

Mr. DAVY: The member for York said he would confine the operation of the clause to the metropolitan area, and he will more or less effect that object by striking out the words. If the words were retained the City Council might restrict the number of dogs to one dog per man, whereas many people keep two or more dogs. I venture to say that these dogs are not registered, and do not come into consideration in this clause. If the amendment is not accepted I shall vote against the whole clause.

Mr. SAMPSON: Aborigines are allowed one dog each.

Mr. Latham: We are not interfering with the present law.

Mr. SAMPSON: These dogs constitute a menace. I think the words should remain.

Amendment put and passed; the clause, as amended, agreed to.

Clause 5—Amendment of Section 22.

Mr. LATHAM: If a man shoots a dog belonging to another he is liable to pay compensation for the loss of that dog. Some years ago a decision was given on the point by Mr. Justice Heusman. This clause is intended to put the whole position right.

Clause put and passed.

Clause 6—Amendment of Section 27:

Mr. LATHAM: When the Act was amended in 1923 a mistake was made. The year was changed over from January to July. This is merely a consequential amendment.

Clause put and passed.

Title—agreed to.

Bill reported with amendments.

House adjourned at 10.15 p.m.

Legislative Council.

Thursday, 24th November, 1927.

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

ASSENT TO BILLS.

Message from the Governor received and read notifying assent to the under-mentioned Bills:—

1, Loan and Inscribed Stock (Sinking Fund.)

2, Mental Treatment.

QUESTION—FREMANTLE WATERSIDE DISPUTE.

Hon. V. HAMERSLEY (without notice) asked the Honorary Minister: Will the Honorary Minister, the Hon. J. W. Hickey, as the State president of the Australian Workers' Union of Workers, make a statement regarding the existing industrial paralysis at Fremantle, which is causing incalculable loss to farmers owing to members of his union refusing to handle the season's wheat?

The HONORARY MINISTER replied: The question is quite unusual, and indeed, so far as I know, unprecedented in this Parliament; but I just desire to say that the existing dispute at Fremantle has been referred to what I hold is the most competent body to handle a dispute of that description—the State Disputes Committee. I consider that at the present juncture any further remarks on the matter would rather prejudice than advance the prospects of a settlement.

QUESTION—NAVIGATING OFFICERS, CERTIFICATES.

Hon. W. H. KITSON asked the Chief Secretary: 1, Is he aware that navigating officers aspiring for higher certificates are denied the opportunity within the State to qualify for superior posts? 2, Is it true that, whenever an officer in the State Shipping Service is prepared to sit for an examination, he is obliged to obtain leave, without pay, in order to proceed, at his own expense, to Melbourne where examinations are conducted? 3, Is he aware that the body controlling these examinations, whose headquarters are in Melbourne, conduct frequent examinations in Melbourne and Sydney, and that an examiner proceeds to Hobart and Adelaide once yearly to examine candidates for higher certificates? 4, Will he take the necessary steps to secure the extension to Fremantle of that examiner's circuit, at yearly intervals, or at such time as there may be a sufficient number of candidates for examination?

The HONORARY MINISTER (for the Chief Secretary) replied: 1, Yes, these certificates are issued by the Commonwealth Navigation Service, who do not hold examinations in this State for candidates wishing to pass for second mate, mate, or master. 2, Yes. 3, The Commonwealth regulations for examinations of masters and mates give the following schedule of places and times for examinations for foreign-going certificates:—

Place, Highest Grade Issued, Day.

Melbourne—All grades. Every Monday.

Sydney—All grades. Every Monday.

Brisbane—All grades. 1st, 3rd, and 5th Monday in each month.

Adelaide—All grades. 1st, 3rd, and 5th Monday in each month.

Hobart—Master, Foreign-going. 2nd and 4th Monday in each month.

4. Representations to this effect will be made to the Commonwealth Government.

QUESTION—STATE TOURIST BUREAU.

Receipts and Expenditure.

Hon. W. J. MANN asked the Chief Secretary: 1, What were the total amounts received in cash by the State Tourist Bureau for each of the years, respectively, from 1921 to 1927, inclusive? 2, What was the cost in salaries and incidentals in conducting

the State Tourist Bureau for each of such years?

The CHIEF SECRETARY replied: 1, Year, 1921/22, £9,055 15s. 7d.; year 1922/23, £10,175 9s. 5d.; year 1923/24, £17,284 10s. 4d.; year 1924/25, £15,081 13s. 7d.; year 1925/26, £15,849 15s. 1d.; year 1926/27, £17,665 10s. 10d. 2,

Year.	Salaries.	Incidentals.	Workers' Compensation.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1921-22	045 0 0	496 19 5	5 0 0	1,440 19 11
1922-23	1,066 5 10	484 2 5	0 14 2	1,551 2 5
1923-24	1,093 8 0	444 1 9	...	1,537 9 9
1924-25	1,181 17 8	334 8 0	...	1,516 5 8
1925-26	1,229 5 4	350 0 0	...	1,579 5 4
1926-27	1,389 13 6	348 16 0	...	1,738 9 6
	6,905 10 10	2,458 7 7	5 14 2	9,369 12 7

QUESTION—WHEAT BELT AND PORTS.

Hon. A. BURVILL asked the Chief Secretary: 1, Will he lay on the Table a Lands Department map showing the respective areas within the wheat belt geographically served, respectively, by the ports of Bunbury, Fremantle, and Albany, irrespective of the present or possible railway communication? 2, The total acreage within the area of each port? 3, The acreage of wheat belt within the area of each port?

The CHIEF SECRETARY replied: 1, 2, and 3, To prepare a Lands Department map would take some considerable time and involve a fair amount of expenditure. A railway map has been marked showing information which may meet the hon. member's request. This map is now laid upon the Table of the House.

QUESTION—MINERS' DISEASE.

Prevalence of Germs.

The CHIEF SECRETARY: On the 15th inst. Mr. Cornell asked the following question:—

1, In view of the number of miners found, by laboratory examination, to be affected with T.B., have the Government taken any steps towards systematically and scientifically sampling the underground workings of the Kalgoorlie and Boulder mines to ascertain whether tubercular germs are more prevalent

there than is usual in other places of employment? 2, If not, why not?

My reply was—

1, No, but the matter will be referred to the Principal Medical Officer as to whether such an examination would be of value. 2, Answered by No. 1.

The matter has been referred to the Principal Medical Officer, and I am now able to furnish the following more definite answers to the hon. member's question:—

1, No. 2, The Principal Medical Officer advises that such an examination would not be very practicable, and that it has nowhere been demonstrated that it would be of any particular advantage.

PAPERS—AGRICULTURAL BANK LOANS.

Clearing by British labour only.

HON. J. CORNELL (South) [4.32] : I move—

That all papers dealing with loans granted to settlers for clearing purposes by the Agricultural Bank Trustees, the expenditure thereof being restricted to British labour, be laid upon the Table of the House.

This motion is one of the kind usually taken as formal. Were I, however, to treat it as formal, it might not elicit the information which I desire, and which I am hopeful of being furnished with by the Chief Secretary. On the 15th instant Mr. Dodd asked certain questions regarding the embargo placed by the Agricultural Bank Trustees on the employment of foreign labour in connection with the expenditure of loan moneys utilised by settlers in clearing operations. If I remember rightly, that embargo is not of recent date; indeed, I believe it to be nearly 12 months old. As the Agricultural Bank previously advanced moneys to settlers without any restriction of the kind, it is only right that the country should be plainly and definitely told whether the embargo emanated entirely from the trustees of the bank or whether the trustees were, as a matter of policy, so instructed by the Government. I think that is information which may fairly be sought. I hold no brief for the Southern European or other alien who has migrated to Western Australia. Time and again I have definitely expressed myself as totally opposed to the peopling of this land of ours by stock other than British, or stock substantially of Nordic blood. The fact

remains, however, that the law of the land permits Southern Europeans to migrate to Western Australia and become domiciled here. That being so, I consider that however we may view the influx of the aliens in question, once they are here they have every right to reasonable consideration and reasonable recognition in this our country. The Agricultural Bank has laid it down that advances for clearing are not to be made available for the employment of aliens in this State. The Chief Secretary in reply to a question said that loans for development are issued by the Agricultural Bank on condition that the work is done by British labour, if procurable. I will endeavour to make out a case which I will commend to the Minister, and I hope that proper inquiries will be made to ascertain whether British labour was procurable in the instance I am about to mention, and if the settlers to whom the loans were advanced were sufficiently acquainted with the embargo.

Hon. E. H. Gray: Many farmers dodge the land issue and sublet the contracts.

Hon. J. CORNELL: You, Sir, and I and my colleague, Mr. Dodd, have been jointly notified that in one part of our constituency a public meeting was held in the Newdegate district. The honorary secretary of that public meeting has written to us three as follows, under date 17th instant:—

A public meeting held here on 11th instant directed me to write and ask that you co-operate with our other representatives in Parliament so as to secure us some relief from the position as follows:—Several settlers in this district have let clearing contracts to Southern European labour, there being no other available labour in the district when the contracts were let. Most of the chopping down has been completed, and it is usual to apportion the money due upon completion and chopping down, and to pay the balance of the contract price on completion of the burning-off process. An Agricultural Bank inspector has informed the parties affected that he has received instructions not to pay Agricultural Bank moneys to Southern European or other foreign contractors, the result being that the settlers affected, who expected to be able to meet their liabilities with Agricultural Bank loan money, have now to face this position: the work is done, the men who did it want their money, and the settlers for whom they did the work have no money to pay for it. Furthermore, in cases where work let had not been completed, settlers have had to stop contractors from proceeding further with contracts. The men to whom the money is due for work done are now camped here in idleness awaiting payment for the work done. Storekeepers who supplied goods to the contractors are getting anxious

about a settlement of their accounts, and have threatened to stop any further credit to contractors. A public meeting recently discussed this matter in all its phases, and a signed petition resulted, which has been sent to Inspector Mitchell, asking for that inspector to be allowed to pay Agricultural Bank loan moneys to settlers affected so that the Southern European contractors might complete their existing contracts. I might add that through this action there will not be the acreage put in next year, and the State will accordingly suffer. It is desired that you do your utmost to get approval for the payment of the existing contracts from Agricultural Bank moneys, and thus relieve the anxiety existing here. J. Eckersley, hon. secretary for the public meeting.

