

period varying perhaps between 14 and 28 days. Some remuneration must be paid to him for that, and it was thought the proper way to remunerate him would be by prescribing a flat rate, so much per cent., I imagine. It might be a half per cent.; it would be something quite small. We do not return from the conference with any particular pride, but we are certainly of the opinion that the Bill will be of some value to the farmers.

Mr. Corboy: Do you think any portion of what is left will be of value?

The ATTORNEY GENERAL: We would certainly not recommend its acceptance unless we thought so. I would ask the hon. member to remember that if this House accepts our recommendations, a rapid and cheap method of obtaining a stay will still be retained and a similarly cheap, and rapid method of holding up the disposal of the assets of the farmer from the creditors' point of view is also obtained, as well as the getting together of the creditors as early as possible, the stay going on meanwhile. That alone, I consider, is of value. I do not think it goes far enough, but it is better than nothing. I move—

That the report be adopted.

MR. CORBOY (Yilgarn - Coolgardie) [11.40]: I am not going to oppose the motion, but I wish to say I am very disappointed indeed that it has not been possible to do more.

The Attorney General: So are we.

Mr. Patrick: So is everyone.

Mr. CORBOY: I take the opportunity to register my protest. I really cannot understand the motive of members of another place in insisting on their amendments, as they apparently have done. While I recognise that the Bill in its best form was not of great value, it is of even less value now. However, members of another place must take the responsibility for that. I shall register my protest at their action in insisting that we must take much less than half a loaf.

MR. GRIFFITHS (Avon) [11.42]: As one who represents probably as large a proportion of the distressed farmers as any member of the House, I join with the member for Yilgarn-Coolgardie in protesting that

the combined wisdom of the two Houses has not been able to evolve something more satisfactory than what has been laid before us. It appears to me that the Bill is of very little use. What it will attain could have been gained without the Bill at all.

Hon. P. Collier: That discounts what is in the Bill.

Mr. GRIFFITHS: Perhaps in saying that I have gone a little too far. There appears to be no provision to meet the iniquitous wheat orders that have been issued wholesale. I do not know how the farmers who are in very great difficulties by reason of hire purchase iniquities which have been practised in this State will fare. There is unlimited scope for the secured creditors, and there is absolutely nothing to prevent their taking the lot.

Mr. Parker: No.

The Attorney General: The stay order applies to everybody.

Mr. GRIFFITHS: What has been evolved in conjunction with another place cannot be described other than as an abortion. I enter my emphatic protest against what has been evolved by the Parliament to which the farmers have been looking to do something to assist them.

Question put and passed.

House adjourned at 11.45 p.m.

Legislative Council,

Thursday, 18th December, 1930.

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

QUESTION—ARBITRATION COURT.*Basic Wage Formula.*

Hon. E. H. HARRIS asked the Minister for Country Water Supplies: 1, Will he lay on the Table a statement showing the price index numbers for Perth, together with their cash equivalents for the items of food, rent, clothing, and miscellaneous expenditure, as computed by the State Government Statistician and presented by him to the Court of Arbitration for the quarter ended the 31st March, 1930, together with a similar statement for the quarters ended the 30th June, 1930, and the 30th September, 1930? 2, Did the Court of Arbitration take into consideration in the fixation of the basic wage for the year 1st July, 1930, to 30th June, 1931, any other figures or information than the index numbers for food, rent, clothing, and miscellaneous expenditure, employed by them for the year ended the 31st December, 1929? If so, what were the figures, and what was the information?

Hon. J. CORNELL (for the Minister for Country Water Supplies) replied:

Statement showing the Average House Rents of four and five roomed houses and index numbers for the Metropolitan Area for the Quarters ended, 31st March, 30th June, and 30th September, 1930, for Food, Clothing and Miscellaneous Expenditure; also the Cash Equivalent of such index numbers on the assumption that the index numbers for the year ended 31st December, 1925, for Food 1891 equalled 300., for Clothing 1341 equalled 13s. 6d., and for Miscellaneous Expenditure equalled 15s. 6d.

