

BILL—PENSIONERS (RATES EXEMPTION).

Message received from the Assembly notifying that it had agreed to the Council's amendment in the Bill subject to a modification.

House adjourned at 10.52 p.m.

Legislative Assembly,

Wednesday, 31st January, 1933.

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

QUESTION—MEAT EXPORT, JAVA.

Hon. W. C. ANGWIN asked the Premier: Has he received any reply to his correspondence with the Commonwealth Government regarding the export of corned meat and small goods to Java by Messrs. Baker Bros., of East Fremantle?

The PREMIER replied: No, but analyses of samples submitted by the Collector of Customs have been made by the Government Analyst, and a report, highly favourable to the quality and condition of the beef, has been submitted. As a result of this, it is expected that approval for export will shortly be given.

QUESTION—WOOLLEN MILLS AND I.A.B. CLIENTS.

Hon. W. C. ANGWIN asked the Premier: 1, Is the following statement correct, sent to farmers by the organiser of the Western Australian Worsted and Woollen Mills, Ltd.:—“Emanuel Buildings, Perth. Arrangements have been made with the I.A.B. by which fully assisted settlers may apply for shares in this company and for which payment will be made by the board and charged to the settler's account. Already many settlers have signified their desire to take up shares if they can do so under these conditions, and it is felt that you will appreciate such an opportunity. I enclose an abridged prospectus and application form, and upon receiving the latter back completed, with the exception of the amount payable on application, same will be submitted to the I.A.B. and, if approved by them, you will be duly notified and the shares placed to your name on the company's register. The value of the shares will be paid in full by the Industries Assistance Board. Yours faithfully, E. B. Ayris.” 2, If correct, are not the I.A.B. made aware of the fact that Parliament refused a similar concession to the Western Australian Grain Elevator Co.? 3, Would it not be preferable for the I.A.B. to pay the creditors' accounts before giving consideration to the establishment of any company? 4, Under which section of the Industries Assistance Act have the board power to advance money to settlers for such purposes as the establishment of worsted and woollen mills?

The PREMIER replied: 1, No. Instructions have been issued by the I.A.B. that if any client, against whom no claims have been lodged by outside creditors and who has a surplus over and above retention money of £1 per acre, applies for shares, payment may be made out of his credit balance. 2, The same procedure was laid down for the Grain Elevator Company. 3, Answered by 1. 4, Answered by 1.

QUESTIONS (2)—RAILWAYS.

Nyabing-Pingrup extension eastwards.

Mr. A. THOMSON asked the Premier: In view of the extensively signed petition presented to him praying for a ten-mile extension of the Nyabing-Pingrup railway in an easterly direction, and in view of the fact that the Railway Advisory Board have recommended that any extension should be in that direction, will he give his earnest consideration to the question of submitting this proposal to Parliament while the construction plant is in the district?

The PREMIER replied: The Advisory Board did not recommend this extension, but this, together with other railway proposals, will receive due consideration. There are railways long authorised still to be laid down, and railways such as the line to serve the land between the Eastern Railway and the

Dowcrin-Merredin line long promised, that must be considered at an early date.

Electrification, Fremantle-Northam section.

Mr. A. THOMSON asked the Minister for Railways: In view of his statement on the Railway Estimates regarding the possible saving by the electrification of the railway from Fremantle to Northam, will he have the matter thoroughly investigated and submit a detailed report to Parliament next session?

The MINISTER FOR MINES replied: Investigations will be made and a report submitted to Parliament when available.

**QUESTIONS (2)—WATER SUPPLY,
NORTH PERTH-MT. LAWLEY.**

Private sources.

Capt. CARTER asked the Minister for Works: 1, In view of the present unsatisfactory condition of the water supply in the higher levels of the North Perth-Mt. Lawley area, and with a view to its improvement, will he allow private owners of a satisfactory water supply to be disconnected from the main, giving rebate of rates so that only the usual flat rate for vacant blocks shall be charged? 2, Will he recommend to Cabinet the advisability of instituting a scheme for assisting private property owners to sink wells or bores and erect pumping plants so that a decent potable supply of water can be assured them? 3, If he will not accede to these requests, will he state his reasons and further state what he intends to do under the present totally unsatisfactory condition?

The MINISTER FOR WORKS replied: 1, No. 2, No. 3, The reticulation service is being reinforced as speedily as funds will permit. The service is not generally unsatisfactory. Yesterday 12½ million gallons were delivered, and only 10 complaints out of the 40,000 services were received.

Loftus-street pumping station.

Capt. CARTER asked the Minister for Works: 1, Is he aware that smoke, grit, and fine coal dust expelled from the chimney stack at the Loftus-street pumping station are causing serious inconvenience and loss to the residents in the immediate vicinity of the pumping plant? 2, Can anything be done to prevent the trouble recurring? 3, If so, will he cause immediate action to be taken to remedy the matter?

The MINISTER FOR WORKS replied: 1, He is aware that complaints have been made. 2, The matter is under investigation. 3, See answer to No. 2.

QUESTION—ELECTORAL, PROSECUTIONS.

Mr. WILLCOCK asked the Premier: 1, How many prosecutions have been instituted under the compulsory enrolment section of the

Electoral Act? 2, What is the amount that has been received by way of fines? 3, How many prosecutions were successful? 4, How many prosecutions were unsuccessful?

The PREMIER replied: 1, 88. 2, £38 0s. 7d. 3, 87. 4, One.

QUESTION—COMMONWEALTH STEAMERS, FREIGHT CHARGES.

Mr. LAMBERT asked the Premier: Will he make representations to the Federal Government regarding the prohibitive freight charged by the Commonwealth steamships for primary products shipped to the Eastern States?

The PREMIER replied: Inquiries will be made regarding these rates and if they are as stated, representations will be made to the Prime Minister.

QUESTION—FRUIT INDUSTRY, A GLUT.

Mr. O'LOGHLEN, without notice, asked the Premier: Do the Government propose to take any action to deal with the glut in the soft fruit market, which necessitates the dumping of tons of fruit?

The PREMIER replied: I think I should have had notice of the question. The Government are willing to do everything they can to assist in the marketing of the fruit. I have already informed deputations that a good many of the people in the back country are without fruit, and that if only the fruit can be got to them, there will be a market for all the fruit that we can grow. I do not think that it is a matter quite for the Government to deal with; but it ought to be possible for the fruitgrowers, with the assistance of the Government, which will be readily given, to dispose of all the soft fruit grown in the State. Soft fruits cannot be exported, and the only means of disposing of a glut of soft fruits lies in the establishment of jam factories. The Government will be glad to render any assistance they can.

QUESTION—FORESTRY ROYAL COMMISSION'S RECOMMENDATIONS.

Mr. O'LOGHLEN, without notice, asked the Minister for Mines: Is it proposed to give effect to all or any of the recommendations of the Forestry Royal Commission?

The MINISTER FOR MINES replied: The report is under consideration. Some of the recommendations have already been put into practice; others are being considered.

BILL—CLAREMONT AND PERTH ROAD DISTRICTS RATES.

Introduced by the Minister for Works, and read a first time.

MOTION—STANDING ORDERS SUSPENSION.

Close of Session.

The PREMIER (Hon. Sir James Mitchell—Northam) [2.42]: I move—

That for the remainder of the session the Standing Orders be suspended so far as to enable Bills to be passed through all their stages in one day, and messages from the Legislative Council to be taken into consideration on the day on which they are received.

For obvious reasons I did not wish to move this motion until certain measures had been disposed of. The Deputy Leader of the Opposition agrees with this motion. There is very little on our Notice Paper that cannot be dealt with under the suspension of Standing Orders usual at the close of the session. If there is any matter in respect of which hon. members desire fuller consideration, I promise that the Government will not take advantage of the suspension.

Mr. O'LOGHLEN (Forrest) [2.43]: There is no objection to the passing of the motion, but can the Premier intimate when the session is likely to close? Can he give any indication as to how another place will expedite the business of the Government?

The PREMIER (Hon. Sir James Mitchell—Northam—in reply) [2.44]: There is only one member of another House in this Chamber, and he is not present at the moment. I should very much like to be able to inform hon. members that another place will deal with all matters on its Notice Paper at this sitting.

Mr. Teesdale: It all rests with the rogue elephant.

The PREMIER: I think the session can close this week, or at any rate on Friday.

Mr. SPEAKER: It needs an absolute majority of the House to carry the motion. I have counted the House, and I find that there is more than an absolute majority of members present. I shall put the question, and if there is no negative voice, I shall declare the motion carried unanimously.

Question put and passed.

BILL—ELECTORAL DISTRICTS.

Third Reading.

The PREMIER (Hon. Sir James Mitchell—Northam) [2.45]: I move—

That the Bill be now read a third time.

Hon. W. C. ANGWIN (North-East Fremantle) [2.46]: I hope the House will not pass the third reading of the Bill. It is a machinery measure, but when we come to an amendment of the Electoral Act next session, it will require an absolute majority of the House. On no occasion has the present Bill received the vote of a majority of the members of this Chamber. Next session's Bill to amend the Electoral Act

will be based on this machinery measure. To all intents and purposes, the Bill is one for the redistribution of seats because it will be impossible for the commissioners to go outside the four corners of the measure. That being so, I ask the Premier to pause before sending the Bill to the Legislative Council. All Bills for the redistribution of seats should have the support of the majority of the members.

The Premier: This Bill has that support.

Hon. W. C. ANGWIN: No. The highest number recorded in favour of the Bill during any of the divisions was 20. The Premier will require 26 votes to carry a Bill to amend the Electoral Act when it comes before us next session. In the opinion of a large number of members, the present Bill does not give satisfaction. On many occasions the division figures were 17 to 20. There was another division, when the figures were 15 to 16.

The Premier: And one of 10 to 22.

Hon. W. C. ANGWIN: These divisions show that the Bill does not give general satisfaction to the House. Members on the Opposition side of the House are anxious to have a Redistribution of Seats Bill that will be removed from party politics.

The Premier: Hear, hear! I agree with that.

Hon. W. C. ANGWIN: When the boundaries of an electorate are altered, no one can say who will be elected to represent any constituency. It all depends on the electors who are comprised within the boundaries of the new constituencies. It is only right and fair that the representatives of the people for the time being shall provide a machinery Bill that will give fair, just and equitable representation. The Bill is far from just and will not give fair representation in the new Parliament. When members realise the action that the Premier has taken, it should demonstrate to them that the Bill has not had the consideration it deserves. It provides that in some parts of the State very few electors shall have the right to send a representative to Parliament, while in other parts large numbers of electors will have only a similar right. It is not equitable to the electors as a whole. It is provided that 85,000 electors will be represented in Parliament by 14 members, while 83,000 will be represented by 36 members. No one can say that that is fair.

The Premier: It was decided on the vote of the House and not by a party vote.

Hon. W. C. ANGWIN: I know that. The present stage of the Bill is the last opportunity we have for reconsidering the Bill. The particulars regarding the measure were divulged to certain members of the Assembly and they agreed to support it. The member for Sussex (Mr. Pickering) has informed us to that effect.

The Premier: I do not know that they all did.

Hon. W. C. ANGWIN: Those members who were not present, of course, did not agree to support it. The Minister for Education, with

his usual eloquence, traversed the details of the Bill when they were placed before those hon. members. I guarantee that the Minister for Education could place arguments against the Bill before those hon. members with greater force than he did to secure their support for it.

The Premier: He merely gave particulars to those members.

Mr. SPEAKER: I do not know that that has anything to do with the Bill.

Hon. W. C. ANGWIN: I am referring to the way in which this was done. Since that time, those members have heard the other side of the question as well.

The Premier: You had better not say too much about the other side of the question.

Hon. W. C. ANGWIN: There is nothing wrong with our side of the question.

Mr. Pickering: What is your side?

Hon. W. C. ANGWIN: If the hon. member wants to sit here till to-morrow morning, I will give him the other side. It is not my intention to do that.

Mr. SPEAKER: Order!

Hon. W. C. ANGWIN: Hon. members have the same opportunity for discussion on the motion for the third reading of the Bill as they have at the second reading stage. The only stage at which such discussion is debarred is on the first reading.

Mr. Pickering: That is so, but I want to hear the other side.

Mr. Teesdale: We want a bit of a rest now.

Hon. W. C. ANGWIN: The Bill is unfair to the electors and it will not give just representation to them in Parliament. It is brought forward for the purpose of stuffing Parliament.

The Premier: Nothing of the sort.

Hon. W. C. ANGWIN: It is advanced for the purpose of suiting the objects of one section of this Chamber and the effect of it will be that we will pass legislation regarding which a large proportion of the electors will be without any voice. Instead of legislation for the government of the people by the people, it is merely, as one hon. member interjected for the government of the people. That being so, the legislation is bound to cause dissatisfaction throughout the State. I am justified in protesting against the third reading of the Bill for that reason. I have not come across one person who, after reading the reports in the "Daily News" has agreed that the Government's proposals are equitable. After reading the discussions which have taken place, they do not agree with the proposition.

Mr. Pickering: They think it is too generous.

Hon. W. C. ANGWIN: They think it is unfair and that the Bill is brought forward for political purposes.

Mr. Teesdale: It is a new role for you to adopt, posing as the champion of the "Daily News."

Hon. W. C. ANGWIN: The "Daily News" has given a good deal of space to

reports of Parliamentary debates during the course of this session.

Mr. Pickering: Which no other paper has done.

Hon. W. C. ANGWIN: The other papers cannot afford to give such space to the discussions, or, at any rate, they have not done it to the extent the "Daily News" has gone. It is only since the publication of these reports in the "Daily News" during the present session of Parliament, that the people outside have known what has been done by their representatives in Parliament.

Mr. Pickering: And the reports are non-political.

Hon. W. C. ANGWIN: So far as this Bill is concerned in particular, the reports which have been published have been fair and just. The people should have a fair knowledge of the position. So far as the metropolitan area is concerned there are very few people who agree with the proposition before us.

Mr. Richardson: I have not heard one who agrees with it.

Mr. Pickering: I have not heard one who is dissatisfied.

Hon. W. C. ANGWIN: I think it will be agreed that this is not legislation which will help the people to work in harmony or bring that prosperity to the State which we desire. When the people realise that Parliament has taken an action which will debar a large section from having representation here, they will go where they can get fair representation or else continue creating disturbances to force the hands of the Government. There is no doubt that in bringing forward the Bill, the Government have done more that will tend to create unrest in the State than anything else.

Mr. Pickering: You would not know that from the comments of people outside.

Mr. Lambert: You certainly would not hear such comments in Busselton.

Hon. W. C. ANGWIN: The hon. member would not know it, because he was not here for a large portion of the time to hear the discussion that took place. When he did come in, he expressed his disgust at some of the statements that were made regarding the Bill.

Mr. Teesdale: There you are! The member for Sussex will never live that down!

Hon. W. C. ANGWIN: The member for Sussex said he was amazed at the statements some hon. members had made. He did not know anything regarding the actions which members had taken in the House, unless he read the reports in the "Daily News."

Mr. Teesdale: The "Daily News" is a public philanthropist!

Hon. W. C. ANGWIN: While injustice has been done to the metropolitan area, a greater injustice has been done to the gold-fields.

The Premier: The less you say about that the better. You want all the representation for two spots in the State.

Hon. W. C. ANGWIN: No.

The Premier: Yes, you do.

Hon. W. C. ANGWIN: How can the Premier say that?

The Premier: Take your speeches on the goldfields quota!

Hon. W. C. ANGWIN: We asked for 25 representatives for the metropolitan and goldfields areas. How could that be regarded as wanting a majority? There are 120,000 electors who will have 25 members and the balance of the electors will comprise about 65,000 electors.

The Premier: You did not couple those two areas in your speeches.

Hon. W. C. ANGWIN: We did.

The Premier: You did not, and you had no right to do so anyhow.

