

Legislative Council,*Wednesday, 14th October, 1896.*

Estimates of Revenue and Expenditure: laid on table—
Goldfields Act Amendment Bill: not proceeded
with—Railways Act, 1879, Amendment Bill: first
reading—Australasian Federation Enabling Bill:
committee—Waterworks Bill: committee—Loan
Bill (£3,500,000), 1896: committee—Loans Consoli-
dation Bill: second reading—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4.30 o'clock, p.m.

ESTIMATES OF REVENUE AND EXPENDITURE.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I now beg to lay on the table the Estimates of Revenue and Expenditure for the year 1896-7. Individually I was unaware that it was necessary to lay these Estimates on the table, nor did I think hon. members would desire to have them before they had been passed in another place, inasmuch as they might be altered. After what the Hon. Mr. Parker said last night, I mentioned the matter to the Premier, and he expressed surprise that they had not been laid on the table before. I now lay them on the table, and apologise to the House for the oversight in the past.

GOLDFIELDS ACT AMENDMENT BILL.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I had intended, to-day, to introduce a Bill for the purpose of amending the Goldfields Act, but after considering the matter I have come to the conclusion that it would perhaps be unwise at this late period of the session to bring the matter forward. The only object of the Bill was to correct a few misprints and small errors, and not to deal in any way with the principles of the Principal Act. There are, however, so many Bills before the House that I think it would be unwise to take this matter in hand, especially as another place, even if we pass it, might not agree to it. Besides this, many points with which I propose to deal have been settled by recent decisions of the Supreme Court. In these circumstances, I do not think it would be well to proceed with the Bill.

RAILWAYS ACT, 1879, AMENDMENT BILL.

This Bill was introduced, and was read a first time.

AUSTRALASIAN FEDERATION ENABLING BILL.**IN COMMITTEE.**

Clause 16—Advertisements and intimations:

THE HON. F. T. CROWDER: Yesterday I gave notice of my intention to move an amendment whereby this House might elect a certain number of delegates. Since then I have considered the matter, and have decided to leave the Bill as it stands. In looking through it, it strikes me that very few persons will care to represent the colony at the Convention. It will involve a great deal of time and expense, and that being the case, I do not think it wise to proceed with the amendment.

Clause agreed to.

Clauses 17 to 24 agreed to.

Clause 25 — Payment of representatives: Not to be an office of profit under Crown:

THE HON. J. W. HACKETT: I might point out that the payment to members of the Convention provided by this clause amounts to nothing at all. This Bill has been copied from the Queensland Act, and its applicability to some extent has been destroyed. There is an idea abroad that the Convention is to be held at Sydney. Therefore the members representing Queensland can get to the Convention in the course of a night, and when the adjournment takes place they can immediately return. It will cost the delegates practically nothing to travel, because they will naturally have their passes, and, consequently, the £3 per day will be amply sufficient to cover their expenses. The delegates from Western Australia, however, will not only have to pay their ordinary expenses, but they will have to bear the cost of going and coming, and if the Convention adjourns, the delegates will either have to wait in Sydney for a lengthy period and defray their own expenses, or they will have to pay their passages backwards and forwards.

THE HON. S. H. PARKER: They will have to make four journeys.

THE HON. J. W. HACKETT: They will have to make at least four journeys, unless they are prepared to spend about four months' time at the place where the Convention is held. I do not think there is a single person in this colony who could accept the appointment under present conditions—at any rate any person in whom this colony would take a pride in sending. I would rather see the position made honorary altogether. Perhaps, however, it would be wise to propose an amendment under which the delegates might be paid £3 per day during their absence from the colony. I would move to this effect, but the question is whether it shall be by way of amendment or suggestion.

THE CHAIRMAN (Hon. Sir G. Shenton): That is where the difficulty is.

THE HON. J. W. HACKETT: There is no doubt. An eminent authority in another place holds that we cannot make amendments in money matters in a Bill which is not a Money Bill.

