AYES.

Mr. Brown	Mr. Male
Mr. Butcher	Mr. Mitchell
Mr. Carson	Mr. Monger
Mr. Cowcher	Mr. N. J. Moore
Mr. Daglish	Mr. C. F. Moore
Mr. Davies	Mr. Nanson
Mr. Draper	Mr. Osborn
Mr. Foulkes	Mr. Piesse
Mr. George	Mr. J. Price
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Gordon
Mr. Jacoby	(*Teller*).
Mr. Keenan	

NOES.

Mr. Angwin	Mr. W. Price
Mr. Bath	Mr. Scaddan
Mr. Bolton	Mr. Swan
Mr. Collier	Mr. Taylor
Mr. Gill	Mr. Underwood
Mr. Heitmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Gourley
Mr. O'Loghlen	(*Teller*).

Question thus passed.

House adjourned at 10.42 p.m.

Legislative Council,

Thursday, 25th November, 1909.

The PRESIDENT took the Chair at 4·30 p.m., and read prayers.

BILLS (2)—FIRST READING.

Transfer of Land Act Amendment, Registration of Deeds, etcetera, Amendment.

Introduced by the Colonial Secretary.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Report after recommittal adopted.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: Hon. members are aware this is a Bill that comes up annually. In fact I think two amending Bills have been brought down in one year. The object of the Bill is in the first place to increase the capital of the Agricultural Bank from £1,500,000 to £2,000,000; and secondly to increase the maximum amount that can be loaned to one borrower from £500 to £750. An Agricultural Bank Bill was first introduced 12 or 14 years ago at the instigation of Mr. Throssell, and the capital then provided for the bank was £100,000. That measure provided for 50 per cent. advances against value of work done, and the interest to be charged was 6 per cent. To-day the capital of the bank has considerably increased. The reserve fund, that is the money repaid by borrowers, amounts to £24,255, while the balance sheet shows figures totalling a million and a half. I think it says a great deal for the management of the bank that although it has been in existence doing business for 12 or 14 years it has practically made no bad debts. It shows that the administration is good, and that the machinery provided under the Bill must have been as nearly perfect as it was possible to make it. Hon. members will agree that it is very desirable that the amount of land under cultivation should be increased as much as possible, and with this end in view this amending Bill we are now discussing has been brought forward increasing the maximum amount that may be advanced to a borrower from £500 to £750. Under the amending Act passed in 1906 advances were used for ringbarking, fencing, draining, water conservation, and clearing. Of the total £500 that could be advanced to one borrower the bank advanced £300 against

the full value of the work done, and £100 for stock, the balance being advanced on a 50 per cent. basis. The Bill before us provides that £400 may be advanced on the full value of the work done in ringbarking, fencing, draining, water conservation, and clearing, and £150 on a 50 per cent. basis, with £100 for stock and £100 for agricultural machinery. This makes the maximum of £750 that may be advanced to one person. I shall point out to hon. members what could be done in the past with the advance of £500 and what can be done with the advance of £750 provided for in this Bill. Under the advance of £500 provided in the present Act £300 could be advanced in full, and this would cover—600 acres of ringbarking, £45 ; fencing, £75 ; water, £50 ; and clearing 130 acres, £130 ; these totalling £300. Then half the value of clearing 200 acres would absorb £100. Thus with the £300 and the £100 a man in the wheat areas could clear a farm of 330 acreas, and with the advance of £100 for stock it would exhaust the total of £500. Under this Bill the proposal is to increase the advance to £750, and £400 is to be advanced against the full value of the work done. This £400 will cover—ringbarking 600 acres, £45 ; fencing, £75 ; water, £50 ; and clearing 230 acres, £230. Then there is provided £150 representing half the value of clearing 300 acres. This will clear 530 acres of wheat land, and in addition the farmer will have £100 worth of machinery and £100 worth of stock. I wish to draw the attention of members to the new provision in this Bill whereby it is provided that £100 may be advanced for machinery. The provision for advancing for the purchase of stock is already in the present Act. It is worthy of note that the machinery on which the advance is to be made must be manufactured in Western Australia. It was found that the £500 advance was too small, more particularly when it was agreed an advance should be made for the purpose of purchasing agricultural machinery. This proposal will g ve undoubted assistance to the small farmers in enabling them to purchase machinery, and at the same time it will also give assistance to the manufacturers. The fact is brought forcibly home to us when we see the number of customers doing business with the bank. They number 5,000 to-day and are increasing annually at the rate of about a thousand a year. Each of those 5,000 customers of the bank will, under the provisions of this Bill, along with future borrowers, be enabled to get an advance of £100 to purchase machinery manufactured in the State.

Hon. R. W. Pennefather : Is not that against the spirit of the Federal Constitution ?

Hon. J. W. Kirwan : Yes, and the words of it also.

The COLONIAL SECRETARY : I do not know that it is anything against the spirit of the Federal Constitution—I shall not say the wording of it—to say on what machinery we shall lend money or on what machinery we shall not lend money.

Hon. J. W. Kirwan : Clause 91 of the Commonwealth Constitution applies.

The COLONIAL SECRETARY : That point will be dealt with when it arises, but I think it is our first duty at any rate to protect our own manufacturers as far as we legitimately can.

Hon. J. W. Kirwan : Why should we run the risk of involving ourselves in a law suit ?

The COLONIAL SECRETARY : I think, even if the member is right, we are justified in taking some risk to establish manufactories here rather than that the whole of the money should go out of the State.

Hon. M. L. Moss : Will the Governor be advised to assent to a Bill like this ?

The COLONIAL SECRETARY : I do not admit that the Bill is against the Federal law. Our desire here is to get manufactories established in Western Australia and not to assist those in the Eastern States. I wish to point out that at least half the land under cultivation to-day has been cleared with the aid of money advanced by the Agricultural Bank. Another very gratifying feature in connection with that advance is that

during the past five years while the area under wheat crop has only increased by 10 per cent. in Australia as a whole, in Western Australia it has increased to the extent of 115 per cent. Those facts will speak well for the Agricultural Bank, and they fully justify this House in assenting to the extension of advances as provided for in the Bill. We have a vast territory, and it is estimated that there is within the State 20 million acres of land capable of growing wheat.

Hon. J. W. Hackett: What interest does the bank advance at?

The COLONIAL SECRETARY: Speaking from memory, 5 per cent. The next provision in the Bill is one for the increase in the capital of the bank from £1,500,000 to £2,000,000. At first sight this capital may seem large as compared with the capital of other financial institutions, but this fact is to be remembered, that the money is not loaned twice: there has to be a fresh authorisation every time; therefore, it is necessary to increase the capital each year, hence the frequent amendments that are proposed for the increase of that capital. At the present time the capital of the bank is one-and-a-half million pounds, and of this amount up to the 1st September last the bank had authorised loans to the extent of £1,366,000, and the money actually advanced was £1,005,000. The money repaid to the bank totalled £170,000, of which £31,000 was repaid during last year. This leaves the amount outstanding up to the 1st September at £840,000. I may say that a good deal of this money has been paid off, and at a very much bigger rate last year than was done in the previous year. The reason of this is that the other financial institutions have altered their policy, and they are now advancing on conditional purchases, and opening branches in these centres which they did not do before; consequently these other institutions are now doing a good deal of the business which was previously done by the Agricultural Bank. As I have pointed out, the money authorised to be loaned up to the 1st September amounted approximately to £1,400,000; that really left in hand £100,000, making up the total of £1,500,000, which is the capital of the bank. There is not a great deal of that £100,000 left at the present time, hence the necessity to increase the capital to £1,500,000. Probably there will be a bigger demand on the bank next year, because the present borrowers will be entitled to avail themselves, if their security is good, to increase their advances by £250. These are the two main features of the Bill, the increase in the capital of the bank and the increase in the maximum amount that may be loaned to one person. There is another small matter dealt with in the Bill, that of the directors' fees. The institution is controlled by the managing trustee, Mr. Paterson, who has been manager of the bank since it was first established, and two other gentlemen who are acting as co-trustees; Mr. Richardson, a former Minister for Lands, and Mr. Cook of Northam. At the present time these gentlemen receive two guineas per sitting, with a maximum of 100 guineas per annum; it is proposed to increase the remuneration from two guineas to three guineas, with a maximum of 150 guineas. Naturally, as the bank operations extend so will the work of the trustees increase. They have a good deal of travelling to do, and it is only fair and reasonable that they should receive some increased remuneration. These are the three amendments proposed in the Bill. I beg to move—

That the Bill be now read a second time.