Hon. W. C. ANGWIN: I placed before the House a proposition that there should be 10 for the goldfields, 21 for the agricultural area and four for the North-West. That would allow 15 for the metropolitan area. If that does not mean 25 for the metropolitan and goldfields areas combined, I do not know what it means. Yet the Premier says I never proposed anything of the kind.

The Premier: I have it here.

Hon. W. C. ANGWIN: I am not concerned about that. We were here from 2 a.m. till 6 p.m. on Friday debating practically that one question, and all we asked was not that the goldfields be given an extra member, but that they be given .63 of a member, because the Premier's own quota, as given on the second reading, provided that the goldfields combined were entitled to 9.37 members. We asked for that additional .63 owing to the large area of the goldfields and the importance of the mining industry to the State, that they might have 10 members. We endeavoured to stress the importance of the industry, an industry which has done more than any other for the State, and which in future we hope will revive and again become the principal industry of the State. It is true the agricultural industry has made great strides, but we have done everything possible to assist it. We have supported the Government in every proposition to assist the agricultural industry, but that is no justification why the agricultural area should have undue representation as against other parts of the State. We are sent here to see that every industry and interest has fair and equitable representation. I ask the House to vote against the third reading. If the Bill had been fair, I would not have spoken a word on the third reading. If the Bill contained a semblance of fairness, I would not be found opposing the third reading, but members must realise that the people as a whole are not in favour of the Bill. It will have a tendency to make them obey laws on which they will not have an opportunity to express their opinions. I enter my protest against the third reading, believing that the measure is neither fair, just nor equitable.

The PREMIER (Hon. Sir James Mitchell—Northam—in reply) [3.4]: I am surprised

at the speech of the hon. member. I could quite understand it if it were delivered on the hustings in March, 1924, but I cannot understand it now.

Hon. W. C. Angwin: It will be of no use then, because that will be too late.

The PREMIER: The hon. member knows what will be said then. During the passage of the Bill, I have found myself voting in all sorts of divisions with members representing every party in the House. I voted with Mr. Corboy, with Mr. Chesson and again with my old friend Mr. O'Loughlin.

Hon. W. C. Angwin: On one occasion only.

The PREMIER: And again with Mr. Munsie.

Hon. W. C. Angwin: Yes, to vote against the metropolitan area.

The PREMIER: On that occasion the member for North-East Fremantle (Hon. W. C. Angwin) was voting against us.

Mr. Lambert: You are easily comforted.

The PREMIER: I suppose the hon. member was there, too. The Bill is perfectly fair and is not designed to give undue representation to any of the people. It is quite useless for the hon. member to say he is here on the vote of the working men, and that I am here on the vote of other people. We are all here on mixed votes.

Hon. W. C. Angwin: I did not say that.

The PREMIER: The hon. member inferred it. I would be ashamed to be a member if I could not fairly represent all sections of the people.

Mr. Teesdale: Hear! hear!

The PREMIER: Every member is returned by a mixed vote, and I hope it will always be so. Politics should be above everything else, and it ought to be possible for the electors to exercise a wise discretion. Let the people have a chance to return the representatives they desire. Do not let us say the working man will vote this way and the non-working man will vote another way. It is not a case of having special electorates returning certain members.

Hon. W. C. Angwin: That is what you have done under this Bill.

The PREMIER: We have not. This Bill provides for fair representation. Under the single electorate system and the system of which the hon. member approves—special representation for special industries—we cannot get an equal number of electors for each electorate. That never has been done, and I do not know that it has ever actually been proposed.

Mr. SPEAKER: Order! I find that Standing Order 120 states—

A reply shall be allowed to a member who has made a substantive motion to the House, or moved the second reading of a Bill, but not to any member who has moved an order of the day (not being the second reading of a Bill), an amendment or instruction to a committee.

The Premier has moved an order of the day that the Bill be read a third time, so he

has no right of reply. The member for North-East Fremantle (Hon. W. C. Angwin) has not moved an amendment. I am sorry to have to rule the Premier out of order, but that is the instruction contained in the Standing Orders and I cannot go beyond it.

The Premier: I am sorry too. It seems very unfair under the Standing Orders.

Mr. Lambert rose to speak.

Mr. SPEAKER: The hon. member for Coolgardie may proceed.

Mr. LAMBERT (Coolgardie) [3.9]: Just a minute.

Mr. SPEAKER: The hon. member must not treat the House with disrespect.

Mr. LAMBERT: I do not know that there is any disrespect in asking you to pause a moment.

Mr. SPEAKER: The hon. member must proceed if he intends to speak.

Mr. LAMBERT: I desire to move an amendment.

Hon. W. C. Angwin: Move to strike out "now" and add "six months" and that will allow the Premier to speak.

The Premier: You need not trouble about me.

Mr. LAMBERT: I must offer a final protest against the passing of the Bill. There has been no great public demand for the Bill. The Premier the other night spoke of having a mandate from the people to do this and that. I do not know that the redistribution of seats was ever mentioned at the last general election. Many matters of Government policy were mentioned and since then have been conveniently forgotten.

The Premier: You have no right to say that sort of thing. You promised prohibition and all sorts of things which have not been mentioned since.

Mr. LAMBERT: I?

Mr. SPEAKER: Order! That has nothing to do with the third reading of this Bill.

Mr. LAMBERT: I do not know that I ever associated myself with prohibition. The Premier is a little astray in that observation. At the last general election the matter of a redistribution of the electoral boundaries had no place in the Premier's policy speech. There has been no great desire for a redistribution of seats. At the present time we are engaged on a developmental scheme actually trying to recover the threads of industry lost during the war. Many of the industries lost a good deal of population during the war. I refer particularly to the mining industry which suffered considerably, not only during the war but during the period of reconstruction. There is now every indication that the old-time prosperity of mining will be reached again at no distant date. If we pass this Bill it will be tantamount to declaring that the mining fields of Western Australia are on the down grade, and should be deprived of considerable parliamentary representation. If members peruse this morning's "West Australian" they will see that significant de-

velopments are taking place on almost every goldfield in Western Australia, particularly the Eastern Goldfields, and everyone must be impressed with the possibility that at no distant date we shall have a revival of the industry to such an extent as will bring the population up to the level of a few years ago. Apart from that we have the commendable land development policy of the Premier. I am optimistic enough to believe that in a few years' time there will be big industries in some of our agricultural centres which may justify another redistribution of seats. Therefore, the launching of this Bill at the present juncture is premature. It has not been demanded by any important section of the community. One or two of the metropolitan newspapers have made passing references to it when they were short of news or for some other reason best known to themselves. There are one or two anomalies in the representation of the gold-mining areas but anomalies will crop up in a year or two even in the agricultural areas which the Premier is trying to settle to-day. I do not say that the Premier has been designedly unfair in drafting this Bill, but the result could not be more disastrous to the goldfields if the measure had been deliberately designed to flech from the goldfields all the parliamentary representation possible. A grave error in the Bill was that pointed out by the member for North-East Fremantle last night, that this quickly conceived Bill gave agricultural representation almost within a stone's throw of the city boundary. This is a grave anomaly, and we can only hope that the powers of the commission will be sufficiently elastic to remedy it. I hardly think the Premier would justify agricultural representation almost within a stone's throw of the Perth Town Hall.

[The Deputy Speaker took the Chair.]

Mr. Pickering: There is some division.

Mr. LAMBERT: Yes, and a reasonable division could be struck, one which would be fair to the agricultural area and to the metropolitan area. This Bill is not fair in that respect. In view of the fact that the goldfields may revive at any time, and that the loss of goldfields population is not due to any exhaustion of the mineral resources, we are justified in protesting against the passing of the Bill which will do an injustice to the goldfields areas. Without a desire to further delay the House, I move an amendment—

That "now" be struck out, and "this day six months" added.

The PREMIER (Hon. Sir James Mitchell—Northam—on amendment) [3.18]: I am glad the hon. member has submitted his amendment in moderate language. All the same it is not pleasant for anyone to be accused of unfairness. I do not like it. I have always endeavoured to be fair and can claim to have been fair with regard to the Bill. I have said that we cannot have an equal number of

voters in each electorate. Hon. members opposite claim that the goldfields should be better treated because they hope to see a revival in mining. I, too, hope there will be a revival in mining, and my desire is to see more people on the goldfields than we have ever had. But where the votes are, so the representation must be.

Hon. W. C. Angwin: This Bill does not provide for that.

The PREMIER: It does so as far as the goldfields are concerned.

Hon. W. C. Angwin: No; 9.37.

The PREMIER: The Bill does not provide for representation of 9.37. There may be more electors on the roll to-day than there were when I got the figures, but I claim that the goldfields have been correctly treated. The quota for the goldfields is very much lower than that of the scattered agricultural districts. Never before in the history of the State has such a proposal been submitted to provide for goldfields representation. I am asking that the quota for Kalgoorlie shall be the same as the quota for the Avon electorate. We should realise that justice has been done to the people of the goldfields. Of course I know that the Bill will be discussed and that Kalgoorlie will say, "You have not done justice to us; Mr. Lutley told us so." I intend to go to the goldfields and will meet the hon. member there.

Mr. Lutley: You had better keep away.

The PREMIER: I shall trust to the good sense of the people of the goldfields. I have been there before in troublesome times and I shall go again in connection with this Bill. I will be obliged to go there to explain the position and the hon. member will not get much change out of me. If we have been generous to any part of the State it has been to the goldfields. There is no need to discuss the matter at any length, but I do resent being told that the Bill is designed to provoke strife and trouble in the community. It will have no such effect. The Government of the country is in wise hands and it will not matter to the people how their representatives are returned or whether they come from Kalgoorlie, Perth or the North-West, so long as the representatives who are returned do their duty well. If the member for North-East Fremantle had been in his seat he would have heard me tell the House that the quota for the goldfields would be 500 less than the quota for the scattered agricultural districts. The hon. member in his wildest moments would not suggest that the quota should be less than that of the agricultural districts. In the Bill that he produced in 1913 the representation to the goldfields under the then population was six.

Hon. W. C. Angwin: Under that Bill it was 13.

The PREMIER: That Bill provided that there should be automatic redistribution. The goldfields would have had six seats under that Bill. The goldfields are much better treated now.

Mr. Heron: They will tell you differently when you go up there.

The PREMIER: I am perfectly willing to go up there. The great trouble that always follows redistribution is that the people are deceived by statements made regarding the Bill and not by the Bill itself. The provisions in the present Bill are much sounder than the arguments used on the hustings against the Bill. Hon. members opposite had three meetings of their party in connection with their Bill before they could get an agreement on it.

Hon. W. C. Angwin: But we did not deny having had meetings.

The PREMIER: No one here has denied we had a meeting.

Hon. W. C. Angwin: Yes, the member for Sussex blew the gaff.

The PREMIER: There is no reason why parties should not have meetings over a matter of this description. But we have never had a caucus meeting, and we never bind each other. Let us get away from all this paltriness in reference to party meetings. We know the Opposition hold meetings, and we do not object.

Hon. W. C. Angwin: We do not object to you holding meetings, but we object to you denying the fact.

The PREMIER: I cannot allow my temper to be upset by these interjections, but I do feel a little annoyed when I listen to the arguments of the member for North-East Fremantle (Hon. W. C. Angwin). Someone said when listening to his statements: "I should not mind all this from any other man, but the people will believe Mr. Angwin."

Hon. W. C. Angwin: They will believe me this time, and I am correct.

The PREMIER: This time the member for North-East Fremantle is not correct, and if people want proof of that, they have only to read his speeches in "Hansard," and take the Bill and compare it with that of 1913. The hon. member said that such a Bill should be fair, just and equitable. It is fair and just, and it provides equitable representation. I do not know that it could be more fair. It may be urged by the metropolitan people—as a matter of fact, it is not urged by them—that in giving the metropolitan area two seats they are not securing adequate representation. Some hon. members have urged that there should be 15 seats allotted to the metropolitan area, but no one asked for more than one extra seat. As a matter of fact, when the question went to a division, some Opposition members decided to vote against any increase in the representation of the metropolitan area. However, the metropolis will have an increased number of representatives, for Perth has a very large population, but at the same time the agricultural, goldfields, and Northern areas will have fair representation as well. Later on, the House will have an opportunity of dealing with the Commission's proposals regarding the various districts. I hope the amendment moved by the member for Coolgardie will not be agreed to. I trust, also, that the Bill will be carefully explained to the people later on and if that explanation be made fairly and reasonably, they will

agree that we have done the best that is possible for the goldfields. I will not be told by anyone in this House that I have no consideration for the goldfields. I have the greatest consideration for that part of the State, for I know the value of the mining industry and what it is worth. It is entitled to adequate representation in this Chamber. That part of the State will have at least nine members, if not more. In fact, it will have representation beyond its just claims under the Bill, compared with the agricultural districts.

Mr. Heron: What about a comparison with the North-West?

The PREMIER: The goldfields members cannot object to the proportion. I would be ashamed to be connected with any proposal which was not brought down in all fairness, or with any proposition that was not fair and just to all sections of the community. The Bill is not calculated to provoke troubles and strife, but to give satisfaction and fair representation to every class of the community.

Mr. PICKERING (Sussex) [3.35]: The member for Coolgardie (Mr. Lambert) said that there was no necessity for the measure. He should cast his memory back to 1913 when a similar measure was introduced by the Labour Government. That surely is an indication that there is a necessity for the measure, apart from the fact that there has been a general outcry for more than a year for a redistribution of seats. The Bill provides for any alteration of boundaries that may be necessary from time to time, but I think it would have been wise to include a proviso that no alteration in boundaries should take place for at least five years. That would enable hon. members to become familiar with the boundaries of their electorates. I am not particularly anxious for a Redistribution of Seats Bill. I am familiar with the boundaries of my electorate and my electors. It is not a matter of meeting personal wishes, however, but of what is fair to the State as a whole. Notwithstanding what the member for North-East Fremantle (Hon. W. C. Angwin) has said, the basis on which the Bill rests is sound. It will give general satisfaction to the people throughout the State. So far from not having heard anyone approve of the Bill, I have good opportunities of meeting the people of the metropolis, and I am prepared to assert the contrary to what the member for North-East Fremantle has stated. Some question has been raised regarding the Swan electorate which, it has been stated, should be included in the metropolitan area. It must be recognised that at some part of the State, a line of demarcation must be drawn. If one referred to the agricultural and metropolitan areas, it is quite reasonable to assume that there should be sub-divisions of the South Fremantle and Guildford electorates, for there is a large

agricultural element in each of them. In these circumstances, I do not think there is any justification for trying to disturb the equitable margin shown regarding the Swan electorate. It is ridiculous to expect that such a Bill would receive the approbation of the whole Chamber. It has been thoroughly debated for more than 29 hours and it emerged from the Committee stage with only a minor alteration. Peculiarly enough, that minor alteration was in the interests of the Party taking such strong exception to the measure.

Mr. Lutey: You were bound and gagged at your party meeting.

Mr. PICKERING: I take exception to that statement. I made a frank admission of what I knew of the Bill. I was bound by my promise to support the measure, which I think is in the best interests of the State as a whole. My conduct during the debate is evidence of my satisfaction with the Bill.

Mr. McCALLUM (South Fremantle) [3.38]: After 30 hours of discussion, we failed to impress the Premier with our conviction that the Bill is unfair. I do not know whether next time a Bill comes down, we will have to extend our protests beyond 30 hours.

The Premier: Please God, no!

Mr. McCALLUM: If the Premier is 30-hour proof against attacks upon his conviction that the Bill is fair, we will have to extend that protest. He has repeatedly made the statement that where the population goes, there the votes will go.

The Premier: Within the divisions set out in the Bill.

Mr. McCALLUM: And he has asserted that if the goldfields had the population, they would get the vote. He has not followed that principle in the Bill.

The Premier: Yes, within the scope of the divisions.

Mr. McCALLUM: Where the metropolitan area has increased by 30,000 electors, the agricultural areas have increase by 10,000, and yet the agricultural areas, with their increase of 10,000, are to get two extra seats, and the metropolitan area, with an increase of 30,000, is only to get two seats as well. The Premier's argument does not work out fairly. The Premier said that in their wildest claims, goldfields members would not argue that their portions of the State were entitled to more than the agricultural areas. They are entitled to more.