Item.	Quarter ended March, 1930.		Quarter ended June, 1930.		Quarter ended Sept., 1930.	
	Index No.	Cash Equiv. 1925.	Index No.	Cash Equiv. 1925.	Index No.	Cash Equiv. 1925.
Food and Groceries	1586	83 9	1575	83 6	1481	81 6
Clothing ...	1340	13 6	1331	13 5	1334	13 5
Miscellaneous ...	1313	15 6	1315	15 6	1320	15 7
Weighted Average Rent, 4 and 5 roomed houses ...	...	22 6	...	22 8	...	22 5
Total	...	85 3	...	85 1	...	82 11

QUESTION—UNEMPLOYMENT RELIEF TAX.

Hon. G. W. MILES (without notice) asked the Minister for Country Water Supplies: Do the Government intend to take any action regarding the motion passed by this House last night at the instance of

the Hon. H. Seddon protesting against closing the session before bringing down a tax to provide funds for the relief of the unemployed?

Hon. J. CORNELL (for the Minister for Country Water Supplies) replied: Not being a member of the Government, I cannot say, but I will see that the resolution is forwarded to the Premier, and the hon. member may apply direct to him.

Sitting suspended from 4.36 to 5.30 p.m.

BILL—FARMERS' DEBTS ADJUSTMENT.*Assembly's Further Message.*

Message from the Assembly received and read, notifying that it had agreed to the report of the conference managers.

BILL — ROAD DISTRICTS ACT AMENDMENT.*Assembly's Message.*

Message from the Assembly notifying that it had disagreed to the amendment made by the Council, now considered.

In Committee.

Hon. Sir John Kirwan in the Chair; Hon. J. Cornell in charge of the Bill.

The CHAIRMAN: The Council's amendment is to insert at the beginning of line 12 of Clause 2 the words "With the consent of the board being first obtained and." The Assembly's reason for disagreeing to the amendment is that it would be a highly improper procedure to make the exercise of the power given to the Governor subject to the approval of a subordinate body.

Hon. J. CORNELL: I move—

That the amendment be not insisted on.

I have not altered the opinion I expressed from the Chair last evening. Under the amendment we would move in a circle and return to the starting point. The question of declaring a brick area is vested in the local authorities. The object of the Bill is to allow the Minister in certain cases to disagree with the action of a local authority, but the amendment provides that the consent of the road board shall first be ob-

tained. If the Committee give way, the Minister will be compelled to ascertain the views of the local authority before a proclamation is issued to permit the erection of a wooden house. I can assure the Committee that the power will be administered sympathetically, at any rate by the present Minister. Only in extreme cases would any attempt be made to override a road board.

Hon. A. LOVEKIN: I cannot understand the Assembly's reasoning. A road board exists under the authority of a statute, which prevails over everything, and yet we are told it is not tenable because it sets the local authority over the Government. Having established local authorities, we should stand to them and let them manage their affairs in the best interests of the ratepayers. If they do not manage their affairs well, the ratepayers will call them to account. There is a nigger in the woodpile and members should know of it. The desire behind the Bill is that the McNess fund for building houses may be paid into general revenue, while the State Sawmills unload on the public some of their excess stocks. That is not a good principle. Although the transaction may bring temporary advantage to the Treasurer, it will not do the sawmills much good, because their stock will appreciate in value as the timber becomes more seasoned. Why should the whole system of local government be upset in order that £2,000 odd might be paid into the Treasury for the purchase of some of the the State Sawmills' stocks?

Hon. H. STEWART: I ask your ruling, Mr. Chairman, whether it is constitutional to provide for the Governors' approval being made subject to the consent of a local authority?

The CHAIRMAN: It is quite constitutional to consider the amendment. Similar provisions appear in other statutes.

