

fluence if given a vote, but what is that to the influence which is wielded by the representatives of property in another Chamber? When a question like this, which they think will affect their pockets, is placed before them, they exercise undue influence and bring all their power, not only in that House but also in the Government, in order to defeat the proposal. Not only through the customs revenue of the State, but also in other directions the incidence of our existing forms of taxation is altogether inequitable. We have only to take such items as stamp duties, licenses, revenue from mining, and other channels of revenue to find out that the working community, whether they be on the goldfields or in the metropolis, pay the biggest amount of these forms of taxation. Then we come to the public services of the State. Take the railways as an instance and it will be found that of the revenue contributed, the working population are asked to pay the biggest share. Consider the railway freights to the goldfields on articles of general use and compare them with the rates on other articles, and again you will find that the working consumer has to pay the greatest share of the revenue derived from that source. You have only to compare the rates exacted on machinery between the coast and the goldfields with the railway rates exacted on agricultural produce. On machinery the rate is two or three times as much as it is on wheat. The consumer, the man who will have to pay under this income tax, is called upon, in addition to other burdens, to pay the greater proportion of the revenue of the State. The measure is entirely unjust. While I will support, as I have in the past, a measure for the taxation of unimproved land values, with a view to adjust the finances, I have nothing but the strongest objection to the amended measure of the Government. I will oppose the measure not only on the second reading, but also in Committee in order to eliminate, as far as in my power lies, the objectionable proposals contained in this measure.

Mr. H. E. BOLTON (North Fremantle): I move—

*That this debate be adjourned.*

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

Ayes	..	..	20
Noes	..	..	16

Majority for .. .. 4

AYES.	NOES.
Mr. Bath	Mr. Barnett
Mr. Bolton	Mr. Cowcher
Mr. H. Brown	Mr. Eddy
Mr. T. L. Brown	Mr. Ewing
Mr. Collier	Mr. Gregory
Mr. Daglish	Mr. Hayward
Mr. Davies	Mr. Keenan
Mr. Draper	Mr. Male
Mr. Foulkes	Mr. Mitchell
Mr. Hardwick	Mr. Monger
Mr. Holman	Mr. N. J. Moore
Mr. Horan	Mr. Price
Mr. Hudson	Mr. Stone
Mr. Johnson	Mr. A. J. Wilson
Mr. Scaddan	Mr. F. Wilson
Mr. Smith	Mr. Layman (Teller).
Mr. Stuart	
Mr. Taylor	
Mr. Ware	
Mr. Heitmann (Teller).	

Motion thus passed, debate adjourned.

#### BILL—MARINE INSURANCE.

Received from the Legislative Council, and read a first time.

#### ADJOURNMENT.

The House adjourned at 10.53 o'clock, until the next Tuesday.

### Legislative Council.

*Tuesday, 5th November, 1907.*

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

# PAPERS PRESENTED.

By the Colonial Secretary: Plan of Route of Narrogin-Wickepin Railway.

## QUESTIONS—RAVENSTHORPE RAILWAY, ETC.

*Hopetoun Jetty, Condensers, Railway Construction.*

Hon. C. SOMMERS asked the Colonial Secretary: 1, What progress is being made with the jetty at Hopetoun? Is the work being carried out by contract or day labour? 2, What amount has been spent to date and what is the total estimated expenditure in connection therewith? 3, What extra depth of water will be obtained by proposed extension of jetty according to present specifications? 4, Is it true that the Government intend erecting condensers at Hopetoun at estimated cost of £6,000? 5, What is the cost of railway yards and approaches from Hopetoun jetty? 6, What amount has been expended up to date in connection with the contract railway work Hopetoun to Ravensthorpe? 7, What is the estimated cost of railway rolling stock, sidings, platforms, etc., when line is opened for traffic? 8, What is the total population of Ravensthorpe, Hopetoun, Harbour View, and Mt. Desmond? 9, Is it a fact that instructions have been given to alter the contour of that portion of the railway already constructed by day labour on account of the banks washing away through the action of the sea? 10, Is it a fact that the carriage of coke represents half the estimated freight from Hopetoun to Ravensthorpe? 11, Do the Government know whether it is intended to close down the smelters at Ravensthorpe at the end of present month. 12, Is it a fact that the growing crops within a hundred miles of Ravensthorpe this year will not exceed 100 tons?

The COLONIAL SECRETARY replied: 1 (a.), 150 feet completed. further work in progress. (b.), By day labour. 2 (a.), £671. (b.), £4,500. 3, Two feet at low water. The main object of the jetty extension is to secure extra berthage accommodation. 4, The Works Department does not include in

its proposals for the railway the erection of condensers at Hopetoun. 5, The cost to date of railway yards and approaches to jetty, including first mile of line, has been £3,571. 6, £798. 7, Estimated cost of sidings, platforms, buildings, etc., including rails and fastenings for sidings, when the line is open for traffic is £11,000, of which £4,900 is included in the current contract and first mile constructed. Rolling stock is to be provided by the working railways. 8, Ravensthorpe, 1,100; Hopetoun, 250; Harbour View, 50; Mount Desmond, 50. 9, Yes. It was originally intended to protect the slope of embankment by pitching, but it was afterwards found cheaper to slew some chains of line, which has been done. 10, It is estimated approximately that receipts equal half total freights from Hopetoun to Ravensthorpe. 11, The Government understand that it is the intention to close the smelters temporarily in order to take full advantage of the reduction in freight on coke and other supplies which will result from the construction of the railway. The Company is, however, continuing to purchase any ore offered for sale. 12, Last year's crops approximated 600 tons—average five tons to the acre. The Government Inspectors report this year's crops will be of fair average.

## MOTION—GOLDFIELDS WATER SUPPLY.

*To be Self-Supporting.*

Hon. W. PATRICK (Central) moved:

*"That in the opinion of this House the Goldfields Water Supply Scheme should provide sufficient revenue to meet cost of administration, interest, and sinking fund."*

He said: Towards the end of last session I moved a motion in exactly the same terms, and the reason for moving it again at present is that in the last short session, owing to the sudden prorogation of Parliament, there was no debate on my motion and the motion lapsed along with other business. I do not intend now to go over the whole of the ground covered in my speech last session; but I think it will be just as

well to mention one or two of the reasons that impelled me to move in this direction. I have travelled a good deal in this State and in going about I have found that the average intelligent citizen of Western Australia was under the impression that the Goldfields Water Supply Scheme was a paying proposition; and I found it very difficult to persuade some of those people, many of them in prominent positions in Western Australia, that it was not so. Consequently, when the report was issued by the board of administration for the year ending the 30th June last and I found that, instead of there being a reduction in the cost of running the scheme, there was an increasing loss to the extent of £6,000 over the previous year, I put a question to the Colonial Secretary somewhat in these terms, "In view of the increasing loss on the administration of the Goldfields Water Supply Scheme, is it the intention of the Government to so administer the scheme that it will be less burdensome on the State," and the Colonial Secretary replied—I am not confining myself to the exact words, but am speaking from memory, but this is substantially what he said—"That the scheme was being administered in the best interests of the State, and the reason it did not pay interest and sinking fund was that they found that the goldfields did not take within 150 per cent. of the supply provided by the scheme." But in examining the accounts issued by the board of administration, I found that although there was increase of about 90 million gallons in the consumption of water, and an expenditure of £19,000 supplementary capital, instead of there being an increased net revenue, there was a net increased loss of £6,000 on the year's transactions, and that throughout the whole of the mines the only portion that had taken an increased supply of water during the year was what is known as the "Golden Mile," while from all the other mines there was shown a substantial decrease in revenue. I also found that notwithstanding the reduction during the year ending 30th June, 1906, to other than mining consumers of 4s. a thousand gallons where the consumption exceeded

a certain amount, and notwithstanding the farther reduction last year to 2s. 6d. a thousand gallons, instead of there being a gain to the revenue there was a loss. Last session I also pointed out that according to the report of the engineer on the scheme there was an alarming condition of things in connection with the main conduit, and I take the liberty of repeating portion of this report for the benefit of some hon. members who are present in the State to-day, but who were not here last session. This portion of the report for the financial year ending 30th June last reads:—

"As anticipated, the expenditure on the maintenance of a thirty-inch main shows a considerable increase. It has been at the rate of £40 5s. 2d. per mile of main, the total for the year being £14,151 as against £7,838 for last year, an increase of 80 per cent."