The Premier: I compared one small area with one big area.

Mr. McCALLUM: Why did not the Premier compare the Hannans electorate with the Northam, Bunbury or Albany constituency? Such a comparison would not suit him. I would emphasise the disadvantages under which the miners in the outer goldfields labour compared with the men working in the agricultural areas. Is there any comparison between the conditions under which the miner is working at Wiluna or

Lake Darlot, and the man working at Bruce Rock or Northam? The Premier's comparison between Kalgoorlie and Avon suited his arguments, but he would not embark upon a comparison between Hannans and the agricultural seats I referred to. If the Premier had given effect to his arguments in the Bill, it would have been all right, but he has not done so.

The Premier: There are 500 fewer electors in the goldfields electorates than in the agricultural districts.

Mr. McCALLUM: It will not work out in that way. The Premier lumped the goldfields districts together, instead of dividing them.

The Premier: You were against the Murchison in your arguments.

Mr. McCALLUM: We are trying to secure the position of the Murchison and the North Coolgardie goldfields seats. The Premier is very apt at putting forth arguments and statements, but when it comes to their application in the Bill, he will not have it. The people, when they understand the Bill, will see that it is not equitable, and will take steps to prevent the control of Parliament resting with one particular section of the community. We on this side have striven to prevent that.

Mr. Teesdale: We on this side will see that it does not occur.

Mr. McCALLUM: We have examined the Bill in all its phases. Every one of our amendments provided against handing over the control of Parliament to any particular section of the community. What we want is fair representation for all sections. We have failed in that, notwithstanding which the contention is still put forward that the Bill assures fair representation for all. If the third reading be carried, the Bill will have to be left to the people. I regret that we were unable to get a decision which would have prevented handing over the struggle to the people. It would have been very much better if, at the next election, we could have told the people that the Parliamentary representation provided was equitable and just. We cannot do that, because all our efforts have gone for naught. If the Bill expressed the arguments used by the Premier, it would be all right. It does not do that, nor will the Premier allow us to amend it to conform with his own contentions. The miner is entitled to more consideration than are others because the miner's life is harder than the lives of those engaged in other industries, while his prospects are the poorest of all. I regret we should have been unable to amend the Bill. Since the Premier insists upon putting it through the third reading, we can only hope that before it becomes operative there will be such an influx of population in the mining districts that even under the Bill the representation provided will be more nearly equitable than it would be to-day.

Amendment put and negatived.

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

Ayes	..	..	..	..	23
Noes	..	..	..	..	13
Majority for					10

AYES.

Mr. Angelo	Mr. Mann
Mr. Broun	Sir James Mitchell
Mr. Carter	Mr. Money
Mr. Davies	Mr. Pickering
Mr. Denton	Mr. Sampson
Mr. Durack	Mr. J. H. Smith
Mr. George	Mr. Stubbs
Mr. Harrison	Mr. Teesdale
Mr. Hickmott	Mr. A. Thomson
Mr. Johnston	Mr. Underwood
Mr. Latham	Mr. Muir
Mr. C. C. Maley	(Teller.)

NOES.

Mr. Angwin	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Corboy	Mr. Richardson
Mr. Cunningham	Mr. Willcock
Mr. Heron	Mr. Wilson
Mr. Lambert	Mr. Munslie
Mr. Lutey	(Teller.)

Question thus passed.

Bill read a third time and transmitted to the Council.

BILL—PERPETUAL TRUSTEES, EXECUTORS AND AGENCY COMPANY (W.A.) LTD. (PRIVATE).

Report of Committee adopted.

Bill read a third time and transmitted to the Council.

BILL—HOSPITALS TAX.

Read a third time and transmitted to the Council.

BILL—MINING ACT AMENDMENT.

In Committee.

Mr. Stubbs in the Chair; the Minister for Mines in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 6 of Act No. 50 of 1920:

Mr. DURACK: It would appear that if a person holds a license and the land is afterwards sold under a Crown grant, he would have no right to prospect over it. Some provision should be embodied in this clause giving the holder of a license the same right as the Crown enjoys in this respect. I would suggest the addition of the words "prior to the granting of the license." I think this would meet the case.

The MINISTER FOR MINES: There is only one case where this sort of thing applies at the moment. I hope the two parties in dispute will amicably settle the matter. If not, I think I have power under the Act to enforce an arrangement. The surface rights to land are granted to a maximum depth, in some cases to 200 feet below the surface. From 200 feet down to the centre of the earth belongs to the Crown. Under the Act the holder of a license has a right to prospect on Crown land, but he cannot go on the surface of private property that lies over any Crown land. This may mean that a certain percentage of land that has been alienated may not be prospected for oil from the depth below the surface when it becomes Crown land.

Hon. W. C. Angwin: Do you not think the owner of alienated land would enter into an agreement with the other people in such a case?

The MINISTER FOR MINES: If it is discovered that land under the 200 feet from the surface is worthy of being prospected for oil and the owner of the land will not do that prospecting, the State should be entitled to take the matter in hand. If, however, the holder of private property is prepared to prospect for oil on his own property, he should be placed in the same position as the permit holder. Licenses that are now being issued give the right to prospect on Crown land other than under alienated properties. If the owner of private land does not prospect, and there is evidence of oil under his property, the State should be able to see that such oil resources are prospected.

Mr. Underwood: What is private property?

The MINISTER FOR MINES: It is land alienated or in process of alienation.

Mr. Underwood: You mean land that may become freehold?

The MINISTER FOR MINES: Yes. There may be a big area of land that is alienated, but the Crown lands under it may not be got at because they are covered with private property. If the owner does not prospect we ought to make provision that, subject to compensation, prospecting for oil on Crown lands below the surface should be made possible. There is no serious difficulty in the matter, and I am not concerned whether the clause is passed or not.

Mr. DURACK: Take the case of a licensee who has certain rights to prospect. Should his area be sold or alienated at any period ahead, he would have no further rights to prospect under this clause.

The Minister for Mines: No.

Mr. DURACK: That would be scarcely fair. Take the people who are operating now and have spent a considerable sum of money on the work.

The MINISTER FOR MINES: Land has been alienated under different conditions. On land that is alienated to-day the oil rights are reserved to the Crown. The holder of a license can prospect for oil there, subject to the approval of the Crown, and that of the holder of the freehold land. The point raised

by the member for Kimberley is already provided for in the original Act.

Mr. CHESSON: I hope the clause will be passed as printed. Any person who desires to prospect for oil should be allowed to do so on land in course of alienation from the Crown or on private property, provided ample compensation is allowed to the owner of the land.

Mr. DURACK: How is the licensee provided for under the Act? There are certain licensees operating on Crown lands to-day. Should that land be sold at a later date they would have no right to anything beyond the 200 feet. That is not the intention of the Act. They may have spent £50,000 and the Crown may say, "We will grant you no further rights."

The MINISTER FOR MINES: This is provided for in the principal Act. But if it is necessary to prospect on private property, there is power for that to be done, subject to the person whose land is being used receiving compensation according to the purpose for which the land is taken. If there is oil, the owner must be compensated for deprivation of his surface rights.

Clause put and passed.

Clause 3—agreed to.

Clause 4—Amendment of Section 10:

Mr. DURACK: This is a matter on which operators stick. The extension of oil rights to the several portions of an area held should not be at the discretion of the Minister. I think the original intention was that oil rights should extend to every portion of the land held under lease. This clause should read that the licensee's rights shall be deemed to extend to the several portions of the area held.

The MINISTER FOR MINES: One or two licensees asked for this clause. Personally I do not think it is needed. An area is granted to prospect for oil. In the event of oil being discovered and reported, the Government Geologist, after inspection, defines what he considers is likely to be the area of the oil basin. That area is then exempted, taken out of the license. The holder continues to prospect in the area. The original discovery, however, forms no part of his license. If he discovers another basin within the boundaries of the area, he is in exactly the same position as he was in before he found the first basin. We grant licenses up to 10 years and during that period there can be no interference with the licensee. I ask the Committee to delete the clause.

Clause put and negatived.

Clause 5—Power to reward the discoverer of oil on an area of which he is not the licensee:

Mr. DURACK: If a person gave information of seepage, and this led to a discovery, I do not think the original licensee would be entitled to royalty, because the second man would be the discoverer.

Mr. Wilson: Too thin.

The Minister for Mines: The only discoverer under the Bill is the licensee.

Mr. Chesson: The licensee is fully protected.

The MINISTER FOR MINES: The principal Act gives the licensee protection, in the event of mineral oil being discovered in payable quantities, which is a different thing from mere indications. Suppose a boundary rider or a stockman travelling about the country discovers indications as the result of which an oil basin is found by the licensee; then such boundary rider or stockman would be entitled to a reward. There would be no reward unless oil was discovered in payable quantities, and it is only the licensee who can discover oil in payable quantities.

Mr. DURACK: I fail to see how the licensee is protected. Section 10 is not sufficiently definite.

Mr. UNDERWOOD: The licensee is quite safe under the present Minister. All other countries, including the Northern Territory, have cut down the area of the licensee very materially. But this is a Bill to extend. The member for Kimberley wants further extension, wants the world and the sun and the planets. The Bill does not go to the root of the question, and to try to amend it is useless. The member for Kimberley is interested, and should not be in the Chamber while the Bill is being discussed. There is a Standing Order that a member of Parliament must not debate any question affecting his own personal interests.

Mr. Durack: If that applied, there would be very few of us here.

Mr. UNDERWOOD: I do not mind saying that the member for Kimberley and the Minister for Education and the Hon. G. W. Miles are deeply interested in oil leases. The member for Kimberley has no right to remain here while this Bill is under discussion.

Clause put and passed.

Clauses 6 to 8—agreed to.

Clause 9—Tailings Lease:

Mr. CHESSON: I think a machinery lease should be included.

The Minister for Mines: That does not apply.

Mr. CHESSON: A lot of abandoned leases are held as machinery areas and there is no hope of getting the right to go into the main shafts. In many instances the machinery is obsolete. If a prospector obtains the forfeiture of a lease, it is useless unless he can use the main shaft. Often as much as five acres is held as a machinery area. If the words suggested were included, access would be given to a lot of land now held up.

The MINISTER FOR MINES: Under the existing law and regulations, a machinery area is only an authorised holding, and anyone can take it up as a mining tenement, lease or claim, by the ordinary process we are setting out for a tailings lease. If the warden held that because it was a machinery area,

the shaft belonged to the holder of the machinery area and should not be used, it would be quite contrary to the spirit and intention of the Act. The main shaft can be used. If the machinery is interfering with mining operations, I believe the Minister has power to call upon the holder to remove his plant. The only reason we give a machinery area is that the holder may be treating tailings or sluicing. It is an authorised holding which does not carry mining rights. If he is hindering mining operations, the Minister can cancel his machinery area and make it available for lease or claim purposes. If the hon. member can cite a case of an area being held up, I shall have the matter inquired into, and if there is not the necessary power already, I shall introduce legislation next session to grant it. I do not believe that the holder of an authorised holding should interfere with mining operations.

Mr. CHESSON: I accept the Minister's assurance that if I can bring a case under his notice, he will have the Act amended. I wish to ensure that a person who takes up an abandoned holding shall have the use of the main shaft. In order to use the main shaft, a man requires the surface rights so that he might instal an up-to-date engine. In the past fictitious prices have been put upon obsolete machinery.

Clause put and passed.

Clause 10—Principal Act to be reprinted as amended:

Mr. MUNSIE: Should not this clause be amended to include the amending Act of 1921?

The Minister for Mines: No; the amending Act of 1921 contained a similar provision and therefore it became part of the Act of 1920.

Clause put and passed.

New Clause—Amendment of Section 26:

The MINISTER FOR MINES: I move—

That the following be inserted to stand as Clause 9:—“Provisos are added to Section 26 in Part III. of the Mining Act Amendment Act, 1921, as follows:—(1) Provided that where several tribute agreements are made in respect of the same mine, the period for which any subsequent agreement is granted may, with the approval of the warden, be less than six months if necessary to enable to respective terms of the several agreements to expire at the same time: Provided also that a tribute agreement may (with the approval of the warden) be varied by a subsequent agreement as regards the land to be let by amendment of the defined boundaries thereof, or the addition or substitution of other ground, whether contiguous or not, to or for the ground as originally defined; and such variation may have effect for the residue of the period for which the original agreement is operative, or any renewal thereof.”

The member for Hannans brought under my notice the necessity for this provision. Our mine in particular is working on tribute only and has a plant treating the whole of the ore produced in that mine. It is necessary that the

mine should be able to make its tribute agreements to expire together. If there were four parties working for three months, a couple of others for two months, and one for a month, it would be impossible to keep the plant going. If a man has a tribute for six months from the 1st March, the mine will not let a tribute after that date, because it cannot let a tribute for less than six months and it is subject to six months' notice. There are blocks of land which miners are anxious to get on tribute, but cannot get because of the minimum period of six months. Other men have thrown up old blocks because they proved unpayable, and wish to take up other blocks, but these men also are idle. The new clause is only a fair proposition.

Mr. MUNSIE: I support the new clause. On one mine in Kalgoorlie there are four tribute parties who had reasonably good tributes. They worked their ground right up to the boundary of their tribute blocks, and there was good ore running into unused land. The mine owner will not let a tribute, and he cannot extend the boundary. Such men should be able to follow payable ore into unused country without being compelled to register a fresh tribute agreement, which means an agreement for 12 months. When I was last in Kalgoorlie I was approached by the tributers and the mine owner who requested this amendment. If the amendment is passed, it will mean that 30 more men will go to work within a week.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment and the report adopted.

Read a third time and transmitted to the Council.

Validity of Member's Vote.

The CHAIRMAN: Before I leave the Chair, I may be permitted to refer to the point raised by the member for Pilbara in connection with the validity of the vote of an hon. member who has a pecuniary interest in the subject matter before the House. Standing Order 192 directly prohibits that. I have had "May" turned up, and "May" says that if any person is interested in a matter which is then before the House, his vote shall rightly be challenged, but where in common with others of His Majesty's subjects, a member holds a pecuniary interest in that subject matter he will not be debarred from taking an active part and voting on the question before the Chair. If there is any hon. member in this Chamber who owns a lease, his vote will rightly be challenged.

Mr. UNDERWOOD: I do not know how far that extends—"holding in common with others." I do know, at least I think I know, that in connection with the Okes-Durack oil leases the original finder was Okes. Then Durack, Colebatch and Miles went through that country and they paid Okes £3,000 or £4,000 and became the owners of the lease.

The Minister for Mines: The question is whether the member for Kimberley is entitled to vote.

Mr. UNDERWOOD: That is the position, and it is just as well that members should know

that Mr. Durack, Mr. Colebatch, and Mr. Miles are the holders of the Okes-Durack oil license.

Mr. DURACK: I am astounded at the assertion made by the member for Pilbara that Mr. Colebatch and Mr. Miles are associated with me in the oil license. Those gentlemen may be shareholders in the company, but they certainly never had any association whatever with me in connection with my operations in acquiring this lease. The hon. member should be better advised in his facts and not make rash statements.

Mr. ANGELO: I presume a member can speak on a question in which he is interested even though his vote may be disallowed.

The CHAIRMAN: Only his vote can be challenged.

MOTION—MIDLAND RAILWAY COMPANY'S LANDS.

Acquisition of Concession.

Debate resumed from 25th October, 1922, on motion by Lieut. Col. Denton—

That in the opinion of this House, if an equitable arrangement can be made, the lands and railway of the Midland Railway Company should be acquired by the Government of this State, and that a valuation of both the railway and the unalienated and partly alienated lands be made as soon as possible.

Hon. M. F. TROY (Mt. Magnet) [4.53: It has been said that if Parliament agrees to the motion, it will mean that the Government will be compromised.