THE CHAIRMAN (Hon. Sir G. Shenton): This is clearly not a suggestion Bill. We cannot make a suggestion. All we can do is to make an amendment and send it to the Assembly, and then find out whether they can see any way out of the difficulty. Perhaps we might provide that in addition to £3 per day the travelling expenses might be paid.

THE HON. J. W. HACKETT: Suppose the delegates had to remain away two months.

THE CHAIRMAN (Hon. Sir G. Shenton): I do not think they would do that; they would rather return.

THE HON. S. H. PARKER: Why not leave the matter to the Executive?

THE CHAIRMAN (Hon. Sir G. Shenton): I think it would be better to leave it to the Executive. It was left to the Executive in the case of the Federal Council delegates. We trust the Executive to expend far larger sums without the authority of the House than this will involve.

THE HON. J. W. HACKETT: I move that the clause be postponed.

Question put and passed.

Clause postponed.

Clauses 26 and 27 postponed.

Clause 28 — Draft constitution to be submitted to electors:

THE HON. J. W. HACKETT: Here is another case of where a slavish following of the Queensland Act has placed us in a difficulty. In Queensland the word "electors" has a definite meaning, because, the Upper House being a nominee House, there are no electors. But here I should like to know which electors are referred to—the electors for the Lower House or the electors for this House.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I take it that the electors of the Lower House are referred to. This principle is recognised because the delegates are to be selected by the two Houses.

THE HON. J. W. HACKETT: I beg to move that after the word "electors" the words "for the Legislative Assembly" be inserted.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 29 and 32 agreed to.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I move that progress be reported.

Motion put and passed.

Progress reported.

WATERWORKS BILL.

IN COMMITTEE.

Clause 11 — Annual estimates to be made:

THE HON. F. M. STONE: Since the committee met yesterday I have looked into this Bill, and I find that it would be impossible to draw the necessary amendments within a week or ten days. Although I agree with the principle of the Bill, I feel bound, after looking into it carefully, to take steps to throw it out, because it is full of errors and will be unworkable from the start. I beg, therefore, to move that you, sir, do now leave the chair.

THE HON. J. W. HACKETT: I do not think that my most malignant enemies will accuse me of indisposition to support the Government, but I must say that I feel bound to go with the Hon. Mr. Stone in this matter. One of the great needs of the colony is a sufficient water supply for the country municipalities, and this is exactly what will not be obtained under this Bill. What is needed is a simple and expeditious mode

of meeting the wants, such as municipalities will be satisfied with. In the first place, the municipalities should have a considerable voice in asking that a water supply might be provided, and in arranging the terms on which it shall be carried out. By this Bill this is altogether ignored. It merely provides that the majority of the owners of land in a district may meet and ask for a water supply. Nothing whatever is said about the occupiers. Only owners are to be dealt with, although the occupiers will be liable for the rates and any penalties that may be imposed. It will be seen that so far from a municipality being able to have its wishes carried out, before anything can be done the owners of the land must present a petition praying that the town shall be declared a water district, and they shall set out various other particulars. There are many districts in which it would be next to impossible to carry this out. For instance, a statement is to be supplied showing the sources and quantity of the supply, the opinion of the petitioners as to the capital value, reckoned at twenty times the annual value of the land in the proposed district, and a statement of the annual revenue expected to be derived. All this will involve considerable cost. [THE HON. F. T. CROWDER: £1,000.] Quite that, and I take it the owners would never be able to comply with the requirements of the Act. These provisions are introduced from the South Australian Act, and I may say that they go a long way to nullify any good effects which might be derived from the statute in force in the neighbouring colony. The whole of the procedure is most cumbrous. The petition has to be signed by a majority of the owners of land in the district, such majority being the owners of at least half in value of the land therein. Then, upon receipt of the petition, the Governor is to have an estimate made which he shall sign and deliver to the Minister. Then the Minister may order an estimate of the cost of the works to be made, and after this both estimates are to be laid before Parliament and a special Bill passed. It seems to me all this can be avoided if the Government make up their minds that in any district a water supply is needed, and then send the matter to be dealt with by Parliament at