Hon. J. J. Holmes: The bank should be concerned about the work done. That is their security.

Hon. J. CORNELL: However, there is a statement from a representative meeting of settlers, who said that when the contracts were made there was no other labour procurable.

Hon. E. H. Gray: That is a question.

Hon. J. CORNELL: In the first place they say no other labour was available. It has been generally agreed upon, in the House and out, that the Australian and the Britisher will not take this class of work. Consequently the settler desirous of developing the State and improving his own position has recourse to a person who has been allowed free entry into this country.

Hon. C. F. Baxter: The only reliable clearers we have at present.

Hon. J. CORNELL: I am not going to argue the reliability of the Southern European clearer as against the Britisher.

Hon. E. H. Gray: It is an insult to English and Australian labour.

Hon. J. CORNELL: My case is that the work has been let on the word of the people concerned, and that there was at the time no other labour available. The bank now say they will not pay the advances. The work has been done, the men cannot get their money, and in consequence in many instances the work has been stopped right in the middle of the job and at a period of the year when the work ought to be completed.

Hon. Sir Edward Wittenoom: How would that stand in law?

Hon. J. CORNELL: I do not know. I approach this question in an open manner, and I know the Chief Secretary will view it in the same way. This Newdegate matter is the first direct outcome of the deadlock

that has occurred in the South Province over the embargo imposed by the bank trustees. I hope the Chief Secretary will endeavour to have this matter settled at an early date, and that if there is any doubt about it the benefit of that doubt will be given to the Newdegate settlers, the position cleared up and a fresh start made. As far back as last February, a settler in Mangarn brought under my notice this same matter. He said the Government had told the settlers they could not employ alien labour in the clearing of their land and get Agricultural Bank loans in advance.

Hon. E. H. Gray: A good policy, too.

Hon. J. CORNELL: He said a striking anomaly was that at the Morine Rock camp, two miles away, working under the aegis of the Main Roads Board there were 40 men, of whom 21 were Southern Europeans. What was Mr. Gray to say about that? I know it for a fact. All the men working in the Morine Rock Main Roads camp, with the exception of the Southern Europeans, were enrolled for the Mangarn election. That is one striking illustration. Another illustration of the shallowness and inconsistency of this policy may be given. Quite recently the Arbitration Court raised the wages of the Kurrawang firewood workers. The chairman of directors of the company—employing a large number of men, 65 per cent. of whom are aliens—raised the price of firewood by 2s. 6d. per ton. The mine managers of the Golden Mile said, "We cannot carry this burden; we must have some relief." They approached the Government of the day, and the Government agreed that an industry which has 65 per cent. of alien labour, mostly Southern Europeans, should be helped in the underhand way of assisting the mining industry by paying for a year the whole of the premiums under the third schedule of the Workers' Compensation Act.

Hon. E. H. Harris: And incidentally assisting State insurance.

Hon. J. CORNELL: It was not laid down to the mining company that in the utilisation of public funds an embargo would be placed on Southern European labour. Where is the consistency? If it is right that in the agricultural industry Government funds made available for providing work should apply only to British labour, then to be consistent the same condition should apply to the use of public funds in other industries. I understand that £58,000 was advanced to the Golden Horseshoe mine. I venture to

say that 50 per cent. of the employees on that mine during the currency of that advance were Southern Europeans, or of Southern European extraction. Yet no embargo was placed upon their employment by the mine management.

Hon. E. H. Gray: No preference was given to Southern Europeans.

Hon. J. CORNELL: I will give you a bit about preference to foreigners presently. I want to know where the consistency is in this policy. Almost every month advances are being made, and rightly, too, by the Government to the mining industry under the Mines Development Vote, and to other industries as well. To my knowledge no embargo is being placed upon the employment of alien labour in those industries to which public funds are made available.

Hon. W. H. Kitson: The Southern Europeans are being employed under equal conditions with Britishers.

Hon. J. CORNELL: And is it not so in the agricultural industry?

Hon. E. H. Gray: No, because the farmers sweat and starve them.

Hon. J. CORNELL: On behalf of the Newdegate farmers, whom I represent, I resent that.

Hon. J. Nicholson: It is quite untrue.

Hon. J. CORNELL: Something like 80 per cent. of the Newdegate farmers are diggers.

Hon. E. H. Gray: Well, some of them are not too good.

Hon. J. CORNELL: And they have no love for the foreigner. That is the position they set out—there is no other labour offering. It means this, that carried to a logical conclusion, if a settler has clearing to let, he is prepared to let it on contract. The Australian and the Britisher cannot do it for what the southern European can do it, and thereby the inference is that the Britisher is not as good a man as the foreigner. The real reason is that the Britisher does not like the job.

Hon. G. W. Miles: He will not work.

Hon. J. CORNELL: I ask Mr. Gray whether he has ever been guilty of buying fish at Fremantle, and if he has, whether he ever patronised southern Europeans. If he knows a man who vends fish at Fremantle, who is not a southern European, and he tells me who that man is, I will buy fish from him. There are a hundred and one other avenues from which I could approach this question, but again I say that in view

of no embargo being placed on other public funds, why should there be an embargo placed on the funds advanced by the Agricultural Bank trustees. Let us take the line of reasoning that money advanced by the Agricultural Bank is money advanced to the mining industry. There is no doubt whatever that the Agricultural Bank would at times lose money because the records prove, I am sorry to say, that money advanced to the mining industry does not come back. On the general aspect of this embargo on aliens, I intend to address a few remarks to Mr. Gray, who seems to be fairly constant with his interjections.

Hon. H. Stewart: And he is well experienced in agricultural development also!

Hon. J. CORNELL: I intend to show to what extent the embargo is carried on and how far the question of preference to unionists is indulged in. Quite recently I was one of a party who went to Esperance for the purpose of attending the official opening of the railway there. Whilst at Grass Patch, a Swede of about 23 years of age approached me. He was one of the finest types of men I have ever seen in my life. All I wish is that there were a few more such Swedes and Scandinavians here.

Hon. E. H. Gray: They make good citizens.

Hon. J. CORNELL: This man approached me and said that he had been put off by the Water Supply Department. The Minister for Mines who was with me was good enough to hear what the man had to say. I can say this of Mr. Munsie, that he is always courteous to people who wish to interview him. Mr. Munsie and I advised the Swede to put his case in writing. I have the letter here and I will read it. Any hon. member can see the letter, which bears testimony to the man's intelligence. This is what he says—

Further to my conversation with you at Grass Patch: I wish to place the following facts before you and trust you will do your utmost to have me placed back in the job, water supply, I was discharged from or any other work in this district, in preference to my old work. I have been in Western Australia two years and eight months. I have been employed in different Government works for the last fourteen months. I have been a financial member of different unions ever since I have been in Western Australia, namely Australian Timber Workers' Union, Australian Seamen's Union, and A.W.U. I would like to know for what reason I was discharged from water supply. I was told that I was discharged because I was not an Australian citizen. It

has been my wish to become a naturalised Australian subject, but on account of information received by me that I could not become a naturalised Australian subject until I had been in this country for three years, I have not applied for my naturalisation papers. Mr. Collinson, engineer of the Water Supply Department, can give you any information as to my character and abilities as a worker. I have not been the only one to be discharged for the same reason, but I am just writing this letter on my own behalf and would like to know what is to become of a man willing to work for his living if the Government won't let him keep a job when he has one. I am a Swedish subject, my birthplace being Stockholm. Trusting you will try and obtain justice for me in this matter. N. Olsen.

On receipt of this letter I had copies made. One I sent to the Water Supply Department and, as the man declared that he was a financial member of the A.W.U., I also sent a copy to Mr. Watts. The Under Secretary for Water Supply replied but Mr. Watts has yet to reply. What becomes of your preference to unionists in the desire to stand up for men who join the organisation when the secretary does not even extend the courtesy of a reply? He has not even replied to the letter written to him by Mr. Olsen. This is what the Under Secretary for Water Supply wrote on the 26th September—

In reply to your letter of the 21st inst., covering a communication you had received from Mr. N. Olsen at Grass Patch, I have to inform you that in consequence of the large number of British workers who were out of employment, and all our engineers were informed that when new engagements were made absolute preference of employment must be given to unemployed British before any foreigners could be engaged. It was not intended that the foreigners then in our employment should be put off, although they would be the first to go in the case of retrenchment, but in one or two instances the engineers misunderstood the instructions and that is probably why Mr. Olsen was put off. However, he cannot be re-engaged at present and should therefore work elsewhere.

The man has no redress. Here we have the statement of one of the finest types of men it has been my pleasure to meet anywhere. He sums up the situation when he says—

What is to become of a man willing to work for his living if the Government will not let him keep a job when he has one?

That is all I have to say on the general aspect of the embargo placed on foreign labour. I will admit that it is fairly hard to differentiate, but I want to know what kind of an impression is going to be created

in Sweden when a man of the calibre, standing and intelligence of Mr. Olsen, writes to his friends in Sweden and draws their attention to the treatment that has been meted out to him. The Swedes are people we all would like to see migrate to this country, and when Mr. Olsen tells them that he conformed to the law of the land, became a member of a union, left one job and went to another, and then was discharged by the Government of the day, what opinion will be formed of us when it is learned that he has no redress. That is why I say the embargo placed on alien labour is going to do us incalculable injury. We would not get a tenth of the standard of intelligence from Southern Europeans employed at Newdegate as was displayed by Olsen. We are all extremely anxious that men of the type of Olsen should come to this country, not men of the type of Southern Europeans. That is the danger of making a hard and fast rule, and though I do not desire to see an influx of Southern Europeans into this country, I say with all sincerity that so long as they are allowed to come here and to conform to our conditions, they have a perfect right to be permitted to earn their livelihood.