Hon. J. T. FRANKLIN: I moved a similar amendment to the Municipal Corporations Act Amendment Bill. My first idea was to move for the insertion of the words "and on application of the municipal council." I appreciate the difficulty. The amendment makes a road board superior to the Government. Had I given effect to my first intention, I do not think the Assembly would have objected. I cannot see that the provision is necessary because the Government have full authority to erect wooden buildings wherever desired. They do not

have to obtain the consent of the local authority. In future before any attempt is made to remodel local government legislation, it would be well to call a conference of the local authorities so that like difficulties might be obviated.

Hon. A. LOVEKIN: Parliament has already defined the powers of road boards, as well as municipal councils. Should we deprive them of rights and give those rights to the Minister? Mr. Franklin's original proposal would probably have met the need much better, and it is still open to us under the Standing Orders not to insist on our amendment but to submit an alternative amendment. Standing Order 215 says that amendments made by the Assembly may be agreed to with or without amendments, or disagreed to, or postponed for subsequent consideration, or referred to a conference, or laid aside. Standing Order 220 says—

If the Assembly return the Bill with a message informing the Council that (1) it insists on its original amendments to which the Council has disagreed, or (2) disagrees to amendments made by the Council on the original amendments made by the Assembly, or (3) agrees with further amendments to amendments made by the Council on the original amendments of the Assembly, the Council may (1) agree with or without amendments to the amendments to which it has previously disagreed, and make, if necessary, consequent amendments to the Bill, (2) insist on its disagreement to such amendments.

We are thus at liberty to agree to the Assembly's deletion of the words, and propose the words originally intended which, perhaps, will not cast any reflection upon the Government or the Minister.

Hon. G. FRASER: I hope the amendment will not be insisted upon. The Assembly are only asking this Chamber for that which has already been done. The fact remains that whether or not this goes through as amended by this Chamber, the houses will be built in the different localities. The question of unloading stocks held by the State Sawmills, raised by Mr. Lovekin, has no bearing on the matter at all.

Hon. J. NICHOLSON: We realise the difficulty in which the Minister in charge of the Bill in another place may find himself, but we have to safeguard the rights and authority of either the road board or the municipality. I agree that the amendment which was moved allows only one alternative; it renders the clause subject to

the consent of the Council in the first place being obtained. Thus, before any recommendation could be made by the Minister, consent would be the condition precedent. The necessity for that consent is obvious because there is vested in these authorities the control and management of affairs within their various districts, and if the Bill be passed, as originally intended, it will mean usurpation of the powers of local authorities. That is neither fair nor reasonable. I am informed that not only road boards but municipal councils issue licenses from time to time, and it is under those licenses that people erect wooden houses at the present time. Therefore, to say that the Bill is brought in to give authority to local bodies to do these things, is wrong. The authority is already held by them and it is inserted in the Schedule of the Municipal Corporations Act, and the Road Districts Act also. If we pass the Bill, it will practically place the Minister in a position superior to that of the local authorities. It is for members to say whether they think it is right that that should be done. I doubt very much whether the Bill, if passed, will be wholly effective. The idea underlying the matter is that the local authorities are charged with the responsibility of preventing fire as much as possible, especially in more thickly populated areas.

Hon. H. Stewart: In Queensland they are not frightened of it.

Hon. J. NICHOLSON: It is only in outlying localities that wooden buildings are to be found. This provision is curtailing, if not usurping, the powers of the local authorities. If anything is to be done under this, it ought to be done only on the application of a municipal council. The amendment is a wise one, for it preserves the principal Acts under which the local authorities have their being. If we adopt the Bill in its present form it will place the Minister in the authoritative position. Although under proposed subsection 4 the board shall be given opportunity to raise any objection it may have, still the Minister is not bound to pay any heed to that objection. If this amendment were to be adopted by another place, there would be no need whatever for proposed subsection 4.

Hon. H. STEWART: The words inserted by the Committee were inserted in the wrong place. The limitation would be better placed in proposed subsection 4. The whole ques-

tion is, would any Minister, after giving that notice to the board, dare in defiance of the opposition of the local authority to erect wooden buildings where the local authority did not want them? It would cause an outcry from the Road Boards Association which no Minister could ignore.