Hon. C. A. PIESSE (South-East): I congratulate the Government upon the introduction of the Bill which makes provision for money which is much needed in connection with the development of our State. There is not the slightest doubt that the good work done by the Agricultural Bank in the past has to a great extent been mainly responsible for the excellent position Western Australia enjoys to-day from an agricultural point of view. Of course, the seasons have also played their part; but it does not matter what the seasons may be, if the people have not the capital, they cannot be expected to make very

much progress. I am sorry that the Government have not made the amount which can be borrowed £1,000. There is not the slightest doubt in the world about the value of the security, but a man will want more than £750 to make him independent. However, the Bill is a step forward, and I congratulate the Government on taking that step. There have been doubts cast as to whether the security is sufficient to warrant Parliament advancing the amount proposed. It is difficult to understand how one can doubt the value of the security. The security of the agricultural land, there is no getting away from the fact, has been proved to be the very best that the State can offer, and even now we do not know the full extent of that value. We feel quite safe at the present time in advancing the money to those who need it in connection with the agricultural industry. Other money-lending institutions which were not in the position to take this matter up in the same manner as the Government, are now going into it more freely; in fact, they are seeking these securities. I may say where men have reached a certain stage through the help given them by the Agricultural Bank, if they want more they pay off what they owe to the Agricultural Bank and go to the other institutions for assistance. That position has been created because the farmers have reached the limit that they can borrow from the Agricultural Bank. The amount mentioned as having been returned last year £31,000, it will be found constitutes the full repayment of farmers liabilities, and it will be found, too, that this sum has been repaid because the farmers have learned that the other financial institutions have recognised that farmers must have more money, and because, too, the banks recognise that the holdings are excellent security. The only trouble is, that the farmers have to work harder to pay the heavier rate of interest which is demanded and consequently that means, to some extent, a greater handicap. The Government by the introduction of the Bill will ease the farmers burden a great deal, and I am only sorry they have not gone further and increased the limit to £1,000. There is no question whatever as to the value of our lands today. For my part I must confess that I have alway believed in the lands of the State, and all the good things I have said in the past are really nothing in comparison to the actual value of those lands. Every day we come across people who will say that they have not half developed their holdings and that they are finding the land is capable of a production a great deal beyond their wildest anticipations. We must, indeed, be proud to think that we have such a splendid asset in Western Australia. Before it passes my mind I want to draw attention to the fact that the manager of the Agricultural Bank is an officer who is insufficiently paid for the services he renders. His salary, I consider, should be £1,000 per annum.

Hon. J. F. Cullen: What does he receive?

Hon. C. A. PIESSE: I think this year it is proposed to pay him £900, but in the past he has only received £800. The salary is quite inadequate, and I deem it my duty to draw attention to the matter here. With regard to the manufacture of machinery in Western Australia, if this can be done without conflict with the Federal laws it will be a good thing for the State, but I am afraid we will hear a good deal more about it after the Bill is passed. To me it seems a grave breach of the Federal Constitution, but I only hope, however, that we can get it through and that no objection will be raised to it.

Hon. J. W. Hackett: Victoria is the worst offender in that respect.

Hon. C. A. PIESSE: Two wrongs will not make a right. If Victoria does that kind of thing we have no right to do it. Although I was not a very strong Federalist, now that we have entered into Federation I consider that we should act in accordance with the spirit of the Constitution. Judging from my experience, which has been a very wide one, of the action of the Agricultural Bank in lending money to the farmer, I have no hesitation in saying that the security which has always been offered has always been worth twice the sum

which has been advanced. We have boasted a good deal about the help which the Agricultural Bank has given, but I do not know of one instance where a farmer having obtained money from the Bank has not been able to give security which exceeded considerably any value he might have obtained. In many cases the security to the loan has been as four to one. For every one pound lent by the Agricultural Bank to a settler, the borrower possesses quite £4 worth of property. The bank has always worked on these safe lines, and I trust in the future they will continue to work on these lines. The settler has not received as much money as his property entitled him to receive, but the bank has given him what it thought fit. The purchase of machinery is a new feature, but it is absolutely necessary that a man should be able to buy machinery at the lowest cost. Mr. Drew brought in a Bill the other day in reference to agricultural machinery, which I am glad to see has been withdrawn. We know that enormous profits are made by the sale of machinery on terms, and if a purchaser can be placed in the position the Government desire to place him in, that is in the position of saying, "I am a cash purchaser" he will get a machine at bare cost, and we shall find that the machinery will go into the hands of settlers at a rate more reasonable than has been the case in the past. I do not know that it is necessary to dwell much on this matter. It is only after all an enlargement, or a continuation to a certain extent, of the system that has been so successful. With the exception of borrowing for the purchase of machinery I think there is no new feature in the Bill. There is a provision which says that advances may be made for discharging any mortgage already existing on any holding. It has been customary in the past I believe to make advances in this direction; it is provided in the original Act, therefore I do not know that it is necessary to insert the provision in this Bill.

The Colonial Secretary: It is simply re-enacting the old provision.

Hon. C. A. PIESSE: You have struck out the old section.

The Colonial Secretary: Yes.

Hon. C. A. PIESSE: Then in Clause 4 we have the whole of the particulars on which the bank can advance money, and the only new feature is the advancement of money for the purchase of agricultural machinery. I trust the House will see their way to pass the Bill, and in doing so help a deserving community, and certainly help and continue the great progress we are making in the State to-day. I have much pleasure in supporting the second reading of the Bill.

Hon. J. W. KIRWAN (South): I desire also to say that I have much pleasure in supporting the second reading of this Bill. I would like, however, to say a few words concerning a provision in one of the clauses, and although perhaps it might be more suitable to refer to that particular matter in Committee when the clause is under consideration, possibly I may not be here when the Bill is in Committee, and that is my excuse for referring to it now. What I wish to say in regard to the matter referred to by Mr. Pennefather and Mr. Piesse is concerning the application of this clause in connection with the powers of the State under the Federal Constitution. It seems to me that the clause is not only contrary to the spirit of the Constitution, but it is also contrary to the wording. I would like to say I am quite in accord with the object the clause has in view inasmuch as if the machinery manufactured in Western Australia is equally good with the machinery manufactured elsewhere for the price for which it is sold, of course we would prefer that that machinery should be purchased. In order to achieve that object, the encouragement of the machinery industry in Western Australia, I think that might be done in a way that would not be a direct evasion of the Federal Constitution and which would place the matter beyond any doubt whatsoever. The particular subclause provides that advances up to £100 may be made for the purchase of agricultural machinery manu-

factured in Western Australia. I would venture to suggest that the wording be altered to read, "The purchase of agricultural machinery approved of by the Minister for Agriculture." Then it is entirely a matter for the Minister for Agriculture, and certainly there would be nothing whatever in the Bill in any way contrary to the Federal Constitution.

Hon. M. L. Moss: A public conspiracy in an Act of Parliament.

Hon. J. W. KIRWAN: I do not see that at all. I think it is for the Minister for Agriculture to see that the machinery, having in view all the circumstances of the case, should be the most suitable for the purpose.

The Colonial Secretary: Purchase from a good maker.

Hon. J. W. KIRWAN: That is the purport of what I say, "approved of by the Minister for Agriculture." I think it is necessary that the Minister for Agriculture should have some power to supervise this machinery, and if that amendment were made it certainly would not be contrary to the Commonwealth Constitution. I do not think there is the slightest doubt on the point when we take into account that the Commonwealth Constitution forbids the payment of any bounty by the State for the production of goods within the State. It goes further than that and forbids "any aid to" any industry, other than mining, in the State. In this way it is apparently a matter of administration.

Hon. J. W. Langsford: It means the same thing though.

Hon. J. W. KIRWAN: There is one thing, it prevents the possibility of our being involved in a law suit. The Colonial Secretary thinks there is no danger, but I am satisfied if this Bill were passed as it is that some of the manufacturers of machinery in the Eastern States would take some means of bringing this question before the High Court, and there could not be any doubt as to what the result of the High Court's judgment in the matter would be; but with an alteration of the kind I suggest I do not see how any possible objection could be taken to it.

Hon. R. W. Pennefather: Subject to inspection in process of manufacture.

Hon. J. W. KIRWAN: I rather think that would be going too far. If it is a matter "approved of by the Minister for Agriculture," I think that would supply all that is necessary, and if that amendment were made in Commiteee I think it would remove the difficulty pointed out.

Hon. J. W. Hackett: Why not say "Government manufactory."

Hon. J. W. KIRWAN: That introduces another question altogether. The amendment would allow of a Government manufactory. To those who hold that view of the case it would be in accord with their views, because the Minister for Agriculture may take that view of the matter: he might consider the Government should manufacture the machinery and consequently only approve of that machinery. The amendment widens considerably the operation of the clause, and I think it would be of assistance to the farmers and the country generally if an amendment of that kind were introduced into the measure.

Hon. J. F. CULLEN (South-East): I am not going to follow the hon. member on this doubtful clause; the less said about it the better. But I do think the time has come for extra caution in the administration of the Agricultural Bank.

The Colonial Secretary: Why?

Hon. J. F. CULLEN: I am going to show you. I am sure the House will approve of the Bill. The bank has done magnificent work, and it is quite right that the capital should be increased and that the directors should be more adequately paid, but I cannot go with the Minister and my friend the Hon. Mr. Piesse in their absolute confidence about the security for all the bank's advances. The Minister has told us that in the course of 12 or 14 years there has been practically no losses, but he did not add that the present basis of advances has only been in vogue something under two years.

The Colonial Secretary: You mean advancing to the full amount.

Hon. J. F. CULLEN: Exactly.

The Colonial Secretary: Two years.