Hon. W. H. Kitson: We have no objection to that.

Hon. J. CORNELL: I have yet to learn that there is half or a quarter of the industrial immorality manifested by the Southern European worker that is displayed by the Southern European trader or tradespeople. The fact remains that the trade unionists of this country are undoubtedly showing industrial immorality and the Government are unwittingly—I will be fair—aiding and abetting them by, at the same time patronising the most unscrupulous class it is possible to find in the world. If we are going to tackle the job, let us tackle it honestly and properly. Let us either keep these people out, or give them a chance to make good when they come here.

Hon. Sir William Lathlain: You cannot keep them out.

Hon. J. CORNELL: No. You cannot keep a good man down.

Hon. E. H. Gray: America is keeping them down.

Hon. E. H. Harris: America allows only a small percentage to enter its country.

Hon. J. CORNELL: Whilst an embargo is placed upon money being advanced to Southern European clearers, we have the inconsistency that Southern Europeans are

permitted to select land and become free-holders in this State. I admit that Southern Europeans make good settlers. There are some in the South Province—the Southern Cross district.

Hon. E. H. Gray: There are some good ones in the West Province, too.

Hon. J. CORNELL: To be consistent we should treat them all alike. We permit them to take up land but we say they shall not be employed by a man who is receiving Agricultural Bank assistance. It should be logical to say that Southern Europeans should not hold land.

Hon. E. H. Harris: Are not the Government placing some of these men on the miners' group settlement blocks?

Hon. J. CORNELL: I understand that is so. I am trying to debate the question on its broad general aspect, and to prove that there can be no substance in the embargo as it is applied at present, unless it is made to apply all round in trade, wages, industrial matters, and every other phase that we can think of. I have nothing further to say other than that I trust the Minister, with the courtesy he has always exhibited, will give some immediate consideration to the settlers of the Newdegate district. I believe that the Minister will evolve some satisfactory solution of their difficulties, and I am satisfied he will concern himself, as a thoughtful man, with the question of the embargo and the position it will lead us to.

On motion by Chief Secretary, debate adjourned.

BILL—LAND TAX AND INCOME TAX.

Assembly's Further Message.

Further message from the Assembly accepting the Council's proposal to refer the question of the Council's power to press a requested amendment to the Bill to the Judicial Committee of the Privy Council, now considered.

THE PRESIDENT [5.18]: When the message was received from the Legislative Assembly stating that this House had done something "illegal" it was, I think, quite fitting that I should not ignore so very singular and extraordinary an assertion. What I said then has been criticised at

considerable length. In that criticism a great deal of matter was quoted that had nothing at all to do with the case, and some quotations that had a great deal to do with the case might have been used, but were not used. The Hon. the Speaker, in order to show how this House interpreted the Constitution, quoted Standing Order No. 236 of this House regarding the stages at which requests may be made. When he quoted that Standing Order, he did not quote a much more relevant Standing Order, which would have been more apt to the purpose he had in view. I refer to Standing Order No. 240, which explicitly gives this House power to press requests. That Standing Order reads—

If the Bill is returned to the Council by the Assembly with any request not agreed to, or agreed to with modifications, any of the following motions may be moved in Committee—

That the request be pressed.

That the request be not pressed.

That the modification be agreed to.

That the modification be not agreed to.

That some other modification of the original request be made.

That the request be not pressed, or agreed to as modified, subject to a request as to some other clause or item which the Committee may order to be reconsidered being complied with, or the Committee may recommend the Council to request a conference.

The Hon. the Speaker read a letter from the Premier's Department in reply to an inquiry presumably made by him, as to "whether the Standing Orders received the consent of the Governor." The reply was—

I cannot trace any record of their having been approved by the Executive Council during 1907, January or February, 1908, nor during October, 1924.

It is indeed remarkable that doubt should be expressed as to whether the Governor approved of the Standing Orders. In reply to the query addressed to the Premier's Department as to whether the Governor approved of the Standing Orders, the Votes and Proceedings of Parliament, 1924, Vol. I., might have been turned up. There, on page 117, is a letter signed by the Governor, dated the 13th October, 1924, intimating that he had "approved of the Standing Orders of the Legislative Council which have recently been revised by the Standing Orders Committee." The exact wording of the letter was as follows:—

Government House, Perth, 30th October, 1924. The Hon. the President, the Legislative Council. The Governor is pleased to ap-

prove of the amended Standing Orders of the Legislative Council which have recently been revised by the Standing Orders Committee. W. R. Campion, Governor.

I think I can leave the matter at that. According to Section 34 of our State Constitution Act, when Standing Orders are approved by the Governor they "shall become binding and of force." The words "shall become binding and of force" are not mine. They are the words of the Constitution itself, yet when this House acts strictly in accordance with our Standing Orders so approved and therefore binding and of force, we are told that our action is "illegal." The Hon. the Speaker quoted an historic Act, passed in England in 1911, affecting the relationship of the two Houses of the Imperial Parliament. What he said was quite interesting, but how it could, in the slightest degree, affect the interpretation of a section of our State and Commonwealth Constitutions, was not indicated. He also explained for our benefit the franchise for electors for the Senate, and the franchise for electors for the Legislative Council. That, too, was interesting, but the question at issue is not the franchise, nor has the franchise any bearing on the interpretation of a section of our State and of our Commonwealth Constitutions. The provision in our Commonwealth Constitution to deal with deadlocks—whilst there is no such provision in our State Constitution—was also referred to. Here again the interest aroused may be absorbing to some, but in an endeavour to find how the reference applies to the issue before us, extended and arduous research must prove utterly futile. While some may deplore the deficiency in the State Constitution regarding the omission of provision for deadlocks, yet it is a certain section of the Constitution that we have to interpret, in the form it is and not, perhaps, as it ought to be. It may, from the viewpoint of some, have been unfortunate that the attempted amendment of our State Constitution in 1921 to deprive this House of the right to press requests, failed. On that point, it is not for me to express any opinion, but the failure of that attempt is no justification whatsoever for an endeavour to bring it about by a Parliamentary ruling. In conclusion, I wish to say that nothing has been said to lessen in the slightest degree the strength of my contention that Message No. 13 from this House was in accordance with the Constitution, the Standing Orders, precedent, and practice.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

The CHAIRMAN: Message No. 31 from the Legislative Assembly reads as follows:—

With reference to Message No. 20 of the Legislative Council the Legislative Assembly acquaints the Legislative Council that it accepts the suggestion to refer the matter now in dispute to the Judicial Committee of the Privy Council for decision. Meanwhile the Legislative Assembly is prepared, while the matter is sub judice, to consider Messages from the Legislative Council in which requests for amendments are pressed, and assumes that the same consideration will be given to Messages from the Legislative Assembly in which requests for concurrence in Bills are pressed.

The Legislative Assembly therefore presses its request for the concurrence of the Legislative Council in a Bill for "An Act to impose a Land Tax and an Income Tax," which is returned herewith.

The CHIEF SECRETARY: I move—

That a Message be sent to the Legislative Assembly as follows:—"The Legislative Council acquaints the Legislative Assembly in reply to Message No. 31 that it is willing, while the matter now in dispute between the two Houses is sub judice, to consider Messages from the Legislative Assembly pressing requests for concurrence in Bills which the Council may not amend. The Legislative Council further acquaints the Legislative Assembly that it has now agreed to the Land Tax and Income Tax Bill without amendment, and the Bill is returned herewith."

I trust the Committee will give careful consideration to the question now submitted to them. I do not wish to discuss the merits or demerits of the request made by the Legislative Council to the Legislative Assembly. The point I wish to stress is that the financial future of Western Australia is at the present time in a state of uncertainty. The annual contributions from the Commonwealth on the per capita basis are to cease, and so far nothing has been substituted. Proposals have been framed, but whether those proposals will be found acceptable or not, is a matter of doubt. They may or may not be accepted; something better may or may not be put in their place; or a deadlock may be reached in the negotiations. No one can tell. We may hope for the best, but the whole position is surrounded with uncertainty. In view of that fact I would ask the Committee not to proceed further with requests for a decrease in taxation, no matter how small, until the financial atmosphere has been cleared, and we know exactly where we are. The merits or demerits of the requested amendment of the Land Tax and Income Tax Bill

have not formed the question in dispute. That hinged on a matter of principle, and, as the question is to be settled in a manner satisfactory to both Houses, I trust my motion will be agreed to.

Hon. A. LOVEKIN: In view of the importance of the matter, I ask the Chief Secretary to agree to report progress until Tuesday next. We know that the Speaker in another place has made a very lengthy pronouncement. He has quoted a good deal of matter and has set forth that the President of this House has not met the real point in dispute, namely, the point of illegality. From what I gathered from the President's remarks, the point that the Speaker emphasised has not been touched upon again to-day. I have been looking into the Speaker's pronouncement and checking some of the authorities he quoted, and have found in some instances that all the authority has not been quoted by him. It is only right that this House should get the complete quotations on the records, if they are of any value at all, instead of leaving the authorities half-quoted as has been done by the Speaker. If we allow what in cold type amounts to five columns of matter from the Speaker to stand, it will hereafter be taken that we assented to much of it. To nearly the whole of it, this House I am certain cannot assent at all. The President has dealt with two or three points but there are other points I should like to consider, especially that on which the Speaker suggests we have not yet touched, and which I think we ought to deal with. I have given a good deal of consideration to the question since I had an opportunity to peruse the Speaker's ruling, and I do not want to be a party to putting up anything that will not hold water, or anything that will embarrass the Government. My desire is to help the Government. Unless other members wish to speak, I ask the Minister to report progress, because I should like an opportunity to speak and I am not prepared to do so at the moment.