Hon. A. Lovekin: But the mischief would have been done.

Hon. H. STEWART: No. I do not think there would be any harm in agreeing to support the Deputy Leader's motion that the amendment be not insisted upon.

Mr. LOVEKIN: I want to prevent the undermining of the local authorities that have done so much for the State. In these two Bills we get a new principle by which the Minister can override the local authorities. And what for? A mess of pottage, the erection of a few houses from the grant by Mr. McNess. We ought to decide upon the alternative amendment which, I think, another place will accept.

Hon. J. NICHOLSON: We should take into consideration the question whether proposed subsection 4 should be struck out. By striking it out we would pass the stage where we require to strike out the words "subject to subsection 4 hereof." The whole thing would then be subject to agreement, and it would preserve the status of the local authorities. Moreover, it would go far to reconciling another place with our amendment. I move an alternative amendment—

That in line 1 of proposed subsection 3, the words "subject to subsection 4 hereof" be struck out.

Hon. J. CORNELL: I am grateful for the assistance Mr. Stewart has given me. It is curious that the two chief opponents to the motion have few, if any, road boards in the province they represent.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. J. CORNELL: The alternative amendment before us is to strike out the words, "subject to Subsection 4 hereof." There is no principle contained in those words. They are inserted as a safeguard in the event of the clause as it stands being agreed to. The subsection referred to sets out what the Minister shall do before he takes action. It constitutes a protection to the local authority.

Alternative amendment put and a division taken with the following result:—

Ayes	..	..	..	..	9
Noes	..	..	..	..	9
					—
A tie	..	..	..	..	0

Ayes.

Hon. F. W. Allsop	Hon. A. Lovekin
Hon. J. T. Franklin	Hon. J. Nicholson
Hon. V. Hamersley	Hon. C. H. Wittenoom
Hon. J. J. Holmes	Hon. E. H. Gray
Hon. Sir W. Lathlain	(Teller.)

Noes.

Hon. J. Cornell	Hon. Sir C. Nathan
Hon. G. Fraser	Hon. H. Stewart
Hon. E. F. Harris	Hon. C. B. Williams
Hon. J. M. Macfarlane	Hon. J. M. Drew
Hon. W. J. Mann	(Teller.)

The CHAIRMAN: The voting being equal, the question passes in the negative.

Alternative amendment thus negatived.

Hon. A. LOVEKIN: I move an alternative amendment—

That in line two the word "may" be omitted, and "on the application of a board and" be inserted in lieu, and that after "Minister" the word "may" be inserted.

Hon. J. CORNELL: Under the Act local authorities may declare a brick area. They can do that outside the purview of the Minister. Under the Bill, when a brick area has been declared by a road board, the Minister may come in. If the clause is carried as printed, the Minister will have a say in the matter. If the alternative amendment is carried, the position will be ludicrous. It will mean that on the application of a board the Governor may declare a brick area in cases where road boards have already done so. I hope nothing will be done to bring this Chamber into ridicule in another place.

Hon. A. LOVEKIN: I am fighting for the principle that local authorities shall not be superseded by the action of a Minister. This Bill will apply in any district, and the Minister can, in the midst of a brick area, erect a number of wooden houses. It is not fair to place local authorities in such an invidious position. The object of the Bill is undoubtedly to enable the Government to put £2,500, given to them by Mr. McNess into revenue and sell a lot of the stocks now held by the State sawmills. Possibly the intention is to use up some

of the wooden cottages now on their hands at the Peel Estate.

Hon. J. NICHOLSON: Mr. Cornell has overlooked the fact that this clause has no reference to brick areas. It is intended to give an express power to the Governor in Council on the recommendation of the Minister, and not on the recommendation or request of a local authority.

Hon. J. Cornell: Mr. Nicholson is splitting straws.