Hon. J. F. CULLEN: That has entirely altered the situation. In the early years of the bank, the management was as nearly perfect as that management could be. The work was on a small scale which one mind, one man, could cover and master. He could conduct it as a private enterprise, I mean with all the minutæ, and all the knowledge of the minutæ that prevails in private enterprise. And the business was an absolutely safe, as well as a perfect and successful business in the settlement of the country. But a change came when the business had grown so that the administration had to be divided and when in the enthusiasm of land settlement a change came to an advance of the full value for improvements. This is an unheard of basis of advance, and although it may be said it is all in favour of settlement, I want to point out it is not necessarily all in favour of settlement. If you put a premium on a dangerous Act, or a dangerous set of procedure, you prejudice legitimate settlement. Everything depends on the settler. The security for the Agricultural Bank is not in the land, for we have millions and millions of acres of land around of the same value. It is not in the land, nor is it in the improvements, if you have advanced up to the full value, the full cost, of the improvements. The bank's security is in the settler. He is your main asset. If the administration does not carefully scrutinise the applicant then the business is no longer on a sound footing. The Minister has said that in the course of 12 or 14 years we have had no losses. The time has not come for losses. Possibly some members may say that my speech is an attempt to throw cold water upon one of the best institutions of the country. I deny that, for all I am doing is to offer a few words of friendly caution, coming from one who has had experience, from one who has watched the matter, and knows what he is talking about. They are a few words of friendly caution that the time has now come to administer the greatest possible care and to put a premium on the right kind of settler by taking care not to endanger the money with the wrong kind. If there is an experienced settler, I do not care whether he has a pound or not, it is quite safe to give him the full value of his improvements, but if he is a novice or a soft-handed fellow, then I say the administration should not prejudice the bank by giving to such a man the full value of the work done on his land. The risk comes later. It is all very well to say that money is expended under the supervision of Government officials, and that they will see that a pound's worth is put on the land for every pound spent. That is not the point. If an unsuitable man gives up his land after three or four hundred pounds have been expended on it, then the improvements might be worth what they cost, but that is not the general experience. As a rule the wrong kind of man takes all he can get and then drifts, perhaps for two or three years, until the improvements practically disappear. The process of dealing with the wrong kind of man cannot be hard. He is to be dealt with as gently as possible and any mortgagee knows that it is during the time of drifting that the value goes, and by the time the Crown forecloses the bulk of the improvements will have disappeared. I think the main security for the Agricultural Bank is not the land, for one may spend £400 on land which, in a couple of years is not worth 400 pence. The improvements may have deteriorated to such an extent.

Hon. W. Patrick: How is the man going to live in the meantime?

Hon. C. A. Piesse: You are looking for trouble.

Hon. J. F. CULLEN: I am simply giving a few words of caution to the administrators of the bank. In the early days we had absolute care and a safe basis, as we lent on a reasonable commercial proportion of the money spent on the land, but in place of that we have come to substitute enthusiasm for commercial care, and the cry is, "Well done, go ahead, here is another million for you, advance the full value of the improvements done." The time has come for care. This House by its attitude should say to the three directors "Try and not let the division of responsibility bring any diminution of vigilance, be as carefu,

over this 2½ million pounds as Mr. Paterson used to be over his few hundred thousand pounds." Instead of discouraging settlers this action would put a premium on the right kind of settler. Get the right man and I will not be afraid to give him more than the value of the improvements; but if one gets the novice, or the wrong man, a great deal of that money will never come back. The time has not come yet for quoting the experience of the bank, but five years hence, or ten years hence, we will begin to know whether by advancing on the full value we have not discouraged the right man by giving a great part of our money to the wrong kind of man. I believe in the bank, I believe in increasing the capital and in paying the directors well, but I also believe in saying to those directors "Take care."

On motion by Hon. G. Throssell debate adjourned.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: As members know the Electoral Act in force at the present time was enacted some two years ago. Since then, however, it has been found necessary for certain amendments to be made to it, partly with the object of enabling a system of co-operation with the Commonwealth to be established, and partly on account of the experience gained as to methods by which there can be a better working of the Act. At a conference of Premiers held in Melbourne in 1908 a resolution was reaffirmed which was passed at the conference in 1905 as follows:—

> That the Conference agrees that the Commonwealth and State Governments should consider the question of amending the electoral laws with the object of making the qualifications and disqualifications of electors as nearly uniform as may be deemed possible and desirable, and that communication should at once be entered upon by the Electoral and Law Departments of the Commonwealth and States with the object of the nearest approach to uniformity in the modes of enrolment, mode of revision, establishment of polling places, and other mechanism of an Electoral Act.

That was followed in April of last year by the visit to Western Australia of the Chief Electoral Officer of the Commonwealth. He came here to confer with the Electoral Department of this State in order to establish that system of co-operation as embodied in the resolution passed by the Premiers' conference. The resolution of that conference was embodied in the first report of the Chief Electoral Officer last year. Following on that visit our Chief Electoral Officer visited Melbourne at the request of the Commonwealth, to still further confer on the matter, with a view of arriving at a subdivisional system which the Commonwealth desired to make with the States in furtherance of the bringing about of this co-operative system. At the present time the Commonwealth in defining the electorates mostly adhere to the boundaries of our State electorates. In one instance, in the division of Coolgardie, the State districts of Roebourne and Kimberley have, for the time being, been subdivided for administrative purposes, and do not follow the State boundaries. The Commonwealth Government, in furtherance of the understanding, introduced an amending Electoral Bill, and I notice by this morning's paper that the Bill, which passed the Senate sometime ago, was adopted in the House of Representatives last night. This Bill contains the necessary amendments essential to the preparation and maintenance of a joint State and Commonwealth Assembly roll. The Commonwealth have, so far as possible, now taken steps to pave the way for co-operation with the States. This Bill is now being introduced so that the State of Western Australia might take its part.

Hon. J. W. Hackett: Have you the amendments to the Commonwealth Electoral Bill?

The COLONIAL SECRETARY: I have a copy of them.

Hon. J. W. Hackett: Are you sure they are all there?

The COLONIAL SECRETARY: The amendments in the Commonwealth Bill give the same effect to the Commonwealth Act as these amendments will give to our Act. It was found impossible to give effect to all the requests of the Commonwealth, but on the other hand it was quite impossible to expect the Commonwealth to give effect to all amendments to meet this State. We have, however, gone so far as to enable the co-operative system to be brought into force, but only those amendments are now being brought forward which are absolutely necessary to the co-operation with the Commonwealth. Besides the amendments I have referred to there are also several other amendments, independent of those wanted by the Commonwealth, and these I will touch on later. Foremost among the amendments wanted to complete the co-operation with the Commonwealth is the establishment of sub-districts and the creation of sub-district rolls, and the appointment of registrars for the sub-districts. The creation of sub-districts is necessitated by the fact that at any time it may be found inconvenient to arrange for an entire agreement between the State and the Commonwealth in the boundaries of one or more State districts and Commonwealth sub-districts. It might at times be absolutely impossible to fix this matter up unless sub-districts are provided for.

Hon. W. Kingsmill: What is a sub-district in West Perth, for instance?

The COLONIAL SECRETARY: That electorate might be divided so far as the roll is concerned, and the roll be made up for that district; then it will be taken as a whole for the West Perth election, but if the Commonwealth take in West Perth, and only one division of West Perth, under this system it would be unnecessary to compile a fresh roll.

Hon. W. Kingsmill: It is going a step farther than the Commonwealth has gone.

The COLONIAL SECRETARY: Yes. By an amendment to Section 17 it also provides for a month's residence qualification in a sub-district. The second point consequent on the co-operation of the Commonwealth insists on the abolition of the duplicate card system. In order to carry out the system of co-operation with the Commonwealth it will be necessary to abolish this duplicate system.

Hon. W. Patrick: And we will have only one set of cards?

The COLONIAL SECRETARY: Yes. The first reason why the Commonwealth could not meet us on this point was that to do so it would be necessary for every other State in the Commonwealth to adopt the duplicate card system, seeing that it does not obtain in any other State. Consequently the simpler way would be for Western Australia to abolish the duplicate card system to suit the Commonwealth. At first sight it may appear that this will impose some inconvenience and will be a danger to the public. It will not be so. It will really be a convenience to the public, inasmuch as they will not have to fill up the two cards, and there will be no danger, because the one card will still remain with the district registrar until it matures for enrolment, and so the public will have an opportunity of objecting before it comes on for enrolment, while the system of interleaved rolls will really take the place of the duplicate cards. The third amendment necessary to Commonwealth purposes, is the abolition of the compulsory provision for the issue of quarterly supplementary rolls. In view of the fact that the co-operative scheme provides for an annual reprinting of the rolls, it is not necessary to retain the clause for the issue of quarterly supplementary rolls. Clause 24 provides that the main rolls shall be printed and issued whenever the Chief Electoral Officer thinks fit; therefore it does not follow that supplementary rolls will not be issued. They will be issued when necessary, the question of necessity being left to the discretion of the Chief Elec-

toral Officer. This will save a great deal of trouble and expense. The fourth amendment proposed to meet the Commonwealth is the matter of witnessing the claims and other electoral documents. In the past the claim for enrolment on a State roll had to be witnessed by a justice of the peace or by an elector of that district or province. It is proposed to alter "elector of that district or province" to "a person qualified to be enrolled as an elector of the Commonwealth Parliament or the Legislative Assembly of Western Australia."

Hon. W. Kingsmill: The Commonwealth claims do not have to be witnessed at all.