Hon. Sir EDWARD WITTENOOM: Will any good purpose be served by deferring discussion longer?

Hon. E. Rose: Yes.

Hon. Sir EDWARD WITTENOOM: It has been decided to refer the question in dispute to the greatest authority in the world, the Judicial Committee of the Privy Council.

Hon. J. M. Macfarlane: When?

Hon. Sir EDWARD WITTENOOM: The question is whether any further discussion here can be of assistance. Perhaps we shall be wasting time by discussing it further.

The CHIEF SECRETARY: I shall not move to report progress unless I find it is the desire of members generally. I am anxious to obtain a decision on the Bill. It is most important that the measure shall be placed on the statute-book as early as possible. There has been some delay in the issue of the assessments, which cannot be sent out until the Bill has become an Act. I cannot take the responsibility of reporting progress unless I am assured it is the wish of a majority of the Committee.

Hon. A. LOVEKIN: When we decided upon the message to the Assembly in reply to the Speaker's ruling, members here refrained from speaking, the desire being that we might be unanimous and not embarrass the Government. Now, however, we are confronted with an important question that materially affects the rights and powers of this House, and it would be wrong to pass the motion and get rid of the question at a moment's notice. The Chief Secretary has only just submitted his motion and we have only just heard the President's latest pronouncement. Surely we should have a little time to digest them, because it behoves us to be careful what we say on such an occasion. Sir Edward Wittenoom should not forget that the Speaker, in his pronouncement, has made ten or a dozen reflections on the President and on this House, and I do not think we should allow them to pass without reply. I wish to impress upon the Chief Secretary that it is competent for a member to move to report progress, but I should not like to take a step that would be tantamount to taking the business out of his hands. Therefore I appeal to him to report progress.

Hon. C. F. BAXTER: I am astonished at the desire of the Leader of the House to dispose of the question at once. If any haste is necessary, why should another Chamber, in which are the Government who control the finances, have withheld its decision for a considerable time?

Hon. E. H. Harris: Did not they want a caucus on it?

Hon. C. F. BAXTER: So far from showing any haste, the Assembly took its time to consider our message, and why should we be asked to dispose of this most important matter without due consideration?

The CHAIRMAN: The Chief Secretary has said that he is anxious to obtain the views of members before moving to report progress.

Hon. C. F. BAXTER: I am astonished at the attitude of Sir Edward Wittenoom. Why should we rush ahead blindly without appreciating exactly what we are doing? We have heard a very interesting dissertation by the President and much more could be said on the question. The lengthy statement of the Speaker should be carefully investigated and it would be ridiculous for us to rush headlong into a situation that might leave us cause for regret in future.

Hon. J. NICHOLSON: Members will appreciate the position of the Chief Secretary. He is charged with the responsibility of leading the House and giving attention to all measures emanating from another place, and I can appreciate his difficulty in determining whether to accede to Mr. Lovekin's request without having some further indication of the wishes of members generally.

The Chief Secretary: That is so.

Hon. J. NICHOLSON: Having regard to the circumstances, Mr. Lovekin's suggestion is a wise one. A matter of the highest constitutional importance affecting the rights of this House is involved, and yet we are asked to concur in a message that some of us have not read and possibly have not understood. Doubtless the views expressed by the Speaker appear to him to be right. Each House is entitled to its own opinion. We are entitled to our opinion, and we are justified in maintaining our rights and asserting our privileges. I desire to place on record members' appreciation of the great care and thought given to the subject by the President, as evidenced by the further remarks he has submitted to-day.

Members: Hear, hear!

Hon. J. NICHOLSON: I feel strongly impressed with the accuracy of the opinion he has given and of the stand taken by him throughout, and I feel certain that every member will uphold him. Mr. Lovekin has acted wisely in suggesting that progress be reported. Had the House been met in to-morrow no doubt members would have been prepared to proceed then. The matter is one of great importance and I hope the Chief Secretary will report progress. The request has been inspired by the best of motives and without any desire to create hostility between the two Houses. Let us view the matter

calmly and dispassionately and above all free from bitter feelings when considering the motion before us.

Hon. G. W. MILES: I hope the Chief Secretary will adopt Mr. Lovekin's suggestion. After the Assembly received the Council's message it took a full week to consider and return it, and I see no reason why the Council should rush through a message in reply this afternoon.

The CHIEF SECRETARY: In view of what has been said, I move—

That progress be reported.

Motion put and passed; progress reported.

BILL—SUPPLY (No. 3) £1,363,500.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew) [5.45] in moving the second reading said: A further supply is required to carry on, pending the passing of the Appropriation Bill. This should be in hand very soon. The Revenue Estimates have passed another place; the Loan Estimates are being prepared, and it is proposed to submit them next week. The Appropriation Bill will be placed before this House as soon as these are passed. This Bill is on exactly the same lines as the one presented last year. It covers no expenditure out of ordinary routine. There is only sufficient to carry on until the Appropriation Bill is passed. The expenditure to date has been along lines similar to those of last year. The revenue for the four months shows an increase over the corresponding period of last year, but there is a heavy falling off in Income Tax in comparison with what was anticipated. In all other respects the collections are keeping up with those of last year. The present indications are that the financial result of the year's operations will be much as estimated. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—Issue and application of £1,363,500:

Hon. J. NICHOLSON: This House has always shown a certain readiness to deal with Bills of this nature. We like to know, however, how the amount which is asked for compares with the amount set out in a similar Bill brought down the year before. It is interesting to have some details of that nature to show how the money is applied. Of course, a great proportion of it has already been spent. At any rate, this Bill shows the confidence that the Government place in this House in that it is asked to ratify expenditure the details of which are not supplied.

The CHIEF SECRETARY: This Supply is based on last year's Estimates. The Bill is similar in every respect to the one introduced at this time last year. It is intended to provide for the carrying on of public administration for about ten days after the end of this month. Every year the expenditure both of loan moneys and revenue becomes larger. Every expansion of a Government department means increased outlay.

Clause put and passed.

Clause 2—agreed to.

Preamble. Title—agreed to.

Bill reported without amendment and the report adopted.

Standing Orders Suspension.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.33]: I move—

That so much of the Standing Orders be suspended as is necessary to enable the Supply Bill to pass through all its stages at this sitting.

This is a matter of urgency. The Bill should have been submitted earlier. We have had no authority to carry on since the first of this month, and we are, therefore, anxious that the Bill should become law as early as possible.

Question put.

The PRESIDENT: I am assuming that there is no opposition to the motion, and as there is more than an absolute majority of members of the House present I declare the motion carried.

Question thus passed.

Third Reading.

Bill read a third time and passed.

BILL—AUDIT ACT AMENDMENT.

Second Reading.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [5.55] in moving the second reading said: The object of this Bill is to amend Section 6 of the Audit Act by increasing the salary of the Auditor General from £800 to £1,000 per annum. The salary has been the same since 1904, and the present occupant of the position was appointed in February of that year. He has had no increment, although all other salaries have increased considerably since that time. The increase in salary for this position requires no justification. The salaries paid to other Auditors General are: Commonwealth £1,750, New South Wales £1,500, Victoria £1,250, Queensland £1,500, South Australia £1,000, Tasmania £850. We are bringing the salary of the Auditor General into line with that which is paid to the officer holding that position in South Australia. It is also desirable to provide for the age of retirement which the Bill fixes at 65. This is the age when officers under the Public Service Act are required to retire. It is now a well-established principle that all public officers should retire at that particular age. In practically all cases this age is fixed at 65. In the earlier Acts of the different States the retiring age was not given. In later Acts, however, it has, I understand, been fixed. The Commonwealth Act No. 18 of 1926, and the Queensland Act No. 17 of 1926, both recognise this principle, and under these the retiring age is 65. I move—

That the Bill be now read a second time.

HON. G. W. MILES (North) [5.56]: I support the second reading, but regret we have not power to increase the salary to at least £1,200. The Auditor General is one of our most important officials. For the last 20 years he has received £800 a year, whereas a Minister of the Crown, who is here to-day and gone to-morrow and has no special training or qualifications for his position, receives £1,500 a year.

Hon. W. H. Kitson: That is a bit rough.

Hon. G. W. MILES: I do not say that in any offensive way. I may be a Minister some day, but what experience have I had compared with the Auditor General? That officer is not paid a sufficient salary, and I am sorry we cannot increase it still further.

Clause 2 says that the Auditor General shall retire from office at the age of 65. I hope in Committee to alter that to "may be required to retire." With all the knowledge and experience he has gained over a number of years, and because of his special training, it should be possible to retain his services for a longer period than that indicated in the Bill. Mr. Toppin has a good many years ahead of him. I hope when he reaches the age of 65, if he is still able to carry out his duties, he will be allowed to remain in his position. I hope in Committee members will agree to some amendment along these lines.

HON. A. LOVEKIN (Metropolitan) [5.58]: I support the second reading. Clause 2 should be amended. The Auditor General was appointed, like a good many other high officials, for life, consequent upon good behaviour. This Bill gives him £200 a year increase, but on the other hand retires him at 65. I am more than 65 and I believe I have still a few years to run. Mr. Toppin is in better health than I am. He is a thoroughly experienced officer, and he should not be retired at the age of 65 if he is then fit to continue. This occupant of the position took it on the understanding that it was to be a lifetime appointment. I do not think we ought to interfere with that, anyhow. To retire the present Auditor General at 65 years of age would, I consider, be a great mistake from the aspect of the interests of the State.