The Premier: That the Government will not be free in their negotiations.

Hon. M. F. TROY: Yes. Probably that is correct in part. It may create an opinion in the minds of people overseas who want to dispose of this railway that a vote of this character is binding on the Government. Of course, we know if the motion is carried, it will be a mere pious expression of opinion, that it will not bind the Government one way or the other. If such a motion were to bind the Government, I would not vote for it. In any question such as the purchase of the Midland Company's property, it is desirable that the Government should have an entirely free hand. This is not the first time that the purchase of the Midland Railway Company's concession has come before this House. I have a lively recollection of one of the first occasions when the matter was brought forward by the late Mr. Daglish, when Premier. It was my first term in Parliament, and I remember the whole business. The Daglish Government entered into negotiations with the Midland Company to purchase the concession for a million and a half.

The Minister for Works: £1,140,000.

Hon. M. F. TROY: I know it was a comparatively small amount, and had the Government made the purchase without consulting Parliament, the deal would have gone down to history as one of the finest brought off on behalf of the State. But the Daglish Government decided to submit the matter to Parliament.

The Minister for Works: There were a lot of rumours about at the time.

Hon. M. F. TROY: Parliament messed the matter up principally on account of party

politics. There were two men largely responsible for the failure to carry out the deal and they were Messrs. Rason and Gregory. I was here at the time and I knew of their duplicity, and I knew also that they were largely responsible for the rumours. I remember a speech made by both Gregory and Rason at Midland Junction, in which they gave it out that members of the Government stood to make a personal profit out of the transaction.

The Minister for Works: There were others besides them.

Hon. M. F. TROY: The "Sunday Times," and some of Mr. Daglish's own party were not too loyal either. Mr. Daglish was accused in public in the Press and in this House by members of the Opposition with trying to bring about a transaction which was corrupt. I know that he was assailed by Rason and Gregory. After 20 years I make this accusation because it was my first experience in Parliament and I was not as wicked as I am to-day. I was impressed by the manner in which the matter was brought before the House, and the action that was taken to destroy the whole transaction. Mr. Daglish is now dead, but I will do this justice to his memory by saying that there was never a cleaner proposition put before the House than the suggested purchase of the Midland Company's concession. Just at that time there was a strike at Lawlers and Black Range and Senator Lynch who was then a member of this Chamber, and I, were proceeding to the spot to endeavour to settle the dispute. Before going away we had to get pairs. I paired with Mr. Quinlan the then member for Toodyay, who supported the purchase. I told Mr. Daglish what I had done. He said to me "How are you going to vote?" I said, "I am in favour of the purchase." Mr. Daglish replied, "I wish you would stay here and vote against the purchase." I asked him why, and his reply was, "Because of the rotten insinuations about corruption on the part of the Government in connection with the transaction." I said, "If that is how you feel about it, why did you introduce the Bill?" Mr. Daglish answered, "I promised that if the Government did not purchase the line we would submit the matter to Parliament," and I am keeping my word. Mr. Daglish added that he was washing his hands of the whole business. Furthermore, he said this to me, and it was prophetic, "Mark you, if the Government do not purchase the concession for a million and a quarter now, in 10 years time they will have to pay more for the railway itself." Those words have proved to be quite true, for the company soon afterwards sold half a million pounds worth of land. A dissolution occurred later and the fight ranged round the purchase of the Midland Railway. Some of my own electors said to me, "We should not vote for you because you supported the Midland Railway business." I informed those people that the proposal was an honest one, but they were influenced by what appeared in the "Sunday Times" and the talk in the House and thought it was corrupt. I give these particulars, because I have heard so many people say that the Government missed a great opportunity. I assert the Government never had a chance of doing anything, for Parliament would

not give them the opportunity. As I said in those days, time would have justified the purchase of the line. I know a man who contested the Central Province election a little while ago who said that the Labour Government should have purchased the line. They never had such an opportunity. He was a man who was mixed up in the opposition to the purchase. To bring about the downfall of the Government, he did not scruple to even injure the interests of his constituency.

Mr. Money: That is party politics!

Hon. M. F. TROY: Yes. It can never be said of the Labour Party that they have descended to that sort of thing.

The Premier: I think Dr. Ellis was the principal opponent at that time.

Hon. M. F. TROY: I attended the party meetings. No man knows more about the whole transaction than I do. I can put my finger on those who were concerned in the intrigue inside the House, and I know what occurred outside. It was a regrettable incident altogether, for the State missed a great opportunity. There is no better piece of country for agricultural purposes than the Midland Company's proposition.

Lieut. Col. Denton: That is correct.

Hon. M. F. TROY: There is a fine rainfall in that part of the State and there are large areas of splendid land which are situated in the central portion of the State, so far as markets are concerned. The railway must be purchased by the Government at one time or another. I would not be a party to tying the Government's hands regarding the purchase. I would not like to see the Government forced into the position of having to pay a price which was not fair or reasonable. I do not propose to put them in that position.

The Minister for Works: Hear, hear!

Hon. M. F. TROY: If the Midland Railway Company are prepared to do business on reasonable lines and make a fair offer to the Government, the House should support the Administration in purchasing the line. I support the proposal because of one other factor. The Midland lands are not used to the best advantage. The company sold land to people who possessed money and who bought large areas. Unlike the Great Southern and the land served by other Government railways, the areas along the Midland line are too big and, in those circumstances, production cannot be secured to the extent achieved in other portions where the holdings are smaller. I would instance the Nangetty and Urilla stations, and other holdings along the line. If those large holdings were repurchased, they could be made highly reproductive. None of the advantages enjoyed generally by settlers in other parts of the State, can be secured in the Midland areas until the railway is purchased. I do not believe that there would have been any necessity for the construction of the Wongan Hills-Mullewa line had the Midland line been purchased years ago, for we would have had spur lines running out to serve such centres as Perenjori, Morowa and Dalwallinu.

Mr. Teesdale: And they would have acted as feeders for the main railway.

Hon. M. F. TROY: That is so. I do not want Parliament to be placed in the position that we were in in 1905. I hope the Government will

endeavour to secure the line at as reasonable a price as possible. If they do so, Parliament will support the purchase.

Mr. Davies: Do you not think the carrying of the motion will hamper the Government?

Hon. M. F. TROY: Yes, to the extent that the shareholders in London will think that, as a resolution has been carried in Parliament, we can force the Government to carry out the terms of the motion.

Mr. J. Thomson: This motion will put back the purchase 25 years.

Hon. M. F. TROY: If we can get an offer the Government should purchase the line, but we should not compel them to do so.

The Minister for Works: Hear, hear!

Hon. M. F. TROY: I have always stood for the purchase of the railway, as it will benefit the country and also my electorate. On the other hand, if I were a member of the Government, I would not purchase the line unless I could get a reasonable bargain. I support the motion but not with a view to committing the Government to the purchase of the railway at any cost. I would not stand for that at all. I want to see the line purchased and I leave it to the Government to make the bargain.

The Minister for Works: And to take the responsibility.

Hon. M. F. TROY: That is so.

The MINISTER FOR WORKS: Mr. Speaker,—

Mr. SPEAKER: Does the Minister desire to speak?

The MINISTER FOR WORKS: Yes, I wish to have something to say on this matter.

Mr. SPEAKER: But the hon. member has not the right to speak twice on the same motion.

The MINISTER FOR WORKS: I have not spoken to it yet.

Mr. SPEAKER: I have the hon. member's name on my list and if he looks through "Hansard" he will see that he has spoken.

The MINISTER FOR WORKS: I do not think I have spoken on it at all.

Mr. MONEY (Bunbury) [5-8]: If there is any serious intention of negotiating for the purchase of the Midland railway line, it will be very inadvisable for the House at any stage to pass such a motion. As mentioned by the Premier and others, it is not that the motion will carry much weight with us but it may be misconstrued elsewhere, and it may prejudice the Government in making a good bargain. It will be treated by people in London as a mandate from the people of the State to purchase the line. In the circumstances, I will vote against the motion.

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

Ayes	...	...	27
Noes	...	...	13
Majority for	...	...	14

AYES.

Mr. Angelo	Mr. Davies
Mr. Angwin	Mr. Denton
Mr. Broun	Mr. Gibson
Mr. Chesson	Mr. Harrison
Mr. Cunningham	Mr. Heron

Mr. Hickmott
Mr. Hughes
Mr. Johnston
Mr. Latham
Mr. C. C. Maley
Mr. Mann
Mr. Marshall
Mr. McCallum
Mr. O'Loughlin

Mr. Pickering
Mr. Richardson
Mr. J. H. Smith
Mr. A. Thomson
Mr. Troy
Mr. Willcock
Mr. Wilson
Mr. Munste

(Teller.)

NOES.

Mr. Carter	Mr. Sampson
Mr. Durack	Mr. Scaddan
Mr. George	Mr. Teesdale
Mr. Lambert	Mr. J. Thomson
Mr. Lutey	Mr. Underwood
Sir James Mitchell	Mr. Mullany
Mr. Money	(Teller.)

Question thus passed.

Mr. Teesdale: This means a million pounds more that the Government will have to pay.

The Minister for Works: Half a million, anyhow.

Hon. W. C. Angwin: If that is so, the Government will not purchase it at all.

Mr. J. Thomson: It means blocking it altogether.

MOTION—NARROGIN-DWARDA RAILWAY.

To inquire by Select Committee.

Debate resumed from 25th October, 1922, on the following motion by Mr. Hickmott:—

"That a Select Committee be appointed to inquire into the advisability of constructing the Narrogin-Dwarda railway, and that all work on that line be suspended pending the report of the committee."

Mr. LATHAM (York) [5-16]: While there is now very little time for the work of a select committee, still I think some of the information which has been gained through the discussion of this motion will be of benefit to the State. I have no wish to oppose the construction of the line, but there are other lines which should have preference over this one. The line has been authorised, and unless good reason can be shown for repealing the Act, the work should be carried out eventually, but there are in other districts men who have held their land for 12 years and who are still carting their wheat over long distances, across bad country. There is no reason why preference should be given to this Narrogin-Dwarda line.

Hon. W. C. Angwin: There is nothing in the motion giving it preference.

Mr. LATHAM: Still preference has been given to it. The money could be better spent on railways in other portions of the State. For instance, there is the Kondinin-Narrogin line, the Nyabing-Pingrup line, and the Esperance railway. There will come a time when the people who have so long waited for railway communication will walk off their holdings and claim compensation from the Government. Wheat cannot be commercially carted long distances. There are all those people east of Totadgin—

The Premier: You are now discussing the Narrogin-Dwarda railway.

Mr. Johnston: He wants the money spent in his own electorate.

Mr. LATHAM: Nothing of the sort. I want just treatment. It is the hon. member who wants everything spent in his own electorate. Did not the member for Forrest relate how the whole wealth of the State was centred on Narrogin? There is no necessity for the present Government to mete out to the member for Williams-Narrogin (Mr. Johnston) any special privileges. The day for that has gone past. New railways are authorised, yet people are kept out in the wilderness without railway communication. Ministers should have some feeling for those people. I hope this Narrogin-Dwarda railway will not be constructed until other railways authorised at the same time are running. There is no necessity for this line, for no portion of the land to be served is beyond 16 miles from an existing railway.

The Minister for Works: The people of the district are in a bottle neck.

Mr. LATHAM: They seem to be very fortunately situated. I am glad the Minister stopped the construction of the line, and I hope that no further construction will be undertaken until Parliament meets next session. I want fair play for all those who are farming miles away from any existing railway. If there be money available for railway construction, it should be spent in the interests of those people. A select committee just now would be of very little use, notwithstanding which I will support the motion.

The PREMIER (Hon. Sir James Mitchell—Northam) [5-24]: Of course there is very little to be achieved by carrying the motion at this late hour. Quite a number of railways were authorised years ago. Some of them have been built, while others have yet to be constructed.

Mr. Harrison: They should all be built.

The PREMIER: In view of the high cost of material it has not been possible to build them all within a short time. The cost of rails is still high, although not as high as it was a few months ago. We could not afford to purchase rails at the top of the market, for that would have meant the over capitalisation of the work. The House authorised the construction of this railway a long time ago, and after the lapse of years it is a serious matter to materially alter the course of the line. I want the line, not to serve the town of Narrogin, but to serve the settlers. Of course I can understand the attitude of the member for Williams-Narrogin, although I do not approve of it.

Mr. Lambert: What attitude?

The PREMIER: An attitude of hostility to everybody opposed to the line, whether in this or in another place.

Mr. Johnston: I have relied on your promises.

The PREMIER: Of course we must have regard for human nature, and the hon. member knows how this affects his electorate.

Mr. Johnston: After having started the work, it was pretty rough to stop it.

The PREMIER: The construction of the line was not stopped. A deviation is required and must be made. The line will be gone on

with. It is sometimes necessary in the public interest that there should be delay, or that there should be a material deviation of route. It is of no use expecting people to live on the land without reasonable means of transport. What we want in point of railway construction is the giving of an undertaking to the public on the land that railway facilities will be forthcoming. This line will run through an old settled district.

Hon. F. T. Brown: They are not already served by a railway.

The PREMIER: Not all of them.

Mr. Latham: The farthest out is only 16 miles away from an existing railway.

The PREMIER: The country west of Beverley is far more thickly populated than is this district. Our railway lines have to pay, for our financial troubles have been largely due to losses on railways.

Mr. Lambert: Agricultural railways.

Hon. W. C. Angwin: The Lake Clifton railway, for instance.

The PREMIER: Yes, and the Margaret River-Augusta line, bought by my hon. friend. This is also a dead loss, but it is now being converted into use.

Mr. Lambert: It was your colleague over there.

Hon. W. C. Angwin: The Lake Clifton line will not open up any country.

The PREMIER: I am sorry the Lake Clifton line was purchased, particularly as things have turned out. That is not the only line that has been bought. When we have people on the land we must serve them with railways. Several railways were authorised just before the Labour Party went out of office. That Government had not time to build them; had there been time the lines could have been built very much cheaper than they can be built to-day.

Hon. W. C. Angwin: It was intrigue that put us out of office.

The PREMIER: The Labour Government were put out for the good of the country.

Hon. W. C. Angwin: The country has been going to the bad ever since.

The PREMIER: When the ball is set rolling it is difficult to stop it. It is no use crying over spilt milk. I was a party to this line being authorised and if deviation is needed it will have to be made. I have no admiration for the part the member for Williams-Narrogin (Mr. Johnston) played in connection with this line.

Mr. Johnston: It was rather awkward reminding you of your promises.

The PREMIER: It is not because of anything he has done that I am opposed to the motion. It is no use appointing a select committee at this stage, and I hope the House will not agree to that being done. No good can come of it. This railway was authorised some years ago. I would have no reason for changing my opinion in the matter except that I know there are other districts we must serve with railways. If the districts I have in mind could not be served with railways, I might be prepared to vote for the cancellation of the construction of this line, but I know the other districts can be served and the railways can be made to pay.

Mr. LAMBERT (Coolgardie) [5-33]: It is rather heart breaking to hear these juvenile

pioneers of the country shedding copious tears because every farmer has not a railway running to his own slip rails.

Mr. Harrison: To whom do you refer?

Mr. LAMBERT: I do not know that members of the cross benches have done much for the settlers in the Esperance district, who have been waiting for many years for the construction of the authorised railway. No good purpose would be served by referring this matter to a select committee. We have been treated to a good deal of Press controversy in respect of this railway. The Esperance line should be built before any other. Members on the cross benches should realise that this country has spent eight or ten million pounds in building agricultural lines, and that the loss to the general taxpayers is over half a million of money.

Mr. Pickering: Where would we be but for the agricultural districts?

Mr. LAMBERT: It is refreshing to hear the declaration of the Premier that he is not going to build railways unless they pay.

Mr. Harrison: Will the Esperance railway pay?

Mr. LAMBERT: Yes. It would have paid 20 years ago if it had been joined on to the railway system.