The COLONIAL SECRETARY: The difficulty the Commonwealth points out is this, is that if they were to adopt our system it would be difficult to get persons to witness a claim, inasmuch as such persons would not know whether they were enrolled or not; whereas, of course, they would know whether or not they were eligible for enrolment. I might point out that it is provided that in issuing the joint rolls there will be certain persons qualified to vote for the Federal Parliament and yet not qualified to vote for the Legislative Assembly of Western Australia. For instance, we provide in our Electoral Act that a person must be a resident of six months' standing; while a person who comes from the other States can immediately claim to go on the Commonwealth rolls here. That difficulty will be got over by putting a mark against the name of that person which will signify that he is qualified to vote for the Commonwealth though not for the Legislative Assembly of Western Australia. The fifth provision made to meet the Commonwealth is that all forms in the schedule of the Act are to be eliminated. Certain forms are laid down in the schedule as to how notices are to be given, and the Bill provides for the authorisation of any such form under regulations. In other words, it provides that instead of the forms laid down in the schedules of 1907 the forms will vary from time to time as prescribed. Some of those in the Act are not in agreement with those of the Commonwealth.

Hon. J. W. Hackett: Are they all to be taken out?

The COLONIAL SECRETARY: No not all; only those forms which will be common to both Governments. Now these five amendments have been inserted at the request of the Commonwealth Government for the purpose of carrying out this co-operative scheme. We are not doing this entirely for the Commonwealth Government alone, for the State is going to benefit largely by it. It will naturally follow that with one electoral system and one roll the expense will be reduced by approximately one-half, and it is anticipated that we will save something like £1,000 a year if this scheme be carried out. In addition to the alterations I have mentioned which appertain purely to the Commonwealth, there are a few other alterations which have been found necessary after two years working of the Act. The first —and it is an important one—is the making preferential voting compulsory. At the present time preferential voting is provided for in the Act of 1907, but it is optional on the voter whether he exercises that privilege or not. This amendment makes it compulsory to a certain extent, although only to a certain extent. The voter will be compelled to vote up to the third choice. If the candidates be more than three he may vote for all, but not necessarily for more than three. The reason why that compulsion has not been taken above three is that it is thought that if five or six candidates were in a contest it would not be wise to compel an elector to make his choice beyond three. The average person has a clear idea as to the merits of the first man he would like to see elected, and probably after that for the second and the third choice. But when it goes beyond that it is doubtful if the average person has any clear idea as to the merits of the candidates, and probably if he were compelled to vote beyond the third preference his vote might not properly represent his intention. Experience has shown at the last elections that it is absolutely necessary that this preference

vote should be made compulsory. If there are six candidates in the contest the average man will readily give consideration to three of them.

Hon. W. Kingsmill: After that he may take them alphabetically.

The COLONIAL SECRETARY: I will just quote the latest report of the Chief Electoral Officer which says—

> "It has been felt that the experience of the optional preference voting clause has not been of the nature that was expected, and in several instances, on account of the action taken by certain electors, in recording their No. 1 preference only, several candidates for Parliament have been returned by a minority vote. The latest example was shown in the Albany district by-election held on the 17th September last, at which, out of 1,587 formal votes cast 753 showed one preference only, 776 showed the second preference only, whilst only 58 votes showed the third preference. In other words, 47½ per cent. of the votes cast showed only one preference, 49 per cent. showed two preferences, and 3½ per cent. showed three preferences. The result was that the successful candidate was declared elected on 745 votes, being 49 votes less than the absolute majority figure."

The report also says—

> "In order to effectually prevent the election of any candidate by anything but a majority vote an amendment has been introduced providing for compulsory preferential voting for at least three candidates when there are more than two candidates' nominated."

The next amendment is an amendment to Section 63 of the Act. It has been found necessary to amend Section 63 by providing that the Governor, may not later than 21 days—in lieu of 7 days as provided by the present Act—by warrant under his hand direct the issue of writs. This amendment is necessary on account of the provision in Section 64 "that 14 days' notice of the intention to issue such warrant must be published in the *Government Gazette*." The Governor must, not later than 7 days after the dissolution of Parliament, issue the writs, but as he must give 14 days' notice of such issue, consequently under the present law it is necessary to give notice of the intention to issue a writ seven days prior to the House being dissolved. This was an oversight in passing the Act, and the amendment will get over the difficulty by extending the time to 21 days, thus enabling the House to be dissolved before notice of the issue of writs takes place. The next amendment is an amendment to Section 118. This makes enrolment prima facie evidence of an elector's right to vote, subject to his satisfactorily answering the questions that might be put to him under Section 118. If the Bill in its present form is carried, so long as a person is on the roll and goes to the polling place he must be allowed to vote subject to satisfactorily answering the questions put to him under Section 118. That section provides the returning officer may, or shall if the scrutineer asks him to do so, put certain questions to the intending voter and may make him sign a declaration. The Bill provides that should the person satisfactorily answer the questions he must be allowed to vote. Of course there is the remedy afterwards of a prosecution if the voter makes a false declaration. The next amendment is an amendment to Section 161. The section has been amended by the addition of the words "and the qualification of any person enrolled shall not be questioned." This is to provide for a case such as the Geraldton election. It will be remembered that in the case of the Geraldton election and the Menzies election, when Mr. Carson and Mr. Buzacott were respectively returned members for the Assembly, petitions were lodged for the purpose of upsetting the elections on the ground that electors had voted who were not qualified as electors, and in both instances the petitioners were successful. As it is considered unfair that candidates should run the risk of having these elections upset through no fault of their own it is felt that it is due to provide that the fact of persons having voted who were not

qualified shall not be the means of upsetting an election. In the Geraldton election certain electors were enrolled as voters in the Geraldton district. After the election it was discovered that although the registrar had accepted their names and placed them on the roll and although they had voted in good faith, the particular district in which they lived—White Peak I think it was—was outside the boundary of the Geraldton electorate. So they were not qualified, properly speaking, to vote, and consequently, the majority being narrow, seven or eight, and the number of these voters, nine, just exceeding the majority, the election was upset. It is unfair on the candidate that an election should be upset and that he should be put to a fresh election through no fault of his own. The amendment now provides that the roll shall be conclusive evidence. There is another matter I forgot to mention in speaking of making preferential voting compulsory, and it is of great importance to this House. If preferential voting is made compulsory it will of course apply also to absent votes. At present immediately a writ is issued candidates are entitled to collect and send to the returning officer proxy or absent votes. These absent votes are a very important factor in the Legislative Council's elections. Take for instance the North Province. I suppose a big percentage of the electors of that province reside in Perth, and the proxies or absent votes have to be sent to Broome or some place in Kimberley. That journey takes several weeks, but full time is allowed to do it if from the date of the issue of the writ candidates are allowed to commence to collect these proxies. Seven days is about the minimum that must elapse between the date of nomination and polling day, 30 days, I believe, being the maximum period. Now, if this amendment is carried absent votes cannot be collected before the date of nomination for the reason that if they were collected before the date of nomination the voters would run a certain risk because some candidate's name might be omitted. The voter would not know what persons were going to stand, and consequently might omit some name and the vote would be invalid. It does not matter at present whether any name is omitted or not. The only way to get over the difficulty in future will be for the returning officer to allow as great a time as possible between the date of nomination and polling day so as to give sufficient time to get absent votes after the date of nomination. I point this out as an effect the amendment will have, and so that members may realise the Bill will have a certain effect on postal voting. Briefly this amendment to the Electoral Act is brought in for the dual purpose of assisting the co-operative scheme the Commonwealth and State Electoral Departments have in hand, and for the two or three amendments I have named. I move—

That the Bill be now read a second time.

On motion by Hon. J. W. Langsford, debate adjourned.

BILL—NORTH PERTH TRAMWAYS ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly): in moving the second reading said: This is a short and rather formal measure to confirm a provisional order for the alteration of tramways in the North Perth municipality. In 1904 a provisional order was obtained to construct tramways in North Perth municipality (shown on plan on the wall in black) and that provisional order included the carrying of a cross tramline from Fitzgerald-street down Forrest-street and Walcott-street to Beaufort-street. They now ask permission to do away with the cross tramway and carry two tram lines, one from Beaufort-street down Walcott-street, and the other down Fitzgerald-street and Angove-street (as shown in red on the plan). The original provisional order was from the City boundary in Fitzgerald-street to Forrest-street on the one hand and on the other hand from the intersection of these streets along

Forrest-street and Walcott-street to the City boundary in Beaufort-street, but this provisional order was never completely carried out. Extensions were asked for from time to time and were obtained. The last extension was granted to the 24th December of this year. The universal custom has been with these provisional orders where local authorities are concerned to approve of any alteration or tramway construction asked for by the local authority so long as the Government are satisfied the travelling public are safely provided for and there is no chance of the tramway entering into competition with our railways. An application for the provisional order contained in this Bill was received from the local authority in July last. The application sought to alter the route as shown on the plan hung in the Chamber, and as I have just described. The length of tramway is to be increased from 60 chains to 80 chains. The arrangement to carry out the alteration has been come to between the North Perth municipality and the Perth Tramway Company, and the Bill is brought in at the request of the local authority. A week ago a petition, which I understand was got up in one night, was presented to the Minister for Works, containing 360 signatures of persons residing in North Perth who prayed for the alteration to the route as provided in the Bill. This is evidence that the Bill is agreeable to the people in the locality. These provisional orders are always granted by the Minister when he is reasonably satisfied that the safety of the public is provided for, and that the tramways will not interfere or clash in any way with the traffic on the Government railways. I move -

That the Bill be now read a second time.