HON. J. NICHOLSON (Metropolitan) [6.1]: I am indeed pleased that the Government have introduced this Bill by way of giving effect to the opinion expressed by many members, and not only here, but also in another place, regarding the officer in question. We all know of the excellent service the Auditor General has rendered to the State, and this somewhat belated increase—I am not blaming the present Government: the increase should have been granted long ago—is hardly an adequate return to one who has carried such great responsibilities as those devolving upon the Auditor General. If it were possible for us to date the increase back, I should be glad to vote in favour of that course. I do not know whether a suggestion of that kind is permissible, but if it were adopted the legislature would only be paying some small respect and regard to Mr. Toppin's past service. If the Bill passes, the Auditor General will not be re-

ceiving the full benefit that he should have received during past years. It is not possible for us to increase the amount suggested in the measure; but I throw out my suggestion of dating the increase back for the consideration of the Leader of the House, and shall be glad to hear what he has to say about it. The views of two previous speakers regarding paragraph (b) of Clause 2 should receive careful attention. Personally I shall be pleased to support any amendment in the direction that has been indicated.

HON. J. J. HOLMES (North) [6.3]: I support the second reading. While I believe that the officer concerned stands as high in my estimation as in that of any other member of this Chamber, yet I consider that in a matter of this kind we should entirely lose sight of the individual and ask ourselves merely, what is a fair salary to be paid to an Auditor General? I do not think we shall be paying anything too much if we raise the salary to £1,000 a year. I do not like paragraph (b) of Clause 2. The present holder of the office accepted the position on the understanding that it was a life appointment, under the same conditions, practically as judges, and like them he is removable only by a resolution of both Houses of Parliament. If the paragraph in question is allowed to remain, then no matter what the Auditor General may do or how he may fail in his duty, he is not to be retired until he reaches the age of 65 years. He is there irremovably until he reaches that age. We do not want that. The present holder of the position has a life appointment, but I am afraid that paragraph (b) means that he shall retire upon reaching the age of 65, and not otherwise.

HON. H. STEWART (South-East) [6.5]: I am in accord with the feeling expressed by other hon. members, that for a position of this character a salary of £1,000 per annum really represents under-payment; but I would point out to Mr. Holmes that in any Act passed by Parliament for the appointment of a State official, and in any agreement of service made by private enterprise, there is provision that if the appointee misbehaves, or becomes subject to disabilities, or becomes bankrupt or anything of that sort, he shall be retired. I accept the statement that the present occupant of the office of Auditor General was appointed on the understanding that he would have a life

tenure. Section 7 of the principal Act provides that if the Auditor General directly engages in private work, or becomes bankrupt, or is absent without special leave for more than a certain period, or if he resigns, then his office terminates. I have also referred to Section 9, which deals with his being removable upon a resolution to that effect being carried by both Houses of Parliament. I find myself somewhat at variance with views expressed this afternoon, in this respect, that I consider the position one calling for a man in full vigour. No doubt many men are at their best, and would be most useful to the State, at 65 years or even 70; but when we consider the special duties of the position of Auditor General, and the arduous nature of the work, we must agree it is quite conceivable that a man should not continue to hold it beyond a certain age. A better way might be to pay the occupant of the office a much higher salary, and simultaneously to provide for his retirement not at 65 years of age, but at 60. However, the provision to that effect should not be mandatory. Whether the age suggested by the Bill as that at which it would be permissible to retire the occupant of the office is reduced or maintained at the figure stated, I consider that for a position of such importance the increase proposed is neither sufficient nor in accordance with other salaries paid in the Public Service.

HON. SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [6.8]: I support the second reading of the Bill, hoping that in Committee something will be done to make the increase date back. My personal opinion is that for at least ten years past the Auditor General has been considerably underpaid. I am not at all in accord with the provision for retirement at 65 years, because I consider that the experience gained by a man of the calibre of Mr. Toppin renders the provision totally unnecessary. If the time does come for appointing a new Auditor General, the salary will, I hope, be fixed at a figure commensurate with the duties and responsibilities of the position, and so possibly afford him an opportunity to retire at 65 years. A man who has occupied the position on the comparatively small salary hitherto paid to the Auditor General is perhaps not well able to retire at the age suggested. But, apart from that, Mr. Toppin was, as has been remarked by Mr. Lovekin, appointed on a life tenure subject to the ordinary stipulation of his carrying out the duties of the office in a proper

manner—which every member will agree Mr. Toppin has done. His work has met with the approval of both Houses of Parliament, and does him every credit as a professional auditor.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central—in reply) [6.10]: Ever since the present Auditor General was appointed, I never, until last session, heard of or read a suggestion that his salary should be increased. As a matter of fact, I was not aware of the amount of his salary.

Hon. C. F. Baxter: I do not think anyone was.

The CHIEF SECRETARY: I was astounded to find it was only £800. Last session reference was made to the inadequacy of the Auditor General's salary, but even then its amount was not stated. However, the Government went carefully into the matter. They had to be very cautious as to how they should act in the circumstances. If the increase was such as to inflate the salary to what might be considered an undue amount, motives might be attributed to the Government by the Press and the outside public—I do not say by members of this Chamber or the other place. Such a possibility existed.

Hon. G. W. Miles: Can this House make a request for a larger increase?

The CHIEF SECRETARY: I am very doubtful as to the Legislative Council's powers in that connection. With regard to retirement at the age of 65 years, the Government have ascertained that to be the general practice now. Hon. members must be alive to the necessity for fixing some age limit; otherwise, whereas we should have a man in full bodily and mental vigour, we might have one living, and continuing in office, to the age of 80 years.

Member: Fix the retiring age at 70.

The CHIEF SECRETARY: We must fix some age limit; otherwise we might have in the position of Auditor General a man unfit for it, no matter how well qualified in his earlier years. I do not think any Government would care to approach Parliament with a request to agree to the officer's retirement. Such a course would be most unusual as well as most distasteful. Therefore, I consider that a retiring age should be fixed; and 65 appears to me a reasonable age.

Hon. A. Lovekin: What is the retiring age for judges?

Hon. J. J. Holmes: None at all.

The CHIEF SECRETARY : I do not think there is any retiring age for judges; but I do know that the Queensland Parliament passed a retrospective Act in order to get rid of a judge who, having lived to a great age, was not competent to perform his duties owing to physical incapacity. We must look to the future in a case of this kind. So far as I know, Mr. Toppin is in vigorous health, and sound in every respect. I do not know what his age is; I have made some inquiry, but have not been able to ascertain. However, he appears to be in perfect health. I trust the provisions of the Bill will be given very serious consideration.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; the Chief Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 6:

Sitting suspended from 6.15 to 7.30 p.m.

Hon. Sir EDWARD WITTENOOM : I have come to the conclusion that it would be wise to provide for the possible retirement of the Auditor General from office on attaining the age of 65, but to strike out "shall" and insert "may," and so leave it at the discretion of the Government of the day. In a long experience of boards and companies I have known several good directors unconsciously outlive their usefulness, and in one or two instances we have had great difficulty in getting rid of them. If we insert "may"—

Hon. J. Nicholson: Make it "may be required to."

Hon. Sir EDWARD WITTENOOM: Yes, that would do. That would allow the Government to retain him for as long as his services proved valuable. I move an amendment—

That in line 3 of paragraph (b) "shall" be struck out and "may be required to" inserted in lieu.

Hon. A. LOVEKIN: There is a difficulty about the amendment. Under the Audit Act the Auditor General is not amenable to the Public Service Commissioner, but is directly under the authority of Parliament. If we say he may be required to retire from

office, who is going to require him to retire? Only Parliament. It would be disagreeable if at the end of a man's career both Houses of Parliament had to pass a resolution saying that he must retire. I think it would be better to let the paragraph stand, so that future occupants of the office may know what will happen. But the present Auditor General has practically a life contract under the Audit Act, and we do not wish to repudiate that. I suggest, therefore, that we add at the end of the paragraph, "provided this paragraph shall not apply to the present occupant of the office."

Hon. Sir WILLIAM LATHLAIN: The difficulty I see is that under Mr. Lovekin's proposal the present occupant of the office would be able to retain his post indefinitely, even after he had outlived his usefulness. This will only strengthen the Auditor General's position under his contract.

Hon. J. J. HOLMES: I agree with Mr. Lovekin that there must be no breach of faith between Parliament and the present Auditor General, who took office on the explicit condition that he could remain at his post just so long as Parliament considered he was fit to occupy the position. To now say that he must retire at the age of 65, would be a breach of faith. Recently we raised the salaries of the judges, who were appointed under similar conditions, but we did not place any age limit upon them. It is only fair that the present Auditor General also should get an increase of salary without any repudiation of his contract. It is true we fixed the age for the retirement of the President of the Arbitration Court at 70 years. But his appointment had not then been made. We must stand to our contract with the present Auditor General, although in appointing his successor we might reasonably fix an age limit for his retirement.

Hon. H. J. YELLAND: I agree with Mr. Lovekin that we should not repudiate our contract with the present Auditor General. Still, under the Public Service Act certain age limits are provided. They have been fixed in consideration of the possibility of an officer remaining active and retaining all his faculties even after reaching a certain age. If we were to fix 65 years as the retiring age for the Auditor General we should be setting up an arbitrary barrier that might result in robbing the State of years of good service by that gentleman. If it were possible to introduce some elastic

limitation for the age of future Auditor Generals, it might be of some assistance to the State in the event of one or another of them retaining his usefulness beyond the customary age.

The CHIEF SECRETARY: The Government gave careful consideration to this. The point first arose whether it would be desirable to bring this officer into line with officers under the Public Service Act. But it was realised that that would be dangerous and that imputations might be made against any Government that attempted to administer the Audit Act on the lines laid down in the Public Service Act. For instance, between the ages of 60 and 65 the Auditor General would be practically at the mercy of the Government of the day. So the Government decided to ask Parliament to approve of a fixed retiring age. I am in an awkward position to-night; I have here a Bill which has come from another place and in which members in that place agree that the retiring age shall be 65. We do not wish to press our own views in connection with the matter, but we want Parliament, uninfluenced by Ministers, to come to a decision.

Hon. A. LOVEKIN: It would be undesirable that the Auditor General should be controlled by the Government. He is an officer of Parliament and should be independent of the Government. It is better to fix the age at which he shall retire and then the future appointee will know where he stands. That would be better than Parliament having the disagreeable duty cast upon it of passing a resolution calling upon the Auditor General to retire.