He goes on to give the reason for this condition of things:—

"Corrosion is also going on inside of the pipe, and the usual nodules are being formed on the inner surface of the metal. This is evident from the steady increase in the friction throughout the line. This increase is on some parts of the line more rapid than was originally anticipated, and the very high efficiency so far obtained from the pumping machinery will not be maintained much longer at some stations without a considerable outlay to meet the changed conditions. Where pipes have been removed, and the interior has been inspected, the nodules observed have been ratherless numerous than the rise in friction indicated. It is most probable that internal corrosion is going on more rapidly in some portions of the main than in others. This is no doubt due to the coating being better on some pipes than on others."

I paid particular attention to this matter on a former occasion, and I think it is well worth repeating. Last year £14,151 was spent in repairing the main, and £7,838 in the previous year; also in two years the sum of £22,000 was spent in repairing 69 chains, seven-eighths of a mile, and uncovering 514 chains of the main so that they could examine it from

time to time. I do not intend to refer farther to what I said on a previous occasion, but since that time the condition of things has somewhat altered. There has been considerable criticism in the Press, which I need not now refer to; some of it has been very strong on one side, and some of it has been very strong on the other. It is all in the day's work: when a member handles a question such as this, he is liable to a certain amount of abuse, but that is not going to deter any member in the House from speaking his mind on any subject that comes before him. I must just mention though that I was rather amused with a criticism in one of the local papers which appeared in one of the small mining centres, in which it referred to Mr. Patrick as representing a small agricultural constituency. As a matter of fact I represent one of the largest agricultural districts in Western Australia, extending from Gingin to beyond Northampton. I also represent one of the greatest squatting districts in the State, and evidently the gentleman when writing the article was not aware of the fact that in the Central Province there is produced a considerable quantity of gold. Last month for instance, out of the whole production of gold of the State, 23,000 ounces of fine gold were produced in the Central Province; so that I contend that I am just as much a representative of a goldmining constituency as any member of another place or of this honourable House. Several important events have taken place since the end of last session. There has been an indignation meeting at Kalgoorlie, and perhaps others. I may refer particularly to the one held about the beginning of October last. I think I may claim the indulgence of the House while I read the report of this meeting, which appeared in the *Morning Herald* of October 5th, because it shows there what I referred to in the beginning of my remarks, the evident impression that exists, even in the very centre of the goldfields water scheme, that this is a paying proposition. This report states:—

“As the outcome of the recent strictures in Parliament, a meeting of citizens was held at the Caledonian Hall

for the purpose of discussing matters affecting the Goldfields Water Supply Administration. The Mayor of Kalgoorlie (Mr. Jas. H. Cummins) was in the chair. Mr. M. J. Richardson, who made a forcible speech, moved “That as the fields are already paying the interest and sinking fund of the water scheme, this meeting protests against the statements to the contrary by both Houses of Parliament.” Mr. H. W. Davidson (chairman of the Kalgoorlie Roads Board) seconded the resolution, which was unanimously carried.”

If any person in Western Australia should be thoroughly up in knowledge of the administration of this scheme, it should surely be the mayor of Kalgoorlie, at the very centre of this great engineering concern. A letter has appeared in the Press above the signature of Sir John Forrest; and while I do not yield to anyone in this State in my admiration of this great citizen, I have always contended that Sir John Forrest was not only a leader of men, but if it had been the misfortune of Western Australia not to have had Sir John at the helm at the time when the goldfields were discovered, it is more than likely they would not have made the progress they have. He had a splendid career, and during the whole of that career he showed not only a singleness of purpose in the interest of his native State, but he showed an integrity and purity of character which ought to be an example for succeeding politicians. But while saying all this, when Sir John goes into the arena to defend a condition of things which I consider want remedying, I am not going to hesitate even to criticise a letter written by Sir John Forrest. We all know that at times even Jove nods, and I think that Sir John Forrest was nodding a little when writing this letter. I will read one or two extracts from it. Strange to say at the beginning of the letter he expresses an opinion, and if he had let that expression of opinion alone, it would have been in support of the motion I am now speaking to. He said:—

“I most freely concede that every endeavour should be made to make the-

scheme not only completely self-supporting—including the payment of the sinking fund, by which the entire cost of the work will be paid for by the year 1921—and it will then remain a free paid-for asset of the State."

There Sir John Forrest is in conflict with the Auditor General concerning the date. Sir John estimates the whole scheme will be repaid, by the accumulation of the sinking fund, in 15 years; the Auditor General says 18 to 20 years. Sir John Forrest goes on to say:—

"My principal object, however, in writing to you is to again bring under notice that if the Railway Department contributed to the scheme what it was always understood it would do, namely, that it would pay towards the expense of the project an amount equal to what it would have had to pay if the scheme were not in existence, or something like that amount, the scheme would be receiving, probably from £60,000 to £100,000 a year more from the Railway Department than it is now receiving."

If when any great work is completed in this State or anywhere else, the people for whom the work is carried out would gain nothing by it, if they were still compelled to contribute under the new and improved condition of things the same as they were compelled to contribute before it existed, what would be the use of going in for improvement at all? If Sir John's contention had a real foundation, if it could be argued on fair premises that the railway should pay from £60,000 to £100,000 more than it is paying to-day, it would be a case, as Sir John says in another part of his letter, of robbing Peter to pay Paul. If there was no deficit in the water scheme, there would be an equivalent sum to be made up on the railways, or an equivalent deficit on the railways, or the freights on the line through which the water scheme passes would have to be increased to make up the loss.

*Hon. J. W. Hackett:* Why, it is only a book-keeping entry?

*Hon. W. PATRICK:* If the Railway Department paid £60,000 or £80,000 more than they are paying now, their net

revenue would be £60,000 or £80,000 less and it would have to be made up from the Consolidated Revenue, which would suffer to that extent. However, I contend that Sir John is entirely wrong. Most of us are aware that the Broken Hill railway in South Australia, the railway from Port Pirie to Broken Hill, runs through more arid country and dry country than any portion of the Kalbarri line, and that line is supplied with water from tanks and dams along the railway. [Interjection by *Hon. Lane.*] The Happy Valley scheme supplies Adelaide, and the Beetaloo water scheme supplies Wallaroo and that district, but the Broken Hill railway is supplied by tanks and dams along the whole line. When the hon. member thinks over it, I believe he will confirm what I have said. A small quantity of water is taken on before the train starts, but there are dams all along the line, in the dry country. The same applies to the railway from Port Augusta to Oodnadatta and to the railway from Mullewa to Cue and Nannine. These lines are supplied with water from tanks and dams. I am inclined to agree with what Mr. George always contended—not only that the railways did not pay too little, but that they paid too much, paid more than the market value of the water supplied to them. Farther on Sir John mentions that "the saving to mines is £400,000 per annum." If so, then, as during last year the whole of the mines paid £87,000 for water supplied to them, they are getting water about £313,000 too cheap. But that so? Is it not a fact that before there was any Goldfields Water Scheme the mines were worked on a considerable scale, a scale for some of them nearly as great as the present, and that they managed to rub along somehow without this scheme? Some members like Mr. Lane, practically acquainted with mining, will be able to tell me if I am wrong, but I contend that the water supply would never at any time worth £400,000 to the mines. It cannot have been. As a matter of fact, in the agreement made between the Goldfields Water Supply Administration and the representatives of the mines, it is stipulated that the

mines must confine themselves to the scheme water, otherwise they would be penalised by a higher price; but this higher price would not in any case amount to more than £30,000 or £40,000 in addition to what they pay now. Sir John goes on to say that the saving to general service is £130,000 a year. I do not know to what he refers, unless he means the domestic supply, the supply to municipal councils, and others served by the scheme. If they are getting water for £130,000 less than it is worth, then undoubtedly the scheme should pay well. But I am afraid Sir John is referring to the time when the people of the goldfields used to pay sixpence a gallon for water, or later on 15s. per hundred gallons or about £7 10s. to £10 per thousand. Of course the scheme could have been no earthly use had it been necessary to continue charging the same prices as in the old times. Speaking on this question last session, it will be remembered that while contending that the price charged to the mines was a perfectly fair price, I did not at all approve, either from a commercial or from a State point of view, of selling water for domestic purposes on the Eastern goldfields at from one-half to one-third of its cost price to the State, especially as the reduction in price gave no indication whatever of any increase to the net revenue. Since last session also an important document has been issued. I believe it was placed on the table on the last day of that session, but was not available when I previously moved this motion. I refer to the Auditor General's report for last year on the Goldfields Water Supply Scheme. There are several important items of information in this report. In the departmental report on the administration of the scheme for last year there was a kind of profit and loss statement showing that the loss for the year ending the 30th June last was £4,571. The Auditor General refers to this statement and calls it a *pro forma* profit and loss account. I do not know exactly what he means; but he means this much—that he does not sign it. And he remarks as follows: "A *pro forma* profit and loss account has been

compiled showing a loss to the State of £84,571 on the year's working; but I have no knowledge as to the correctness or otherwise of these figures."

Hon. J. W. HACKETT: That includes sinking fund, does it not?

Hon. W. PATRICK: Undoubtedly; that is the loss including the sinking-fund contribution.

The Colonial Secretary: A three per cent. sinking fund.

Hon. W. PATRICK: It certainly includes the sinking fund, and thus bears on my motion, for I include sinking fund. I can understand—and members will be able to look at it from my point of view when I read other extracts from the Auditor General's report—why the Auditor General does not sign this profit and loss account, and why he states that he has no knowledge of its correctness. Of course he means no official knowledge; but he has the same knowledge as any other citizen of the State, and perhaps more. Members are aware, as has been pointed out by the Auditor General in another paragraph, that while the Government handed over the whole of the assets of this scheme to the Board of Administration, the Government retained the responsibility of paying interest and sinking fund. And that is why in all the statements that appear in the newspapers showing the receipts and expenditure of this scheme there always appears a surplus paid into the Treasury. The only capital amount that the Board of Administration deal with is the supplementary loan fund, which amounts at present to about £280,000; but they have issued a profit and loss account, concerning which the Auditor General says: "The balance carried down of £88,228 16s. 4d. is the amount of the board's net earnings for the year. This amount, added to the amount of £19,373 14s. 11d. brought forward from the preceding year's account, gives a total amount due to consolidated revenue of £107,602 11s. 3d. The surplus cash balance available and actually paid over amounts to £92,000, and the balance of £15,602 shown in the balance-sheet is carried forward to the next year's ac-

count." I should like members to mark that while in preparing this profit and loss account £19,000 of a credit balance was brought forward from the previous year, there was only £15,000 carried forward to the next year—a difference of £4,000; and the Auditor General remarks: "It may be noted that the amount actually paid over to consolidated revenue fund is nearly £4,000 in excess of the total earnings for the year." That is to say, instead of the loss for last year being £84,570, it was actually over £88,000; because, instead of carrying forward a balance of £19,000, as in the previous year, a balance of £15,000 was carried forward to next year, and the actual loss was £88,000. In addition to this there are other items which, if the scheme were conducted on ordinary commercial lines, would be charged to it; and it is marvellous to me that they are not charged to it even now. The Auditor General remarks: "The guarantee of officers, as required by Section 19 of the Act, has been discontinued, owing, it is stated, to the high rate of premium." For the sake of economy, all the officers of the department appear to be working now without any guarantee. That, in any case, whether wise or unwise, is not the course usually followed; and if the officers were guaranteed, a considerable sum would be paid out of the consolidated revenue.

*Hon. J. W. Hackett:* Is the course taken unusual?

*Hon. W. PATRICK:* Evidently it must be unusual, otherwise the Auditor General would not refer to it. He says also: "The buildings belonging to the administration have been insured by the Public Works Department, apparently to the extent of £22,290; but no charge has been made against the administration for premium." And again: "The administration occupy offices, but no rent has been charged." The rental value of the premises must be something; and the buildings are insured at the expense of the general revenue of the State. Moreover, he says: "No charge has been made for audit fees." Adding these items together, we can safely say that

instead of the loss last year being £88,000 odd, it must have been over £90,000; and I think that is a very large sum. The whole question is whether the State should continue to pay this money without some effort to remedy the present condition of affairs. I would like to refer for a minute or two to an important document that has been issued recently—the report on the metropolitan water supply by a board appointed by the Government. That report was handed to the Government, I believe, towards the end of September, and the chief particulars of it were given to the Press about five weeks ago. That report is not up to the present in the hands of hon. members. I think we have a right to complain of this condition of things. Surely the members of the Parliament of Western Australia should be in the possession of all information before anyone else in the State. [*The Colonial Secretary:* The whole report was published.] I am well aware that a certain amount of information, certainly not all of it—as I understand the report consists of 80 odd pages—was handed to the Press, otherwise I would have known no more about it than any other member. I say most emphatically it is to say the very least very unfair treatment of the members of the Parliament of Western Australia that this report was not in their hands some weeks ago. I know nothing about printing, but surely even a document of 83 pages could be printed in less than five or six weeks. Up to the present we have not received the report. I suppose that the particulars given to the Press contain the marrow of the report, but that does not alter the question of members not being in possession of the information. I will refer to one or two items in that report as given to us in the daily papers. I do not know anything about the instructions to the board, but I suppose we will get that information by and by. The board of experts emphatically say that there is not enough water in the Mundaring Weir to supply Perth and they recommend that a scheme on the Upper Canning should be gone on with, to cost somewhere in the neighbourhood of £1,250,000 or £1,500,000 according

ing to the height of the dam. I wish to repeat portions of the report. It says:—

“It is not improbable that a longer series of dry years such as 1901 and 1902 may be experienced, and it is therefore impossible to rely with safety on a greater output than five million gallons from the reservoir as it now stands. Figures are given to show that during the four years, 1904 to 1907, the water did not reach a lower level than 4ft. 9in. below the crest of the weir and the volume of water stored was never less than 3,810 million gallons. The maximum capacity of the weir is 4,600 million gallons, and the quantity that flowed over the crest of the weir ranged from 1,600 million gallons in 1903 to 19,400 million gallons in 1905. It is stated that if a continuance of these conditions could be relied upon the present reservoir would be capable of supplying Perth with a much larger quantity than is at present demanded without in any way endangering the supply to the goldfields. The board is of opinion that four million gallons per day should be reserved for the Eastern Districts and Eastern Goldfields, consequently not more than one million gallons per day is available for the metropolitan area without farther works to increase the output.”

I am not an engineer and I do not know anything about the building of weirs nor their strength, but still I reserve the right to myself to express an opinion as a man of ordinary common-sense on the statement made that the reservoir would have been dry if a certain contingency had taken place. I would draw attention to the summary showing the behaviour of the reservoir from 1902 to the present time as given in the report of the department for last year. The rainfall since 1902 is shown therein to be as follows: 1902, 19.3; 1903, 30.28; 1904, 32.72; 1905, 35.10; 1906, 27.58; and for the six months of 1907, 11.38. Then the report deals with the ratio of inflow to rainfall. In the first year when the water began to run into the reservoir the ratio of inflow to rainfall was .2, and in the following year it was 2.5, or over twelve times

as much. In the year following it was 3.2, then 7.2, and finally 3.8. This year of course we have had the ratio only for the six months. The calendar year is given in each case. I would point out to members that the ratio of inflow to rainfall in the first year was less than one-tenth of the ratio to the inflow in the next lowest year. The members of this board are of opinion, I understand—provided we have sufficient information in the report supplied to the Press—that if the reservoir had been full in 1900 and if 5½ million gallons a day were drawn from it without any farther inflow, it would have been empty by the end of 1901-3. I would draw attention to this ratio of inflow to rainfall. I know a little about sinking dams. We did not trouble about sinking wells in South Australia, but we made big dams so as to catch all the rain as it falls from heaven, and it is an indubitable fact that the first year that the dams were built the bottom and the sides absorb the greatest proportion of the inflow. The same remark would accordingly apply to the bottom and sides of a reservoir. Once the dam has become filled, however, it ceases to absorb the water unless it becomes again empty and remains dry for some months. If it happened that such condition of things should ever occur in this State that we had two years without any water at all flowing in any of our brooks, there would be no necessity for a water supply for Perth, as the bulk of the people would have levanted long before the end of the two years. One matter I would draw attention to is this. It seems to me that in so far as the information supplied to the public goes, there is a bias, a strong bias, in favour of this Canning scheme. I will read one or two sentences from the report:—

“The board has therefore found it necessary to decide as to the best source of supply, from consideration other than that of cost alone. It is considered that the quantity available from any one of the sources is ample to meet the requirements of the metropolitan area for the next 25 or 30



years, and that the sources are practically equal as regards the security of the supply. As regards purity of water, the catchment area of the Helena and Upper Canning have not sufficient settlement to endanger the purity of the water, but on the Lower Canning, between the proposed reservoir sites, there is a considerable amount of settlement and it would be necessary to resume all the alienated land in this catchment area to secure equal immunity against contamination. As regards clarity of the water the board is of opinion that the waters from the Helena and the Upper Canning would be quite free from turbidity. As regards the proposed Upper Canning dam the site is, apparently an exceptionally good one, and so far as the proposed initial work in connection with the construction of the dam to supply the metropolitan area for the next 10 or 15 years is concerned, there are no exceptional or unfavourable features. As regards additions to this dam from time to time, the proposal has but to a modified extent the same exceptional features as the proposal to add to the Mundaring dam."

Here are the recommendations:—

"(1.) That the best source from which to supply the metropolitan area, from Fremantle to Midland Junction inclusive, with hill water from 1910 to 1930, is a reservoir on the Upper Canning at the site shown on plan P.W. 11791, submitted by the Public Works Department. (2.) That the next best source is the proposed Lower Canning reservoir. (3.) That the next best source is the Mundaring reservoir."

The second-best site is the proposed Lower Canning, which in their report they practically admit is muddy and it has settlement on the catchment area. They point out that much of that land is alienated and would have to be repurchased by the Government. I do not think members require me to point out that the report looks as if there was some bias in favour of a Canning scheme of some kind. Here is the position.

First of all they recommend one site being the best, and then another being the second best, and considering the condemnatory nature of their previous report with regard to the Lower Canning site it is evident there is a very strong bias in favour of a Canning Water Scheme. They then go on to talk about a supply for 60 years ahead; but I assure none of us need trouble about that. My motion is not at all antagonistic to the Goldfields Water Supply. In fact the reservoir has had innumerable critics as a means of metropolitan supply. Some critics have asserted that it would not be sufficient for a large. [*Member*: And you say it will never get empty.] I do not. I say, and this report proves it, that the reservoir has never contained, at the end of the dry season, less than 3,800 million gallons at any time during the last four years; that is during the period the reservoir has been tested. The reservoir could never have been full during the first six months, but at no time since the first six months has there been less than 3,800 million gallons of water in it. And I contend that a supply of from 7,000,000 to 8,000,000 gallons a day, which ordinarily could safely be drawn, is more than is requisite at the present time and for many years to come, for both the goldfields and the metropolitan area. I do not know that an equal supply can be found in any part of the globe to supply an equal population; and indeed I challenge anyone to quote another reservoir in which such a quantity of water is considered insufficient. All this is only incidental to the motion, and I have simply pointed it out because the question has been raised in this report. I entirely object to that portion of the report which suggests that there should be a supply of 4,000,000 gallons per day reserved for the Eastern Goldfields and the country to the eastward of Mundaring. There is no sign, so far, of any probability of the possibility that more than 2,000,000 gallons per day will be required for that portion of the State for many years to come. The public are to a large extent misled on this point at present, because the amount supplied to Midland Junction

ion, a fairly large supply, is now included in the return showing the goldfields supply. In this connection the report of the engineers presented last year says :—

"The output to the Mines Water Trust will also be augmented, but in other mining directions little immediate expansion can be hoped for on the goldfields."

The whole question, to me, is whether this State can afford to pay out of the Consolidated Revenue Fund, that is out of the taxation of the country, a sum of £90,000 per annum, that being the total or loss last year ; and I may say that since June 30th there has been or is now being spent an additional £18,000 on supplementary capital account, and this kind of expenditure is increasing at an alarming rate. The probability is that under the present administration, the loss next year will be £100,000, if all items are taken into consideration as they should be. The question is: can this State afford to lose £90,000 per annum? Think for a moment what £90,000 means. It would mean the permanent employment of 500 men supporting 500 families, and earning a better average rate of wages than obtains in this State now ; or it would provide the interest on the cost for construction of 2,000 miles of light railway. Is this country prepared to stand this expenditure ? Is it likely to continue bearing it ? So far as my opinion goes, if there be not some alteration in the administration of this department so as to lessen the loss borne by the State and to make the position of the scheme more satisfactory, the result must inevitably be financial disaster for Western Australia.

On motion by the *Hon. R. D. McKen-*  
*zie*, debate adjourned.

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

### Recommittal.

On motion by the *Colonial Secretary*, bill recommitted to add a new clause as follows :—

"15. The Governor may make regulations for carrying the principal Act and

its amendments into effect, and by such regulations may prescribe the fees payable for registrations."

*Hon. M. L. MOSS* : Provision having been made in the Bill for registration of deaths after twelve months, it became desirable that the fees to be charged for registration in such exceptional cases should be high, in order that persons might not be induced to take advantage of the new provision by neglecting the important duty of registration.

The *COLONIAL SECRETARY* : The amendment referred to had been inserted in the Bill to meet only exceptional cases ; therefore, so that the privilege should not be abused, substantial fees would be charged in these cases.

Question passed, the clause added.

Bill reported with an amendment.

## MOTION—STANDING ORDERS AMENDMENT, LAPSED BILLS.

Debate resumed from the 29th October, on the motion by *Mr. Kingsmill*—"That for the greater expedition of public business it is desirable, in the opinion of this House, that Standing Orders be adopted by this House 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."

*Hon. J. W. HACKETT* (South-West) : When I asked for adjournment of the debate, it was that I might look into the question more fully ; but I am afraid the time at my disposal has not permitted of my carrying out that intention fully. Members will agree that the principle embodied in this motion is a good one, that it is desirable as little time as possible should be wasted and as little delay as possible take place in the bringing into effect legislation, if it be of the right sort. My hon. friend (*Mr. Kingsmill*) cannot be classed with the numerous persons who complain of over-legislation, that we are being practically suffocated by the mass of Bills prepared and placed on the statute-book. To my mind, while much good legislation is passed every session, as we all must

admit, we have also to lament that even the best Bill has in it provisions of a more or less mischievous character. Even under the aegis of the Colonial Secretary, too often are good Bills spoilt, provisions being inserted whose object and intent escape the most careful eye. However, we are still agreed that if good Bills are held over from one session to another because of prorogation, those Bills cannot be better treated than by being brought down early for the consideration of this House. And especially does this apply to measures sent here from another place. It seems to me that after all this question mainly concerns another Chamber rather than the Council. In the lengthy experience in Parliament of the mover of the motion, and in my longer experience, I do not recall a second instance similar to what occurred a few weeks ago, a prorogation of Parliament before all the Bills it was intended to consider had received full and mature discussion by both Houses. That accident I trust will not happen often again; and I cannot but think my friend was a little influenced in his bringing forward this motion that the undeniable penalty of a prorogation, the dropping of all measures, should be made to sit as lightly on this Chamber in the future as possible. As a matter of fact, I repeat that every Bill which is worth considering, which is brought in by the Government or by a private member, and which reaches the portals of this Chamber from another Chamber, has received full and adequate consideration; and if it is not passed into law, it is not because its life has been cut short by untimely prorogation, but because this House is of the opinion that it would be better in the interests of this country that the passage of that Bill into law should be farther delayed; and I take this view that it is not altogether a matter amiss that Bills should be delayed over from one session to another. It is the practice in the Houses of the United States of America to allow Bills to go from one session to another, perhaps as many as three, and their boast is that by the time a Bill finally passes into law everything that is good has been put into it,

and everything that is bad has been eliminated. Nobody can say that this House is ever deluged with Bills, at all events during the first two-thirds of a session, or that insufficient consideration is given by this House to those Bills, except in the case where a measure palpably ought to have been originated in another place, and where it is something like waste of time on the part of hon. members in seeking to amend it. I am coming to a point which I hope will show that my words are not irrelevant. This motion, if it is a proper one to be adopted by Parliament, should, I claim, have originated elsewhere. It is there that the great bulk of the Bills is brought in; it is there that there is danger of useful measures being strangled by a prorogation; it is there where the lives of most measures are cut short by such a prorogation as took place the other day. I venture to say that the motion moved by the hon. member would not be called into effect once in half a dozen years, and it seems to me doubtful whether we should break in on the practice of Parliaments, especially that of the great mother of Parliaments to which we look for our model and for our examples, in order to give a chance which will probably not occur in the lifetime of anyone present, to revive one Bill which my hon. friend lamented had been dropped in consequence of the prorogation last session. If hon. members will look at it they will see that, assuming Bills are sent up from another place to this Chamber and a prorogation cuts them short, it entirely rests with another Chamber and not with ours whether those Bills are to be proceeded with again. For I take it, unless that Chamber has assented to the motion of my hon. friend and its Standing Orders are amended in this direction, it will always require that a Bill which is returned to that Chamber from this place has received the consideration of that Chamber during the current session. If it has not, we all know what its fate will be; at any rate we can give a very good guess. Therefore, I say that, unless another place is at one with us in adopting this motion, it is useless for us to seek to put it upon our Standing

Orders ; it will have no effect whatever ; and I would point out that obviously a large class of Bills, all those introduced with a Message from the Governor, must be excluded from the purview of the motion. The hon. member (Mr. Kingsmill) shakes his head. There is no doubt that verbally he may take the meaning out of the Standing Order to which I am going to refer, that motions, or "votes, or resolutions, or Bills for the appropriation of any part of the Consolidated Revenue Fund, or of any rate, tax, duty, or impost" cannot be gone on with in the second session. I know my friend will quote the case of the Commonwealth Parliament. Whatever the authority of the Commonwealth Parliament may be, we take our example and our leading and our light from the British House of Commons, and not from the innovations of Chambers of modern growth. [*Hon. W. Kingsmill interjected.*] The hon. member may retain his adjectives until he replies. It is obvious from this Standing Order of which I have read a part, that—

"It shall not be lawful for the Legislative Assembly to adopt or pass any vote, resolution, or Bill for the appropriation of any part of the Consolidated Revenue Fund, or of any rate, tax, duty, or impost to any purpose which has not been first recommended to the Assembly by Message of the Governor during the session in which such vote, resolution or Bill is proposed."

The word is not "passed"; it is "proposed." Does anyone doubt that the object, meaning, and intent of that 67th Section of the Constitution Act is that a money Bill or resolution brought in must have been initiated during that very session in another place and by a Message from the Governor? My hon. friend will not deny that it is the meaning of that section, even though verbally he might force in another interpretation, but what I desire to point out is that it rests with another place to give that interpretation, and their interpretation will be that they will certainly not receive a Bill or resolution back from this Chamber which is a remnant from a prior session, and which has not been considered or authorised by

the members of another place. Of course we all know it is entirely in the hands of each Chamber to regulate its own business, and it is perfectly possible for this Chamber to pass the present motion; though it will be perfectly empty and futile unless it is assented to elsewhere, and probably in that case it should have been introduced elsewhere. My hon. friend knows we can do nothing for the regulation of our own business. It is perfectly possible for us to adopt Standing Orders that a Bill should not be read a first, second, and third time or go into Committee, but that it should be simply read a first time and disposed of. We could declare that the first reading was equivalent to the second and third reading and Committee stage; we could go to any length in theory; but so clear has the practice of Parliament been on this question, so unanimous has been the body of opinion on this very point, for this matter has engaged the British Parliament on more than one occasion, that when it was proposed to introduce a motion of the character of that of my hon. friend, they decided to proceed by Bill and not by resolution; and if my friend wishes to effect such a sweeping change in our practice and in our constitutional action, I say his proper course was to have introduced the proposal by way of a Bill, in order that it could be gone through in all its stages here, and then be referred to the fullest consideration of another place. As it stands, I have no objection to adopting the motion on one condition, namely that it is to be sent to the Standing Orders Committee.

*Hon. W. Kingsmill:* I have already said that.

*Hon. J. W. HACKETT:* The hon. member said he would consent to any proposition of that kind. The hon. member will not find in *Hansard* the words he thinks he used. I very much doubt it. No doubt if the matter goes to the Standing Orders Committee, the committee of another place will be invited to a consultation, and if the joint committees decide that such a tremendous innovation as this is desirable, not in the case of this Chamber where it matters next to nothing, but in the case of both Houses

of Parliament, of course we shall submit and adapt ourselves to the altered conditions.

Hon. M. L. MOSS (West): I think it is a good idea that this should go to the Standing Orders Committee, with power to confer with a similar committee of another place.

Hon. J. W. Hackett: Does the mover imply that by the passing of this motion we will commit ourselves to its sense or terms?

Hon. M. L. MOSS: I suggest that we should adopt an amendment to refer this matter to the Standing Orders Committee, with power to confer with the Standing Orders Committee of another place and to report to both branches of the Legislature. I do not know the proper course on which to proceed.

The PRESIDENT: If the motion is passed, it can be sent to another place; and if they pass it, the Standing Orders Committees of both Houses can confer.

Hon. M. L. MOSS: As has been pointed out, unless another place passes a similar motion, it is useless our passing it. In the circumstances it will be useless to confirm the principles contained in the motion, without getting the Standing Orders Committees of the two Houses to confer and report as to the innovation proposed to be made. I think the proposal of the hon. member is an exceedingly good one. It will save in the future a considerable amount of public time and expenditure; and provided there has been no general election or ordinary periodical election for this House, I can see nothing but good coming out of the motion if it is adopted. I move an amendment—

*That the question be referred to the Standing Orders Committee of this House, and that the Legislative Assembly be requested to pass a resolution to a similar effect, so that the joint committees may report."*

The PRESIDENT: I can hardly accept that as an amendment. It seems so distinct.

Hon. W. Kingsmill (in explanation): At the end of my speech in moving this motion, I said that the best course to

follow would be to send a Message to the Legislative Assembly informing them that we had passed a resolution, and asking them to refer the matter as far as they were concerned to the Joint Standing Orders Committee for report.

Dr. Hackett: It was a suggestion by the Colonial Secretary which you said you were willing to adopt.

Hon. M. L. MOSS: Am I to understand, if the motion is passed, that it will be immediately followed by another motion to send the resolution to another place? If so, I shall not move my amendment.

The COLONIAL SECRETARY (Hon. J. D. Connolly): Under those conditions, I am afraid I cannot support the motion as it stands. What I suggested to Mr. Kingsmill was not that the House should first be asked to affirm the motion and then refer it to the Standing Orders Committee in the first instance. If the motion is altered so that it will read that we ask the Standing Orders Committee to make a recommendation on this matter, I think it would be following the usual practice that before a Standing Order is adopted it is dealt with by the Standing Orders Committee. That is a practice which I think should not be departed from.

Hon. W. Kingsmill: What are the precedents for that procedure?

The COLONIAL SECRETARY: Any Standing Order that has been amended since I have been a member of the House has always come as a recommendation from the Standing Orders Committee. I cannot quote each particular case, but there has been no instance since I have been a member where the procedure which the hon. member wishes followed has been adopted. I differ from Mr. Moss and I do not altogether agree with the motion. I agree with a great deal that has been said by Dr. Hackett. After all there is a great deal to be said against the motion. It is sometimes well that a Bill should pass through its ordinary stages; and it is not wise always to receive a Bill at the stage at which it was dropped in a previous session. The arguments advanced in support of a Bill are not altogether fresh in the minds of members. Indeed

there may have been some changes through by-elections.

*Hon. M. L. Moss*: You can always re-commit a Bill.

*The COLONIAL SECRETARY*: There is not much justification for this motion particularly in this House. There may be some justification for such a procedure in the Federal Parliament, for I believe it would be much better if every Bill brought before the Federal Parliament was not passed in one session. The Federal Parliament is far removed from Western Australia for instance, and from other parts of Australia, and by the time we have looked at their Bills they have been passed. It takes a considerable time before the Bills reach every part of Australia and the remotest parts they may affect the most. Such a procedure may be suitable for the Federal Parliament. It may be desirable to proceed to a certain stage and then to have the measure distributed throughout Australia. Then those measures can be picked up again at the stage they had reached in the previous session. Members would then be ready with information from their constituents, and could debate the measures thoroughly. I do not think there is the same justification for the procedure here, more particularly in this House. There may be a good deal to be said in its favour for another place, a good deal more than in this House.

*Hon. G. Randell*: Before the measures have been sent to this House.

*The COLONIAL SECRETARY*: As members are aware the majority of the Bills originate in another place. Any Bills that originate here are introduced at the beginning of the session. Therefore they invariably get to another place and in another place they are amongst the slaughtered innocents at the end of the session. There is no need for this procedure because we really as a rule, excepting last session, have not much to go on with. There are few new Bills for us to revive. If we are to reintroduce Bills that did not become law through the ending of the session, there is always ample time to reintroduce those Bills here at the beginning of the session and let them go through all their stages and be

discussed, for there is no Bill, however good it is, that can be before the House too long or be debated at too great a length. If the member will accept an amendment that the matter be referred in the first place to the Standing Orders Committee and let them consider it, I will agree to it. As Dr. Hackett points out, the Standing Orders Committee would no doubt consult with the Standing Orders Committee of another place.

*Hon. M. L. MOSS*: I will ask indulgence to move an amendment in this form—

*That the question involved in the motion be referred to the Standing Orders Committee for report.*

*Hon. R. F. SHOLL* (North): In seconding the amendment, I am strongly of opinion that the House should affirm the principle first and then refer the question to the Standing Orders Committee. There is not the slightest doubt that this procedure will expedite business and it will be a great saving to the country from a printing point of view. We had the Municipal Bill before us several sessions. It must have cost hundreds of pounds to print that Bill. It was discussed in two sessions, dropped, and at last it was passed. I think this procedure will be very economical. It will save the cost of printing the Bills and will save a great deal of cost in *Hansard*, for the debates would be curtailed considerably.

*The PRESIDENT*: Is the hon. member seconding the amendment?

*Hon. R. F. SHOLL*: I am speaking to the amendment.

*The PRESIDENT*: You said you would second the amendment.

*Hon. R. F. SHOLL*: I am afraid I am a little off the track. It is not a question to fight over as to what procedure shall be taken. In seconding the motion, I have indicated my views on the matter.

*Hon. J. W. HACKETT*: Does this amendment mean that we should first vote Aye or No on Mr. Kingsmill's motion, and then on the amendment?

*The PRESIDENT*: I cannot see that this is an amendment to the motion.

*Hon. M. L. Moss* : It is a clear amendment.

The PRESIDENT : I think members had better arrive at a decision on the motion, whether it is desirable or not. I cannot take this as an amendment.

*Hon. M. L. Moss* : The amendment is in perfect order.

*Hon. G. Randell* : I understand you have ruled, Mr. President, that you cannot accept the amendment ?

The PRESIDENT : I cannot in this form.

*Hon. G. RANDELL (Metropolitan)* : I think it is advisable that the amendment shall not be accepted at once, and I think there should be more discussion on this motion. Many members, like myself, have not given the matter much consideration, and our thoughts have been directed this afternoon to the difficulties that may surround the subject. We must proceed with an amount of caution or we may be placed in a very difficult position with another place. There are a number of Bills that we could not by any possibility take into consideration in this House. It strikes me great difficulties may arise. I am not aware what the practice in the Senate of the Commonwealth is as I do not read the debates of the House except the small modicum which we get through the Press. I have distinctly informed those who have authority over the *Hansard* reports that I do not require them, because life is too short, for me at any rate, to go into the details published in *Hansard* of the Commonwealth debates. Therefore I have not the slightest acquaintance of how the matter works in the Senate. Say for instance we arrive at the report stage of a Bill and the House is prorogued, what kind of position would we be in when Parliament meets six months, or longer, hence? We should have forgotten the arguments which had been advanced. We could refresh ourselves from *Hansard*, still that should not be necessary. Supposing it is a Government Bill. The Government may have decided not to proceed with it. Evidence may have been produced to them or circumstances may have arisen which render it unwise to take the Bill up again in its entirety,

and on the report stage I do not see how we are to get back to the second reading stage and discuss the principles of the Bill: of course a Bill can be recommended to amend a clause here or there. These are thoughts which have come to me while listening to the speeches of Mr. Kingsmill and Dr. Hackett. I can see that other difficulties may arise. The hon. member in introducing the question did not state how the time would be saved and what expense would be saved from adopting this procedure. I am not prepared to agree to the motion or the amendment, for I see that there will be difficulties. It would be much better if the committees of both Houses were to meet together informally and exchange opinions on the question and go into the details as to how the practice would operate as to Bills sent to this House or which have originated in this House. There are a good many difficulties in the way which should prevent us from hastily debating this motion. We should take a longer time to consider it in all its bearings and see if it is possible to carry it into effect. I hope I have so far expressed myself to induce members not at present to adopt the motion.

On motion by *the Hon. E. McLarty*, debate adjourned.

At 6.15, the President left the Chair.

At 7.30, Chair resumed.

## BILL—SALE OF GOVERNMENT PROPERTY.

### *Second Reading.*

Debate resumed from the previous sitting.

*Hon. M. L. MOSS (West)* : Though I moved the adjournment of the debate, I do not purpose speaking on the Bill. Though the measure is involved, I do not perceive that its provisions are objectionable.

*Hon. G. RANDELL (Metropolitan)* : I have devoted some study to the Bill, and cannot understand some of its provisions, such as Subclause 1 of Clause 4, also Clause 7, and the wording of Clause 2, line 15. What is the meaning of "prior to the financial year;" in that

line? How long before the financial year?

*The Colonial Secretary:* At any time before the 30th June.

Hon. G. RANDELL: Ten years ago?

*The Colonial Secretary:* No; during the current financial year.

Hon. G. RANDELL: It should read "prior to the current financial year." As the hon. member (Mr. Moss) says, the Bill is certainly somewhat involved; and an actuary, an accountant, or the Auditor General would be needed to explain how it will operate, though it may operate satisfactorily.

*The COLONIAL SECRETARY* (in reply as mover): At first the Bill seemed to me rather involved. Of course I did not draft it. But after I had discussed it with the Treasurer and the Auditor General, I understood it. As to the point raised by Mr. Randell, if the contract or the work in question is done with before the end of the current financial year, the proceeds of sale can be easily dealt with; but not so when such proceeds are received after the financial year in which the money was voted for the work. I would again point out to the hon. member that the Bill merely provides machinery to enable the Treasury to do their bookkeeping, and that the money to be dealt with under the Bill cannot be spent without being appropriated by Parliament.

*Hon. M. L. Moss:* Except for repairing damages.

*The COLONIAL SECRETARY:* That is scarcely appropriating; because it is merely spending on repairs money received for repairs. This money must all be appropriated by Parliament. The Bill seeks simply to enable the Treasurer to keep books in conformity with the Audit Act, and to the satisfaction of the Auditor General.

Question put and passed.

Bill read a second time.

#### *In Committee.*

Clauses 1 to 6—agreed to.

Clause 7—Rents, etc., to be credited to consolidated revenue:

Hon. G. RANDELL: Rents of leased land or buildings, and all hire of rolling

stock and other property disposed of otherwise than by sale, were to be credited to consolidated revenue under such headings as the Treasurer might direct. "Disposed of" apparently meant "dealt with."

*The COLONIAL SECRETARY:* The point would be noted for the Under Treasurer, and the Bill recommitted if the meaning was not clear.

Hon. J. M. DREW: Surely if the buildings were constructed out of loan, the proceeds should be credited to sinking fund.

*The COLONIAL SECRETARY:* The clause would continue the practice in vogue for many years. This referred to work done for outsiders, and did not appropriate the moneys received.

Hon. G. RANDELL: Were any of these words inserted inadvertently in the printing office?

*The COLONIAL SECRETARY:* No; the printed Bill was submitted to the Under Treasurer and the Auditor General, by whom it was approved.

Hon. M. L. MOSS: The clause was not clear. Surely property disposed of meant property given away or sold. Surely it would not be right that the proceeds of properties purchased out of loan should go to consolidated revenue instead of in reduction of the public debt. That was very bad finance.

Hon. J. M. DREW: The High Court of Australia had just defined "disposed" as "sold." If the Government purchased locomotives out of loan and gave a lease of them to the Midland Company, should not the annual revenue go to sinking fund? Similarly if the locomotives were sold. The proceeds should not go to consolidated revenue, otherwise the Government could easily convert a deficit into a surplus by selling railway property.

Hon. M. L. MOSS: It was clear that "disposed of otherwise than by sale" referred to leasing; but the wording was very bad.

*The COLONIAL SECRETARY:* It was evident that the words "disposed of" did not convey the exact meaning intended.



Hon. M. L. MOSS moved an amendment—

*That the words "disposed of" be struck out, and the words "dealt with" be inserted in lieu.*

Amendment put and passed.

Hon. W. PATRICK: A farther alteration was needed in the clause, for it was evident that words should be inserted to convey the idea that money realised by the sale of articles originally obtained from loan fund should be credited to the loan fund vote and not to the consolidated revenue vote.

*The Colonial Secretary:* Although the goods might have been obtained from the loan fund, still it must not be forgotten that the consolidated revenue had to supply the sinking fund.

Hon. G. RANDELL: There was a provision in the Bill whereby the proceeds of railway property sold should be credited to the railway revenue account.

Clause as amended put and passed.

Clause S, Disposition of proceeds of sales.

Hon. M. L. MOSS: The clause as it stood did not define the intentions of Parliament. It should be made much more plain that property purchased from loan fund should be credited to that vote, and the property purchased from consolidated revenue should go to that vote. The sale of railway material might represent thousands of pounds in a year, and if that were all credited to consolidated revenue it would tend to swell up the revenue and give a false idea as to the exact position of the financial transactions during the year. The draftsmen and those responsible for the Bill evidently intended that money obtained from property purchased under the loan fund should be credited to the loan fund vote, but their intention was not made clear in the clause. It would be wise if the Minister were to report progress, so that it could be ascertained what alteration would best meet the necessities of the case.

*The COLONIAL SECRETARY:* The moneys derived from the sale of these

articles did not go into the consolidated revenue but into a special account. Provision was made for a "Sale of Government property trust account." This item appeared on the back of the Estimates and amounted to a considerable sum last year owing to the fact that it had accumulated for four years. The total was £654,000. When the Estimates were under discussion members would be able to say in what manner this money should be appropriated. The clause simply provided for a proper book-keeping method.

Hon. G. RANDELL: It was necessary that the Bill should be passed as it provided a settlement of a trouble which had existed for years. In connection with the sale of these goods trouble had frequently arisen between the Auditor General and other officials. The object of the Bill was to put this matter on a satisfactory basis so that the Treasurer might know exactly what votes the money should be credited to.

Hon. M. L. MOSS: There should not be the slightest possibility of money derived from the sale of goods purchased originally from loan account going to consolidated revenue. During this year perhaps locomotives or barges or something of the sort might be sold. The money derived from the sale would be credited as revenue received in the present financial year, and it would be just the same, under the trust account, as if the money were put into consolidated revenue. It made no difference whether the sum was put to this special account or not. He would not vote for the clause until it had been referred back to the draftsmen.

*The COLONIAL SECRETARY:* Supposing a vote of £120 from the general loan fund was passed on a certain item, and it was found before the current financial year was ended that £20 of the sum had not been spent. In that case the balance would be put back to the vote from which it came. If the money came from consolidated revenue the balance would be returned to the vote and it would appear in the following year's Estimates that the vote had not been all expended. That system, however, could only be adopted if the transaction were

completed within the current financial year, for otherwise the books were closed and the position of the vote could not be disclosed. Anyhow, the intention was clear that money obtained from goods originally purchased from general loan fund should be credited to that vote.

Hon. J. M. DREW: The clause required farther consideration. The sum of £100,000 was voted for improvements and additions to open railways, and supposing that during the current year railway stock to the extent of £50,000 was sold and the sum realised was credited to the consolidated revenue, then the state of the account would look very much better at the end of the financial year than it would in ordinary circumstances. His point was that by this method of transacting business the public would be deceived, as they would be unaware that £50,000 worth of rolling-stock had been disposed of, thus swelling the return. The matter required farther consideration, as under this provision a large proportion of the assets of the Railway Department might be disposed of and the proceeds credited either to consolidated revenue or loan funds.