once. I should like to see most of these provisions struck out, but if we strike them out, of course the whole Bill disappears. Then, again, the whole rating power is not in the hands of the municipality, or the Ministry, or the Government, but in the hands of the manager, and he may rate up to 2s. in the £ without the ratepayers or persons interested having any voice in the matter. Even in the most populous and wealthy municipalities the ratepayers can only be asked to contribute 1s. 6d. in the £. I agree with the Hon. Mr. Stone that it would take days to prepare proper amendments to this Bill, and even when amended it is doubtful whether it would work well. Why I support my hon. friend is that this Bill keeps a promise to the ear while it breaks it to the heart. If we pass this Bill we shall have been supposed to have dealt with this matter in a satisfactory manner, while, as a matter of fact, the Bill will be a dead letter. We shall be holding out to the municipalities that they can obtain water supplies by means of this Bill, whereas in fact they can do nothing of the kind. To get rid of the present attempt to settle the question I shall vote with my hon. friend, Mr. Stone, that you, sir, do now leave the chair.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): This is a very important Bill, and it should have the most careful consideration before it is thrown out. I have no more desire to pass faulty Bills than any other hon. member, but I must confess that the arguments I have heard so far against it have failed to convince me. For instance, the Hon. Mr. Hackett's contention is that the occupiers should have a voice as well as the owners, but the occupiers are not responsible.

THE HON. J. W. HACKETT: They will have to pay.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Then, again, I do not see there will be any difficulty in the owners supplying particulars of the boundaries of the districts, the rateable value, and matters of that sort, because we must bear in mind that it is only intended to supply municipalities, and these bodies always have these particulars at hand. An amount has been placed in the schedule to the Loan Bill for providing these water supplies, and unless we have this Bill, that money cannot be spent.

THE HON. S. H. PARKER: Will the hon. gentleman tell me whether, if the water pipes pass alongside a block of 10,000 acres, the whole block will be rated?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): It is not intended that this should be a water supply scheme for country lands. Of course, I suppose, if the pipes did pass any land, the owners would be liable to pay a rate.

THE HON. S. H. PARKER: Suppose the municipality of Beverley applied for a water supply under this Bill and the pipe passed the Wongamine Estate, would that estate be liable to be rated?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Nothing of the kind is intended by this Bill. If an estate like this desired to become a water district the owner would have to apply, and would have to show that the scheme would pay expenses with 6 per cent. added. In these circumstances I do not think any owner would be likely to apply. This Bill is intended to provide towns like Geraldton and others with water; it is not an irrigation scheme.

THE HON. J. W. HACKETT: Why not?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): How can works which will cost only £20,000 or £30,000 be large enough to supply water for irrigation?

THE HON. F. T. CROWDER: Could you point out to us what the people are to get for their rates?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): It is provided by the Bill that the Governor may make, alter, and repeal by-laws for regulating, among other things, the quantity of water each person is to have for his rates. It has been found impossible to insert a section in the Act which will apply to every town of the colony, because the conditions vary, and it has therefore been considered advisable to allow by-laws to be framed which may suit any particular case. This Bill is badly wanted, and if it is left over for another twelve months it will be a serious matter. The Government have brought forward this scheme, and if hon. members throw out the Bill, they must take the responsibility.

Question—that the Chairman do now leave the chair—put.

The committee divided, with the following result:—

Ayes	14
Noes	2

Majority for ... 12

AYES.				NOES.	
The Hon. W. Alexander				The Hon. E. H. Wittenoom	
The Hon. H. Briggs				The Hon. D. K. Congdon	
The Hon. F. T. Crowder				(Teller).	
The Hon. J. W. Hackett					
The Hon. R. S. Haynes					
The Hon. A. B. Kidson					
The Hon. D. McKay					
The Hon. S. H. Parker					
The Hon. J. E. Richardson					
The Hon. H. J. Saunders					
The Hon. W. Spencer					
The Hon. F. M. Stone					
The Hon. J. H. Taylor					
The Hon. S. J. Haynes					
			(Teller).		