Amendment put and negatived.

Hon. A. LOVEKIN: I move an amendment—

That the following proviso be added to the clause:—"Paragraph (b) shall not apply to the present occupant of the office."

Amendment put and passed; the clause, as amended, agreed to.

Clause 3, Title—agreed to.

Bill reported with an amendment.

BILL—HOSPITALS.

Recommittal.

Resumed from the previous day. Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clause 2—Interpretation:

Hon. A. LOVEKIN: I had included this clause as one of those to be reconsidered for the reason that I was unable to find any reference to "hospital fund." It has been pointed out to me that the words occur in Clause 33. Therefore I have no wish to proceed further with the clause.

Clause put and passed.

New clause:

The HONORARY MINISTER: I move—

That the following new clause be added to the Bill to stand as Clause 27:—

Application of revenue of local authorities towards hospital construction and equipment.

27. (1) It shall be lawful for any local authority to apply any portion of its annual revenue towards all or any of the following objects, that is to say—the construction, enlargement, improvement and equipment of any hospital; and a local authority may enter into a binding agreement with the Crown, or any person or body of persons, to apply a stated portion (not exceeding ten per centum) of its annual revenue, for a stated period, towards all or any of the objects aforesaid:

Provided that it shall not be lawful for any local authority to make any contribution under this section towards the capital cost of the construction, enlargement, or general improvement or equipment of a hospital unless the Minister shall have previously given a valid undertaking to provide at least one-half of such capital cost.

(2) The objects aforesaid are hereby included in the objects for which a local authority may borrow money under its local government Act.

(3) Every proposition for the application of the revenue of a local authority in manner aforesaid, or for entering into any such agreement as aforesaid, shall be subject to the provisions of Sections 445 to 448 (both inclusive) of the Municipal Corporations Act, 1906, or of Sections 284 to 287 (both inclusive) of the Road Districts Act, 1919 (as the case may be), as if it were a proposition for borrowing money, and such sections shall mutatis mutandis, apply thereto and in respect thereof accordingly.

(4) Any loan heretofore raised by the Municipality of Collie, or the Katanning Road Board, for any such object as aforesaid is hereby validated notwithstanding that such municipality or board may not have had any legal authority to raise such loan, or that any of the relative provisions of its local government Act were not complied with.

(5) The provisions of this section are without prejudice to any power vested in a local authority by or under its local government Act.

Certain suggestions were made and with those I am in entire accord, that there

should be some other arrangement with regard to the financing of the hospitals, and that that should be placed on a better footing. I am hopeful at a later stage that something like that will be put into operation. As a result of interchange of ideas, we have arrived at a workable solution of the difficulties we were in when the Bill was being discussed at an earlier stage. With the assistance of the Crown Law Department, as well as the suggestions of members, I think the amendment I have submitted will meet the position. All the local authorities are safeguarded and all are now satisfied.

Hon. H. STEWART: In the clause that the proposed new clause will substitute in the Bill, there was a special provision that not more than 10 per cent. of the annual general rates could be expended by a local governing authority in this direction. As the clause proposed by the Honorary Minister reads, that limitation does not apply to the first part, but merely to the second part where agreements with the Crown are referred to. I move an amendment—

That in line 9 the words "not exceeding ten per centum" be struck out, and that after "aforesaid" in line 12, the words "provided that no such expenditure shall exceed ten per centum of its annual general rates" be inserted.

The HONORARY MINISTER: I have gone to considerable trouble in connection with this matter, and I am surprised to hear objection taken now.

Hon. A. Lovekin: Why object? This is helping you.

The HONORARY MINISTER: I have no particular objection to the amendment, but I thought that the new clause, as I moved it, met the desires of hon. members. I think the amendment will have the opposite effect to that contemplated by Mr. Stewart.

Hon. H. J. YELLAND: I suggest to the Honorary Minister that he accept the amendment because it does not affect the new clause at all beyond removing ambiguity. The punctuation of the first paragraph is such that the limitation of ten per cent. is made to refer to the second part only, and not to the whole clause.

Hon. A. Lovekin: The amendment will make the clause what the Honorary Minister proposed originally in the Bill.

Hon. H. STEWART: My attention has been drawn to the fact that the term "annual revenue" appears both before and after

the amendment I have moved. If it is desired by the Committee to alter that term so that it will read annual general rates," it might be as well to withdraw my amendment and thus avoid having to recommit the Bill again.

Hon. Sir WILLIAM LATHLAIN: While I agree that Mr. Stewart's amendment is necessary to make the new clause clear, I wish to disabuse the mind of the Honorary Minister regarding the attitude of the people of the metropolitan area. It would be most unfair to apply the clause to the metropolitan area where hospitals exist to meet the requirements of every part of the State. Before the clause is finally disposed of, I shall move an amendment by adding a proviso to the effect that the clause shall not apply to the metropolitan area.

Hon. J. M. MACFARLANE: I also wish to disabuse the mind of the Honorary Minister regarding the attitude of members representing the metropolitan provinces. The Town Clerk of Perth informs me that if this power were exercised by the City Council it would mean an expenditure of £13,000 a year.

Hon. J. J. Holmes: And for as long a period as the majority of the Council in favour of the proposal desired.

Hon. J. M. MACFARLANE: It is not desired to have this power in the Bill for use by the City Council at any time, even though the power be latent. The Minister must have overlooked the attitude of metropolitan members. If country members will support the suggestion to eliminate the metropolitan municipalities, we can arrive at a decision satisfactory to all concerned.

Hon. V. HAMERSLEY: The Road Districts Act gives road boards power to do most of the things provided for in the proposed new clause, and they will gain nothing from the passing of this Bill. I understood the object of the Bill was to provide facilities for municipalities. If municipalities are now to be exempted, is there any need for the Bill?

The CHAIRMAN: The only question before the Chair is the amendment to the proposed new clause.

Hon. H. J. YELLAND: I should like Mr. Stewart to withdraw his amendment so that I may move a prior amendment.

Hon. H. Stewart: Very well.

Amendment, by leave, withdrawn.

Hon. J. NICHOLSON: Before Mr. Yelland moves his amendment let me say that

if it is desired to give the power to Collie and Katanning only, that limitation should be stated.

Hon. E. H. Gray: There are other places.

Hon. H. Stewart: It is not necessary for road boards because they already have the power.

Hon. J. NICHOLSON: That is so. The new clause would give general power to all local authorities to apply revenue towards hospital construction and equipment. I suggest that the words "any local authority" be struck out and the words, "municipality of Collie and Katanning Road Board" be inserted.

Hon. E. H. Gray: Other places want the power as well.

Hon. J. NICHOLSON: I gather that others do not require it.

Hon. E. H. Gray: Why not give to municipalities the power that road boards already have?

Hon. Sir William Lathlain: They do not want it.

Hon. E. H. Gray: You speak for Perth!

Hon. J. NICHOLSON: The power is not wanted in the metropolitan area.

Hon. A. Lovekin: Anyhow, the new clause cannot prejudice any municipality that does not desire to make use of it.

Hon. H. SEDDON: In this State we have hospitals, some voluntary, some partly subsidised, and some working locally. The Bill provides that any local authority may take action to establish a hospital and impose upon its ratepayers the responsibility for maintaining it.

Hon. A. Lovekin: The ratepayers can object.

Hon. H. SEDDON: That will mean placing the responsibility for maintaining hospitals on the local authorities. Some local bodies have only a small number of people on whom to draw, and they would have to bear a much heavier burden than the people in larger communities. The Bill will not attain the object of an equitable distribution of hospital responsibilities. The districts that wish to dodge their responsibilities will be able to do so, while others that are bearing the responsibility of hospitals will still have to carry on. The previous Hospitals Bill was a far more equitable measure. Let me read a letter I received from the secretary of the Friendly Societies Association, Kalgoorlie—

The CHAIRMAN: I cannot allow a general discussion on the new clause.

Hon. H. SEDDON: I am opposing the new clause.

The CHAIRMAN: The hon. member is making a second reading speech by discussing the principle of the Bill.

Hon. H. J. Yelland: The fate of the Bill depends upon this clause.

The CHAIRMAN: I cannot help that; the fate of the Bill should be decided on the second reading.

Hon. H. SEDDON: The Secretary of the Friendly Societies Association, Kalgoorlie, said it was the opinion of the societies there that all public hospitals should be maintained by direct taxation. There seems to be a rising tide of public opinion in that direction, and I would have preferred to see amendments made on those lines.

Hon. W. H. KITSON: If we pass the clause, it will be optional for any local authority to take advantage of its provisions, and we should not stand in the way of any local authority that desires to do so.

Hon. J. M. Macfarlane: It is the wrong form of taxation.

Hon. W. H. KITSON: I agree that direct taxation would be better. If municipalities do not want to exercise the right, they need not do so. I think Fremantle would welcome the provision.

Hon. V. Hamersley: The Fremantle council run trams and that would mean ten per cent. of the tram receipts as well.

Hon. W. H. KITSON: The hon. member knows that only certain moneys are payable into the general revenue of local authorities. If road boards already have the power, why should it be denied to municipalities?

Hon. J. J. HOLMES: It should be made clear whether we are providing for ten per cent. of the annual revenue or ten per cent. of the general rates. Ten per cent. is for the construction, enlargement, improvement and equipment of the hospitals. If the expenditure is to cease then, from what source are the funds to come with which to carry on the institutions? They are to be used for people who cannot afford to pay for the services rendered to them. We are told that the local authorities cannot incur any expenditure unless the Minister first provides half the cost involved, but there is no responsibility upon him afterwards to carry on the institution. If this clause is agreed to, the full responsibility will fall upon the local authority.

The HONORARY MINISTER: This is intended to safeguard the local authorities, who are not entitled to incur the expenditure unless the Minister guarantees to bear half the cost.

Hon. J. J. Holmes: I want a definition of the word "equipment."

The HONORARY MINISTER: That has to be provided in the best possible way.