Hon. T. F. O. BRIMAGE (North East): I notice by a pamphlet I have that the last provisional order was obtained in 1904, and here we are in 1909 and no attempt made to complete the construction of the lines that were then anticipated. I think the tramway company in Perth are somewhat lax in their work. When they first obtained the order to build the tramways here they promised to put in double lines as the traffic warranted, and that has not been done. Whenever there is anything like heavy traffic, on a holiday for instance, we find the trams hung up, and in those places where there is only a single line the traffic is considerably congested. I think when we are passing this Bill we might insert a clause requiring the completion of works previously promised, and there are many parts of the metropolis where a double line would be most advantageous to the working of the trams and to the general public.

The Colonial Secretary: It is all on account of the local authorities' failure to move in the matter.

Hon. T. F. O. BRIMAGE: As a matter of fact the tramways company seem to do pretty well as they please. There is a provision in this agreement that they may arrange and adjust the fares and revise the agreement every seven years. Speaking of fares, I think we are overcharged in this place. In Melbourne and in Sydney it is possible to ride a mile for a penny.

Hon. M. L. Moss: In Melbourne you cannot.

Hon. T. F. O. BRIMAGE: In Perth the fare is 3d. We are content to be charged 50 per cent. above rates in the Eastern States, but when it comes to 300 per cent. I think we ought to object.

The Colonial Secretary: You can ride three miles for 3d. here.

Hon. T. F. O. BRIMAGE: Not in Perth. There is another matter that we should deal with in this agreement, or see that the provisions of the original agreement are carried out. There is a provision whereby the tramway company are obliged to water the streets twice a day. During the recent mayoral election Mr. Molloy was severely attacked for the dusty condition of the streets of Perth. I understand it is the duty of the tramway company to water the middle of the street, and there is no doubt that the tramways are the greatest dust makers we have. It is rarely that we see a tramway water cart about. I only mention this because I consider the matter should be brought forward. With regard to the route referred to in the Bill, there is no

guarantee in the Bill that the work is going to be completed. Another provision that should be in the measure is that when the original tramway scheme falls into the hands of the people, that this extension, or whatever extension is going on now, should become the property of the people at the same time. In the original agreement the tramway company contracted to run trams for a period of 35 years, and during the last four or five years there have been some extensions. These extensions I think should become the property of the people on the date originally proposed. It would not be wise for us to allow the tramway company to run a portion of their lines for 35 years and another portion for a longer period. Provision should be made whereby the whole of the system should fall into the hands of the public on a certain date. It is my intention to support the Bill.

Hon. M. L. MOSS (West): I would like the Minister to give the House some information—I presume we could find it out for ourselves by studying the provisional order which was confirmed by Act of Parliament in the past—as to whether there will be overlapping in these additional sections, for which Parliament has given statutory authority. As far as Perth and surroundings are concerned, a serious position may arise later on. One part of the tramway system will fall into the hands of the public, and they will have no running powers over the balance of the system. With regard to the dust question, I can only say that in the provisional order there are terms included providing that the tramway company in Perth shall water the streets twice a day. As far as I can see this clause is entirely disregarded. On making a comparison between the condition of affairs between Perth and Fremantle, we find that in Fremantle, where a board control the tramways, the streets are well watered, especially during the time when the traffic on the lines is heavy. In Perth the existing state of affairs is perfectly scandalous. Often the cars are crowded with ladies and one is obliged to stand on the platform at the rear, and anyone who rides along Hay-street knows the condition that his clothing gets into, even riding only from the town hall to Harvest-terrace. It wants no words of explanation from me to illustrate what passengers have to go through. No doubt these provisional orders are sufficiently well drawn to enable the local authorities to enforce compliance with the terms of them. Either the municipal council is a very pliable body, and very much in the hands of the tramway company, because the tramway company appear to be able to escape fulfilling their obligations, or if they are not, when they are seeking their statutory authority it is time that Parliament did something to compel these lines to be kept in a decent state. If the Minister cannot give this information at the present time the Committee stage might be sufficiently adjourned so that Parliament might be informed what the responsibilities of the tramway company are in this connection, and if they are not bound to do what we think they should be obliged to do for the comfort of the people generally, now is the opportunity to place this obligation on their shoulders.

Question put and passed.

Bill read a second time.

BILL — METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE.

In Committee.

Resumed from the previous day.

Clause 8—Method of control:

Hon. M. L. MOSS: Attention might be drawn to what apparently was an oversight. In all the works that were constructed by the Crown, and in respect of which the right to sue the Crown was given under the Crown Suits Act, it was provided by that statute that execution should not be issued on a judgment against the Crown. In the clause before the Committee the Minister for Water Supply was created a body corporate, and in Clause 8 it was intended to vest in him all the property belonging to the Metropolitan Board of Water Supply and Sewerage, and all other works. This position would arise, in case the Minister were sued: by virtue of the powers sought to be conferred by Clause 8, it might be pos-

sible that a bailiff might be put in possession of a public work, an action which might interfere with the supply of water for the general public. It was highly desirable that no person who obtained a judgment against the Minister should be entitled to take possession of public property.

The Colonial Secretary: Do you think that it would be likely to happen?

Hon. M. L. MOSS: It was only his desire to show that in the Crown Suits Act this had been provided for.

The COLONIAL SECRETARY: There was no desire to resent the suggestion made by the hon. member but what he would ask was whether such a position was ever likely to occur? If a creditor obtained a judgment against the Crown would not that judgment be satisfied? At any rate a note of the point would be taken and it would be referred to the Crown authorities.

Clause put and passed.

Clause 9—Appointment of officers and servants:

Hon. J. W. LANGSFORD: Had any provision been made for those civil servants who had been transferred to the control of this new department, and who had enjoyed the privileges of the Public Service Act? Would all the privileges and rights which were accruing to them be carried over to their new appointment?

(Sitting suspended from 6.15 to 7.30 p.m.)

Hon. S. STUBBS moved an amendment—

That the following be added to the clause:—"Provided that any officer or servant so appointed who at the time of the passing of this Act was in the service of the Metropolitan Waterworks Board, constituted under the Metropolitan Waterworks Act of 1896, or of the Metropolitan Board of Water Supply and Sewerage, as constituted under the Metropolitan Water and Sewerage Act of 1904, shall be deemed to have been an officer within the meaning of the Public Service Act of 1904, as from the date of his appointment by each of such boards."

There was no clause providing for the past services of officers. Members of the public service carried with them their length of service and other privileges, and why should not the provision work both ways. There was no department that held the confidence of the public more than the Waterworks Department, and many of the officers had been in the service a great many years, had borne the heat and burden of the day, and it was only fair, if they had performed faithful service, that the Committee should see that their privileges were safeguarded.

The COLONIAL SECRETARY could not accept the amendment. It was altogether out of place to insert an amendment of this nature in a Bill which was purely a machinery measure. He did not know what privileges the officers now employed by the Metropolitan Waterworks Board had under their agreements with that board. Under the Public Service Act, should an officer serve for seven years he was entitled to three months' long service leave, or, if he had served for 14 years, to six months long service leave on full pay, or a maximum of seven and-a-half months of long service leave. He was not aware whether the officers of the board had such privileges, but he would give an assurance that any privileges which the officers were entitled to should be preserved to them when they became officers of the Public Works Department. That was all members could reasonably expect. But the amendment went further, it stated that the Public Service Act should apply to these officers as from the date of their appointment under the board. Why give these officers privileges which were not promised to them when they joined the service of the Waterworks Board; why give them privileges which they would not enjoy if they remained officers of the board?

Hon. M. L. MOSS supported the amendment because it was a perfectly fair and just proposal. The Colonial Secretary gave an assurance that whatever privileges the officers were entitled to they should get. But one would think the Ministry were an immovable body and that any assurance given

would be carried out. He was prepared to trust the present Government but he was not prepared to say that he would trust any future Government. This clause was the proper place to deal with this matter. Under the Public Serivce Act of 1904 no officer could demand as a right any of the long service leave therein mentioned. The Public Service Commissioner could recommend the granting of the privileges yet the Governor in Executive Council might refuse them. If the amendment was passed these officers could not claim the privileges as a right. These officers who had been employed under the waterworks board from time to time, to all intents and purposes, were public servants. It would be a simple matter to include these officers in one of the divisions of the Public Service Act, and they would then become public servants. If these privileges were given to these officers what was the State giving away? These servants who had served the State faithfully should have all the privileges conferred on other public servants. To deny the officers the same rights and privileges that other public servants were entitled to was partial treatment indeed.

Hon. T. F. O. BRIMAGE: The public servants of the State were well looked after by the Public Service Commissioner under the Public Service Act. This country was not in a position to make large grants to civil servants. We could well leave those officers retained by the State in the hands of the man appointed for the purpose of controlling them. He would therefore vote for the clause as it stood. Probably the officers in question were temporary and received higher salaries than those permanently employed. If the amendment were carried the country would be pledged to a greater extent than was necessary.

Hon. J. W. LANGSFORD: The arguments of Mr. Moss were unanswerable and he intended to support the amendment. One could well understand the dissatisfaction that would ensue in the service if of those who were working side by side some enjoyed certain privileges which were denied to others, although they may have been in the service for the same length of time. The amendment would not make much difference financially to the State.

The COLONIAL SECRETARY: Any privileges that might have accrued to officers engaged under the board would be preserved. Why should some of the officers who may have had 15 years' service, and who joined the old board under certain conditions, now that they were transferred to the Minister, have certain privileges extended for the full term of their employment? Such privileges as long service leave would be retained. He was in the dark as to the agreements some of these officers might have with the board. The Public Service Act of 1904 did not provide for any retiring allowance, therefore if the amendment were carried it might be that some of those officers would lose retiring allowances or bonuses or would be in a worse position than they were at present. It might be that if the conditions suggested were made the Minister would think that as the officers were too expensive for him to take over they must go and then possibly they might not receive retiring allowances, as such were done away with by the Act of 1904. He would again give an assurance on behalf of the Minister that these officers would receive all the privileges to which they were entitled.

Hon. M. L. MOSS: The Minister had indicated that some of the officers were employed under special agreement.

The Colonial Secretary: I said they might be.

Hon. M. L. MOSS: A speech like that should not be made by the Minister. If it were a fact that there were officers who had special agreements members should know the terms of those agreements. If none such existed the possibility of their existence should not be held in *terrorem* over the heads of members. It was a sound argument that if those officers were to lose certain privileges if brought under the Public Service Act it would be well for them that such

was not done. In the circumstances therefore the clause should be postponed in order to enable members to get full information. He did not want to vote for the amendment if the officers were to be deprived of greater benefits than they would get under the Act. He moved—

That the clause be postponed.

The COLONIAL SECRETARY: No assertion such as that indicated by Mr. Moss had been made by him. What he said was that he was quite in the dark as to the conditions under which some of the officers were taken over. Possibly it might be that if the amendment were carried the officers would be treated less liberally under the Public Service Act of 1904 than under their original agreements. He would again assure members that these officers would have preserved for them all the privileges they possessed.

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

Ayes	8
Noes	8
A tie	0

AYES.

Hon. J. F. Cullen	Hon. S. Stubbs
Hon. J. W. Langsford	Hon. T. H. Wilding
Hon. M. L. Moss	Hon. R. Laurie (*Teller*).
Hon. R. W. Pennefather	
Hon. C. A. Piesse	

NOES.

Hon. T. F. O. Brimage	Hon. B. C. O'Brien
Hon. J. D. Connolly	Hon. G. Throssell
Hon. J. T. Glowrey	Hon. A. G. Jenkins (*Teller*).
Hon. S. J. Haynes	
Hon. R. D. McKenzie	

The CHAIRMAN: In order to permit of further consideration I give my casting vote with the ayes.

Motion thus passed; the clause postponed.

Clauses 10 to 18—agreed to.

Clause 19—Minister may construct works:

Hon. J. F. CULLEN: As this clause had its completion in a very serious clause later on, namely Clause 128, he would like to know exactly what powers of construction were contemplated. The clause gave power to the Minister to construct and extend works while the following clauses provided a course of procedure, but there was no provision for reference to Parliament. Clause 128, which completed the clause under discussion, gave the Minister, with the consent of the Governor, unlimited powers of borrowing without reference to Parliament. He could quite understand that the Minister should have power to make ordinary extensions and new constructions involved in those extensions. But, supposing the Minister were to plan a work running to £20,000, and go and borrow that amount without reference to Parliament; would that be a safe power to leave in the hands of the Minister?

The COLONIAL SECRETARY: The Minister would at all times be limited by the rates, which would be fixed at 1s. and 1s. 6d. The Minister could only construct works which that rate would cover. The power was only for extensions and if any big work were undertaken it would have to come before Parliament, if only in the Estimates.

Hon. J. F. CULLEN: A limitation should be placed on the power of the Minister in respect to these extensions.

Clause put and passed.

Clauses 20 to 27—agreed to.

Clause 28—Streets broken up to be reinstated without delay:

Hon. A. G. JENKINS: In replacing streets which had been broken up the Minister might alter the width of the footpath, or of the whole street. The responsibilities of the Minister should be still further defined. He moved an amendment—

That after the words "broken up" in line 6, the words "so that the full width of such street and the footpath thereof shall be restored to their original condition" be inserted.

The COLONIAL SECRETARY: The amendment was scarcely reasonable. There was nothing in the clause which gave the Minister power to alter the width of the street or the footpath. The clause provided that the Minister should repair all damage, but the amendment sought to throw upon him a still

further responsibility. At one section of the work the local authority had refused to the board the power to close the street. The excavations in that street took up quite one half the roadway and, in consequence, the entire traffic of the street was thrown on to the other half, with the result that some considerable damage was caused—damage which would have been obviated had the street been closed. It was probably that which had given rise to the amendment.

Hon. C. SOMMERS: When the work had been in progress in George Street the street could not be closed on account of the heavy traffic it carried, and in consequence the congested traffic had wrought considerable damage to the portion of the street left open. It was only reasonable that the Minister, and not the municipalities, should be called upon to reinstate streets so damaged.

The COLONIAL SECRETARY: After all it made very little difference whether the municipality or the Minister repaired the street, seeing that in either case the money would come from the ratepayers. If the amendment were to be agreed to, the Minister would have to repair the whole width of the street, instead of merely the portion which he had broken up.

Hon. M. L. MOSS: If the damage were caused through the agency of the contractors, then the cost of repairs would not come out of the pockets of the ratepayers. However, in all probability the instances referred to would not occur again and, consequently, the clause afforded sufficient protection as it stood.

Hon. R. W. PENNEFATHER: The objection raised by the Colonial Secretary was that the amendment would place a greater burden on the Minister than was contained in the clause. It was by no means certain that this was so.

Hon. T. F. O. BRIMAGE: The amendment was unnecessary. The local authority might desire to alter the width of the footpath, but the amendment made it compulsory that the footpath should be replaced at the original size.

Hon. S. STUBBS: The amendment was necessary, because many drains had been opened up in various parts of the city, and in some instances the roads were left in a disgraceful condition and had to be gone over afterwards.

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

Ayes	.. .. ..	8
Noes	.. .. ..	9
Majority against	..	1

AYES.

Hon. J. W. Langsford	Hon. G. Throssell
Hon. B. C. O'Brien	Hon. T. H. Wilding
Hon. R. W. Pennefather	Hon. A. G. Jenkins
Hon. C. Sommers	(*Teller*).
Hon. S. Stubbs	

NOES.

Hon. T. F. O. Brimage	Hon. R. D. McKenzie
Hon. J. D. Connolly	Hon. M. L. Moss
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. S. J. Haynes	Hon. J. T. Glowrey
Hon. R. Laurie	(*Teller*).

Amendment thus negatived.

Clause put and passed.

Clause 29—Local authorities to give particulars of levels:

Hon. A. G. JENKINS moved an amendment—

That the following be added to Subclause 3:—"except as hereinbefore provided that if the level of any street in which it is proposed to lay any pipe, sewer, or drain is not fixed the local authority shall not be liable for any expenses incurred in altering the levels of the said pipe, sewer, or drain."

The amendment provided that where the levels of streets were not fixed and the Government entered those streets to do certain work, and it afterwards became necessary to alter the pipes, or sewers, or drains, the local authority should not be responsible for the expense.

The COLONIAL SECRETARY: The amendment could not be accepted. There was sufficient protection to the local authority in the clause as printed. It was provided that the Minister should apply to the local authority for the levels before proceeding to lay down mains, and that if the levels were not ascertained the contour of the street was to be

deemed to be the level. That was fair and reasonable. If the amendment were carried the effect would be that if the local authority did not supply the levels and the Minister followed the contour of the street, and eventually the local authority decided to lower the street, the sewers would have to be lowered at the same time. The local authority could save all this expense if they gave the levels asked for. Under the Municipal Corporations Act the local authority was required to give the levels when asked for. In the area where these works would be carried out nearly all the levels were ascertained, and if the local authorities subsequently altered the levels they should bear the expense.

Hon. A. G. JENKINS: The object of the amendment was to prevent the opening up of streets where the levels were not ascertained without giving the local authority plenty of time to fix levels.

Hon. M. L. MOSS: The amendment could not be agreed to. The cost of interfering with these sewers after they were laid down would be something tremendous. Ample notice was given of the construction of new works, and if the municipal authority did not fix the levels it was its own lookout.

Hon. T. F. O. BRIMAGE: Evidently the object of the amendment was to make provision where, say, in a road district a cutting was made, but there was hardly any need for the provision seeing that the sewers were laid down at considerable depth below the surface.

Amendment put and negatived.

Clause put and passed.

Clauses 31 and 32—agreed to.

Clause 33—As to ventilators, etc.:

The COLONIAL SECRETARY moved an amendment—

That after "district" in line 3 all the words with the exception of the proviso be struck out and the following inserted in lieu:—"Provided that the mouth of every such shaft, pipe, or tube shall be at least six feet higher than any window or door situate within a distance of thirty feet therefrom; and also to make use of the chimney of any public building, or of any factory, or of any tramway building as a ventilating shaft or tube."

The clause had been amended in another place. This was a redrafting which did not alter the purposes of the clause.

Hon. J. F. CULLEN: Was it really necessary to give the Minister power to use chimneys of public buildings as ventilating shafts? It could be understood that they might be used as supports for shafts, but to introduce a current of foul air in the chimney was a dangerous thing. In factories and public buildings where chimneys were not put to much use the danger would be accentuated. He moved an amendment on the amendment—

That the following words be struck out—"and also to make use of the chimney of any public building or of any factory or of any tramway building as a ventilating shaft or tube."

Hon. M. L. MOSS: Perhaps the Minister could say whether an expedient of this kind had ever been resorted to in the Eastern States.

The COLONIAL SECRETARY: The clause had been copied from the Victorian Act. It was not intended however to use the chimney as a ventilating shaft; it was only intended to use it as a support for the ventilating shaft. There would be no objection to altering the amendment so as to provide for the use of the chimney as a support.

Hon. J. F. CULLEN: In that case he would withdraw his amendment on the amendment.

Amendment, by leave, withdrawn.

The COLONIAL SECRETARY altered his amendment to read—

Provided that the mouth of every such shaft, pipe, or tube shall be at least six feet higher than any window or door situate within a distance of thirty feet therefrom; and also to make use of the chimney of any public building or of any factory, or of any tramway building as a support for a shaft or tube.

Amendment as altered passed; the clause as amended agreed to.

Clause 34—agreed to.

Clause 35—Artesian bores not to be sunk without approval of Governor:

Hon. A. G. JENKINS: This clause should be struck out. Why should not a person have permission to sink a bore within the area referred to in the Bill. If good reason were given for the inclusion of the clause in the Bill he would not oppose it. As it was it would work an unnecessary hardship.

The COLONIAL SECRETARY: At first sight the clause might appear a somewhat arbitrary one. In years to come, however, it might not be necessary to have such a clause. The facts were that at the present time the metropolitan area was largely dependent for its water supply on artesian bores and the supply from these bores was limited. If a bore should be put down in close proximity to any of those from which a supply was being drawn the output might be considerably reduced. Until such time as the metropolitan area had an improved water supply we should protect the supply which came from the artesian bores. The clause provided that a person could put down a bore with the consent of the Governor. That consent would certainly not be withheld if it could be shown that the bore was not going to interfere with the water supply.

Hon. A. G. Jenkins: There are private artesian bores in the area.

The COLONIAL SECRETARY: Yes, but they are not interfering with the supply.

Hon. C. SOMMERS: It was his intention to vote against the clause and it was his hope that something would happen to affect these public bores which were a source of great danger to the community, particularly that of Leederville. Then perhaps the community would get an improved water supply.

Hon. T. F. O. BRIMAGE: It seemed that the Government were taking charge of the whole of the water supply in the area affected by the Bill. Anyone owning land should have the right to put a bore down without approaching the Government. At the most he hoped that the Colonial Secretary would agree to strike out "Governor" and insert "Minister."

Hon. A. G. JENKINS: The position of the Royal Agricultural Society might be instanced. They had a bore on their property at Claremont, and in the event of the society requiring to deepen it they would have to go to the Minister or Governor for permission to do so. The reply might be that the Governor in Council would not give the permission. That would mean that the society, which had already spent thousands of pounds on the bore, would have to go to the Government for their water supply.

The Colonial Secretary: You are quoting an extreme case.

Hon. A. G. JENKINS: It was not an extreme case. Everybody knew that the supply from these bores was decreasing every month.

Hon. R. W. PENNEFATHER: One of the strongest arguments that might be used in favour of striking out the clause was the fact that it was necessary for Perth to have a main laid down from the Mundaring weir. He felt inclined to vote for the striking out of the clause. Artesian bores very often brought up a supply of water that was not good for domestic purposes. Putting aside that aspect of the case the time had arrived when the Government should take into consideration the question of supplying a stream of water from the hills. There was plenty of it there and no other part of the State would be deprived of its use.

The Colonial Secretary: It is taken to Guildford now.

Hon. R. W. PENNEFATHER: It should be brought into Perth.

The Colonial Secretary: It goes to North Perth, too.

Hon. R. W. PENNEFATHER: Only a very small stream. Why not lay a line of pipes like those which go to Kalgoorlie?

The COLONIAL SECRETARY: The use of water from the bores of Perth did not warrant the extreme action of striking out the clause in order to force the Government to use water from the hills. The question of supplying the metropolitan area with an adequate water supply was a matter involving the expenditure of £400,000. There was a lengthy report on the whole question of the supply of water from Mundaring and Canning which hon.

members could see, and they would find it interesting reading. The water from the bores however was very good and that from the Leederville bore had been analysed and found to be one of the purest in the metropolitan area.

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

Ayes	11
Noes	6
Majority for ..	5

AYES.

Hon. J. D. Connolly	Hon. R. D. McKenzie
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. J. T. Glowrey	Hon. G. Throssell
Hon. S. J. Haynes	Hon. T. H. Wilding
Hon. J. W. Langsford	Hon. M. L. Moss
Hon. R. Laurie	(*Teller*).

NOES.

Hon. T. F. O. Brimage	Hon. R. W. Pennefather
Hon. A. G. Jenkins	Hon. C. Sommers
Hon. B. C. O'Brien	Hon. S. Stubbs
	(*Teller*).

Clause thus passed.

Clause 36—Supply to rated land:

Hon. M. L. MOSS: Was there any definition of domestic supply in the Bill?

The COLONIAL SECRETARY: So far as he knew there was no definition of what a domestic supply meant, it would have to be taken in a general sense.

Hon. M. L. MOSS: If we consulted all the waterworks Acts in Australia and in England a domestic supply was always defined. This Bill was unsatisfactory from the point of view of the public. Clause 46 provided that it should not be compulsory for the Minister to supply, or continue to supply, water to any person, and the Minister was not liable for damages for not supplying water. There were particularly heavy rating clauses in the Bill in respect to which the public had no alternative but to pay up, but while the Minister administering the Act could collect the rates, there was no corresponding obligation on him to give a domestic water supply. It went without saying that, if instead of the powers the Bill gave being conferred on a Minister of the Crown, they were conferred on an ordinary member of the public who was contracting for this particular supply of water to the metropolitan area, Parliament would never dream of granting a monopoly of this kind, and giving the right to charge a rate, and charge meterage, without casting an obligation on the contractor to supply the water, except in cases of unusual drought or other unavoidable cases. This was altogether a one-sided agreement. If the water supply of Perth were cut off for three months there was absolutely no provision at all in the Bill to make a rebate to the public during the period there was no supply.

The COLONIAL SECRETARY: There was certainly no definition of domestic water supply, but the words were introduced in this clause because later on, where water was used for other than domestic purposes, there must be a meter fixed. It was not likely that Parliament would give anything like the same powers to a private contractor as to the Government. This work was being carried out with the money of the public, therefore a Minister was given greater power than would be given to a board. When he came to Clause 46 he would answer the points raised by Mr. Moss.

Hon. M. L. MOSS: No Government was liberal enough, when they had the right to obtain taxation, to remit that taxation for the mere asking. What struck him as most unfair was that the department took no obligation on its shoulders; there was no opportunity to get a rebate if there were a break down in connection with the water supply for three months, if such an unfortunate circumstance should occur. With the object of giving the Government an opportunity of considering the point, which was a most important one he moved—

That the clause be postponed.

Motion passed, the clause postponed.

Clause 37—agreed to.

Clause 38—Supply to lands not rated:

Hon. M. L. MOSS: In the general rating clause, or land liable to be rated, there was a large number of exemptions, and nearly all these exemptions were taken from the Municipal Act. The clause contained very wide power. The ordinary member of the public would be rated on his property and entitled to so

much water until he worked out the rate. Then he would have to pay for any excess. Not only would properties be exempt from the rate, but the Minister might give them water, say, at 1d. per thousand gallons. If they were to be exempt from the rate why should they not pay the same amount per thousand gallons as other people when they took it by measure. This was too great a power to give to the Minister.

The COLONIAL SECRETARY: The clause was inserted principally in order that the Minister might charge for the supply of water to properties that were exempt. It might be necessary for the Minister to enter into an agreement to supply some land outside the area, and this clause gave him the power. Certainly the price to be charged was left to the Minister, but even now the price always varied and it would be impossible to set out in the measure what price should be charged. In the past these places had paid more per thousand gallons than properties rated.

Hon. M. L. MOSS: The matter should not be left in the hands of the Minister. A number of the institutions to be exempted from the rating should be obliged to pay the same price for water as the ordinary consumer. The clause gave power to the Minister to make differential rates.

Clause put and passed.

Clause 39—The Minister may supply meter and charge by measure:

Hon. A. G. JENKINS: Why was a price to be charged for meter supplied to public offices while private residences were exempt? If the owners of private residences were not to be charged no one should be. It would be different if a more expensive meter had to be provided in one case than in the other.

The COLONIAL SECRETARY: A larger and more expensive meter was necessary for factories.

Clause put and passed.

Clause 40—agreed to.

Clause 41—Water may be cut off from unoccupied premises:

Hon. A. G. JENKINS moved an amendment—

That in line 3 of paragraph (c) all the words after "land" be struck out.

The clause gave the Minister altogether too great a power. If a man owned a house in Claremont and lived in one in Perth, and the rates were owing in Claremont, the Minister would have power to cut off the supply in Perth as well.

The COLONIAL SECRETARY: This was not an unusual power to take in a waterworks Act. For instance, an owner having several blocks might take a good deal of water on No. 1 block, which might be really valueless, and would subsequently refuse to pay for that water. If there were no recourse against the owner's other blocks the department would lose money. There was nothing to be feared from the clause.

Hon. M. L. MOSS: An occupier might be placed in a most unfortunate position if the clause were passed. The owner of the property he rented might have other property upon which the rates were not paid, and in such a case he would have his water supply cut off. To deprive a person of water in a climate like this was a very serious thing. Each block should stand by itself, and the Minister should not be given power to cut off the supply from one block because the water rates were owing on another. There were ample powers to enforce payment of water rates such as distress, and leasing and selling the property. The clause was an unjust one.

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

Clauses 42 to 45—agreed to.