Question put and passed.

Resolution reported and report adopted.
Bill laid aside.

LOAN BILL (£3,500,000), 1896.

IN COMMITTEE.

Clause 2—Power to raise money:

THE HON. S. H. PARKER: I presume my hon. friend does not desire to proceed with this matter now. He has just laid the Estimates on the table, and they are of no use unless we can peruse them. I move, therefore, that progress be reported.

Motion put and passed.

Progress reported.

LOANS CONSOLIDATION BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): Hon. members will not require many words from me to commend this Bill to them. From time to time there have been certain balances from loan funds, which have accumulated to large amounts. In some cases the amounts remaining have been insufficient to pay the liability on the works to which they refer, and the Auditor General has refused to pass the balances on account. Hon. members will see that these balances amount to £754,494. By Clause 3 it is provided that "All sums authorised by this Act to be paid to credit of 'the General Loan Fund' shall be applied by the Colonial Treasurer to the purposes set forth in the summary in the

"second schedule to this Act, in such amounts and manner as the Governor by any warrants under his hand may from time to time authorise and direct in conformity with the annual Estimates of the expenditure of loan moneys sanctioned by Parliament." By the summary at the end of the Bill it will be seen how it is proposed to expend the money. I move that the Bill be now read a second time.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House at 5-25 o'clock, p.m., adjourned until Thursday, 15th October, 1896, at 4-30 o'clock, p.m.

Legislative Assembly,

Wednesday, 14th October, 1896.

Want of a Quorum—Adjournment.

THE SPEAKER took the chair at 4-30 o'clock, p.m.

PRAYERS.

WANT OF A QUORUM—ADJOURNMENT.

At 4-48 p.m., there not being a quorum of members present, the SPEAKER declared the House adjourned until the next sitting day, Thursday.

Legislative Council,

Thursday, 15th October, 1896.

Inadmissible questions—Treatment of Aborigines at the North—Cue-Nannine Railway Bill: first reading—Railways Act, 1879, Amendment Bill: second reading; committee; third reading—Australasian Federation Enabling Bill: committee—Loan Bill (£3,500,000), 1896: committee—Loans Consolidation Bill: committee—Statutory Declarations Bill: Legislative Assembly's amendments—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4-30 o'clock, p.m.

INADMISSIBLE QUESTIONS.

THE HON. D. K. CONGDON: Yesterday I gave notice of a series of questions, including the following:—Will the Government supply the municipalities of Fremantle and North Fremantle with water for street watering, and also for the watering of public recreation grounds, free of charge, as is done in the eastern colonies? If not, will the Government consent to place upon the supplementary estimates the sum of £15,000, so that the Fremantle municipality may carry out a scheme for the watering of streets, park, and oval, which consume for these three purposes a total of 100,000 gallons daily? I notice that these have been left out of the Notice Paper.

THE PRESIDENT (Hon. Sir G. Shenton): The alteration was made by my instructions to the Clerk.

THE HON. D. K. CONGDON: Would you condescend to give me the reasons? Am I not at liberty to ask the questions?

THE PRESIDENT (Hon. Sir G. Shenton): The questions relate to finance, and as I do not consider them admissible, I, under the powers which are given to me, instructed the Clerk to strike them out. I adopted the same course in regard to a motion which the Hon. Mr. Stone recently brought forward, and which dealt with the appropriation of money.

THE HON. D. K. CONGDON: But I only asked the question.

THE PRESIDENT (Hon. Sir G. Shenton): You asked for a specific sum, which no hon. member of this House has a right to do.

THE HON. D. K. CONGDON: I asked if the Government were willing to place a sum on the Estimates.