Hon. C. F. Baxter: By street begging?

The HONORARY MINISTER: That is unfortunately so. I hope to have an opportunity later on of taking certain steps to put a stop to that.

Hon. J. J. Holmes: How are the hospitals to carry on?

The HONORARY MINISTER: The responsibility will be cast upon the people who are dealing with the hospital. The Bill merely gives the same facilities to municipalities as are already enjoyed by road boards. In the past, Governments have contributed pound for pound for hospitals and the Bill merely carries out that policy.

Hon. H. J. YELLAND: I move an amendment—

That in line 3 the word "revenue" be struck out, and "general rates" be inserted in lieu.

There is a great difference between revenue and general rates. In the Claremont municipality, for instance, the general rate is £6,000, the loan rates £1,700, then there are the fire brigades rates, licensing fees, Government grants, loans raised during the year, receipts from property, interest from sinking fund and receipts from the electric light plant. The 10 per cent. taxable amount for hospitals is restricted to the general rate of £6,000. That is why I want the new clause amended.

Amendment put and passed.

Hon. J. J. HOLMES: I move an amendment—

That in line 5, after the word "improvement" the word "and" be struck out, and after "equipment" the words "and maintenance" be added.

Some provision must be made for the maintenance of these hospitals, and to insure that the Government shall provide half the cost of that maintenance.

The HONORARY MINISTER: No doubt it is necessary to provide for the equipment and maintenance of hospitals, but the hon.

member's suggestion is so impracticable that I am afraid I cannot consider it.

Hon. J. J. HOLMES: The Government must at all events agree to subsidise these institutions as regards maintenance to the extent of pound for pound. When the building is erected it is quite another thing to carry it on. These hospitals are for the care of the destitute and their financial resources are limited. I hope the amendment will be accepted.

Hon. H. J. YELLAND: I oppose the amendment which will throw us right off our guard relatively to a Bill we hope to see introduced for the maintenance of hospitals. There have been complaints of the absence of provision for the raising of money to maintain hospitals, and the Government have plainly intimated their intention to introduce a Bill for that purpose. If the words "and maintenance" are inserted here, the Government will be relieved of the necessity for introducing the second Bill, which would provide a proper method of taxation. The amendment is out of place here. The original clause providing for maintenance, No. 7, has been deleted. What the Chamber objected to was not the proposed raising of revenue, but the proposed manner of raising it.

Hon. J. M. MACFARLANE: I support the amendment, holding that the insertion of the words would imply that municipalities undertaking the proposition would do it with their eyes open, and in the circumstances would have a successful and efficient hospital. The words would cause people to think twice before embarking on a hospital enterprise. We all desire to see the other Bill introduced.

Hon. C. F. BAXTER: The carrying of the amendment would result in the matter resting at that for all time. The insertion of the words "and maintenance" would mean the destruction of the essence of the measure—the contribution of 50 per cent. by the Government. If the new clause is not inserted, the whole Bill will be useless.

Hon. H. STEWART: Under the Road Districts Act road boards already have power to provide hospitals. Municipalities do not as a rule require nursing schemes. Mr. Holmes's amendment would have the merit of causing people to think not only of getting a hospital, but of how the hospital is to be carried on. The measure really contains no provision for the financing of hospitals. Shall we be right in introduc-

ing into the Bill a provision for maintenance, which would mean that the Government must find certain funds?

Amendment put and negatived.

Hon. H. STEWART: I move an amendment—

That in Subclause 1, line 9, the words "not exceeding ten per centum" be struck out.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1, line 10, the word "stated" be struck out.

As the clause now stands, a local authority will be able to enter into a binding agreement with the Crown or any person or any body of persons to apply a stated portion of its annual revenue for any period—possibly 50 years. There should be a limitation on that power. If the present amendment is carried, I shall move the insertion of a period of five years.

Amendment put and passed.

Hon. J. NICHOLSON: I move an amendment—

That in Subclause 1, line 10, after the word "period" there be inserted "not exceeding five years."

The HONORARY MINISTER: I strongly oppose this amendment, knowing something of the disabilities under which the people concerned labour. If Mr. Nicholson desires to amend the subclause, he should make the period 10 years, which would be more satisfactory to all concerned.

Hon. J. NICHOLSON: The five years would be merely a limitation for entering into the agreement, and there would be nothing to prevent any local authority from renewing the agreement for another term of five years. Thus any difficulty would be got over. Local authorities should not be tied up for long periods, such as 10 years.

Hon. H. STEWART: The carrying of the amendment would ruin the clause. What is to be done within a certain time is not the erection of the building, but the application of a stated portion of the annual revenue for a number of years. Would the money so made available during five years suffice for the construction of a hospital? Mr. Nicholson has placed on the clause a different interpretation from mine.

Hon. J. NICHOLSON: The payments will be spread over a certain period and will

be regulated by instalments, probably equally distributed. If an arrangement is made whereby a certain sum is to be paid within five years, probably there will be five equal instalments.

Hon. H. STEWART: Mr. Nicholson speaks as if this dealt solely with capital payments. That is not so. The local authority probably will have to raise, say, £1,000 as its share of the cost of the hospital. Then it will take a percentage of its general rates with which to pay interest and sinking fund on the capital. That is where the five years will be too short.

Hon. J. NICHOLSON: This does not deal with loans at all. It provides merely for the local authority paying a portion of its annual general rates for a given period. It has nothing whatever to do with loan money.

Hon. C. F. BAXTER: I should like the Honorary Minister to give us reasons for saying that five years will be too short a period. In my opinion five years will be quite long enough. Under existing legislation the local authority can subsidise hospitals.

Hon. H. STEWART: If a hospital is to be built, certain capital must be raised. The local authority will have to borrow the money and use a percentage of its rates for the payment of interest and sinking fund on that capital. To limit the period to five years will be to ruin the Bill.

Hon. J. J. HOLMES: I agree with Mr. Nicholson that this has nothing whatever to do with loans. I cannot follow Mr. Stewart.

Hon. E. H. Gray: I think Mr. Stewart is very clear to-night!

Hon. J. J. HOLMES: All that the clause provides is that the local authority shall be permitted to pay 10 per cent. of its general rates towards a hospital. No money will be borrowed. The work must be done out of the 10 per cent. of the general rates. Under Mr. Nicholson's amendment, that can be capitalised for five years. If they cannot construct a hospital in five years, they had better leave it alone.

Hon. A. LOVEKIN: Like Mr. Stewart, I believe the insertion of these words will wreck the Bill. In the construction of a hospital, with the Government finding 50 per cent., the local authority will borrow their share of the money. Obviously in many small places, 10 per cent. of the rates for five years would not go anywhere near

a half share of the capital cost of the hospital. So the 10 per cent. of the rates will have to be applied to the payment of interest and sinking fund on the borrowed capital. The clause is needed for outside municipalities. The difficulty is that certain local authorities have acted illegally. We want to validate what they have done, but we cannot say to them, "Go on wrong-doing." On the contrary we must say to Katanning and Collie—

Hon. J. J. HOLMES: On a point of order. Are we dealing with the amendment to insert "five years"? Does Mr. Lovekin suggest that the mayors of Collie and of Katanning should be subject to five years' imprisonment for breaking the law?

Hon. A. LOVEKIN: I understand the position perfectly well. I am showing that the last paragraph comes in first and it goes on to permit the Katanning Road Board to do what it has been doing. The local authority has power to appropriate 10 per cent. of its rates per annum for constructing, enlarging, improving and equipping the hospital. Ten per cent. of its rates can be applied directly to buying bricks, or if money to build a hospital should be borrowed, the ten per cent. can be applied towards the interest and sinking fund. Thus the ten per cent. is still being applied to the building of the hospital. None of the small municipalities can afford to find funds with which to build hospitals under these conditions in five years.

Hon. H. J. YELLAND: If Mr. Holmes will take the trouble to read the clause right through he will see that in Subclause 2, provision is made that the "objects aforesaid are hereby included in the objects for which a local authority may borrow money under its local government Act," and the money raised will be used towards paying interest on the money borrowed to build the institution.

Hon. J. NICHOLSON: The whole of the subclause relates to the application of a certain portion of the annual general rate and to nothing else, and for a specific purpose. Subclause 2 stands on its own. It refers. "to the aforesaid objects." What are they? But that has nothing to do with the application of a certain portion of the annual general rate towards the particular object. If Mr. Lovekin will study the clause he will see that he is labouring under a misapprehension.

Hon. J. J. Holmes: If he drafted it, it had better be re-drafted.

Hon. J. NICHOLSON: All that can be done by a local authority is to apply during a certain period, which I hope the Committee will limit, a certain portion of its annual general revenue to these particular objects and to nothing else.

Hon. A. Lovekin: If the Minister let that in, he should withdraw the Bill.

Hon. J. NICHOLSON: I suggest the hon. member re-cast the whole clause. In addition to giving the local authorities power to apply a certain portion of the annual general rate towards these particular objects, it is also sought to give power to a local authority to borrow money for these purposes. That is entirely different thing, and it is included as an additional power to those the local authorities already have in the way of borrowing money. If we give unlimited power to the local authority to apply any portion of its general rates for an unlimited time towards these objects, a local authority can enter into an undertaking or agreement for a thousand years.

Hon. A. Lovekin: Suppose they did, where would be the harm?

Hon. J. NICHOLSON: It would be calculated to do the greatest possible harm.

Hon. A. Lovekin: It is their business.

Hon. J. NICHOLSON: But it is not our business to give such power to a local authority.

Hon. A. Lovekin: But it is not our business to thwart the wishes of the local authorities.

Hon. J. NICHOLSON: I am trying to guide them; I am not prepared to be a party to giving a local authority power to keep on applying a certain portion of its annual general rates towards these objects for an unlimited time. If Mr. Lovekin supports the clause without amendment, he will open the door to mal-administration. It is clearly necessary in the interests of the local authorities themselves that we should have a limit, and I hope the amendment will be carried.