Hon. J. NICHOLSON: Mr. Cornell takes a wrong view of the matter. The declaration of brick areas is entirely in the discretion of local authorities, and quite rightly. If the Bill is passed, the powers of local authorities will be reduced, and those authorities will be over-ridden by the Minister. It has been contended that Ministers will not do this or that, but there have been instances of Ministers doing extraordinary things. Under this Bill, if the local authorities appealed to the Minister he would simply say, "I am the Minister, and I am going to control you." Who would hold an office with such a dictator over him? I would not for a moment. Under the clause, wood of any description may be used; and therefore the danger of fire should be borne in mind. Mr. Lovekin's amendment preserves the principle that the moving body shall be the local authority.

Hon. J. T. FRANKLIN: I support Mr. Lovekin's amendment. An important engagement compels me to leave shortly, and possibly I shall not be able to record my vote. Mr. Lovekin's amendment is one I had intended to move at the last sitting. Supporters of the amendment do not oppose the erection of wooden houses, but municipal councillors and road board members should have a say as to the areas in which wooden structures may be built. There is no fear at all that the local authorities will try to block the Government in carrying out their building scheme. Men experienced in local government are imbued with the desire to protect the places in which they live against buildings which will be detrimental to the locality. Wooden houses involve extra cost for insurance against fire, and in the end are more expensive than brick. At the same time, people who cannot immediately afford the first cost of brick houses should be permitted to build in wood.

Hon. J. CORNELL: The present law gives road boards full authority, free from any interference by the Minister. The Bill proposes to authorise a measure of interference by the Minister. Both efforts to amend the clause have moved in a circle. If the Committee think that either the amendment or the alternative amendment constitutes an attack on the powers of road boards, they can strike out the clause as a whole, and we will be where we are now.

Hon. Sir WILLIAM LATHLAIN: I regard the clause as an encroachment upon the powers of local authorities. While it is understood that there is no desire to interfere with those powers, we did agree to an amendment last night that had that effect. The clause dealing with the height of rooms is contrary to the regulations of certain local authorities. If there is an encroachment in one direction, there may be encroachments in other ways as well.

Hon. E. H. HARRIS: If we insist on the original amendment, the Assembly will probably ask for a conference, and then we can thrash out with the Minister, who is said to be responsible for ignoring the rights of municipal and road board authorities, what he really has in mind.

Hon. A. LOVEKIN: If we agree to the alternative amendment and the Legislative Assembly will not accept it, it will probably lead to a conference. So that, either on the original amendment or on the alternative amendment, the conference can take place, unless the Government jettison the Bill.

Hon. J. M. MACFARLANE: In view of the attitude of the Legislative Assembly, is it worth while fighting the matter any further? Let hon. members ask themselves what will be the position if the Government decide to jettison the Bill. As Mr. Cornell has pointed out, the position will be as it is now, and the road board will have the right to review plans and specifications. We are told that 80 cottages only are concerned in this matter.

Hon. J. NICHOLSON: The regulations under the parent Act provide that houses and buildings the property of the Government shall be exempt. Thus the Minister will be able to dictate to the local authorities to that extent, and usurp their powers.

Hon. E. H. GRAY: We are striving to alter the Bill because we are concerned about

the welfare of local governing authorities. The interference by the Government with the powers of road boards will not be confined to the 80 houses alone. I hope a conference with the managers from the Legislative Assembly will be held, but we should not permit the Government to secure the additional power sought. If any local authority had defied the Government and had hampered their operations, the position might be different.

Hon. H. Stewart: They did in one instance, and regretted it afterwards.

Hon. E. H. GRAY: I hope the Bill will be fought to the last ditch.

Hon. H. STEWART: The executive of the Road Boards Association and individual road boards as well have known for a long time that a Bill to amend the parent Act was to be introduced. They have not failed to approach members of Parliament regarding various matters, and representations have been made to me; but no reference was made by them to the point now being discussed.

Hon. A. Lovekin: They did not know about it.