Mr. Harrison: Why not 25 years ago?

Mr. SPEAKER: Order! The hon. member must not interject.

Mr. LAMBERT: The State is going on in a dangerous way building loop lines in a haphazard fashion, and running them into bottle necks everywhere. Some uniform system should be adopted of grid-ironing the State in an efficient manner. All these railway should be run to some definite terminus.

Mr. Harrison: That should have been done by a former Government.

Mr. LAMBERT: If the hon. member's party had given allegiance to that Government it would have been done. You cannot expect anything to be done under present conditions. There should be a review of our present system of building spur lines. The State should be cut up in such a way that where loop lines are put in some definite objective should be arranged for. They should not be run out to dead ends, and be obliged to carry a number of empty trucks on the return journey. The member for York (Mr. Latham) urged that the solid yeomanry of the country would sacrifice what they consider to be their birthright and leave their holdings, unless each one was provided with a 3ft 6in gauge railway to his own slip rails. That is all moonshine. The farmers have been well treated, far better than many others who ought to have been served with railways. Before further consideration is given to any elaborate extension of spur lines, the Government should announce their policy regarding the proper co-ordination of these spurs with the railway system. Most members of the cross benches want at least a dozen spur lines built in their districts.

Hon. M. F. Troy: A line for every settler.

Mr. LAMBERT: One running to every slip rail. The Premier says he is going to ignore these empty demands that are made upon him here, and everywhere.

Mr. Pickering: I do not know how you draw that inference from his remarks.

Mr. LAMBERT: I hope the Premier will stick to his guns, and insist that before a line is constructed there is sufficient settlement to justify the belief that it will not be operated at an enormous loss. Already our agricultural lines are being run at a loss. They are carrying superphosphate to the farmers at 4d. per ton per mile, and performing other services which increase the deficit of the railways. There must be a halt somewhere. A certain political element for its own reasons prefers to disregard all reasonable decency by requesting the construction of a number of lines which must be operated at a loss. I would remind the member for York that many people are looking for land.

Hon. F. T. Broun: They will grab the farms that other men have pioneered.

Mr. LAMBERT: No one desires that.

Hon. F. T. Broun: You are suggesting it.

Mr. LAMBERT: No, the member for York says they will walk off their holdings if they do not get railways.

Hon. F. T. Broun: People have been in the district for 11 years without a railway.

Mr. LAMBERT: Some people have been in the Esperance district for 20 years without one. So long as spur lines are built in every district, members of the cross benches are prepared to ignore the interests of other parts of the State. It is absurd to continue our present system of railway construction. This matter should be removed from political influence, interference and control, which have in the past been so detrimental to the revenue of the State. Some system should be evolved to ensure our railways being operated at a profit.

Mr. PICKERING (Sussex) [5.44]: I am astonished that the member for Coolgardie should have drawn the inference he did from the remarks of the Premier. The Premier said he was a party to the promise made when the subject was brought before the Chamber, but that if it were necessary for a deviation to be made it would be made. The arguments put forward by the member for Williams-Narrogin (Mr. Johnston) were not in the direction of a spur line. He was in favour of converting what was now a spur line into a main line, and connecting it with Narrogin, which has a big railway depot fully equipped for handling all forms of traffic. Everybody knows that Narrogin is situated so as to be the most suitable depot for the control of the railway service in that portion of the Great Southern district. I do not know what the member for Coolgardie (Mr. Lambert) had in mind when he gave us a dissertation on railway freights. I do know that goldfields members have frequently protested against what they termed excessive freights on the goldfields railways.

Mr. Lambert: Yes, because there is such a marked difference between our freights and yours.

Mr. PICKERING: This party does not stand for differential railway freights.

Mr. Lambert: Will you back up that statement by a straight vote on the super and wheat freights?

Mr. PICKERING: The policy of our Railway Department has been developmental. It has been considered advantageous here, as in most countries, to make a low rate for manures, providing that the resultant crop pays the cost of its transport. However, that subject has nothing to do with the question. I regret that members on these cross benches have seemed to belittle a district which everyone knows to be a good district, with the idea of boosting other portions of the State. Most districts can stand on their own merits, and their claims for a railway are as a rule substantial. The member for Coolgardie referred to our railway system as a grid-iron stretching all over the State.

Mr. Lambert: I say our lines have not been constructed with a view to economical operation.

Mr. PICKERING: Does the hon. member suggest that we should pull up the lines and rebuild them elsewhere? The position which faces this country is that the lines are there, and that we must make them as profitable as we can in their present situation. I regret that members on these cross benches have allowed their personal electoral interests to sway them on this motion, which should be viewed as impartially as possible. This particular railway was adjudicated on in the year 1915; and doubtless, as in the case of most proposed railways, settlement has anticipated the construction of the line.

Mr. Johnston: Numbers of returned soldiers have settled on the route.

Mr. PICKERING: We should not allow ourselves to be swayed by the arguments of the member for Pingelly (Mr. Hickmott) and the member for York (Mr. Latham), who have contended for the revocation of the promise given by Parliament in 1915. With the member for Coolgardie I trust that a select committee will not be appointed. The Premier has spoken of the inadvisability of appointing a committee. What good can they do in 48 hours? If the select committee should be appointed, and subsequently converted into a Royal Commission, and then if in the course of their investigations they should find it necessary to travel beyond the borders of this State, I hope the Government will accord them treatment more generous than that which was extended to me. Members should view this motion dispassionately, not allowing themselves to be swayed by heated words which are apt to be uttered in circumstances such as the present. The member for Williams-Narrogin (Mr. Johnston) knew that the railway had been started, and he had the definite assurance of the Minister for Works that it would go on. Is it not natural that a member should be indignant when such a promise is not fulfilled?

The Minister for Works: In my position you could not have taken any other action than that which I took.

Mr. PICKERING: I do not doubt that the Minister did what he personally considered to be right. I am not satisfied that reasons of sufficient weight have been brought

forward here to justify us in supporting either the action of a responsible Minister in another place or the action of the Minister for Works. Everything seemed to be going swimmingly, and then suddenly everything went up in smoke, and the member for Williams-Narrogin was disappointed. To add fuel to the fire, as the member for Pingelly did, is in my opinion an unworthy action.

Mr. SPEAKER: Order! The hon. member should not say that.

Mr. PICKERING: I withdraw it. I do not wish to be in any way offensive to the member for Pingelly. However, a definite assurance having once been given to the settlers in a certain area that they would be given a railway, it is the bounden duty of Parliament to fulfil that promise. Broken promises are not conducive to the development of the country.

Mr. MONEY (Bunbury) [5.54]: To some extent I am at a disadvantage on this question, not having been in the House when the railway was authorised. Many years have elapsed since its authorisation, and therefore my duty is to inquire whether the circumstances then put forward warranted the authorisation, and also to inquire whether those circumstances have materially changed. The question has been discussed at considerable length. The member for Coolgardie (Mr. Lambert) referred to the condition of our finances, and the Premier himself has reminded the House that unless he is satisfied the railway will pay, he cannot embark on its construction. I have been waiting for information as to how many settlers will be served by the railway—

Mr. Hickmott: About four who are not already served.

Mr. Johnston: There are 18 returned soldiers settled on the route.

Mr. MONEY: I also await information as to what will be the traffic on the line, and what likelihood there is of the line paying. No one is more anxious than I am to fulfil a promise made to the people. It would not be amiss if the Government at once put motors on the route to bring into Narrogin those milk cans which represent the only item of traffic put forward.

The Minister for Works: What about timber from Dwarda?

Mr. MONEY: There is the Collie-Narrogin railway. Do the people at Narrogin want the earth? There are timber mills at Collie, with which centre Narrogin has direct communication. I heard at Narrogin that although the Collie-Narrogin line was constructed to give that inland centre access to a port, the people there now want three ports in all: Albany, Bunbury, and Fremantle. There are many country districts which have not even one port. Narrogin, it appears, wants timber supplies not only from Collie but also from Dwarda.

The Minister for Works: Narrogin can get timber cheaper from the Dwarda line.

Mr. MONEY: I am not yet aware that although we have the State Sawmills and various private sawmills, one can get timber cheaper from one sawmill than from another. The Minister for Works: There is longer ailage in question.

Mr. Johnston: Dwarda is much closer to Jarrogin than Collie is.

Mr. MONEY: I am surprised, in view of his line having been authorised so long, that the member for Pingelly (Mr. Hickmott), who is interested very much in the district to be served by the line, has asked for an inquiry. Again, Mr. Greig, who is actually a representative of the district affected, has said that the line is not warranted, and has asked the Government to stay their hand pending inquiry. In any case, I cannot understand the anxiety to tifle inquiry. I have been astonished to observe that some speakers on this question, diverting from the Dwarda-Narrogin railway, have said, "We want to get to Armadale." I object to such centralisation, and cannot understand how members who have decentralisation as the first item on their programme ask for centralisation at every opportunity. Unless it can be proved that his proposal will pay, have we any right to carry it out, in view of Western Australia's financial position? Is it simply a question of carrying out a promise although every circumstance may have altered since the original authorisation? If we decided 10 or 12 years ago to construct an engine, and then, before we started on the work, our plant became antiquated and we saw that the proposal was useless, should we still construct that engine? I refer the member for North-East Fremantle (Hon. W. C. Angwin) to the file. In 1914 the report of the advisory board favoured the line to assist the working of the railways, but did not recommend it for other reasons.

Mr. Johnston: The hon. member is mistaken in that.

Mr. MONEY: The file and the debate in the House contain no other reason.

Hon. W. C. Angwin: That is with regard to the joining up point.

Mr. MONEY: Yes. A later advisory board report is absolutely against the construction of this line until last on the programme. The Commissioner of Railways says it will not facilitate the working of the railways. He will not be able to use it—

Mr. Johnston: As a through line.

Mr. MONEY: On account of the grades, and the traffic would still go round via Spencer's Brook.

The Minister for Works: There is a difference of opinion on that.

Mr. MONEY: I am thankful for the Minister's interjection. That is why the matter should be inquired into. Members of the district are divided, the House is divided, and, seeing that the line has waited eight years, let it wait another month or so to ascertain whether the altered circumstances warrant its construction. Not a single fact has been adduced to show that the line has any chance of paying. I asked the member

for Pingelly (Mr. Hickmott) how many people would be afforded facilities who have not facilities to-day and his reply was "four."

Mr. Johnston: And dozens of others.

Mr. MONEY: Members are not agreed on even that point. The latest advisory board did not inspect the route and the board who did inspect the route did not report on the important question of grades, a question on which the board who did not inspect the route did report upon. Although the select committee may have a life of only 48 hours, it will be an indication to the Government to make full inquiries before launching out on this expenditure and satisfy themselves whether there are sufficient people to be served, whether there will be sufficient traffic to make the line pay, and whether the expense is justified in view of the present state of the finances.

Hon. W. C. Angwin: We would have no railways if we adopted that line of argument.

Mr. HICKMOTT (Pingelly—in reply) [6.5]: I wish to assure members that I moved the motion without any heat or personal motives. I moved it because I thought my action was in the best interests of the State generally. I regret that the motion has been shelved until almost the close of the session. Had it been gone on with, there would have been plenty of time for a select committee to inspect the route and present a report.

Hon. W. C. Angwin: You could only take your turn.

Mr. HICKMOTT: As the motion has been shelved so long, I suggest that a select committee be appointed and converted into a Royal Commission without pay to report next session. The advisory board's report on the comprehensive scheme of railway construction mentioned several sections and this was the last section recommended for construction.

Mr. Johnston: I think you are mistaken.

Mr. HICKMOTT: The report says—

The construction of Sections (a.) and (b.) would leave a section of 42 miles from near the 42-mile peg on the Albany-road to near the junction of the 14-mile Brook.

That is where the present line is to go. The 14-mile Brook is exactly 14 miles from Williams, so members will see that it is within 14 miles of the Williams railway. The advisory board state that it is 20 miles from Dwarda to Williams so that anybody between Dwarda and Williams must be within 10 miles of either line. They also tell us it is about 30 miles from Dwarda to Popanyinning on the Great Southern, so that anybody between these two points would be within 15 miles of a railway. Following the railway up it and the Great Southern line converge, so that the people situated thereabout are in close proximity to a railway. Therefore no settler is more than 14 or 15 miles from railway communication. The soldiers on the Noombling estate, to whom Mr. Johnston

referred, are the soldiers on whose behalf I have sought a deviation of the line ever since I have been in the House. When I first entered the House I moved for an extension of the line for a distance of eight miles up the Hotham River. It was contended that would serve the people further north who could not be served from the present route from Dwarda to Narrogin. That is good land and well settled and it would have given those people facilities to get their produce to market. I do not say they are more than 15 miles from a railway, but they have very bad roads over which to cart. They grow a considerable quantity of grain, and the extension would have assisted them considerably. I have a letter from the chairman of the Wandering Road Board, Mr. T. H. Price, which states—

At a meeting held here on the 24/9/22 I was instructed to write you congratulating you on your action with regard to Dwarda-Narrogin railway. It has given the matter publicity, which otherwise it would not have had. I was also asked to explain some of those communications connected with the same subject. The motion of censure from Wandering Agricultural Society was carried at a meeting that was not at all representative, and you can rest assured that it did not in any way represent the opinion of this district. With regard to other communications which the member for Narrogin has used in the debate on the motion, purporting to have the authority of the road board—

Mr. Johnston: They were sent to me.

Mr. HICKMOTT: The letter continues—I can say, as chairman of the board, there has been no communication of any kind sent to the member for Narrogin emanating from the road board, and we intend to investigate the matter at our next meeting.

That gentleman has lived in the district for 14 or 15 years.

The Minister for Works: What does that go to show, misrepresentation?

Mr. Johnston: Not so far as I was concerned.

Mr. HICKMOTT: It looks like it.

Hon. W. C. Angwin: Which was misrepresentation, that letter or the other one?

Mr. Johnston: Mine was signed by the secretary of the road board.

Mr. HICKMOTT: Another letter from W. F. Dees, secretary of the Wandering-Noombling sub-branch of the Returned Soldiers' League states—

I am writing on behalf of the above branch of the Returned Soldiers' League to express our gratitude and appreciation of your efforts to procure a branch line from Dwarda to Codjototine. Such a line would be a great boon to soldier settlers on this estate and residents generally. Wishing you every further success.

I have received a telegram from Mr. Lamb, chairman of the Pingelly Road Board reading—

My board desires to express appreciation of your action in connection with proposed Narrogin-Dwarda railway.

