settled by a vote of the House. It might be wise if he were to move as a matter of privilege, and conclude with a motion. A matter of privilege was the right of members, and he moved—

That the whole of the schedule be open to discussion and amendment by members.

The CHAIRMAN: That motion could not be taken while the House was in Committee.

The MINISTER FOR WORKS: Perhaps it would be better to report progress with the view of having these items discussed.

Progress reported.

House adjourned at 11·30 p.m.

Legislative Council,

Tuesday, 30th November, 1909.

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

BILL—LEGITIMATION OF CHILDREN.

Introduced by the Colonial Secretary, and read a first time.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

Read a third time, and returned to the Assembly with amendments.

BILL—TRANSFER OF LAND ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This Bill has been brought orward in consequence of representations made by the associated banks of the State, also solicitors of the State and the Perth Chamber of Commerce. They have requested that the leasehold interests under the Land Act of 1898 should be registered under the Transfer of Land Act, so that the security of title afforded under the Transfer of Land Act, and also the facilities for dealing in land under that Act should be extended to leasehold interest. While registration continues under the Land Act during leasehold stages of conditional purchase and under the Transfer of Land Act, when the freehold is acquired, there is necessarily a break from the time that it passes from having been dealt with under the Lands Act and the period the title is obtained. True, a mortgage may be registered at the lands office, but instances have been known, although a lien may have been registered at the lands office in relation to a conditional purchase, where certificates of title have been issued, under the Lands Transfer Act without the knowledge of the mortgagor or the person holding a lien under the Lands Act. The law in this respect varies in the different States. In Victoria both freehold and leasehold interests are registered under the Transfer of Land Act. In the other States the freehold interests alone are capable of being registered in the titles office. As regards registration under the Transfer of Lands Act in this State it was provided in the Transfer of Land Act, but it was a dead letter as leaseholds had never been brought under its operation. In the amending Act of 1902 the provision for registering leaseholds was repealed, and in consequence at the present time there is no provision at all for the registration of leaseholds under the Transfer of Land Act. This Bill provides "that all Crown leases granted under the Land Act, 1898, after the commencement of this Act, for a term not less than 5 years, shall be issued to the Titles Office and brought under the operations of the Transfer of Land Act" exactly as if they were freehold. The Bill also provides that lessees holding leases before the commencement of this Act have the option

of bringing their leaseholds under the Transfer of Land Act; that is to say, that conditional purchases and other leases granted under the Lands Act, 1898, after the passing of this measure shall be registered as freehold in the titles office under the Transfer of Land Act—that is, for leases existing for five years. Then those that have been issued and are now issued will not be forced to bring them under this Act for registration, but they have the option if they desire of registering under the Transfer of Land Act. Clauses 3 and 4 set out the necessary procedure for registration, and Clause 5 states the effect of the registration; that is to say, the security of the title and facilities for mortgaging and dealing in land given by the Transfer of Land Act will apply to leaseholds as I have explained. The necessary power, however, is preserved under the Land Act whereby the consent of the Minister is required for the transfer. In freehold it is not necessary to obtain the Minister's consent to transfer, but in the case of the transfer of conditional purchase to-day the consent of the Minister must be obtained. That is preserved in this Bill for the reason that it would be necessary for the Minister to see that the transferor did not hold more than the stipulated amount of land, and also that the conditions were fulfilled before the transfer would be allowed to take place. The Minister at the present time will not allow any transfer to take place when the conditions as laid down in the Land Act have not been complied with. Clause 8 lays down the procedure for entry of forfeiture of leaseholds and for breach of covenants. This is necessary, as I have mentioned, to give the Minister full power to see that the conditions of conditional purchase are complied with. Clause 9 is inserted in view of the provision of the Land Act whereby minors 16 years of age and upwards may select land. It makes the necessary provision so that the registration may not be repudiated on the minor attaining his majority. It is provided in the Land Act that a minor may hold land. A mortgage is to be registered in his name, and when he becomes of age it is provided that the mortgage shall hold good notwithstanding that the mortgagee at the time was a minor. