and Mount Lawley, one could build two houses exactly alike, one in Perth and one in Mount Lawley, and secure a vote for the Upper House on the Mount Lawley house but not get one for the house in Perth because twenty per cent. was knocked off the annual value in the municipality, while no deduction was made for rents or outgoings in connection with the roads board valuation. Again, the majority of roads boards rated on unimproved values and the information in that regard would be of no use to the registrar.

Mr. JOHNSON : We should have some information from the Attorney General.

*The Attorney General :* The department would have to settle the matter. He had already given his view.

Mr. JOHNSON : The matter had caused a great deal of friction. The Act gave justices or resident magistrates sitting at revision courts the opportunity of coming to a decision as the meaning of annual value according to their opinions rather than on any instructions laid down by Parliament. In many cases the roads boards valuations would be of no value because the roads boards deliberately undervalued property. We should lay down distinctly how the qualification was to be arrived at. If we left it to the department and to the revision courts different opinions would be held. The Attorney General should give some idea of how the department would arrive at these valuations.

*The ATTORNEY GENERAL :* This was wholly outside the scope of the question before the Committee. The hon. member was apparently anxious to discuss Section 15 of the Constitution Act Amendment Act, 1899, which laid down the qualifications of electors for the Legislative Council. While one was prepared to answer inquiries it was no use his discussing the matter before the Committee. He had already informed members that the returns made by town clerks and roads boards secretaries would not be the returns of valuation, but would be returns of all ratepayers, to be used as a kind of directory for the guidance of the registrar.

Mr. ANGWIN : Clause 46 provided that all lists were to be prepared in accordance with Form 8. Form 8 stated that the town clerk was to furnish the annual rateable value, but the Constitution Act said "annual value." If the registrar took the "annual" and not the "annual rateable" value it would be unsatisfactory. for if the rental value of a house were set down at £20 a year, the rateable value might be much higher.

Question put and negatived ; the Council's amendment not agreed to.

No. 5—Clause 46, Subclause 2, insert at the end the following proviso :—" Provided that the registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by him in the form numbered (10) in the schedule."

On motion by the *Attorney General*, amendment agreed to.

Nos. 6, 7—agreed to.

#### *Notice of Intention to issue Writs.*

No. 8—Clause 64, strike out the clause. The ATTORNEY GENERAL moved to the effect that the clause be amended by striking out the words "twenty-one" and inserting "fourteen" in lieu. He said : Under other electoral systems the procedure was that the issue of the writ sealed up the roll, to which no alteration could be made until after the election. In all other electoral systems no provision was made for giving notice of intention to issue a writ for elections ; and there it was impossible for alterations or additions to be made to the rolls after issue of the writ or writs. If we made provision here that 14 days' notice must be given of intention to issue a writ, that should be sufficient notice for enabling persons to claim to be put on the roll for the election about to take place. This proposition was one by which he was prepared to absolutely stand, if another place could not meet us.

*Mr. Johnson :* Were we going to tolerate another place dictating as to how we should conduct our elections ?

The ATTORNEY GENERAL : It was not a matter of dictation. We were bound to give proper consideration to amendments proposed by another place. He pointed out what was reasonable and how far he was prepared to go. This was his ultimatum, if he might so speak without offering insult to any person or any House—and it stated what this Committee required. If we could not secure this, we would have to seriously consider the position again. In asking the Committee to dissent from the amendment made in an-

other place, he took an attitude indicating to another place that it should meet us on that point.

Mr. BATH: Clause 64 was one of the matters in contention on the occasion of a long and stern fight, and was one of the clauses included in the agreement entered into by the both sides of the House on that occasion. While he had no desire to question the right of another place to amend in any way the provisions of this or any Bill, apart from those in connection with which restrictions were placed on amendment by another place under the Constitution Act, one had every right to question the wisdom or discretion of another place in proposing the deletion of a clause to which such attention had been devoted by this Committee. If the Minister's amendment were in any sense an improvement, or even but a slight modification of the clause as passed by this Committee, he would not object; but having been directly responsible for moving the insertion of the clause, he now desired to point out that the proposed amendment destroyed absolutely the intention he had at the time. His argument at the time was that we should place it beyond the power of any Government to, as it were, "load the dice" for a general election, by using their power to exclude electors from getting enrolled and participating in the election. He gave evidence on a previous occasion where this had occurred, intentionally or unintentionally, during the election of 1905. He desired as far as possible to secure justice and fair play to all parties in elections. In another place it was argued that to delay a general election occasioned by a political crisis would be unwise; yet those who used that argument were always complaining of the lack of public interest in elections, and the very object of the clause was to secure a poll of the majority of electors, an advantage which far outweighed the slight delay in holding a general election. The Government could hold a general election at any time they chose during next year; but of every general election due notice should be given, so that people might secure enrolment.

Mr. JOHNSON: The clause was the result of an understanding between the Government and Opposition; hence the Attorney General's compliance with the Council's amendment was surprising, and the Council showed questionable taste in interfering with the method of electing members of this Chamber.

*The Attorney General:* The amendment would interfere with Council elections also.

Mr. JOHNSON: No. The Council writs were issued at stated periods. Our experiences at the general election in 1905 showed the need for such a clause. The select committee on the previous Electoral Bill found that many electors were disfranchised for want of notice, their claims not being in hand for fourteen days prior to the issue of the writ. Why should we compromise with the Council when this provision did not affect them? We should resent their continued interference. Was this a Government amendment? The Attorney General said that some of the Council's amendments were made at the suggestion of the Government. If this was one of them, it was a violation of the agreement arrived at here.

*The Attorney General:* Was it necessary to ask that?

Mr. JOHNSON: Why should the Attorney General accept the Council's amendment? If it were moved by an irresponsible member in another place, it should be rejected here.

Mr. FOULKES: The Leader of the Opposition (Mr. Bath) said the striking out of the clause would disfranchise hundreds who would not have time enough to lodge claims. Many electors would not lodge claims until the last moment, if they had even two years' notice. Teach them the danger of delay. At every election during the last ten years scores complained that their names were not on the roll; but the fault was their own for not sending in claims at the proper time. How many people examined the electoral lists displayed at post offices? It was mainly by the efforts of candidates that people were enrolled, and this was proved by an examination of the rolls in districts where elections were not contested. In

fixing fourteen days the Attorney General was too generous. The clause should be struck out. Moreover, only a small proportion of those enrolled took the trouble to vote.

[*Mr. Hudson in the Chair.*]

Mr. WALKER : The position was that no claim lodged within 14 days of the issue of the writ could now go on the roll. The member for Claremont had suggested that the people should not be so indifferent as to refrain from getting on the roll, and that it was their own fault they did not have their claims in within 14 days. While the political life was what it had been during the past two years it was no wonder that the public were apathetic. However, if the people were to arouse from that apathy within 14 days from the date of the election, they should surely have their names accepted and be allowed to vote. The object of the Bill was to facilitate persons getting on the roll, but certain members appeared to desire that people should be kept off the roll, as then their chances of returning to Parliament would be much better. It should be made impossible for the Government to take the country by surprise, and disfranchise persons whose claims had been already lodged, but not within the necessary 14 days. It was to remedy this the amendment was proposed when the Bill was before the Assembly. It was no imaginary grievance but a genuine one, and it was borne out by the evidence taken before the select committee which was appointed to inquire into the old Electoral Act. Evidence on that occasion was given by a Mr. King, electoral officer, who said that several hundreds of people were disfranchised at those elections owing to the fact that their claims had been lodged within 14 days of the issue of the writ. The return that was given on that occasion showed that in all the districts certain persons were disfranchised ; for instance, there were in Balakatta 34, Beverley 17, Canning 17, and Claremont 57, in Cue 74; Dundas only one ; Fremantle 90 ; East Fremantle 120; North Fremantle 30 ; South Fremantle 70—look at that vast number represented by the Fremantles alone—Gerald-

ton 18 ; Hannans 19 ; Kalgoorlie 42; Kanowna 25. Take Menzies, represented by the Minister for Mines ; there were no less than 567. Here we had the key to the whole position. At the last election we had the writs issued with a sudden spasm ; had the Government waited a week or a fortnight until these 567 names had matured, the composition of the House would have been altered.

Mr. Foulkes : The Minister's majority might have been increased.

Mr. WALKER : These 567 were cut off, and they were popular voters. In the face of these facts how amusing became the abusive speech of the member for Claremont about laziness. Then there were Leonora 14 ; Mount Margaret 70; Nelson 39 ; Northam 69 ; Perth 49 ; East Perth 42 ; North Perth 131. In West Perth the greatest number of all, 871 were waiting for the rights of citizenship. Was that indifference ? He called it a gross injustice ; Government weakness and indifference ; a callousness and carelessness of legislators who could deprive people of their rights.

Mr. Foulkes : Were not the people to blame for not sending their names in earlier ?

Mr. WALKER : The claims were in, and now they were nullified by the Bill as it stood. This difficulty was pointed out by the committee that sat to inquire into election matters, and to remove scandal and to prevent the possibility of a recurrence, the Assembly came to the conclusion to fix twenty-one days as the time between notice of an election and the issue of the writs. What had the Council done ? They deliberately proposed to continue the old order of things. The Government in power would always be able to defeat its opponents ; taking its opponents by surprise. The amendment proposed by the Attorney General, while it was better than the amendment proposed by the Council, would still keep things as they were.

The Attorney General : It would prevent what the member was pointing out.

Mr. WALKER : It would do good, but it would not allow other persons to get on the roll knowing an election was due. It would give persons time to attend to

their duties. This was a direct interference by another place with the rights and liberties of this Chamber. Anything affecting this Chamber was within the province of this Chamber and we had another place dictating to us how we should issue the writs for election to this House. If the Chamber had any self-respect it would tell another place to keep their hands off this House. All the political battles in history had been fought around the liberties of the House of Commons or the Lower House. Were we to allow another Chamber to prevent us progressing as the times advanced? Against any such intention he showed the utmost resentment.

The ATTORNEY GENERAL : Under the Commonwealth it was not within the knowledge of any elector when a writ was to be issued, and on the issue of the writ the roll was closed. It was exactly the same in all the States of the Commonwealth, and in every British possession. On the issue of the writ, of which no notice was given, the roll was sealed. It was true the issue of the writ had retrospective action, but his suggestion to give 14 days' notice brought our system into line with other systems. Therefore there was strong ground for urging the acquiescence of another place in his proposal. There could be no precedent quoted for the course the member for Kanowna advocated.

Mr. Scaddan : There was no justification for the Council doing this. It did not affect the Upper House.

The ATTORNEY GENERAL : The clause to which this proposal was attached applied to both Houses, though it was true another House had fixed dates for their biennial elections. As for the question raised by the hon. member we could not profitably discuss it to-night. What occurred at the last general election would not have occurred if an Act had been in force containing the proposal that he had put forward. The provision would apply just as if there were no retrospective action on the issue of the writ. Assuming the issue of the writ had no retrospective action all the claims rejected at the previous election would have been valid. The effect of the 14 days' notice

was to bring the issue of the writ into line just as if it had no retrospective action.

Mr. Johnson : We wished to go better and give seven days' notice.

The ATTORNEY GENERAL : We could not quote any precedent for that.

Mr. Johnson : Then we would establish one.

The ATTORNEY GENERAL : In other circumstances he would gladly join the hon. member in endeavouring to do so.

Mr. BATH : The Attorney General was incorrect in saying that with his proposal we would be in the same position as if there were no retrospective action on the issue of the writ. There was a distinct disadvantage in a provision of 14 days' notice and the disqualification of claims put in as compared with the issue of the writ with no retrospective action so far as the registration of claims was concerned. On the very day notice was given of the intention to issue the writ on that same day also would electors be prevented from lodging their claims in order to participate in the election ; but in the other case a fortnight would elapse in which the elector could submit his claim. It was admitted in all electoral measures there was no provision such as was proposed when the Bill was before the House, but there was more liberality in interpretation or in administration, and there was no instance in other States where the power of the Ministry to issue writs was used in such a manner as it was in October, 1905, in this State. If the electors had no reason to fear the misuse of the power there was no need of a provision to protect them, but the electors profited by the experience of the past and recognised the need of preventing any Ministry in power making use of this issue of writs to secure an undue advantage at an election. We should insist on the clause we had inserted, and should ask the other place to recede from their position or take the responsibility of rejecting the measure. The modification proposed by the Attorney General was practically as useless as the suggestion from the Legislative Council. It was inferred in another place that he (Mr.

Bath) intended inserting this provision to give a chance of stuffing the rolls and preventing inquiry in the legitimacy of claims ; but on the question of the purity of motive between his advocacy of seven days' notice and the desire of those who sought to perpetuate or magnify the opposite condition of affairs that existed in 1905, he was prepared to stand comparison. There were 14 days after the seven days in which every opportunity could be taken to examine into the *bona fides* of claims put in. There was no possible ground for fear that undue use would be made of the term of notice provided. He had never seen any of that criminal desire on the part of electors to get more than their just claims as citizens. The argument of one hon. member of another House was like the argument usually put up by legal gentlemen who imagined that everyone they came in contact with had a criminal intent. The desire of the Opposition was to ensure the greatest possible number of electors entitled to vote being afforded an opportunity of filing their claims and recording their votes when a general election took place.

Mr. TAYLOR was surprised at the Attorney General's action. The issue of writs for the 1905 elections was not only a scandal to the Government of the day, but a scandal on the records for all time. Some members were aware that the Minister for Mines knew exactly how applications were flowing in for registration in the Menzies district, and just when a bundle of applications had reached the office the writ for that election was issued in time to preclude those votes from being put on the roll. That was scandalous beyond any shadow of doubt. He was not going to allow such power to be in the hands of any Government, to disfranchise some electors so that their political opinions should not be expressed through the ballot-box. Twenty-one days' notice of intention to issue writs was necessary for electors in the country districts. The real object of the Council in striking out that provision was to remove the democratic element from elections, yet every session of Parliament showed the utter uselessness of that other Chamber. It would be better this Bill should not be-

come law than to have the provision struck out. If there was no precedent for this provision, we should make one.

Mr. Stuart called attention to the state of the House.

Bells rung and quorum formed.

Mr. TAYLOR resumed his argument, and concluded.

[Mr. Daglish took the Chair.]

Mr. HOLMAN : Why should the Council interfere in a matter which affected the Assembly only ? During the past two years our electoral machinery was a disgrace to the State. At the general election some two years ago thousands were disfranchised because their claims were not in hand a fortnight before the issue of the writs ; yet a few months afterwards the whole of those claims were treated as valid, and the claimants allowed to vote.

The Attorney General : The hon. member knew the reason.

Mr. HOLMAN : No ; he guessed the reason. The Council were placing every obstacle in the way of enrolment. Many electors were like children, not realising their responsibility ; and we should do everything possible to enrol people even to the last moment before the day of election. Was the Attorney General accepting the amendment because the session was about to close ? Better sacrifice the Bill than sacrifice the public interest. Government supporters voted for the clauses sent to another place, yet they would now vote for the Council's amendments. This was a disgraceful method of stifling the voice of the people ; but only in this way could such members be returned. The Attorney General considered that claims should be received until notice was given of the intention to issue the writ. For that concession he was to be commended, for it would prevent any Government or official from repeating the practices of the last two years. Were we afraid of allowing people to be enrolled ? If so, we did not represent the people, and had no right to make laws. He would vote against the Council's amendment and the Attorney General's amendment thereon. Would the Minister for Mines say why the writs were issued so

hastily two years ago? The people should have the right to which they were justly entitled of having their names placed on the roll. Were there more time to deal with this question the Attorney General would without doubt insist upon the clause being passed as it went to the Upper House. Rather than accept the clause as it stood it would be better for the Bill to be thrown out altogether.

Mr. STUART: The Bill left this Chamber after a record tussle and as the result of an honourable agreement made between the two sides of the House. If there was one item in the Bill this Chamber should insist on it was the one sought to be amended. In common honesty every member of this House should defend the clause, as it was the outcome of a compromise. Even if there were no vital principles affected by the other Chamber in the Bill, we should still oppose the alterations for we should receive no dictation from that Chamber. We represented the people, while they were merely a sectional party. He would like the time to come when there was a proper fight with the Upper House for dominance. At the last election the feeling was that there had been a certain amount of "jockeying" indulged in and care should be taken that a similar state of affairs was not repeated. The stand then taken left in the minds of the public the idea that those in power were not above taking advantage of their position. If it was a matter of either losing the measure or accepting the domination of the Upper House, the former course should be adopted. It was to be regretted that so many members were indifferent when their rights were being infringed. The Attorney General should put his foot down and say that the clause as it went to the Upper House should be inserted in the Bill.

Mr. ANGWIN: It was to be regretted that the Attorney General had agreed to the removal of the original clause which would be beneficial to everyone in the State. It had been suggested that the clause as it went to the other House would give a chance of "stuffing" the rolls; but the provision that an elector, whose right to vote was doubtful, had to make

a statutory declaration prevented any chance of that. It would be impossible for anyone to vote wrongly without taking a serious risk of imprisonment.

Mr. TAYLOR: It was easy to see what was in the minds of those who put the amendments in the Bill. One had only to read the speeches of the greatest Tories in the country to see why they wished to take away the latitude desired by this Chamber to be given to the electors of the State. It was absurd to allow ourselves to be dominated by a property House; dominated in reference to an election affecting our own Chamber. If we were making an attack in this Bill on the qualification of another place there would be some justification for members in another place putting up their backs against the interference of those who held ideas more democratic than they held. If we were to sit in silence while the liberties of the people were invaded by a property Chamber, what justification was there for this House? It was unfair for a measure of this description that affected the very life-blood of politics in this country, to be interfered with by another place. Yet we were called on to accept amendments made by another place because there was not time to pass the Bill if we did not accept them. He (Mr. Taylor) would rather lose the Bill than have it so altered. He could not shelter himself behind the excuse that the Government had been crowding legislation here in the last days of the session and now had not time to deal with this matter. There could be no argument why we should accept these amendments numbering 43 when we remembered the long and bitter fight we had had on the Bill. Ultimately the Government decided to hold out the flag of truce to the Opposition, and some arrangement was come to, and the Opposition loyally abided by that decision. Yet this afternoon the Attorney General said that he was responsible for most of these amendments made in the Council. The Attorney General had played false with the Opposition side.

*The Attorney General:* Nine out of ten were formal amendments.

Mr. TAYLOR: This was not a formal amendment. The Government should ob-

ject to such an amendment as this, for the Council should not dictate to us how we must conduct our business. He was prepared to debate the objectionable amendments if he had to remain here over Christmas Day. We were passing a Bill to control the next general election, and because Christmas was near at hand we were to accept amendments that would have a crushing effect on the people of the State.

Mr. T. L. BROWN: The Bill had not been considered in another House as it should have been considered, and after the time the Assembly had spent discussing and considering the measure we should insist on our undoubted right to say how elections for the Assembly were to be controlled. We were told it was necessary another Chamber should exist to review in a calm manner measures sent from the Assembly, but in this case the position was reversed, for the Assembly gave the mature consideration and the Council the hasty consideration. Members admitted on both sides that it was undoubtedly necessary some notice should be given before the issue of a writ. But probably the fact that five or six Labour members had been elected through the provision which allowed claims to go in up to the day of the issue of the writ, had influenced another place in striking out the provision which allowed for notice being given, this notice having the same effect practically as the provision previously in existence, allowing for claims to be put in right up to the day of the issue of the writ. We should seriously consider the position from the standpoint of our Constitution. Another place was dictating how our elections should be controlled. We should emphatically notify another place that we insisted on our right to legislate as we thought fit in matters affecting this House.

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

No. 9—Clause 66, Subclause 2, line 3, after the words "political grounds" insert "or by a decision of the Court of Disputed Returns."

The ATTORNEY GENERAL: This amendment was inserted in conformity

with an undertaking given to the member for East Fremantle when the Bill was before this House previously.

Amendment agreed to; clause also amended consequentially.

No 10 (verbal amendment)—agreed to.

No. 11—Clause 81, at the end of clause add, "and in such case the deposit shall be forfeited to the King."

The ATTORNEY GENERAL: The effect of the amendment was that once a candidate nominated he could cease to be a candidate only at the risk of forfeiting his deposit. This was inserted to deter persons nominating merely for the purpose of making a contest or of harassing other candidates.

Amendment agreed to.

Nos. 12 to 17 (consequential on the deletion of provisions relating to constituencies having more than one representative)—agreed to.

No. 18—Clause 91, Subclause 6, at end of subclause add the following: "or to a presiding officer at any of the divisional polling-places."

The ATTORNEY GENERAL: This amendment had been made at the suggestion of a northern member, it being explained that in places where postal communication was intermittent, some of the postal votes might be in the hands of district presiding officers but could not be transmitted to the returning officer before the day of election. He moved—

*That the amendment be farther amended by striking out all words after "officer," and inserting in lieu the words "or to the presiding officer at any polling-place within such province or district, if the officer is satisfied that they cannot, in the ordinary course of post, reach the returning officer before the close of the poll."*

Question passed, the amendment as farther amended agreed to.

No. 19 (consequential)—agreed to.

No. 20 (consequential)—agreed to.

No. 21—Clause 98, after the words "Returning Officer" insert "or Presiding Officer as the case may be":

The ATTORNEY GENERAL moved—

*That the Council's amendment be agreed to.*

Mr. ANGWIN : There was no possibility of postal votes being checked by scrutineers ; and though a man thus voted twice, it might not be possible to declare the election void.

The ATTORNEY GENERAL had pointed out that risk, and how it was safeguarded by an amendment made in Clause 91.

Question passed ; the amendment agreed to.

No. 22—Clause 133, Subclause 2, at the beginning insert "the candidates" :

The ATTORNEY GENERAL : The candidates were always allowed to be present at the count. This was a clerical omission. He moved—

*That the Council's amendment be agreed to.*

Question passed ; the amendment agreed to.

No. 23—Clause 162, Subclause (3), strike out all the words from "unless" to the end of the clause.

The ATTORNEY GENERAL : The clause dealt with "illegal practices," defined by Clause 185. By the amendment any candidate guilty of undue influence or bribery could still be unseated ; but the election would not be voided for minor illegal practices such as attending a committee meeting in a public house. This and similar offences had not the taint attaching to undue influence or bribery. He moved to amend the Council's amendment, and to add the words—

*Unless the court is satisfied that the result of the election was intended to be and was actually affected thereby, and that it is just that the candidate should be declared not to be duly elected, or that the election should be declared void."*

To ask the court to express an opinion on a likelihood was too indefinite. By his amendment the court could say Yes or No.

Mr. ANGWIN : The argument used in another place for this amendment differed from the Attorney General's argument. If postal votes were wrongly taken, or if unqualified persons voted, or if voters were personated, would the election be declared void by the court if the Attorney General's amendment passed.

The Attorney General : These were not "illegal practices."

Mr. ANGWIN : As in the past, people would be induced, in order to upset an election, to go before the court and plead guilty of offences ; and the fines would be paid by interested persons, or remitted by political influence. The amendment was suspicious, considering who moved it in another place. The Attorney General said that personation and illegal voting would not upset the election ; that the court would not decide that the election was thereby affected. Leave the court to decide that question. The amendment would nullify the provision made in this House for purifying elections.

The ATTORNEY GENERAL : The hon. member misunderstood the amendment. Clause 162 dealt only with the "illegal practices" set out in Clause 185. It was not an "illegal practice" for a voter to vote twice, but he was liable to a penalty of two years for so doing, and the election could be rendered void by an appeal to the court. But that appeal would not lie under this clause.

Question passed ; the amendment as amended agreed to.

No. 24—Clause 173, after the word "postage" insert "telegrams."

The ATTORNEY GENERAL : This rectified a clerical omission. He moved—

*That the Council's amendment be agreed to.*

Question passed ; the amendment agreed to.

No. 25—Clause 180, at the end of the clause insert, "with a view to influencing the vote of an elector" :

The ATTORNEY GENERAL : Providing food, drink, or entertainment for any person was constituted bribery ; but it was clear that the court would not convict unless satisfied that the gift was for the purpose of influencing the vote. He moved—

*That the Council's amendment be agreed to.*

Question passed ; the amendment agreed to.

No. 26—agreed to.

No. 27—Clause 189, Strike out the words "at the entrance of or within" and

insert after "booth" "or within fifty yards thereof":

The ATTORNEY GENERAL: The amendment made the clause a little more strict. If the amendment were carried the Bill would be on all-fours with the Municipal Act as it would prevent the blocking of the path near the polling booths. When the measure left this House it was thought all that was necessary was to prevent canvassing at the booth; but the Council considered it wise to keep the canvassers well away from the door. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

No. 28—Clause 194, Strike out the clause:

The ATTORNEY GENERAL: The Upper House thought it wise to strike out this clause altogether. When the Bill was before the House previously he had pointed out that there was an ordinary remedy of a civil action or a civil action for libel. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

No. 29—agreed to.

No. 30—Clause 212, Strike out all the words after "1904" and insert "is hereby repealed":

The ATTORNEY GENERAL: There were two statutes, the present Bill and the Constitution Act, both of which made provisions as to the conduct of elections, and regarding the qualification of electors. It would be an impossible position if the proposed amendment were accepted, for then the two measures would be inconsistent with one another. He moved—

*That the amendment be not agreed to.*

Question passed, the Council's amendment not agreed to.

No. 31—Insert new clause to stand as Clause 46:

The ATTORNEY GENERAL: This clause must be struck out as it was consequential upon proposed amendment

No. 4 which was not agreed to. He moved—

*That the amendment be not agreed to.*

Question passed; the Council's amendment not agreed to.

Nos. 32 to 35—agreed to.

No. 36—Insert a new form to stand as No. 8:

The ATTORNEY GENERAL: This also was consequential upon No. 4, and would have to be struck out. He moved—

*That the amendment be not agreed to.*

Question passed—the amendment not agreed to.

Nos. 37 to 41—agreed to.

No. 42—Form No. 24, Strike out "consecutive No. 325" in two places:

The ATTORNEY GENERAL: It was not provided in the original Bill that the number should be inserted, and it was certainly undesirable that the ballot papers should be numbered, for the result would be to do away with the secrecy of the ballot. He moved—

*That the amendment be agreed to.*

Question passed, the amendment agreed to.

Resolutions reported; the report adopted.

Reasons for not agreeing to three amendments were drawn up and adopted; a message accordingly returned to the Council.

## BILL—STATE CHILDREN.

### *Council's Message.*

The Council's reasons for disagreeing to an amendment made by the Assembly were now considered in Committee.

Clause 106, Add the words "Provided such register shall at all times be open to an accredited officer of the department, and at such other times to such persons as the Minister may direct":

The PREMIER: The reason given for the disagreement was that the amendment practically repeated the provisions in another portion of Clause 106, and thus rendered the clause liable to misconcep-

tion. The amendment of the Assembly was therefore unnecessary, and he moved:

*That the amendment be not insisted on.*

Mr. TAYLOR : If as the Premier said, the provision desired by the amendment was practically included in the first portion of the clause, there was no necessity for the repetition at the end of it.

Question passed ; the amendment not insisted on.

Resolutions reported ; the report adopted.

## BILL—NARROGIN-WICKEPIN RAILWAY.

### *Council's Amendment.*

Amendment made by the Council now considered in Committee.

Clause 3—Strike out "ten" in the third line of the clause, and insert "five."

The PREMIER moved—

*That the amendment be agreed to.*

The line had been surveyed and there was no necessity for allowing for the deviation. He had no objection whatever to accepting the amendment. It was absolutely unnecessary, and another place had been informed that as the line had been permanently surveyed there would be no deviation.

Question passed ; the amendment not insisted on.

Resolution reported ; the report adopted.

## BILL—BUNBURY HARBOUR BOARD.

### *Council's Amendments.*

Schedule of three amendments requested by the Council now considered in Committee.

No. 1—Clause 3, line 1, strike out "five" and insert "three" :

The PREMIER moved—

*That the Council's amendment be disagreed to.*

After full consideration the Assembly

had adopted the suggestion of the member for Mount Margaret (Mr. Taylor) that five instead of three should constitute the board, thus allowing for a member representing the lumpers' union, and another the companies engaged in shipping timber from Bunbury. Without being egotistical he (the Premier) might say this was a matter on which he was qualified to express an opinion. On such a board all interests should be represented. The Fremantle Harbour Trust consisted of five members.

Question passed, the amendment disagreed to.

No. 2 (consequential)—disagreed to.

No. 3—Clause 18, strike out the clause:

The PREMIER : It was suggested in this Chamber that the clause be struck out, but he had pointed out the grounds for its retention. While it was not desirable that members of Parliament should hold offices of profit under the Crown, we ought not on that account to prevent competent men from sitting on the board. During the discussion in another place reference was made to the fact that the Chairman of the Fremantle Harbour Trust was a member of Parliament. If the State was deprived of that gentleman's service on the trust, the State would sustain a loss which the opponents of the clause did not appreciate. Why should a man unfortunate enough to be a member of Parliament be prevented from serving the State as a member of a harbour board ? Why should a member of Parliament be made an outcast ? During the *régime* of the Labour Government he (the Premier) was offered the chairmanship of the Forestry Commission, and on accepting the position found that, being a member of Parliament, he had to pay all his expenses. The clause should be returned to another place for farther consideration. He moved—

*That the Council's amendment be disagreed to.*

Mr. ANGWIN : It might be possible to appoint a member of Parliament as a servant of the board. The solicitor to a

similar board was now in Parliament, and no doubt earned good fees. The question was whether we should interfere with the provision of the Constitution Act that no member should hold an office of profit under the Crown. What was an office of profit?

Mr. TAYLOR supported the Premier. The scruples of another place against this clause were not exhibited when the Fremantle Harbour Trust Bill passed a few years ago. At that time members of the Assembly fought for many hours against the clause, which was acrimoniously discussed.

Mr. Angwin : Not at all.

The Premier : The hon. member (Mr. Angwin) was not then a member.

Mr. Angwin had looked up *Hansard*.

Mr. TAYLOR : *Hansard* would show that a similar clause had been disputed for hours ; and more than one member in this and another House was accused of being about to accept the position of chairman of the Trust. On that occasion he (Mr. Taylor) pointed out the very man who was intended to be put on the board—a statement subsequently borne out by facts. Why should another place take exception to this clause, having passed an exactly similar clause on that occasion ? The present clause was passed here without long debate, because of the genuine work done by the chairman of the Fremantle Harbour Trust, Captain Laurie. When Colonial Secretary he (Mr. Taylor) was severely criticised for appointing Captain Laurie as chairman. Though he (Mr. Taylor) had objected on principle to the appointment, he had found when in office that that gentleman was thoroughly capable of filling the position, and was a valuable chairman of the board. His bias against Captain Laurie had therefore been overcome, and there was no reason why another place should take exception to this clause. They had readily passed a similar clause in face of opposition from this House.

Question passed, the amendment disagreed to.

Resolutions reported ; the report adopted.

Committee of three members prepared and brought up reasons.

Reasons for disagreeing to the Council's amendments adopted, and a message accordingly returned to the Council.

[12 o'clock midnight.]

## BILL—NEDLANDS PARK TRAMWAYS.

### *Council's Amendments.*

Schedule of two amendments made by the Legislative Council now considered in Committee.

No. 1—Clause 2, paragraph (d), strike out the paragraph :

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

When the Bill was previously before the House, it was desired to strike out that portion which enabled the Tramway Company to discontinue the service if after it had operated for three years it did not earn an annual average of 1s. 3d. per car mile. In view of the heavy penalty enforced against the promoter, he had then thought perhaps the House was asking something that was rather too much. If the Council's amendment were agreed to, and the promoter ceased to run at the end of three years, he had to forfeit the whole of the permanent way, overhead lines, *electera*, lock, stock, and barrel. That was much more severe than the provision in the Tramways Act, 1885, in which it was set out that if a promoter ceased to run the cars the local authority could tear up the lines, have a sale of the material, deduct the cost of dismantling, and then return the balance to the promoter.

Question passed, the amendment agreed to.

No. 2—Clause 4, strike out the clause :  
The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

This was the amendment inserted at the instance of the member for Mount Margaret (Mr. Taylor), and provided that all members of Parliament should be entitled to travel free over the tramway. Doubtless the House would not insist on

its amendment, as, after all, the line was but a small one and only a small portion of the tramway service of the metropolis.

Mr. TAYLOR : It had always been his idea that members of Parliament should be allowed to ride free on the tramways in the metropolitan area. He had taken the opportunity of bringing the question forward and was glad when the House decided to accept his amendment. He understood the promoters would not object to grant the concession. This was the idea he first entertained with regard to their intentions, but it now appeared that there were difficulties in the way, as it would be necessary for the local agent to communicate with the people in England before agreeing. The amendment should be insisted upon, and he would rather lose the Bill than accept the amendment. Better lose the Bill than accept amendments directly opposed to the principles of the popular Chamber.

Mr. UNDERWOOD opposed the amendment. The promoters would not object to members of Parliament travelling on the tramway, and the amendment was only a dramatic effort on the part of members of another place.

Mr. Davies : Some members wanted free food.

Mr. UNDERWOOD : Some of them were not worth their food. Tramways ought to be owned by the Government, and private companies given the right to use roads and streets for tramway purposes could afford to carry members free.

Mr. BATH disagreed altogether with his two colleagues who had just spoken. He had no desire to secure any such concession from the promoters. It would be different if the tramway belonged to a municipality or the Government.

Question passed, the amendment agreed to.

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

#### BILL.—METROPOLITAN WATER- WORKS AND SEWERAGE AMENDMENT.

##### *Second Reading.*

The MINISTER FOR WORKS (Hon. J. Price) in moving the second reading

said : This is a short measure, necessitated largely by the fact that the department are now engaged in sewerage the city of Perth. At the present moment we are unable to control the house connections, and a promise was given that before the parent Act of 1904 was proclaimed, this House should have an opportunity of reviewing it. That Act is in certain particulars defective, but we desire to proclaim it and utilise it for the purpose of sewerage the metropolitan area. We are quite prepared not to take action under that portion of the Act dealing with the water supply until the House in a subsequent session has an opportunity of reviewing the position. The Bill amplifies some provisions not quite clear in the parent Act, and also makes explicit the power of differential rating in the various areas. It farther amplifies the provisions for storm water drainage. I wish the House clearly and distinctly to understand that the water supply provisions of the parent Act will not be enforced, and the House will again have full opportunity of reviewing and considering the whole position with regard to water supply. I beg to move—

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

Mr. W. C. ANGWIN (East Fremantle) : The Minister is quite prepared to give an undertaking that nothing will be done with regard to water supply until the House has an opportunity of reviewing the position. It is not sufficient that the member should be prepared to give that undertaking. Will he actually give the undertaking ?

The Minister : That is a mere quibble. I certainly give the undertaking.

Mr. ANGWIN : I will not delay the House. There was a distinct understanding that Parliament should have an opportunity of discussing the question before the Act was proclaimed. I wish to have that promise definite and clear for the possible guidance of a future Government. Before anything is done to provide a water scheme for the supply of the metropolitan area, it is necessary that the local authorities concerned, mentioned in the schedule of the parent Act, should

well consider the scheme from a financial point of view. As the Minister says, it is not the intention to go into that matter at present ; but for the benefit of a future Government it is as well that we should have his promise.

*The Minister* : I will give you the undertaking in words as explicit as you desire.

*Mr. ANGWIN* : I wish only to explain my position. Some other Minister may follow, and when reading the words that the Government are quite prepared to give an undertaking, may conclude that no definite undertaking was given that Parliament should have another opportunity of discussing this question : hence I trust that the Minister will give a direct undertaking that this matter will be considered by Parliament before the works are put in hand.

*Mr. H. DAGLISH* (Subiaco) : I intend to offer no objection to this Bill, but I wish to urge on the Government the desirableness of taking some early action with a view to proclaiming either the Act as it stands or as it may be amended by Parliament. The measure has been on the statute book for nearly four years, and nothing has been done to bring it into operation. It is rather absurd to say that the Act should continue ; and it is particularly absurd to say that at this stage we should still be carrying water by train to Fremantle for the use of ships and for railway locomotives. I would urge the Government to grapple at an early date with this question of a common water supply for the whole of the metropolitan area ; to discontinue the use of bore water, and likewise to let us have an early opportunity of dealing with a Metropolitan Waterworks and Sewerage Bill. In the interval between now and the consideration of that measure the Government may well proceed with the work of laying down pipes between Perth and Fremantle ; because no matter what scheme may be adopted—whether we use the Mundaring water or water from a larger Canning scheme—it will undoubtedly be far cheaper to carry water by pipes to Fremantle than to carry it week after week by means of a water train.

That system of carriage is absolutely absurd. The Government might in the meantime lay pipes between Perth and Fremantle for the purpose of utilising the water at the earliest possible date, and even, if necessary, utilise thus the bore water now being consumed in Perth and its suburbs.

*Mr. T. P. DRAPER* (West Perth) : At this late stage of the session it is surprising that a Bill like this should be brought down. It is a small measure and may look very innocent, but on examining it it is found that provision is made for imposing storm water rates. These rates may be necessary or not, but I am not going to agree to pass a Bill which imposes fresh rates on the people of the metropolitan area, unless there is an opportunity given for full discussion of the subject. I will not agree to the proposal unless I am satisfied that the rates are necessary. One hears on all hands that the rates in the metropolitan area are already very heavy, and one knows that the prospective water and drainage works to be carried out will mean that the rates will be even higher in the immediate future. A full explanation should be given as to why it is necessary to impose these new rates. I shall not support the second reading.

*Mr. H. BROWN* (Perth) : I intend to oppose the second reading, as it is not right the Bill should be brought down at this stage. It should have been given consideration long ago. We are now getting water in the city from Mundaring, and I think it should be taken on to Fremantle.

*Mr. Davies* : We do not want it.

*Mr. H. BROWN* : It is refreshing to know that the Fremantle members do not want water either from Mundaring or Canning.

*Mr. Davies* : We do not want the water unless we can get it at a price.

*The MINISTER FOR WORKS* (in reply as mover) : The object of the Bill is to make one or two alterations in the parent Act before proclaiming that Act. It is the intention of the Government in the near future to proclaim it. I hereby

undertake that in proclaiming the Act we will not put in operation any of the clauses affecting the water supply, or alter the present system of dealing with the water supply of the metropolitan area, until Parliament has had a farther opportunity of expressing an opinion on that particular question. I am quite willing to meet the objection of the member for West Perth by striking out the clause having reference to the striking of a storm water rate. We can rate now, but it is a question of a differentiation between storm water and sewerage districts. Some districts will have sewers, but will not be storm water and sewerage districts. I recognise that this is a big question and perhaps it is more fitting that it should be more thoroughly threshed out when we have time to do so.

Mr. H. BROWN: I wish to ask the Minister whether at the present time the whole of the metropolitan area, including the area which is under the metropolitan water and sewerage scheme, will have to bear the burden of the present water scheme from Canning. My opinion is that by the Act which we passed some time ago all the metropolitan area is responsible for the whole of the debt, and that therefore the responsibility falls equally on Fremantle as on Perth. [Mr. Davies: No.] I see this Bill provides for the whole of the metropolitan area, and surely if it is good enough for Perth it is good enough for Fremantle.

Mr. SPEAKER: The hon. member rose to ask a question. He must not make a speech. Perhaps the Minister will be prepared to answer the question.

The MINISTER FOR WORKS: Until the Government have proclaimed the Act it does not apply to any place. That Act is not proclaimed now.

Mr. H. Brown: After the speech made last night—

Mr. SPEAKER: The hon. member is out of order.

Question put and passed; the Bill read a second time.

#### *In Committee.*

Mr. Daglish in the Chair; the Minister for Works in charge of the Bill.

Clauses 1 to 3—agreed to.

Clause 4—Amendment of Section 111: The MINISTER FOR WORKS moved—

*That the clause be struck out.*

Amendment put and passed.

Clause 5—agreed to.

Clause 6—Amendment of Section 178, The Minister may exercise the functions of the board pending the appointment of a board:

Mr. ANGWIN: While the Act sought to be amended by the Bill provided that the whole of the metropolitan area would come under it when once it was proclaimed, at the same time there was a definite undertaking that an opportunity would be given to Parliament to discuss the question. Surely the member for Perth did not wish the people of Fremantle to pay for the Perth water scheme. He had been informed that if Fremantle would take the liability of providing their equal share towards the new scheme and also pay the interest and sinking fund on the liability for their own water supply, and Perth did the same, there would be a differential rate of 3d. or 4d. in the pound. At the present time water trains were carrying supplies from Perth to Fremantle for railway purposes, although the water supply now existing at Fremantle was very fair. That was a heavy expenditure which might be obviated. Surely the people of Fremantle should have the right to consider whether they would be brought under the scheme. If they had to pay their share of the indebtedness on the Perth scheme, it would mean their rates would be increased about 100 per cent. [Mr. H. Brown: Fremantle already came under the scheme.] Perhaps after paying this large increase in rates they would find they were receiving no better water supply than at present, and all the expenditure was just to help someone else to pay their debts. It was to be hoped that next session the Government would bring down a Bill dealing with the question.

Mr. H. BROWN: It was decided under the existing Act, which had not yet been proclaimed, that the whole of the metropolitan area should be as one. It was evident that all the districts from

Perth to Fremantle would have to bear the taxation, and the sooner a board was appointed to control the matter the better. Such a service as this should not be left in the hands of a Minister to carry on at any expense he thought fit and to saddle the local ratepayers with a great expense without first obtaining their views on the matter. It was to be regretted that such an important Bill, affecting as it did Perth and suburbs, should be discussed with only about 11 members in the House, and in the absence of two of the representatives of the city. At present the taxation of the people in Perth had reached its limit, and yet all knew a greater tax still was going to be imposed on them in order to meet the expense of the water supply and sewerage. If the suggested work were done at Canning, and an additional water supply was obtained from there, it would mean the expenditure of something like £1,000,000 or £1,500,000. This would have to be borne not only by Perth, but also by Fremantle. In the circumstances therefore these municipalities should be given an opportunity of discussing which was the better system to adopt in obtaining their water supply. Fremantle, with its cheap water supply from artesian bores, would never agree to have its supply controlled by Perth. Nevertheless, the Bill which Sir Walter James when Premier proposed, and which Sir John Forrest was afraid to introduce, was passed in this House, and saddled Fremantle as well as Perth with the burden of this water scheme. Let Fremantle be content with her present supply, and leave Perth to fight her own battles. Perth was prepared to bear the expense of her own water supply and sewerage. Let the Fremantle members state plainly that they did not want a supply either from the present Canning scheme or from Mundaring. Why incur the expense of a sewerage system for Fremantle? Evidently the Government did not expect that the Fremantle system would be affected by the parent Act until many years elapsed; but the sooner Perth residents had a voice in the control of their own sewerage, the better. He was entirely opposed to Clause 6.

Clause put and passed.

Bill reported with an amendment; the report adopted.

*As to Third Reading.*

The MINISTER FOR WORKS moved—

*That the third reading be made an order for the next sitting of the House.*

Mr. H. BROWN protested against passing the Bill, which most vitally affected the interests of Perth, at a time when the members for North Perth (Mr. Brebber) and Balkatta (Mr. Veryard) were absent from the House, and only ten other members present.

Question put and passed.

### ORDER OF BUSINESS.

On motion by the Minister for Mines, Orders of the Day numbered 10, 11, and 12 postponed.

### STANDING ORDERS AMENDMENT.

*Lapsed Bills, to revive in next Session.*

Resolution received from the Legislative Council was now considered as follows:—

“That for the greater expedition of public business it is desirable that the question of adopting Standing Orders similar to those in force in the Commonwealth Senate, providing that the consideration of lapsed Bills may be resumed at the stage reached by such Bills during the preceding Session, be referred to the Joint Standing Orders Committee of the Legislative Council and the Legislative Assembly to report thereon, and that a Message be sent to the Assembly requesting their concurrence in this resolution.”

Mr. H. DAGLISH: I move—

*That the Standing Orders Committee of this House be empowered to sit during recess, and to confer on this resolution with the Standing Orders Committee of the Legislative Council.*

The report can then be submitted to the House. I do not intend to say a word on the merits of the case; but I do think the matter is one that amply warrants an

inquiry and recommendation from the Standing Orders Committee.

Mr. T. H. BATH : In seconding the amendment, there is one matter which I hope will receive attention if this motion is passed. We have already granted permission to our Standing Orders Committee to confer on other matters with the Council committee. I hope the Committee will have power to confer as to some means of improving our antiquated method of putting the question in this House. The joint committee might devise something more sensible and more comprehensible by members.

The MINISTER FOR MINES (Hon. J. Gregory) : I fully endorse the remarks of the member for Subiaco. I think that an amendment of our Standing Orders in the direction contemplated with much facilitate business, and I hope the House will agree to the motion.

Mr. G. TAYLOR : I have just entered the House. What is the suggestion ?

Mr. DAGLISH : Simply that the Standing Orders Committee be given power to consider the Legislative Council's recommendation.

Question put and passed ; a message accordingly returned to the Council.

[1 o'clock a.m. Friday.]

## BILL—WORKERS' COMPENSATION AMENDMENT.

### *Second Reading.*

The PREMIER (Hon. N. J. Moore) in moving the second reading said: I understand that all the clauses in the Bill will not meet with the approval of all sections of the House, but this measure has been introduced primarily with a view to removing the disabilities under which those workers following the calling of lumpers labour under at the present time. I do not propose to offer any strenuous opposition at this stage to any proposal which may be made to amend the Bill by striking out certain clauses. By Sub-clause (b) of Clause 6 the primary cause which actuated the Government in bringing this amending Bill will be seen. A deputation waited on the Colonial Secretary with regard to this question and brought under his notice the disabilities

under which lumpers laboured at the present time owing to the fact that their avocation is not a continuous one. Members are aware that as vessels call at the port at irregular intervals it is not possible for lumpers to secure continuous employment. There is no reason why they should not receive the same consideration as extended to other workers. The provision enacted in subclause (b) of Clause 6 is:—

"By striking out subparagraph (2) (e) of paragraph one, and inserting in place thereof the following:—(e) In fixing the amount of weekly payment, regard shall be had to any payment not being wages which the worker may receive from the employer in respect of his injury during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed one-half of the difference between the amount of the average weekly earnings of the worker before the accident and the average weekly amount which he is earning or able to earn in some suitable employment or business after the accident."

Every member must recognise this a fair and equitable condition. It is not the fault of the worker that he is unable to secure continuous employment ; it is a question whether vessels are loading simultaneously or at such periods as will ensure to him continuous employment. I am satisfied this House will recognise the provision as an equitable one and one which any reasonable man can very well support. It is this provision which is responsible for the introduction of the Bill. Advantage has been taken of it to suggest other amendments, but personally I consider this is the one clause we should give every consideration to. If this Bill is passed, although all clauses are deleted except the one I have just referred to, it will be a measure which will reflect creditably on those responsible for it.

Mr. T. H. BATH (Brown Hill) : I recognise that if any attempt were made to pass the Bill as submitted, it would call for the strongest opposition, not only on account of the suggestions contained

therein, but also in regard to the time of the session at which it is introduced. I am pleased to see the Premier has recognised that the Bill is mainly introduced to remedy an injustice to the lumpers. Their grievance has been before the public for a considerable time. The amendment set out in Clause 6 is badly needed, and I hope this portion of the Bill will be carried. I am prepared to assist the Premier to carry this clause.

Mr. W. C. ANGWIN (East Fremantle): The compensation paid to lumpers in the past has sometimes been as low as 4s. or 6s. a week. A large number of accidents occur to lumpers and at the present time there are six men who are suffering from the results of accidents. The one receiving the highest compensation is only getting 16s. per week pay. I am very pleased the Premier has taken the stand he has with regard to the measure and I am sure that, with the adoption of the clause, lumpers will be relieved from great hardships. In the past they have received practically no compensation.

The PREMIER (in reply as mover): There is another provision in the Bill which I do not propose to argue here to-night, although it is an important one. It is proposed to add to the definition of "dependants" the following words "and as are resident in the Commonwealth of Australia or New Zealand, or the United Kingdom." It might be argued that the object of this is to encourage alien labour; but that is not so. As the measure stands now, we are in the position that dependants of workmen who are injured have to be provided for as well, although we are unable to ascertain through the responsible authorities whether they are really dependants or not. However, I am not going to press that portion of the Bill for what I require chiefly is that provision shall be made with regard to granting assistance to the lumpers. I understand the Leader of the Opposition is prepared to assist me in so far as that provision is concerned. These two provisions are absolutely essential.

Question put and passed.

Bill read a second time.

*In Committee.*

Mr. Daglish in the Chair, the Premier in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of 1 and 2 Edwd. VII., No. 5, s. 2:

Mr. BATH: As we permitted aliens to enter the State and work here, if they were killed their relatives deserved as much assistance as the relatives of British subjects. But this clause would encourage the employment of aliens, and therefore he would vote against it.

Mr. DRAPER also opposed the clause. There were numerous instances of men working here who had relatives in the old country dependent on them for support.

Clause put and negatived.

Clause 3—Amendment of Section 8:

Mr. BATH: The chief objection to the clause was that it did away with the assessors who assisted the resident magistrate. He (Mr. Bath) had in several cases acted as an assessor, and found that the aid of both assessors was highly valued by the magistrate; hence assessors should be retained.

Clause put and negatived.

Clause 4—Amendment of Section 11:

Mr. DRAPER: The time for lodging claims—three months—should be extended. Men sometimes postponed the claiming of compensation until they ascertained the extent of the injuries they had received; and in the case of death the relatives living outside of Western Australia might not be able to make a claim until six or twelve months had elapsed.

Mr. BATH: The secretary of the Miners' Union, Kalgoorlie, had notified him that this provision had prevented relatives in Great Britain from claiming compensation.

Clause put and negatived.

Clause 5—Amendment of Section 16:

Mr. BATH: This clause was necessary to rectify a typographical error in the parent Act, where the term "workers" was used instead of "worker."

Clause passed.

Clause 6—Amendment of second schedule:

Mr. BATH moved an amendment—

*That paragraphs (a) and (b) be struck out.*

Amendment passed; the schedule as amended agreed to.

Clause 7—agreed to.

Title—agreed to

Bill reported with amendments; the report adopted.

## BILL—ELECTORAL.

### *Council's Amendments.*

Message from the Council received and read, not insisting on certain amendments, agreeing to farther amendments of the Assembly to the Council's amendments, and insisting on one amendment, which was now farther considered in Committee.

Mr. Daglish in the Chair, the Premier in charge of the Bill.

No. 5—Clause 46, Subclause 2, insert at end of subclause the following proviso: "Provided that the registrar shall place a mark in the prescribed manner against the claimant's name when enrolled, and no person whose name is so marked shall be entitled at any election to obtain a ballot paper and record his vote unless he has delivered to the presiding officer a declaration duly made by him in the form numbered (10.) in the Schedule."

The ATTORNEY GENERAL regretted that another place should insist on this comparatively unimportant amendment, when other amendments of real importance were not insisted on. It was questionable whether we should sacrifice all the time and energy expended on this Bill. The amendment, if passed, would have the effect of annoying an elector objected to by a private person who would be entitled through the scrutineers to insist that the elector should be asked certain questions exactly the same as were set out in the declaration; and the elector, if he replied falsely, would be liable to the penalties provided for making a false declaration. We must remember, however, that another place had shown consideration to all the other resolutions we had sent up this evening, and they possibly considered that their

agreeing to a number of our requests justified their insisting on this amendment. As it was impossible to ask for a conference on such a detail, he moved—

*That the Council's amendment be agreed to.*

Mr. BATH: The amendment, added to the mutilation of a provision unanimously inserted by this House, practically made the Bill not worth preserving. The amendment would help certain people in another place to put a premium on what had been the scandal of past elections—use of power, influence and money to lodge objections against electors who were entitled to vote. One of the members of another place and most active in moving this amendment was an agent of the National Political League, the object of which was to prevent as many electors as possible from exercising the franchise. That was the object of the amendment, by which such an organisation could, when it was too late for an objection to be ruled out of order, put in numerous objections and compel the people objected to to sign declarations. Many people, especially women, had a horror of courts of law and of legal documents. Such people were frequently the most honest in the community. The National League knew that the amendment would frighten timid people, and in view of the motive behind it, the amendment should be negatived.

[2 o'clock a.m. Friday.]

Mr. TAYLOR: The Council's amendment should not be accepted. Many people who knew nothing of law had a horror of signing legal documents presented by Government officials. It would be better to lose the Bill than accept this amendment, which would inconvenience and embarrass people who desired to get their names on the roll. It would more affect people not directly represented in another place. We were continually called upon to submit to these pinpricks from another place. We knew from whose brain this proposal emanated. It was from one diametrically opposed to the voice of the people being heard at the ballot box, from the greatest enemy of democracy in this country. We should

decide to sacrifice the Bill rather than be dominated by another place. The gentleman who had instigated this was a prominent member of a league that had in elections done many things that had been resorted to in no other place in Australia. A certain gentleman was after crumbs in his profession, a gentleman who would be always foremost in the law courts gulling gullible people to go to the court, telling them that they stood on good ground. What was the position of J. J. Holmes on the advice of this gentleman? He was speaking of Mr. Moss.

*The Chairman:* It was just as wrong to impute motives to a member of another place as it was to impute motives to members in this Chamber.

*Mr. Taylor:* There was no desire to impute motives.

*The Chairman:* It was equally wrong to cast reflections on a member of another Chamber. The hon. member referred to gulling the public. The hon. member must not make charges against members of another place.

*Mr. Taylor:* Could one discuss a member of another place in his private capacity?

*The Chairman:* It was not relevant to the matter before the Committee.

*Mr. Taylor:* It was the object of the National League to embarrass and harass electors at every opportunity.

*The Minister for Works:* The hon. member was saying what was not true.

*The Chairman:* Order. The member for Mount Margaret must not discuss anything irrelevant to the amendment, and the Minister for Works must withdraw that remark.

*The Minister for Works* withdrew, but wished to put a question. As a member of the National League he wished to ask if the member for Mount Margaret was in order in saying that it was the desire and policy of the league to embarrass and harass electors at every opportunity.

*The Chairman:* The irrelevancy of the remarks of the member for Mount Margaret had already been dealt with. The Minister for Works had no right whatever to interfere between the Chairman and the hon. member. So far as any of

the hon. member's remarks were disorderly he (the Chairman) was dealing with them.

*The Minister for Works* desired to explain.

*The Chairman:* The hon. member could explain when the member for Mount Margaret had concluded.

*Mr. Taylor* thought he could deal with a member of Parliament as a private citizen. One who was a member of an organisation and also a member of this House was not justified in accusing him (Mr. Taylor) of an untruth.

*The Chairman:* The withdrawal of that statement had already been insisted on and the hon. member must not again refer to it.

Mr. TAYLOR did not desire to say anything to irritate the Minister for Works, because he knew how wedded the Minister was to that league, which had been the greatest sinner in the past in inflicting those hardships. A thousand objections were lodged by the league, and not a single one upheld.

The CHAIRMAN could not see the relevancy to the amendment.

Mr. TAYLOR: The clause dealt with claims being objected to, and the amendment gave the league more power to embarrass people. On the other hand he (Mr. Taylor) and his party desired to see people get their names on the roll. Before coming to Western Australia he had been instrumental in placing thousands of names on the rolls.

*The Minister for Mines:* The hon. member should go on with the Bill.

Mr. TAYLOR: The Minister for Mines was in the auxiliary league. One could trace the Minister's language in the measure. The power of Parliament should not be used by any organisation, whether that body represented the Opposition or the Government.