A telegram from Mr. Darcey, secretary of the railway league, Pingelly, reads—

Wandering show committee only six members. Codjototine and district with you; meeting to support you next week.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. HICKMOTT: The opinions expressed in the letters and telegrams which I read from representative men justify my action in asking for the appointment of a select committee to inquire into the advisability of constructing this line. Further than that, I have been urging ever since the line was authorised that the latest advisory board's report strongly recommends the extension of the line as far as Codjototine Pool which is 30 miles North-east of the present terminus. The advisory board go on to say that if the line is constructed 13 miles further north to the valley of the Hotham River, it will serve not only the present soldier settlement of 17 or 18 on the Noombling estate but also the people further north who have been there for many years without railway facilities. The advisory board expressed surprise at the quality of the country from a mixed farming point of view. I recognise that the appointment of a select committee at this stage of the session will not be of much use, seeing that the committee would not have any time in which to carry out its labours. All the same, I would like to draw attention to the traffic carried over the railway as the result of settlement around a few of the sidings. To the east and North-east of Narrogin we find that the wheat handled last year totalled 51,272 bushels. This freight came from Narrogin 7,831 bushels; Highbury 18,583 bushels; Williams 11,511 bushels; Boundain 7,890 bushels and Yillimining 10,449 bushels. The little siding of Aldersyde, 18 miles east of Brookton, on the Corrigin line, and which would be served by the Brookton-Armadale line, which is also recommended by the advisory board, accounted for 53,113 bushels. The total for the district therefore, was 148,855 bushels. This will give an idea of the traffic that would be available if the shorter route to the seaboard as recommended by the advisory board, were carried out. Then we have the answers which were given to the questions which were asked in another place by Mr. Greig at the beginning of the session, regarding the utility of this line if it were constructed. These are the questions and the answers which were furnished:—(a) What is the steepest grade on the railway line from Pinjarra to Narrogin going east, via Dwarda; (b) what is the steepest grade on the same line from Narrogin to Pinjarra going west?—(a) 1 in 30 (b) 1 in 40. 2 (a) What is the steepest grade on the line from Perth to Narrogin, via Spencer's Brook; (b) what is the steepest grade on the same line from Narrogin to Perth?—(a) and (b), 1 in 45 in the ranges.

ut the general ruling grade is 1 in 60. 3 a) What is the difference in tonnage that an engine would take to Narrogin, via Spencer's Brook, versus Pinjarra and Dwarda; b) what is the difference in tonnage that the same engine would take from Narrogin to Perth, via Spencer's Brook versus Pinjarra?—(a) A class "M" locomotive would take to Narrogin via Spencer's Brook 275 tons; from Pinjarra via Dwarda, 140 tons. (b) A class "M" locomotive would take from Narrogin via Spencer's Brook 370 tons; from Narrogin to Pinjarra via Dwarda, 235 tons. 4, Do the Commissioner and the heads of the branches of the Department consider the linking up of the railway from Dwarda to Narrogin would assist in the economic working of the Government railway system?—No. Those are conclusive answers supplied by the heads of the department, and they prove that my action in requesting the appointing of a select committee was justified. But as I have stated, it would be quite impossible for the select committee to carry out any kind of investigation within 48 hours, which is about all the time that would be available. I therefore ask leave to withdraw the motion.

Motion by leave withdrawn.

MOTION—RAVENSTHORPE SMELTERS.

Privy Council Appeal.

Debate resumed from the 14th September in the following motion moved by Mr. Corboy—

That in the opinion of this House the decision of the Government as publicly announced, to appeal to the Privy Council against the decision of the High Court of Australia in the matter of McNeil and Bernaldes versus the Crown is unwarranted, and should not be proceeded with.

Mr. MARSHALL (Murchison) [7.42]: I have no desire to delay the House in talking on this motion because we know that the appeal which was made to the Privy Council has been disallowed. The Government cannot now go any further and therefore it is useless wasting time debating the subject.

Mr. MacCallum SMITH (North Perth) [7.43]: I agree that it is only wasting time to debate this motion, because of the dismissal of the appeal to the Privy Council, but I would like to ask the Premier whether he has any intention of effecting a settlement by obeying the verdict of the court. I know that the Government were doing their best to avoid having to pay, but now that the appeal has gone by the board, I understand they are still delaying settlement. That is not what one would expect from any Government.

Mr. SPEAKER: The motion does not cover the point the hon. member is discussing. The hon. member can only debate what is before the Chair.

Mr. MacCallum SMITH: I think I am in order in asking whether the Government have any intention of settling this matter.

Many of the people who obtained judgment against the Government are miners in a small way and they have had to mortgage their interest in the judgment in order to carry on. They have been harshly treated by the Government. If an ordinary individual had been guilty of conduct of this sort, they would have been worthy of the greatest censure.

Mr. SPEAKER: I cannot allow the hon. member to follow that line of argument.

Mr. CORBOY (Yilgarn—in reply) [7.46]: I had a short conversation with the Premier a little while ago and I wish to make public one aspect. The position is that small mine owners have been compelled, owing to their financial circumstances, to go to money lenders and get advances on the strength of the verdict.

Mr. Lambert: Their security is not too good.

Mr. CORBOY: This is no laughing matter for people who are up against it. I can vouch for a case where a man, in order to get an advance of £20, had to give an order for £35 and only received £18 10s.

The Premier: Let him go to court! There is a Usury Act that can settle that sort of business.

Mr. CORBOY: I am aware of that, but the Premier must know that many people do not like going to court to admit they have been taken down. Delays in the settlement are causing much trouble. The time for the Government rendering accounts expired over a month ago. The Mines Department was granted an extension for a fortnight, but the court attached the accountant of the Mines Department so that, in the event of the order not being complied with, he could be dealt with for contempt of court. That order expired a considerable time ago, but the accounts have not yet been rendered. It is grossly unfair for the Government to continue such delays when the highest authority in the Empire has given a decision against them. The Government should not continue to withhold these payments. Such a course of action does not make for confidence in constitutional government. I do not blame the Premier in the matter, because I think he is ignorant of what has been going on. The Crown Law authorities promised the solicitor for the plaintiffs that they would get the accounts to-day. To-day the plaintiff's solicitors were informed that they could not get the accounts but the Crown Law authorities guaranteed to give them up to-morrow. That sort of thing has been going on for over a month and it has caused grave hardship. I hope the Premier will give us an assurance that there will be no further delay in rendering the accounts.

Mr. SPEAKER: I would point out to hon. members that the motion must be withdrawn. It cannot be discharged.

Mr. Corboy: I will withdraw it.

The PREMIER (Hon. Sir James Mitchell—Northam) [7.50]: I do not know that I

can discuss this matter as I would wish to, nor can I say what is in my mind at this stage. Had we discussed the question under other circumstances, I would have been frank about the whole matter. The rendering of accounts should take place as quickly as possible and we must obey the order of the court. The fact that I do not think we should pay a farthing of the judgment does not weigh in the matter, for we must obey the court, not cheerfully, but of necessity. I speak in the interests of the people as a whole.

Mr. Corboy: That is controversial. I deny that.

Mr. O'Loughlen: Some of them would take down God Almighty himself if they had the opportunity.

Mr. Corboy: So would some of the officers, too.

The PREMIER: The rendering of accounts will not be delayed.

Mr. Corboy: That is the assurance I desire from the Premier. I ask leave to withdraw the motion.

Motion by leave withdrawn.

BILL—CLOSER SETTLEMENT.

Council's Message.

Order of the Day read for the consideration of Council's Message.

The PREMIER: I move—

That the consideration of the Order of the Day be postponed.

Mr. SPEAKER: Before postponing this Order of the Day, I wish to make a few remarks. The message reads as follows:—

The Legislative Council acquaints the Legislative Assembly that it has decided that the Closer Settlement Bill transmitted by Message No. 13 is out of order inasmuch as it is an amendment to the Constitution Act and purports to alter the Constitution of the Legislative Council and the Legislative Assembly, and therefore it requires a special certificate to the effect that the Bill has passed its second and third readings by an absolute majority of the total number of the members of the Legislative Assembly. As the Bill contains no such certificate the Council under the terms of Standing Order No. 180 is precluded from proceeding with the Bill.

That message arrived here considerably over two months ago. I prepared some remarks upon it and I committed them to paper so that I would not forget them. Those remarks are as follows:—

As the laying aside of this Bill by the Council on the grounds of an alleged defect in procedure, must convey the inference that a blunder had been committed by this House, and by myself, I feel it due to hon. members to justify their actions and mine in the matter. As the circumstances of the case are familiar to

hon. members the argument may be reduced to a very few words: (a) A forced sale under the Closer Settlement Bill is not a contract within the meaning of the Constitution Act. (b) That being admitted, for Clause 13 to remove any disqualification of members, and so alter the constitution of either House, is a logical impossibility. (c) The view that Clause 12, by incorporating the Bill with the Agricultural Lands Purchase Act, enables members to enter into contracts under that Act without endangering their seats is untenable. To make it tenable, it would be necessary to hold that the words "this Act" mean in Clause 12 the Closer Settlement Act, and in Clause 13 the Agricultural Lands Purchase Act and Closer Settlement Act. Such a view, I can only regard as being fantastic. (d) Clause 12 does not amend the Constitution Act and if it did, it would not on that account make an absolute majority necessary in spite of a supposition to the contrary. The error in this supposition may be removed by a mere glance at Section 73 of the Constitution Act 1889, which, apart from the proviso with regard to Bills altering the constitution of either House expressly gives power to the Legislature to repeal or alter, by any Act, any of the provisions of that Act, on the amendment of the Act of 1889 in which these sections occur. There is no restriction whatever. For these reasons, if the point had been raised in this House, I should have ruled without hesitation that an absolute majority was not required.

I do not think a motion to postpone the Order of the Day is required. The Bill is ended.

The Premier: It has died a natural death.

Mr. Corboy: An unnatural one.

BILL—PENSIONERS (RATES EXEMPTION)

Council's Amendment.

Consideration resumed from 11th January on the following amendment made by the Council:—"Clause 2.—Strike out all the words after the figures '1919' in line four, and insert the following words:—'the water, stormwater, and sewerage rates, meter rent, sanitary and pan rates in respect of land of which he is in occupation as owner. The payment of such rates shall be deferred, and the same shall be payable only on the sale of the property or the death of the pensioner, but in the meantime they shall become a first charge on the property, subject to any rights of a mortgage existing at the date of the passing of this Act.'"

In Committee.

Mr. Angelo in the Chair; Capt. Carter in charge of the Bill.

The CHAIRMAN: To the Council's amendment the member for East Perth (Mr. Hughes) has moved the following amendment:—"Strike out the words 'subject to any rights of a mortgage existing at the date of the passing of this Act.'"

Capt. CARTER: When last the Bill was before us we had reached an almost unique position, inasmuch as it was discovered by the member for North-East Fremantle (Hon. W. C. Angwin) that certain amendments passed by this House had not been included in the fair copy of the Bill sent to another place. At that stage it was decided to await an interpretation of the constitutional position. I understand the position is this: This House has received from the Council the amendment now under consideration. We accept or reject or modify that amendment, and so conclude our work on the Bill, which will then go back to another place, where attention will be drawn to the omission from the Bill as originally sent to another place. The idea underlying the modification moved by the member for East Perth is to preserve the existing right of the mortgagee over a pensioner's property. I do not think there is any necessity for the amendment.

Mr. HUGHES: The hon. member has reversed the object of the amendment, which really is to safeguard, not the mortgagee, but the municipality. Under the Council's amendment, on the demise of the pensioner the postponed rates become a prior claim on the property; but if there be a mortgage on the property, the mortgagee has the prior claim, and the municipality can get nothing until the mortgagee is satisfied. That is very unfair to the local authority.

The Premier: And to others.

Mr. HUGHES: If the property be worth not more than the mortgage, the mortgagee will be the virtual owner of the property.

Mr. MacCallum Smith: How many such cases are there?

Mr. HUGHES: It is, not the number of cases, but the principle. I do not think the hon. member would deprive the local authority of their rights as against, not the pensioner, but a money-lender.

The Premier: It is no offence to lend money.

Mr. HUGHES: No, but where the mortgagee is to have a prior claim as against the municipality, the advantage is, not with the pensioner, but with the mortgagee.

Mr. MacCallum Smith: The modification will make it very hard for any pensioner to secure a loan.

Mr. HUGHES: It will mean no more than that the municipality shall be entitled to their rates.

The Premier: We have no warrant for setting aside the rights of one individual to the advantage of another.

Mr. HUGHES: By the same token we are not entitled to set aside the rights of a municipality for the benefit of a mortgagee. I would place the municipality on the same footing as the mortgagee. In the case of a mortgage being right up to the security, unless my modification be agreed to the mortgagee will come in and deprive the municipality of its rates. In relieving pensioners the Committee should not say that in certain cases not only shall the pensioner be relieved of his rates, but that the mortgagee shall have priority over the municipality.

The Premier: What we propose to do is, not to relieve the pensioner of liability for the payment of rates, but merely to postpone such payment. The rates might pile up against the property, which at the death of the pensioner

will cover the rates. Now the Committee is asked to agree that the rates may pile up against the interests of the mortgagee. That would not be right. We ought to respect the claim of the mortgagee. If we fail to do that, then, as soon as the mortgage falls due it will be called up, which will be hard on the pensioner. By accepting the modification we might do more harm than good to the pensioner, for if we interfere with the interests of the mortgagee it will be very difficult for any pensioner to raise a loan.

Hon. W. C. ANGWIN: This Bill is for the assistance of old age pensioners, and not for that of the municipalities. If any member places the municipality first he is opposed to the Bill.

Mr. Hughes: That is not true.

Hon. W. C. ANGWIN: It is. The Bill is to give relief to old age pensioners.

Mr. Richardson: At the expense of someone else.

Hon. W. C. ANGWIN: The member for East Perth instanced a property valued at £300 on which there was a mortgage of £200. If this proviso were included the mortgagee could call in his mortgage, and the old age pensioner might be forced to sell and lose the whole of his equity. The more reasonable of the councillors in the municipalities have now agreed that it would not be an undue hardship on the local authorities if the payment of rates were postponed.

Mr. Mullany: The Bill does nothing for the poor devil who has no property.

Hon. W. C. ANGWIN: That is so. After the first year no municipality will suffer any hardship as a result of the Bill.

Mr. Mullany: This other amendment will injure the old age pensioners.

Hon. W. C. ANGWIN: Yes, we have to consider them.

Mr. PICKERING: The member for East Perth does not appreciate the wishes of the Committee. He is trying to please both parties. We have no intention of assisting municipalities. Our concern is to relieve the old age pensioner. We should not countenance anything in the form of retrospective legislation.

Mr. RICHARDSON: I support the amendment of the member for East Perth. Our laws should be based on equitable grounds. On the one hand we have a mortgagee who has loaned a certain sum of money upon the house of an old age pensioner. We then force a municipality to become a loan agency, and yet give it no benefit by way of payment in return. I see no necessity for the Council's amendment, which is undesirable. There is no equity about the whole Bill. Rates have always been looked upon as a first call upon property. If we agree to the Council's amendment, we shall be altering the whole of our law on that subject. Why restrict the municipality and allow the mortgagee to go free? We should agree to the Council's amendment only on the understanding that the mortgagee guarantees payment of rates to the municipality.

Mr. MacCallum Smith: This would penalise the old age pensioner.

Mr. Richardson: The Bill would not do much good for him in any event.

Capt. CARTER: The Bill is not designed to assist any person other than the old age pensioners. It does not make a loan agency of a municipality. The local authority to a certain

extent represents the community, which is being asked to do something under this Bill for the old people who are in receipt of pensions from the State. Every local authority has been circularised at heavy cost, and everything has been done to malign and misrepresent this Bill.

Mr. Richardson: Who has done that?

Mr. Willcock: The Perth City Council.

Capt. CARTER: The gentleman who sits with the Town Clerk of Perth sent the circulars out. He had behind him a solid phalanx of gentlemen representing other municipal councils. I am glad to say that since they understand the purport of the Bill they have no longer opposed it.

Amendment on Council's amendment put and passed; the Council's amendment, as amended, agreed to.

The CHAIRMAN: The member for North-East Fremantle, last time this Bill was in Committee, raised a point of order. He drew attention to the fact that the amendment made to the Bill, namely the substitution of the words "may claim to" for "shall" in line 2 of Clause 2, did not appear in the certified print. The point of order raised by the hon. member must be upheld. The position is this: An amendment was omitted in the fair print of the Bill made for the third reading. The error not having been observed in time, the Bill would become law as it now stands, and would not be invalidated by the omission. But for such circumstances there is a procedure laid down by Joint Standing Order No. 12, which reads—

Upon the discovery of any clerical error in any Bill which shall have passed both Houses of Parliament, and before the same be presented to the Governor for the Royal assent, the Clerk of Parliaments shall report the same to the House in which the Bill originated, which House may deal with the same as with other amendments.

The attention of the Clerk of Parliaments will be drawn to the error. After this Committee's decision on the Council's message has been dealt with by the Council, a letter will be submitted to the Clerk of Parliaments in the terms of the Joint Standing Order which I have read.

[The Speaker resumed the Chair.]

The Chairman of Committees reported the resolutions.

Mr. SPEAKER: The Legislative Council's amendment has been agreed to subject to a further amendment.

Capt. Carter: That is not correct.

Mr. SPEAKER: That is the report I have.