Clause 46—Supply of water not compulsory:

Hon. M. L. MOSS: It was provided by Clause 36 that the owner or occupier should, as far as practicable, receive a domestic supply. There was no definition of what a domestic supply meant, but if Clause 46 were passed the effect of Clause 36 would be neutralised. Clause 46 provided that it was not compulsory on the Minister to supply water to any person, and he should not be liable to any penalty or damages for not supplying or continuing to supply water. If it were impracticable to supply water then there would be a good excuse. The Government could compel the payment of the rate even after the supply became imprac-

icable, but to let the Minister say he need not supply at all, whether practicable or not, was putting an instrument in the hands of the department that was not justified. Where there were inconsistent clauses in the Bill the one that passed last was the one supposed to prevail. There was a serious inconsistency between Clauses 36 and 46. The latter did not make it compulsory upon the Minister to supply water. The Committee would be well advised to strike out the clause.

The COLONIAL SECRETARY: There would be no objection to adding a proviso to the clause, but the clause as it stood was not unreasonable. The hon. member would persist in looking at this as though we were giving the concession to a private company.

Hon. M. L. Moss: You admit that if a private person were getting the concession it would be a wrong clause.

The COLONIAL SECRETARY: That would be so, but it was a different matter altogether when the Government were responsible. The Victorian Act provided that it should not be compulsory on the board to supply water to any person whomsoever. It was quite necessary to have a clause of the kind if only to provide against contingencies under which the water main might be temporarily rendered inoperative. There would be no real objection to adding a proviso, but it should not be made obligatory on the Minister to supply water to anybody.

Hon. R. W. PENNEFATHER: Clause 36 provided for the contingencies referred to by the Minister. Any damage to the main would be a sufficient excuse under the clause. But in unqualified terms the clause under discussion gave the Minister the right to say he would not supply water to a person even though that person were being rated for it. It was too great a power to place in the hands of any Minister.

Hon. M. L. MOSS: Notwithstanding that similar power was contained in the Victorian Act it might easily be that the section providing that power had to be read in conjunction with some previous section. For instance another section in the Act might make it compulsory to supply water to those persons on whom rates were levied, and the section quoted by the Minister might refer merely to excess water. However that might be, he would still assert that it was a wrong power to put into the hands of a Minister. The Minister would be amply protected with a provision similar to that contained in the existing Act.

The COLONIAL SECRETARY: In view of the objections taken and in order to give time to consider a proviso, he moved—

That the clause be postponed.

Motion passed; the clause postponed.

Clauses 47 to 60—agreed to.

Clause 61—Persons liable for payments for compulsory drainage may agree to pay by deferred payments:

Hon. J. W. LANGSFORD: Under the Bill the rating would be very heavy in the city of Perth and the surrounding districts. At the very least the connections were going to mean an outlay of from £12 to £15. It was provided in the clause that payments should be extended over a period. While this was good so far as it went, it scarcely went far enough. In some of the Eastern States 12 years was allowed for repayment. He moved an amendment—

That the words "twenty-four" in line 7 be struck out, and "forty" inserted in lieu.

This would provide for the repayments being made in 40 quarterly payments instead of 24, and would be a very great convenience to the property owners in the City of Perth.

The COLONIAL SECRETARY: The provision contained in the clause was a very liberal one. When first the Bill was introduced the time provided had been only three years, whereas now it had been increased to six years. The £12 10s. mentioned by Mr. Langsford would cover the cost of connection for a large house. This would mean 10s. a quarter extended over a period of six years. The term of 10 years contemplated by the amendment was too long altogether.

Hon. S. STUBBS: If the period of repayment were to be extended to 10 years a number of people who could well afford to pay a private plumber for the work

would, instead, have the work done by the Government and would take advantage of the 10 years period for repayment. As a result of this the Government would be sinking in Perth a large amount of money which it could put to better use.

Hon. B. C. O'BRIEN: The amendment was a reasonable one. Although the property owners of Perth would not begrudge paying the money for the service, yet the outlay would press heavily on many. The City was rate-ridden as it was, and under the Bill it promised to be still more so. He would support the amendment.

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

Ayes	.. .. ..	5
Noes	.. .. ..	11
Majority against	..	6

AYES.

Hon. J. W. Langsford	Hon. G. Throssell
Hon. B. C. O'Brien	Hon. A. G. Jenkins
Hon. C. Sommers	(*Teller*).

NOES.

Hon. T. F. O. Brimage	Hon. M. L. Moss
Hon. J. D. Connolly	Hon. R. W. Pennefather
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. S. J. Haynes	Hon. S. Stubbs
Hon. R. Laurie	Hon. J. T. Glowrey
Hon. R. D. McKenzie	(*Teller*).

Amendment thus negatived.

Hon. C. SOMMERS moved an amendment—

That in line 7 of Subclause 1 the words "twenty-four" be struck out and "thirty-two" inserted in lieu.

The CHAIRMAN: The amendment could not be accepted. At this stage no amendment could be moved to further deal with the words "twenty-four."

Clause put and passed.

Clauses 62 to 71—agreed to.

Progress reported.

BILL—LANDLORD AND TENANT.

Second Reading.

Debate resumed from the 11th November.

Hon. M. L. MOSS (in reply): I understand Mr. Kingsmill who moved the adjournment of the debate merely did so with the object of giving me the opportunity to reply to some observations made during the debate; I shall be very brief. I merely wish to put on record some of the statements made by the Chief Justice in the case of Slee against Brice, which has given rise to the Bill now before the House. The Chief Justice said—

"Dealing with facts, the conclusion I have arrived at with respect to the repairs is that for some time, perhaps for some two or three months prior to the 18th February, portion of the premises had been gradually getting into a somewhat dilapidated condition, and that on 18th February with respect to the fence some portion of it was broken down—two panels at least—through which cattle could get in. I think from the evidence given by Slee that he kept his cow in the paddock or the orchard, and that she did not get out, that when he took possession this fence must have been in comparatively good order. Cows are notoriously animals that will not stay in a paddock if there is a chance of getting out. Consequently on the 18th February the fencing was out of repair. I have also come to the conclusion that the latticework which has been referred to had been gradually getting out of repair since about Christmas, that on the 18th February a considerable portion of it was broken down and that the gateway into the fernery had also broken down. Further, it is uncontradicted that on the 18th February there were eight windows broken. Now all these are comparatively slight wants of reparation, but still it is obvious that the covenant was broken. In all probability the whole of these repairs could have been effected, and the premises restored to such a condition as is required by the covenant for the sum of £5."

Then His Honour went on to say that the Court had no power to relieve except for non-payment of rent, and for non-payment of insurance premium, and pointed out that in England there was no right of relief there until they passed the Conveyancing Act, that Act having in it all the provisions now in the Bill before the House. In another part of the judgment the Chief Justice says—

"I need hardly say that it is very hard upon a lessee, who has perhaps

paid a considerable amount for a lease, probably a valuable lease, that it should be forfeited for non-repairs which might be effected at a cost of £5; and had I jurisdiction to grant him relief I should not hesitate in doing so: but it seems clear that I have no such jurisdiction."

This judgment of the Chief Justice was affirmed on an appeal to the Full Court, and therefore I think I have established beyond a doubt the point I set out to make when I moved the second reading, namely, that it does not matter how trivial a breach there may be in connection with a covenant of a lease to repair premises, a most valuable lease, as the result of the most trivial breach of repairs to premises, may without any notice on the part of the lessor be terminated by re-entry. It is a condition of affairs that has been terminated by legislation in the Eastern States and New Zealand, and has been recognised by certain sections in the English Conveyancing Act, and I think it would be a great scandal after this judgment of the Supreme Court for the law of this State to remain in its present condition. I have no hesitation in thinking that if we pass this Bill we will see it on the statute-book, because another House will assuredly pass it.

Question put and passed.

Bill read a second time.

BILL—MONEY LENDERS.

Second Reading—Withdrawn.

Order of the Day for the second reading read.

Hon. M. L. MOSS: Knowing the condition of business in another place and that it would be simply waste of time to get this measure passed through this House, which it had already passed before, he asked leave to withdraw the Bill.

Leave given: Bill withdrawn.

House adjourned at 9.41 p.m.

Legislative Assembly,

Thursday, 25th November, 1909.

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

BILL—LAND ACT AMENDMENT.

Second Reading.

Debate resumed from the 23rd November.

Mr. BATH (Brown Hill): The measure which the Minister for Lands has brought down is a very difficult one to comprehend, and I would like to say that, considering the number of amendments contained therein, it would have been better to have allowed the measure to stand over until time was given to drafting a consolidating statute, instead of following this policy of bringing down amendments almost each year. There is the principal Act of 1898, an amending Act of 1902, one of 1904, another of 1905, and still another of 1906, and it seems to me that the multiplicity of amendments and the difficulty of comprehension will only drive clients of the department into the hands of the legal fraternity. Then, again, the explanation of the measure given by the Minister in no sense tended to elucidate the matters brought forward in the Bill. The Minister started at the beginning of the Bill, then got into the middle of it, and jumped around from clause to clause like, I was going to say, "Japhet in search of a father." It would have been better if he had dealt with the Bill in a workmanlike manner and had explained it to members. I recognise that it is a measure more for consideration in Committee than on the second reading, for, when we reach the Committee stage, the Minister in charge will be able to give an explanation on each clause as it comes up. A general explanation by the Minister as to the necessity of the amendments would, however, have assisted members to grasp the objects of the Bill. Take Clause 3 of