Hon. H. STEWART: It is absurd to suggest they did not know anything about it, seeing that they dealt with other matters included in the Bill. Then again, the Notice Paper contains reference to another Bill to amend the Road Districts Act, which will be dealt with when Parliament resumes in February next. If we agree to the Bill now before us, and difficulties arise, there is nothing to prevent the position being dealt with in the Bill that will be before us in February next.

Hon. J. Nicholson: This Bill could be deferred till February.

Hon. H. STEWART: That would not be desirable. Members realise the plight of people in the country who have lost their income and the measure will permit of relief being afforded them wherever justified.

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

Ayes	..	..	..	..	7
Noes	..	..	..	..	7
					—
A tie	..	..	..	..	0
					—

AYES.

Hon. F. W. Allsop
Hon. E. H. Gray
Hon. J. J. Holmes
Hon. A. Lovekin

Hon. G. W. Miles
Hon. J. Nicholson
Hon. Sir W. F. Lathlain
(Teller.)

NOES.

Hon. J. Cornell
Hon. J. M. Drew
Hon. G. Fraser
Hon. J. M. Macfarlane

Hon. Sir C. Nathan
Hon. H. Stewart
Hon. E. H. Harris
(Teller.)

AYE.

PAIR.

NO.

Hon. J. T. Franklin

Hon. C. H. Wittenoom

The CHAIRMAN: The voting being equal, the question passes in the negative.

Alternative amendment thus negatived.

The CHAIRMAN: The question now is that the amendment be not insisted on.

Hon. A. LOVEKIN: If we vote against the question, it will be tantamount to asking for a conference, as Mr. Harris suggested.

Hon. J. CORNELL: It is obvious that the clause as originally amended is not acceptable; otherwise the alternative amendment would not have been moved. The Committee have made two attempts to alter it and have failed. Therefore I appeal to the Committee not to insist on the amendment.

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

Ayes 7

Noes 7

A tie 0

AYES.

Hon. J. Cornell
Hon. J. M. Drew
Hon. G. Fraser
Hon. E. H. Harris

Hon. J. M. Macfarlane
Hon. H. Stewart
Hon. Sir C. Nathan
(Teller.)

NOES.

Hon. F. W. Allsop
Hon. J. J. Holmes
Hon. Sir W. Lathlain
Hon. A. Lovekin

Hon. G. W. Miles
Hon. J. Nicholson
Hon. E. H. Gray
(Teller.)

AYE.

PAIR.

NO.

Hon. C. H. Wittenoom

Hon. J. T. Franklin

The CHAIRMAN: The voting being equal, the question passes in the negative.

Question thus negatived; the Council's amendment insisted on.

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

BILL—MUNICIPAL CORPORATIONS ACT AMENDMENT.

Assembly's Message.

Message from the Assembly notifying that it had disagreed to the amendment made by the Council now considered.

In Committee.

Hon. Sir John Kirwan in the Chair; Hon. J. Cornell in charge of the Bill.

The CHAIRMAN: The Council's amendment is to insert at the beginning of Clause 2 "With the consent of the Council being first obtained and." The reason given by the Assembly for disagreeing to the amendment is that it would be a highly improper procedure to make the exercise of the power given to the Governor subject to the approval of a subordinate body.

Hon. J. CORNELL: I move—

That the amendment be not insisted on.

The question at issue is similar to the one just decided by the Committee, but probably a better case could be made out for not extending the power to municipalities.

Hon. A. LOVEKIN: We must be consistent and adhere to the amendment. Probably both Bills will be referred to a conference and an equitable decision reached.

Hon. J. M. MACFARLANE: I agree that we must be consistent and adhere to our amendment.

Question put and negatived; the Council's amendment insisted on.

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

Sitting suspended from 8.30 to 11.28 p.m.

ADJOURNMENT—SPECIAL.

HON. J. CORNELL (South) [11.28]: I move—

That the House at its rising adjourn until 10.30 a.m. to-morrow.

Question put and passed.

House adjourned at 11.29 p.m.