Mr. Hughes: That is correct.

Mr. Munsie: No one called for a division.

Mr. SPEAKER: On the 11th January, when the Bill was before the Committee, on the motion of Mr. Angwin the word "health" was inserted between "meter rent" and "sanitary." Mr. Hughes moved to-night that the words "subject to any rights of a mortgagee existing at the date of the passage of this Act" be struck out. "Health" was inserted between "meter rent" and "sanitary." That is the amendment upon the amendment from the Council.

Capt. CARTER: With all due deference to the Chairman who presided over the Committee, I venture to suggest that the question was mis-

construed by the Committee. Hon. member understood that the proposed amendment by the member for East Perth had been rejected. We voted against it. I venture to say that a substantial majority of members will support me in this view. Now we hear that the amendment of the member for East Perth was carried.

Mr. Munsie: It was so given by the Chairman.

Mr. Hughes: It was declared carried on the voices.

Mr. SPEAKER: As there is a confusion would it not be safer to recommit the Council's message and let the Committee definitely decide

As to recommittal.

Capt. CARTER: I move—

That the Council's message be recommitted for the purpose of further considering the amendment moved by the member for East Perth.

Mr. WILLCOCK: I object to this. The question was put quite plainly by the Chairman.

Mr. MacCallum Smith: Be fair. You know a mistake was made.

Mr. WILLCOCK: We carry an amendment and the whole thing is decided, and the Chairman reports to the Speaker; and after that somebody wants to quibble about a vote which was taken. I say the opportunity to question the vote has been lost. This is a matter of procedure and precedent.

Mr. Corboy: The Chairman put the question quite plainly.

Mr. WILLCOCK: Opponents of the amendment of the member for East Perth now wake up and want the whole matter recommitted. To recommit in the circumstances would be to create a very bad precedent.

Mr. HUGHES: I oppose the recommittal of the message. An amendment on the amendment was moved, and the Chairman of Committee put the question in the ordinary way, and very definitely, that the words proposed to be struck out stand part of the question. Then the Chairman declared that the votes had it.

Mr. Pickering: That was a misconception.

Mr. HUGHES: The hon. member might say that of any amendment after the Committee stage. The question was put twice, because the Chairman also put to the Committee that the amendment as amended be agreed to. That too, was carried on the voices. If members were not sufficiently interested in the Bill to know what the question was about, they are not capable of giving an intelligent vote on the measure.

Mr. MacCallum Smith: You were uncertain yourself.

Mr. HUGHES: It was only when the member for North-East Fremantle suggested to me that my amendment had not been carried, that I had that little dispute with him which hon. member opposite construed into uncertainty on my part.

Mr. PICKERING: The question is one giving effect to the will of this Chamber. Evidently the Committee were in favour of the amendment submitted by the Council. If there was any doubt, the Chairman of Committee should have repeated the question. The Committee thought the question was being decided as they wished. Therefore members should

have another opportunity of voting on the question.

Hon. W. C. ANGWIN: I made an error as regards the second time the question was put, but there is no doubt that the amendment on the amendment was carried. If the amendment goes back to another place as amended here, it will return here. I have never seen a recommitment on such a ground as suggested in this case. The Chairman of Committees reported exactly what took place.

Capt. CARTER: Were the Chairman of Committees to speak, this matter would probably assume a very different complexion. He distinctly stated the question that the words proposed to be struck out stand part of the clause, and gave the decision to the Ayes.

Opposition Members: To the Noes.

Capt. CARTER: If the Chairman of Committees were speaking himself, he would say what I have said. I venture to assert that there are more members with me than against me as to recommitting the Bill.

Mr. Corboy: On a point of order, is this an explanation?

Mr. SPEAKER: I desire to point out that the House can order a recommitment at any time until the report has been adopted. The reason why I suggested recommitting was that I myself had no knowledge of what had occurred or of what the Committee had done. From what I could gather, the House did not appear to be very sure either. I thought the fairest and simplest method of getting over the difficulty would be to recommit the amendment of another place and so arrive at finality.

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

Ayes	..	..	..	..	25
Noes	..	..	..	..	12

Majority for .. 13

AYES.

Mr. Angelo	Sir James Mitchell
Mr. Brown	Mr. Money
Mr. Carter	Mr. Pickering
Mr. Denton	Mr. Richardson
Mr. Durack	Mr. Sampson
Mr. George	Mr. Scaddan
Mr. Gibson	Mr. J. H. Smith
Mr. Harrison	Mr. J. M. Smith
Mr. Hickmott	Mr. Teesdale
Mr. Johnston	Mr. J. Thomson
Mr. Latham	Mr. Underwood
Mr. C. G. Maley	Mr. Mullany
Mr. Mann	(Teller.)

NOES.

Mr. Angwin	Mr. Marshall
Mr. Chesson	Mr. McCallum
Mr. Corboy	Mr. Munsie
Mr. Cunningham	Mr. Willcock
Mr. Hughes	Mr. Wilson
Mr. Lutey	Mr. Heron
	(Teller.)

Question thus passed.

Recommitment.

Mr. Angelo in the Chair; Capt. Carter in charge of the Bill.

The CHAIRMAN: The question is "That the Council's amendment be agreed to," to which the member for East Perth has moved an amendment to strike out the words "Subject to any rights of a mortgagee existing at the date of the passing of this Act."

Mr. MUNSIE: I cannot see why members should be so anxious to protect a mortgagee and not a municipal council. A mortgagee is not compelled to lend money.

Mr. Pickering: But he would have lent it already.

Mr. MUNSIE: He was not compelled to lend, and yet a municipal council will be prepared to forego their claim for rates. In other respects a council have first claim for rates. When the Bill was before the House, no suggestion was made about protecting a mortgagee, but another place which looks after vested interests wants a mortgagee protected in preference to a municipal council. If this Bill is passed, a mortgagee will see that the rates are paid in order to protect himself.

Hon. W. C. ANGWIN: A mortgagee will see that the rates are paid and that the pensioner pays them. Otherwise he will call up the mortgage or sell the property. Our aim is to protect the pensioners, not the municipalities. If there are any existing mortgages and rates are owing, the value of such mortgages will decrease every year.

Mr. Richardson: What will happen in future?

Hon. W. C. ANGWIN: A mortgagee can take the risk if he so desires, but if a mortgage exists now, the mortgagee may call up the money.

Mr. Hughes: If he can.

Hon. W. C. ANGWIN: Then he will put the property on the market.

Mr. Munsie: He cannot unless the term has expired.

Hon. W. C. ANGWIN: A majority of mortgages have a currency not exceeding three years, and the mortgagee could call up the money. I am afraid of forced sales. Very rarely does a property realise its value at a forced sale. I want to prevent a forced sale and the possibility of a pensioner losing his equity in a property which he has mortgaged.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	22

Majority against .. 9

AYES.

Mr. Chesson	Mr. Marshall
Mr. Corboy	Mr. McCallum
Mr. Cunningham	Mr. Richardson
Mr. Heron	Mr. Willcock
Mr. Hughes	Mr. Wilson
Mr. Lambert	Mr. Munsie
Mr. Lutey	(Teller.)

NOES

Mr. Angwin	Sir James Mitchell
Mr. Broun	Mr. Money
Mr. Carter	Mr. Pickering
Mr. Denton	Mr. Sampson
Mr. Durack	Mr. Scaddan
Mr. Gibson	Mr. J. H. Smith
Mr. Hickmott	Mr. J. M. Smith
Mr. Johnston	Mr. Teesdale
Mr. Latham	Mr. J. Thomson
Mr. C. C. Maley	Mr. Underwood
Mr. Mann	Mr. Harrison

(Teller.)

Amendment on the Council's amendment thus negatived.

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

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

BILL—INTERPRETATION ACT AMENDMENT.

Second Reading.

Mr. MONEY (Bunbury) [9.5] in moving the second reading said: The object of the Bill is to amend Section 36 of the Interpretation Act of 1918. It is necessary to state what Section 36 is. Paragraph (c) of Subsection (1) provides that regulations may be made and that they shall be laid before both Houses of Parliament within 14 days after publication, if Parliament is in session, and if not then within 14 days after the commencement of the next session of Parliament. In the event of Parliament not being in session, it is provided by Subsection 2 that anything done under the regulations before being dealt with by Parliament shall be valid. Therefore, although Parliament in passing an Act may not have intended that a regulation should be framed as it was ultimately framed and passed into law, the regulation may have the force of law and take effect for a matter of seven or eight months without Parliament being given the opportunity to have a say in the matter. Moreover, unless Parliament resolves against the regulation within 14 days, the time for the disallowance of the regulation elapses, and the matter may be deferred for many months until it is determined by the House. The regulation all this time has the force of law, even though notice may have been given to disagree with it. It is essential to understand what law by regulation actually means. Many Acts of Parliament have been passed and the intention of Parliament has been that the administration of an Act shall be delegated to the Minister nominally, but to the department actually, through the medium of rules and regulations. It is often provided that not only may regulations be made for administering the Act, but in doing so penalties may be imposed and fees collected, although if such a suggestion had been made when the measure was being considered by Parliament it is

doubtful whether Parliament would have sanctioned the adoption of such a course. I also wish to emphasise the fact that although a regulation may have been in force for four or five months, and fees and penalties collected, yet when Parliament disallows the regulation there is no refunding of moneys collected.

Mr. Underwood: Worse than that; other regulations can be put up again.

Mr. MONEY: Yes; let Parliament disallow the regulation and within a week fresh regulations may be framed or the old regulation may be transposed, words altered here and there and submitted again. The framers of regulations can, as a matter of fact, put up exactly the same regulations and enforce them for a period of another four or five months until Parliament meets and again sets them aside. I have often heard it said that Parliament is the highest court in the land, that Parliament has the power to do this and to do that.

Mr. Underwood: A lot of rubbish.

Mr. MONEY: This is one of those illustrations which prove that departments with the aid of regulations sometimes take the place of Parliament. Our departments to-day are being built up at the expense of the public to a very large extent by means of the power to make regulations as provided by the Interpretation Act. Fees are imposed and penalties collected.

The Premier: For services rendered.

Mr. MONEY: The manner in which our departments are increasing at the present time is astounding.

The Premier: They are not.

Mr. MONEY: Often a department is created when there should not be need for it. Only the other day someone said to me, "It is time my salary was again increased; a little while ago I had only so many people in my department and now I have many more." It seems to me that the more people there are in a department, the greater is the salary claimed by whoever is in charge. Whilst the power to make regulations to impose penalties remains in existence so will the departments increase at the expense of the people. The object of the Bill is to restore to Parliament its control in such matters and to prevent the imposition of taxation by indirect methods. Under the Bill opportunity is afforded Parliament to veto any regulations imposing charges or burdens upon the people, before such regulations can have force. A regulation would have to remain on the Table for 14 sittings before it would become law.

Hon. W. C. Angwin: Unless notice of motion were given.

Mr. MONEY: It would become law without notice of motion and the regulation would be effective.

Hon. W. C. Angwin: That is the position to-day.

Mr. MONEY: Parliament may not sit for five months in the year and immediately Parliament rises the regulation has the full force

of law just as if Parliament had assented to it. That is the abuse which the Bill seeks to obviate. To-day regulations have full force without being on the Table at all, if Parliament is not in session.

Hon. W. C. Angwin: The Bill provides that if notice of motion be given within 14 days, the regulation cannot become law until the motion has been rejected.

Mr. MONEY: That is so, but as it stands now the regulations have the full force of law from the date of publication in the "Government Gazette." That applies when Parliament is not sitting. The second proviso covers the point raised by the member for North-East Fremantle (Hon. W. C. Angwin) and under it no regulation can become effective in the event of a notice of motion to disallow being tabled, until that motion has been dealt with. The second proviso safeguards the public in that respect. Members have tabled motions regarding regulations and they have continued in force because the motions have not been dealt with.

Mr. Johnston: I have one to-day dealing with opossums.

Mr. MONEY: When I first entered the Chamber, I tabled a motion to disagree with a regulation imposing fees. It was a case in which the proper notice was not given. When the motion came on, the debate was adjourned and for many weeks it was not further discussed. In the meantime the regulation in question was acted upon, fees were collected and it had all the force of law, which it might not have had if the motion had been dealt with earlier. The second proviso gets over that difficulty. The Bill should be agreed to by the House, and I move—

That the Bill be now read a second time.

The PREMIER (Hon. Sir James Mitchell—Northam) [9.20]: I do not think anything more ridiculous than this Bill could be brought before Parliament by any hon. member. The intention is to deprive the Government of the opportunity to charge fees for services rendered.

Mr. Underwood: Nothing could be more ridiculous than the way the Government have administered the various Acts.

The PREMIER: Nothing more ridiculous than the Bill could be brought forward. Time and again the House has passed Bills to provide for certain things to be done and has specifically provided that fees shall be imposed under regulations to be framed under the Bills. Parliament has said that we can levy survey fees which will be provided by way of regulation. If the Bill be carried, it will be quite impossible for us to do that. It will mean that we will have to proceed with surveying land for 12 months, or at any rate six months, and we shall not be able to charge a penny for it until the House has agreed to the regulations. It is provided that there shall be charges for water supplies. If we cannot frame regulations to fix those

charges, we will have to refuse to supply water free until Parliament met and agreed to the regulations framed.

Mr. Teesdale: It would be absurd.

The PREMIER: The member for Williams-Narrogin (Mr. Johnston) said something about regulations dealing with opossum skins. We are entitled to a royalty in respect of opossum skins and the royalty is based on the price the skins bring. We are entitled to 1s. 6d. for a skin which can be sold for 10s. or more.

Mr. Teesdale: That is quite little enough, too.

The PREMIER: But someone in the hon. member's electorate has caught an opossum and, therefore, there is a motion to disallow the regulation!

Mr. Johnston: You got a shilling, anyhow.

The PREMIER: As a matter of fact, it would be much better for the House to say that there shall be no charges fixed by way of regulation because the various Acts can be amended. If the Bill be agreed to there will be no regulations framed at all but every Act will be amended.

Mr. Underwood: Do you say that we are doing a service to the State by breeding opossums?

The PREMIER: We render a service in connection with the breeding of opossums. They run over reserve areas, protected by inspectors and the police. That work is done at some cost and when the season arrives and people are able to collect skins we say that they must pay us a royalty. The member for Pilbara (Mr. Underwood) knows that we have a department to deal with this work, for he has administered it. We render a service and we have a right to charge for it. Are we to have no right to charge royalty on timber and on sandalwood, which has taken a hundred years to grow on Crown lands?

Mr. Underwood: Parliament should have the right to decide.

The PREMIER: I do not know that there is any other way of fairly providing for those charges for services rendered, except by way of regulation. We cannot always determine in this House just what the services will cost and what the return should be.

Mr. Underwood: It costs nothing to breed opossums.

The PREMIER: That is only one of many things. I mentioned opossums because the member for Williams-Narrogin referred to that regulation. These fees are imposed purely for services rendered.

Mr. Munsie: Should you be able to increase the price of water by way of regulation?

The PREMIER: If the cost of the service has increased, why not? Will the member for Hannans (Mr. Munsie) say that if he renders a service when wages are at 12s. and he collects just enough to cover that cost, he is not to be allowed to charge anything additional for the services he renders when wages are increased to 15s.?

Mr. Munsie: Possibly you would be right in increasing the charges under those circumstances.

Mr. Chesson: So long as notice is given.

The PREMIER: Regulations are framed to govern all sorts of things. I do not know how we could administer Acts unless we had the right to impose fees by way of regulations.

Mr. Munsie: Are not many of those regulations already fixed and actually law?

The PREMIER: That is so.

Mr. Munsie: Then the Bill will not affect them.

The PREMIER: Yes, because we cannot vary them.

Mr. Munsie: We do not want you to vary them until the House has assented to the variation.

Mr. Hughes: The Bill will not affect the regulations which are law at present?

Mr. Money: No, it will only affect future measures.