The COLONIAL SECRETARY: In a case such as quoted by the hon. member, if the vote had been passed in the then current year the refund from sales must be credited to that year.

Hon. M. L. MOSS: The debate suggested to him the need for a farther clause in the Bill dealing with the sale of property which was not subject to any particular vote during the then current financial year. The suggested clause should be a direction from Parliament that in such circumstances the proceeds of the sale should be placed to the credit of Consolidated Revenue or Loan Funds according as the vote had originated. He understood that a provision of this character was made in the Audit Act, to which he desired to refer, to see whether it was not necessary either to add to Clause 8 of the Bill or to insert a farther clause as he had suggested. In the circumstances would the Minister agree to report progress?

The COLONIAL SECRETARY had no objection to reporting progress, but

the hon. member would on inquiry find the position to be as stated by him.

On motion by the Hon. G. Randell, progress reported and leave given to sit again.

## BILL—WORKERS' COMPENSATION AMENDMENT.

Resumed from 31st October.

*In Committee.*

Clauses 1 to 4—agreed to.

Clause 5—Amendment of Second Schedule—agreed to with a verbal amendment.

Clause 6—agreed to.

New Clause:

Hon. M. L. MOSS moved that the following be added as Clause 7:—

*Section 8 of the principal Act is repealed and the following section inserted in lieu thereof:—*

*"8. If any question arises as to the liability to pay compensation under this Act (including any question as to whether the employment is one to which this Act applies) or as to the amount or duration of such compensation, the question, if not settled by agreement, shall, subject to the provisions of the second schedule of this Act, be heard and determined by the local court of the district within which the injury happens, which court may grant such costs as are just and reasonable. The costs shall in no case exceed the limit prescribed by regulations."*

As in the Arbitration Court, so in courts under this Act the two assessors appointed by either side invariably were partisans, whose right position should be on the floor of the court advocating the claims of their clients; and the partisanship was sometimes carried to such extent that in effect two solicitors sat with the magistrate, and other solicitors being engaged professionally. This added to the cost of the proceedings, which in most instances had to be decided by the magistrate, the partisan assessors invariably voting in the interests respectively of those appointing them. Because the principle underlying the Workers' Compensation Act was a good one, that was no rea-

son why we should permit the proceedings to be unnecessarily expensive. The clause would neither injure nor benefit the workers or the employers, except by reducing the expenses.

The COLONIAL SECRETARY : While admitting there was much in the contention of the mover, the clause as drafted should not be accepted, as it was a new departure. The system of assessors obtained also in the Arbitration Act; and, as the mover had pointed out, it was found that frequently the Judge had to decide the issue, as assessors on either side became in most cases merely advocates for those appointing them. The amendment would throw a greater responsibility on the resident magistrate. If two assessors sat with the magistrate the parties would be more likely to accept the verdict than if the magistrate sat alone. The same principle was adopted in the Admiralty Court, assessors sitting with the Judge as in the Arbitration Court. Assessors might be advocates, and in some cases they were. [*Hon. M. L. Moss*: In all cases.] In any case, advocates or assessors, they served to keep the magistrate from running too much in one direction. If the magistrate sat alone there was the court's decision, and there was no appeal.

Mr. M. L. MOSS: If there was any doubt that there was no appeal, a sentence could be added that there should be the same right of appeal as from a magistrate sitting in the Local Court.

The COLONIAL SECRETARY: That would override the hon. member's previous argument that the abolition of assessors would reduce expense, because if there was an appeal it would be greater than the cost at present.

*Hon. M. L. Moss*: The right of appeal existed now.

The COLONIAL SECRETARY : There should be an appeal where the magistrate sat by himself, but the Act would work better by having assessors; and it was a safeguard that the magistrate's mind would not run too much in one direction, and it would prevent the magistrate giving foolish decisions.

*Hon. M. L. Moss*: The Full Court and High Court had decided there was

the full right of appeal, and it was frequently exercised under this Act. There was no desire to cut down that right of appeal, and if necessary a sentence, as he had already suggested, could be added. He was prepared to provide also that there should always be a resident magistrate sitting, because to grant £400 in the case of death, or up to £300 in the case of partial incapacity was too great a jurisdiction to give to two justices of the peace sitting in the Local Court. Speaking with considerable practice under the Act, he had no hesitation in saying that in every instance he recollected the assessors had been absolute partisans. They were the fifth wheel to the coach, and added to the expense, and the system was neither beneficial to the masters nor to the workers. When they resorted to assessors in the Admiralty Court it was with a different purpose altogether; it was to advise the Judge as to nautical matters upon which, presumably, the Judge had no experience. However, in dealing with matters under the Workers' Compensation Act no special skill or knowledge was needed. The matters were those upon which the magistrate could be thoroughly well trusted to decide sitting by himself in the Local Court. If the Minister thought it necessary he could report progress, and consult the Parliamentary Draftsman as to the right of appeal.

*Hon. R. Laurie* supported the clause, if it would have the effect of reducing the cost of proceedings. A case brought under his notice recently was one in which the amount recovered was 15s., but the costs were £3 7s. 6d. Under the present system men employed in casual labour on the wharves, if they were incapacitated, received only half the amount they earned during the preceding year from the employer in whose employ they were at the time they were injured. Under that system a man would have no account taken of anything he might earn from other employers, and no consideration was given to the average earning in the calling. Consequently a man would not get perhaps more than 3s. 6d. a week on which to keep his family. Many employers, however, were paying half the

amount of wages that were paid in the 12 months in the calling, and that was what this Bill sought to do. One would like to see the Bill extended farther to include people in casual employment in other lines. Assessors in the Admiralty Court were not part of the court; they were there merely to give the Judge an opportunity of getting advice on technical matters brought forward.

Progress reported, and leave given to sit again.

## BILL—NAVIGATION AMENDMENT.

*In Committee.*

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

## BILL—PUBLIC HEALTH (Consolidation).

The COLONIAL SECRETARY: Assuming that members would prefer not to go on with this Bill to-night, he would like to say the select committee had brought up their report and recommended certain amendments, that by a resolution of the House these amendments had been embodied in the Bill, and it had been reprinted and distributed together with the report of the select committee. He hoped members would look into these, and be prepared to go on with the Committee stage at the next sitting.

Order postponed.

## ADJOURNMENT.

The House adjourned at 8.32 o'clock, until the next day.

## Legislative Assembly.

*Tuesday, 5th November, 1907.*

Question: State Battery, Nunngarra	509
Bills: Police Act Amendment (Mr. Male), 1a.	509
Narrogin-Wickepin Railway, 2a. moved	509
Estimates resumed: Treasury continued—Compassionate Allowances, Discussion on the Illingworth grant	514

The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

## QUESTION—STATE BATTERY, NUNNGARRA.

Mr. TROY (without notice) asked the Minister for Mines: Does the department intend to give any reply regarding the application made by the people of Nunngarra for a battery for that district? The battery was asked for some months ago, and a report was promised.

The MINISTER FOR MINES replied: I do not know why the hon. member could not let us know that he was desirous of asking this question. It is usual, as a matter of courtesy, to inform a Minister beforehand. I will answer the hon. member to-morrow.

## BILL—POLICE ACT AMENDMENT.

Introduced by Mr. Male, and read a first time.

## BILL—NARROGIN-WICKEPIN RAILWAY.

*Second Reading moved.*

The PREMIER (Hon. N. J. Moore) in moving the second reading said: Members are aware that during last session there was a discussion as to the route of the proposed line, and more especially did the discussion relate to two petitions which were presented by the advocates of the rival routes, from Cuballing to Wickepin and from Narrogin to Wickepin, the discussion resulting from a motion by the member for Gascoyne (Mr. Butcher) to the effect that a board should be appointed to consider the respective claims of those routes. It