Hon. A. Lovekin: Is it worth while raising money for five years?

Hon. J. NICHOLSON: We are not discussing that matter. If he looks at the clause he will see that it deals with the application of a certain portion of the annual general rate.

Hon. Sir EDWARD WITTENOOM: These efforts at trying to convert each other seem to be almost futile. Let us have an opportunity to register our views on the subject.

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

Ayes	..	..	..	3
Noes	..	..	..	13
Majority against				10

AYES.

Hon. J. J. Holmes	Hon. Sir W. Latblain
Hon. J. Nicholson	(Teller.)

NOES.

Hon. J. M. Drew	Hon. G. Potter
Hon. E. H. Gray	Hon. E. Rose
Hon. V. Hamerstick	Hon. H. Stewart
Hon. J. W. Hickey	Hon. Sir E. Wittenoom
Hon. W. H. Kitson	Hon. H. J. Yelland
Hon. A. Lovekin	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	(Teller.)

Amendment thus negatived.

Hon. J. J. HOLMES: Will the Honorary Minister tell me what is "a period"? The brains and intelligence of the majority of the Committee have been applied to this clause as against the three who voted from a sane standpoint.

The HONORARY MINISTER: The period will be that which is decided between the Minister and the local authorities concerned.

Hon. H. STEWART: I move an amendment—

That in line 12 after "aforesaid," the words "provided that no such expenditure shall exceed 10 per centum of its annual general rates" be inserted.

Amendment put and passed; the new clause, as amended, agreed to.

Hon. Sir WILLIAM LATHLAIN: I stated earlier that it was my intention to move to add a proviso setting out that nothing in the section should apply to the metropolitan area, but Mr. Kitson stated that the Fremantle people were desirous of being included under the scheme. I have no desire to keep them out and I shall move to add a proviso to exclude the Metropolitan and Metropolitan-Suburban Provinces.

The CHAIRMAN: The hon. member has missed his opportunity. He can insert the proviso as a new clause upon recommitment.

Hon. A. LOVEKIN: As the clause stands now, Subclause 4 has nothing whatever to do with it. I suggest that Subclause 5 be made Subclause 4, and that Subclause 4 be inserted as a separate clause.

The CHAIRMAN: The Clerk has drawn my attention to the necessity for further al-

terations to the clause, and I hope the Honorary Minister will give the matter attention.

Title:

Hon. A. LOVEKIN: I move an amendment—

That in line 4 after "purposes," the words "and for the ratification of certain illegal acts on the part of the municipality of Collie and the Katanning Road Board" be inserted.

Hon. J. J. HOLMES: I would like to hear what the Honorary Minister has to say. He is in charge of the Bill, but Mr. Lovekin has apparently taken charge of it!

Hon. A. Lovekin: I gave notice of my amendment on recommitment.

The HONORARY MINISTER: That is quite correct. That was part of the arrangement for recommitment.

Hon. A. Lovekin: It is merely a matter of form. The clause dealing with Katanning and Collie is not relevant to the Title.

The HONORARY MINISTER: At the same time I did not know that Mr. Lovekin intended to move such an amendment to the Title. I certainly oppose it strongly, particularly because of its phraseology.

Hon. J. J. HOLMES: We would not be justified in allowing the Bill to pass with a Title such as Mr. Lovekin suggests. We should not pass a Bill with a Title setting out that Collie and Katanning had been guilty of illegal acts! I would like to hear what members representing those centres think of what these 13 wise heads in the Council contemplate doing.

Hon. A. Lovekin: It fits the new clause.

Hon. J. J. HOLMES: Surely some better wording could be found.

Hon. A. LOVEKIN: It is necessary to make the title cover the provisions of the Bill. I am not wedded to the actual words, but I do not see how we can ratify the illegalities unless we express it in so many words.

Hon. H. J. YELLAND: It would have been wise for the Minister to withdraw the validating provision and bring down a separate measure to cover Collie and Katanning. This measure will repeal the Act of 1894, so that our principal Hospitals Act will bear the awkward title mentioned.

Hon. H. STEWART: I think the words in the title "and for other relative purposes" fully meet all requirements. The Minister should stick to the title as printed.

Hon. A. LOVEKIN: There is little doubt that the validating provision is not relevant

to the Bill. The question is whether we should negative that provision and let it be brought down in a separate Bill, or try to help the Katanning and Collie people by including it in this measure and altering the title accordingly.

The HONORARY MINISTER: Members agree that the action of the Collie and Katanning authorities should be validated. I suggest that Mr. Lovekin alter his amendment by making it read, "and to validate certain acts of the Collie municipality and Katanning Road Board."

Hon. A. Lovekin: I do not mind the form so long as it is done.

Hon. H. J. Yelland: It would not make a very dignified title to the principal Act.

The CHAIRMAN: The Honorary Minister can achieve his object by moving an amendment on the amendment.

Hon. A. LOVEKIN: Our Standing Orders provide that the title of a Bill shall coincide with the order of leave and no clause shall appear in the Bill if it is foreign to the title. I think the illegal acts that we are validating should be specified in the title.

The HONORARY MINISTER: I move—

That the amendment be amended by striking out "ratification," and inserting the word "validation" in lieu; and by striking out the words "illegal" and "on the part."

Hon. H. STEWART: The new clause is headed "Application of revenue of local authorities to hospital construction and equipment," and the validating subclause is only part of the clause. Consequently the amendment of the title should not be necessary.

Hon. J. J. HOLMES: I ask the Minister seriously to consider excluding this foreign provision and bringing down a separate validating Bill. It is like a reflection on the people of Collie and Katanning to include it in the principal Act.

Amendment on amendment put and passed.

Amendment, as amended, put and passed; the Title, as amended, agreed to.

Bill again reported with further amendments.

Further Recommittal.

On motion by Hon. Sir William Lathlain Bill again recommitted for the purpose of further considering new Clause 27.

In Committee.

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

New Clause 27: Application of revenue of local authorities towards hospital construction and equipment.

Hon. H. J. YELLAND: I would point out that the word "stated" should be reinstated before the word "period."

Hon. H. STEWART: I move an amendment—

That in line 10 the word "stated" be inserted before "period."

Hon. J. J. Holmes: I cannot see the necessity for the amendment.

Amendment put and passed.

Hon. A. LOVEKIN: I move an amendment—

That Subclause 5 be transposed to stand as Subclause 4.

Subclause 4 as it stands has nothing to do with the rest of the clause, in that it deals with the local authorities of Collie and Katanning. My desire later is to have Subclause 4 converted into Clause 28.

Amendment put and passed.

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That a subclause be added as follows:—"Nothing in this section contained shall apply to any local authority within the boundaries of the Metropolitan Province and the Metropolitan-Suburban Province."

Within these areas there is the general hospital, which is used by people from all over the State. It would be unfair even to give the local authorities power to spend 10 per cent. of their funds upon that institution.

Hon. H. J. YELLAND: The boundaries mentioned in the amendment are liable to alteration as a result of some amendment to the Electoral Act. The boundaries should be more definitely specified.

Hon. E. H. GRAY: I am opposed to the amendment. Some concerted move may be made by all the local authorities in the metropolitan area to meet the demand that may fall upon them for further hospital accommodation. Municipal councillors are well able to safeguard the interests of their own municipalities. Such an amendment rather reflects upon good work that has been done.

Hon. V. HAMERSLEY: South Perth is a road board area. Would it be embraced in the amendment?

Hon. Sir William Lathlain: Yes.

Hon. V. HAMERSLEY: In that case, should not the words "road board" be included in the amendment?

Hon. J. Nicholson: "Local authority" covers "road board."

Hon. V. HAMERSLEY: I cannot support the amendment, which, if carried in its present form, would bring this measure into direct conflict with the Road Districts Act.

Hon. A. LOVEKIN: As a member for the Metropolitan Province I hope the amendment will not be carried, because I do not wish to see any difference between town members and country members, or town districts and country districts. If the clause as it stands could injure the Perth municipality or any other metropolitan municipality, I would oppose it; but it works no harm, merely enabling local authorities to use their own revenues in their own way. The amendment would create confusion and difficulties.

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

Ayes	..	..	..	..	5
Noes	..	..	..	..	11

Majority against .. 6

AYES.

Hon. Sir W. Lathlain	Hon. H. A. Stephenson
Hon. J. M. Macfarlane	Hon. J. J. Holmes
Hon. J. Nicholson	(Teller.)

NOES

Hon. J. M. Drew	Hon. G. Potter
Hon. E. H. Gray	Hon. E. Rose
Hon. V. Hamersley	Hon. H. Stewart
Hon. J. W. Hickey	Hon. H. J. Yelland
Hon. W. H. Kitson	Hon. G. W. Miles
Hon. A. Lovekin	(Teller.)

Amendment thus negatived.

Hon. A. LOVEKIN: I move an amendment—

That Subclause 4 stand as Clause 28 of the Bill.

Hon. H. STEWART: The hon. member is now seeking to justify his alteration of the Title of the Bill. From a knowledge of conditions at Collie and Katanning I say the subclause is quite relevant to the clause, in the drafting of which the hon. member, I believe, had a share.

Hon. A. LOVEKIN: It does not matter whether the provision is a subclause or a

separate clause; if it is irrelevant, it remains irrelevant. I am trying to get over the difficulty by amending the title.

Amendment put and passed; the clause, as amended, agreed to.

Bill reported with further amendments.

House adjourned at 10.25 p.m.

Legislative Assembly,

Thursday, 24th November, 1927.

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

QUESTION—LAND TAX, RAILWAY FREIGHTS.

Mr. FERGUSON asked the Premier: 1, What was the amount of additional land tax levied for the period from 1st July, 1926, to 30th June, 1927, to recoup the loss arising from the reduction of railway freights on 1st, 2nd, and 3rd class goods? 2, What was the amount of such additional taxation levied on users of the Midland railway to whom such reduction does not apply?