The PREMIER: It will affect any future variation of fees imposed under existing legislation.

Mr. Johnston: Would it affect any increase in the railway freights?

The PREMIER: It might. The hon member, in common with other people, must know that we must meet the cost of services rendered. We have people talking day in and day out about the deficit and yet they never miss an opportunity to reduce the amounts payable to the Treasury. This is merely an attempt to curtail collections altogether until Parliament meets. If we adjourn next week and on the succeeding week we are asked to render some service, we cannot recover any return for that service until the House meets again and agrees to regulations.

Mr. Chesson: It would have the effect of making Parliament meet earlier.

The PREMIER: In the circumstances, no Government would perform services for the people. Why is it that every possible means is taken on every possible occasion by the Legislative Council to reduce the opportunities of the Government to secure payment for services rendered by the Government?

Mr. Teesdale: And all the time they howl about the deficit.

The PREMIER: Why bring forward a Bill of this description? Parliament can disallow regulations.

Mr. Munsie: What is the good of disallowing them if the department put up the same regulations the next day?

The PREMIER: We must have regulations so that we may collect fees for the services rendered. Surely the House will not say that we have no right to collect fees for services rendered.

Mr. Munsie: I would not say that.

The PREMIER: Parliament should not agree to the Bill at all. On every possible occasion members of another place take objection to regulations giving us some return for services rendered. I do not know why we

should not collect fees under regulation. A regulation has the force of law until Parliament disallows it. Suppose we put up a regulation imposing a charge of half-a-crown for certain services rendered, and the House disallows it; am I to understand that we are to go on rendering that service without a charge?

Mr. Harrison: Do not suggest that the House would disallow any and every fee. It is a question of regulating the fee.

The PREMIER: Even if we were to impose a fee strictly representing the value of the service performed, in all probability the House would still disallow it. I hope the House will not pass the Bill, for it really means that regulations will be of no avail at all, and that in future all Bills will have to include a schedule of fees and charges before we really know what the cost of the services will be. That is entirely unreasonable. In every State of the Commonwealth the custom of imposing fees by regulation has been followed. There is no other way of getting a fair return for services rendered, because the charge must vary from time to time. The meaning of the Bill is that there shall be no power to make regulations imposing fees or charges of any sort, and so we shall have no power to collect fees and charges until the House meets and approves a regulation. At Port Hedland and at Bunbury there will be no power to collect water rates.

Mr. Underwood: You perform no services at Port Hedland.

The PREMIER: We perform endless services all over the place, the cost of which has to be met. Men are registered for various trades, and the registration fee is imposed by regulations. I tell the House quite frankly that the services will not be performed unless we can collect the necessary charges. If the Bill becomes law no charges can be imposed. By every possible means has another place endeavoured to reduce our collections, whether under taxing Bills or under regulation. The Acts already on the statute-book cannot be properly applied unless we retain the power to impose fees by regulation. This is a most mischievous innovation and can only result in great inconvenience to the public. The regulations are always framed merely to cover the cost of the services rendered.

Mr. Munsie: Parliament has disallowed regulations, and your officers have immediately put up the same regulations again.

The PREMIER: I do not know of any such instance.

Mr. Munsie: Take the increase in the water rates.

The Minister for Works: That was to meet increased wages.

The PREMIER: Some members would urge that increased wages should not be covered by increased fees for services rendered. If the Bill be passed, these services will not be performed and so very great inconvenience will be occasioned to the public.

[The Deputy Speaker took the Chair.]

Mr. UNDERWOOD (Pillbara) [9.40]: I hope the Bill will be accepted. The reason for it lies in the present Administration. Ordinarily the imposition of fees is reasonably correct in principle, but during the last two or three years we have got into the habit of passing all sorts of Bills which are really taxation measures in disguise. If one has a little bit of a motor capable of being turned by one hand, an inspector of machinery comes along, and his visit has to be paid for. The administration of the Inspection of Machinery Act is practically the reason for this Bill.

Hon. W. C. Angwin drew attention to the state of the House.

Bells rung and a quorum formed.

Mr. UNDERWOOD: If one has a windmill or a sewing machine it has to be officially inspected, and the owner has to pay for that inspection. Moreover, after Parliament has disallowed regulations, the department has put them up again next day. That is quite true. It should not be allowed. It is an insult to Parliament. The only thing we can do is either to change the Ministry, who have the power to sack some of the departmental officers, or, alternatively, to assert ourselves by a Bill such as this. These regulations have been used to impose fees, not for services rendered, but by way of taxation.

Mr. Munsie: Absolutely.

Mr. UNDERWOOD: The Premier can talk about water as long as he likes, but there is no doubt these regulations have been improperly used. There would be no complaint if, after Parliament disallowed a regulation, the department did not put it up again.

The Minister for Works: How can the department go on with the work without regulations? What water supply could go on without them?

Mr. UNDERWOOD: There are many paltry things in the Works Department which can go on without regulations. What does the Minister say about the Machinery Bill?

The Minister for Works: I do not know anything about it.

Mr. UNDERWOOD: Of course not. Shall we have taxation by regulation or by the approval of Parliament? Parliament must approve. When Parliament has disallowed any regulations it is utter impudence for any Minister or departmental head to put them up again, and charge the fees.

The Minister for Works: How can you collect the money necessary for paying the wages on water supplied unless you have regulations for the purpose?

Mr. Money: By Act of Parliament.

Mr. UNDERWOOD: Of course.

Hon. W. C. Angwin: How are the taxes collected?

Mr. UNDERWOOD: Yes, and how is the land tax imposed except by Parliament. This is a new way of collecting taxes. As a Parliament we should object to the imposition of any tax unless it is approved by Parliament. The Bill is aiming at those things which are

not for services at all. This is something we are compelled to have and pay for and don't want.

The Minister for Works: What do you mean?

Mr. UNDERWOOD: There is the inspection of an electric motor. One has to pay an inspector to look at it though one does not want him.

The Minister for Works: Do you object to boiler inspections?

Mr. UNDERWOOD: No, not until the new Machinery Inspection Bill was put through. That was purely a taxation measure. The Government are taxing in order to keep a hoard of useless wasters, non-producers, going through the country living on the actual workers of the country.

The Minister for Works: You are not justified in saying that.

Mr. UNDERWOOD: I am.

The Minister for Works: Our boiler inspectors are as honest as you are.

Mr. UNDERWOOD: Of course; they were honest before you passed the Bill.

The Minister for Works: They have rendered honest and good service to the State, and you know it.

Mr. UNDERWOOD: The new Machinery Bill was not passed for the purpose of improving the condition of boilers, but to gather taxes. Boilers have been fairly well inspected and there have been very few accidents. That was not good enough. Others wanted some non-producing job, and wanted the producers of the country to keep them there. They brought up these regulations and forced the people to pay for these inspections. After Parliament has disallowed the regulations—that is the reason for the Bill—they have the impudence to put up practically the same regulations again and Parliament has to disallow them. If they are not disallowed the people will have to go on paying. The Machinery Bill was due to the impudence of officers whose action was sanctioned by the Minister, and who ignored the decision of Parliament in regard to these regulations. They were disallowed.

The Minister for Works: Where?

Mr. UNDERWOOD: In the Legislative Council.

The Minister for Works: What have they to do with us?

Mr. Mann: They were disallowed here too.

Mr. UNDERWOOD: Yes, they were disallowed at 11 o'clock at night, but the fees were charged up to 10 o'clock at night. By 12 o'clock the following day the authorities put forward another set of regulations practically the same as those that had been disallowed. The autocrats of the civil service defied Parliament. I ask members not to allow them to do so. Parliament and nobody else has a right to impose taxation, but taxation has been imposed by civil servants with the concurrence of their Ministers. I trust the Bill will be carried.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [9.53]: I trust the Bill will not be carried. Parliament, of course, must be paramount but must be reasonable in the matter of administration.

Mr. Underwood: Is it right to put up regulations after they have been disallowed?

The MINISTER FOR WORKS: No one will dispute that the chosen of the people, namely Parliament, must rule, and that their will must be given effect to. On the other hand, those who put forward their views should carefully study the conditions under which they must be carried out. Take the matter of water supply, sewerage, storm water, drainage and goldfields water supply. Unless we have regulations we cannot carry on. Under these regulations we have power, which is not tyrannically used, but judiciously used, to deal with situations as they arise. If our charges are barely sufficient to meet our expenses, when we are paying 10s. or 12s. a day wages, some means must be found by regulation to meet the expenses when the wages are 15s. a day.

Mr. Underwood: You can put it before Parliament. Parliament is sitting.

The MINISTER FOR WORKS: It has been sitting for seven months, and we hope to be in recess for five months. The circumstances that arise during recess must be dealt with promptly. They cannot be deferred until Parliament meets again. If we were to do that in connection with the water supply, sewerage, storm water, and drainage, we should lose a considerable proportion of our money. The people from whom we should collect fees for services rendered might not be there by the time Parliament had allowed or disallowed the regulations.

Hon. W. C. Angwin: It would not affect you very much.

The MINISTER FOR WORKS: We have as much as we can do to balance the ledger with these concerns. No one would desire that services necessary to the people for their comfort and living, should be rendered, but that the Government, by a technicality, should be prevented from collecting the money or making a charge for the work done. There is pressing need for water at the present time in the agricultural areas. It is only by regulation that we can arrange to meet the situation.

Hon. W. C. Angwin: It is ridiculous. Do the same as I did. Send out the water whether it is paid for or not. When the farmers wanted water we gave it to them.

The MINISTER FOR WORKS: The hon. member can do as he pleases. I, under my Premier, am trying to do what I think is in the best interests of the State. We are supplying farmers with water and taking good care that they get it. We must do that from the humanitarian point of view. We are charging less for the water than it costs us, but we cannot impose that charge without regulations. Does the hon. member wish us to suppose that we must first call a special meeting of the House and say "Please, we have to supply water to people

who are thirsty, but we have no means of making our charge unless we get Parliament to agree to it?"

Hon. W. C. Angwin: You make no regulations under those conditions.

The MINISTER FOR WORKS: If Parliament does not agree to our proposal we cannot recover the expense we have incurred.

Hon. W. C. Angwin: You cannot bluff the farming members with that sort of thing.

The MINISTER FOR WORKS: I have no desire to bluff members. If the Bill be passed an impossible position from the administration point of view will be created. The hon. member knows that.

Hon. W. C. Angwin: Not in the cases you have mentioned.

The MINISTER FOR WORKS: Clause 2 provides that no regulation which imposes fees or charges shall have any force of law until it has been laid on the Table of both Houses of Parliament, and so on. We are taking up train loads of water to the country where water is required. We can only do that by making a charge of so much per 100 gallons, and collecting the money before we render the service. We can only do that by regulation.

Hon. W. C. Angwin: Collect the charge before you render the service?

The MINISTER FOR WORKS: The settlers have to pay the Commissioner of Railways for their water before we carry it.

Hon. W. C. Angwin: I was not as bad as that.

The MINISTER FOR WORKS: We are carting water at a cost of 8s. a hundred gallons and charging 2s. 6d., and the balance is charged against Consolidated Revenue. If this cannot be done, what is to become of the poor devils in the country?

Mr. Pickering: Of course you have to carry it.

The MINISTER FOR WORKS: I have never seen so silly a Bill as this. It takes the cake. It is a deliberate attempt on the part of certain political persons to embarrass the Government. They have a perfect right to do as they like, just as members here have, but if Parliament passes this Bill it will paralyse the administration of the different departments which are performing those services so necessary and essential for the people of the State. Therefore I say to hon. members, "Be careful, do not be led into a trap." The Bill may be justified by the sophistry which certain gentlemen can employ, but there is no getting away from the fact that interference with huge Government concerns is a matter regarding which members should be most careful. I know very little about the Inspection of Machinery Acts, but I can say that any strictures of members here or elsewhere upon officers of the Inspection of Machinery Department are absolutely uncalled for. Machinery inspection in this State has been carried out faithfully and well for many years past by men who are honest and conscientious in their work. Their inspections

have been carried out not only for the protection of the workers, but also for the protection of persons in the vicinity. During the time I was engaged in the machinery business here, I saw boilers absolutely unfit for use go up to the goldfields. They would have been used, and probably would have caused accidents, but for the activity of the Machinery Inspection Department. As regards hordes of inspectors, the Minister in charge of the department can take care of that allegation. I know of no hordes of inspectors. It is said that the greater the crowd of men an officer surrounds himself with, the more wonderful does he consider himself. Such talk is ridiculous.

Mr. Hughes: But that is exactly what goes on.

The MINISTER FOR WORKS: Such things are said by people who, though quite honest and sincere, do not know that of which they speak. The position has been rightly put by the Premier: the Bill should be thrown out on its ear, and quickly. I hope hon. members will do that, and do it in an unmistakable manner.

Hon. W. C. ANGWIN (North-East Fremantle) [10.6]: I was rather struck with the appeal which the Minister for Works directed to the cross benches.

Mr. Pickering: Why the cross benches?

Hon. W. C. ANGWIN: Because the Minister was pointing out that he could not supply those members and their constituents with water unless there was a regulation. But that is all bunkum. The Government who waited to make a regulation before sending water to people urgently in need of it for themselves and for their stock, would be neglecting their duty. Before a regulation can issue, there must be a meeting of the Executive Council to confirm it. I was surprised, too, to hear the Minister say that the Government demanded payment of freight on the water before supplying it to the people who required it. This Bill has been fathered here by a member on the Government side, and supported by another member on the Government side; and, to judge from interjections, the Bill has the support of other members opposite. In the Legislative Council the measure was carried without a division, showing that it was approved of almost unanimously. I think there was only one voice raised against it. Yet the measure represents a direct motion of want of confidence in Ministers on the Treasury bench. The time has arrived to ascertain by a majority of this House whether the Government retain the confidence of the Assembly.

The Premier: What are you going to do about this Bill?

Hon. W. C. ANGWIN: The Bill is nothing but an expression of want of confidence in the Government.

The Premier: The Council passed motions of want of confidence in you every day when you were in office.

Hon. W. C. ANGWIN: Yes, but while we were Ministers we were sure of the support of members of the Assembly. The present Premier is not in that position. I have read the debates on this Bill in another place. It appears that the Government made regulations, and that Parliament disallowed those regulations, and that immediately Parliament closed down regulations almost precisely similar were again promulgated. I am not going to blame the departmental officers. No officer can make a regulation. He can only draft a regulation for submission to his Minister. The Minister must approve of the regulation before it is promulgated. If any Minister has adopted tactics such as again submitting to Executive Council regulations which have been disallowed by Parliament, he has placed his colleagues in a false position. A regulation might be in force for six months before Parliament has an opportunity to deal with it. I hold that we have too much legislation by regulation, but no Government can carry on without a certain power to make regulations under existing Acts, as was clearly pointed out by a former member for Perth. This session we have enacted a measure dealing with the dairying industry, and that measure provides for the imposition of certain fees. Unless the Government have power to impose the fees, the Act will be a dead letter. The same thing applies to the Dairy Cattle Improvement Act. The only alternative seems to be that the Government should administer those Acts without fees; that is, unless the imposition of fees is made retrospective. The Bill now before the House declares that the Government cannot be trusted to make regulations. The hon. member in charge of the Bill shakes his head, but I think the Premier agrees with me. The Government cannot impose any fees except under an Act empowering them to do so. Otherwise the regulation imposing the fees would be ultra vires. The Minister for Works, in the matter of water rates, is limited to a maximum which he cannot exceed, though the power is given to him to vary. Still, the Water Supply Department are up to their maximum already.

The Premier: They might want to reduce rates.

Hon. W. C. ANGWIN: This Bill does not deal with reduction of fees, but with their imposition. The present measure, and other Bills introduced during this session, show that it is necessary we should ascertain, prior to going into recess, whether the Government possess the confidence of a majority of members here, since supporters of the Government are supporting Bills of this nature.

On motion by Mr. Angelo debate adjourned.

House adjourned at 10.17 p.m.