The MINISTER FOR WORKS desired to make a personal explanation. When an individual was well known as belonging to any organisation, a reflection such as that made by the member for Mount Margaret (Mr. Taylor) on the organisation was really made with the intention of attacking him. Offensive

insinuations had been made against a certain body, and he had thought in his inexperience of Parliamentary practice that the Chairman would not have taken cognisance of the remarks he made in reply. In stating that the remark made by the hon. member was not true, he had meant it in the sense that it was inaccurate. He could not understand how such a remark could have been considered by the Chairman to be disorderly.

The CHAIRMAN: The hon. member asked to make a personal explanation, but it appeared he wished to make a personal attack on the Chair. That could not be allowed.

The MINISTER: The hon. member had referred to a time when a considerable number of names were objected to in the Fremantle Division. [*Mr. Taylor* : Thousands.] That was quite accurate. The question came on very suddenly and a canvass was made of the whole district. The whole circumstances were inquired into by a select committee, and had there been anything wrong the member for Kanowna (*Mr. Walker*) would surely have referred to it in his report. [*Mr. Taylor* : He did denounce it.] Let the hon. member read the report. It was discovered that there were some inaccuracies, and that some names had been improperly objected to, so the whole of the objections were withdrawn. When, however, the Department subsequently made a canvass of the district, it was clearly shown that the work done previously was quite correct, and that there was justification for a large number of the objections lodged, for the list of voters was reduced by 40 or 50 per. cent.

*Mr. UNDERWOOD* protested against the acceptance of the amendment. The system of objecting to names on the roll had been the cause of the greatest corruption in connection with the electoral system. Members of another place had no right to be so hypocritical as to claim that the amendment was being introduced for the purposes of purity.

The CHAIRMAN: The member must withdraw the expression, for we could not reflect on another place.

*Mr. UNDERWOOD* withdrew, although he did not know that the ruling of the Chairman was entirely correct.

The CHAIRMAN: The member must not discuss the Chairman's ruling. The standing order on the question provided that no member should allude to any debate in another House or to any measure emanating therefrom. Standing Order 129 provided that no member should use offensive words against either House of Parliament or any Statute except for the purpose of moving for its repeal. The words of the member for Pilbarra were offensive towards another House. He desired also to draw attention to the fact that he strongly objected to the practice sometimes adopted by members, out of their seats, practically drawing the attention of the Chairman to what was transpiring. He always would decline to take notice of remarks made by members out of their seats.

*Mr. UNDERWOOD* : There was no intention on his part to question the ruling of the Chairman. All he was doing was to ask for information. He was under the impression that members could not discuss another place but could discuss their action when it came so prominently forward through insistence upon an amendment. By insisting on the amendment the other House were not working in the best interests of the State, nor in the direction of securing purity at elections. It had been the system in Western Australia ever since he had arrived in the State for a certain organisation to make it a practice to go round and get as many names off the roll as possible. Twelve or 13 years ago there was an organisation which had as its main plank the policy of trying to strike off the names of their opponents from the roll. There was an organised system of objecting to names on the roll, and in insisting on the amendment another place was now trying to perpetuate that system.

*Mr. BARNETT* : It was difficult to understand the objections of members to the proposal from another place. He was not a member either of the National Political League nor of the Labour Party, and it seemed to him that the amendment

was a good one. No man who desired to act in a straight way would object for one moment to sign a declaration to the effect that his name was properly on the roll.

Mr. WARE : If the amendment were carried, it might lead to a great deal of confusion and loss of time on election day. The Attorney General might remember the appearance of one of the polling booths at the time he was elected for Kalgoorlie, and then he would realise what the scene would be like if every man whose name was objected to had to sign a statutory declaration to the effect that he was properly on the roll. People might be prevented from voting in this way. He trusted this would not be permitted. He knew something about the difficulties on polling day. Facilities should be given to people to vote. If the Attorney General accepted the amendment, one hoped he would be the first to be bitten by the provision. There were two organisations in the field at the present time, and possibly there might be a third, and if these organisations objected to persons being on the roll what would be the position ? If it was right for one organisation to object to a number of names on the roll it was equally right for other organisations to do the same. What would be the condition of the polling booth with these persons filling in the forms ? The forms would have to be filled in before the returning officer. Unless we wanted chaos at future elections we should stand out for the provision as originally passed by the Committee.

The ATTORNEY GENERAL: The hon. member was under a misapprehension. The amendment made in another place related only to claims, not to people on the roll, and only to those claims which had been lodged within a certain limited period before the issue of a writ, and at such a short time that if objections were lodged they could not be heard before the election. Had the provision been made in regard to enrolment it might be of a very wide character. Members might rest assured that the number of individuals to whom this would apply would be extremely limited. It was a provision he

would not be a party to, except in the circumstances of the case, and it was not of sufficient importance to warrant him in passing the Bill out.

Mr. T. L. BROWN: If the Attorney General would read the clause of the measure and the amendment proposed he would see that it had a very wide range indeed. Instead of applying to a very few persons it might apply to claims which had been lodged for six months prior to an election. The court might not have sat and objections not have been adjudicated upon; the claims would still stand as if there were objections to them. He regretted the Attorney General should acquiesce in the insistence by another place. We should insist on our rights because the provision would apply in a greater measure to the elections for the Assembly than for the Council. This was one of those cases in which we should insist on our rights. The amendment would affect this House more than the Council. We had given the measure far more consideration than it received in the Council, and the effect of our deliberations would be to purify the rolls; hence the Bill as it left this House should be passed unaltered.

Mr. TAYLOR: The Attorney General pleaded that few people would be affected by this amendment. But the select committee on the previous Electoral Bill found from the departmental officers that during the hurried issue of writs for the last general election no less than 2,648 applicants for votes were disfranchised. When under past conditions certain organisations tried hard but unsuccessfully to prove that persons were not legitimately on the roll, how much would the same organisations be strengthened when they could compel claimants to make declarations before enrolment ? Claimants would be attacked when applying for enrolment and after enrolment. No one favoured the Council's amendment except the organisation referred to. Without stone-walling he had debated this question to the utmost limit, and would be justified in debating it to a finish. He had exposed the origin of the amendment, and had protested against the docile manner in which the Attorney

General accepted it. Better lose the Bill than allow the organisation in question to advance its interests against the interests of the State.

Question (that the Council's amendment be agreed to) put, and a division taken with the following result:—

Ayes	..	..	20
Noes	..	..	6

Majority for .. .. 14

**AYES.**

Mr. Barnett  
Mr. Brebber  
Mr. Cowcher  
Mr. Davies  
Mr. Draper  
Mr. Eddy  
Mr. Ewing  
Mr. Gordon  
Mr. Gregory  
Mr. Keenan  
Mr. Male  
Mr. Mitchell  
Mr. Monger  
Mr. N. J. Moore  
Mr. Price  
Mr. Smith  
Mr. Stone  
Mr. Veryard  
Mr. A. J. Wilson  
Mr. Layman (Teller).

**NOES.**

Mr. Bath  
Mr. T. L. Brown  
Mr. Horna  
Mr. Taylor  
Mr. Ware  
Mr. Underwood (Teller).

Question thus passed, the amendment agreed to.

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

**ADJOURNMENT.**

The House adjourned at 3 o'clock Friday morning, until 11 o'clock forenoon of the same day.

**Legislative Council,**

*Friday, 20th December, 1907.*

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The PRESIDENT took the Chair at 12 o'clock noon.

Prayers.

**PETITION—ABORIGINES.**

Hon. J. W. Wright presented a petition bearing 70 signatures, referring to the treatment of aborigines in this State.

Petition received formally.

**PAPERS PRESENTED.**

By the Colonial Secretary: Meteorological Observations and Report of the Government Astronomer for 1906. Woods and Forests Department, Annual Report. Acclimatisation Society, Annual Report.

**QUESTION—REFERENDUM, TO ABOLISH ONE HOUSE.**

Hon. W. MALEY asked the Colonial Secretary (without notice): Is it the intention of the Government during recess to take a referendum of the people of Western Australia as to which, if either, of the Houses of the Legislature should be abolished?

The COLONIAL SECRETARY replied: No.

**BILL — GOVERNMENT RAILWAYS AMENDMENT.**

Read a third time and *passed*.

**BILL — METROPOLITAN WATER AND SEWERAGE AMENDMENT.**

*First Reading.*

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the first read-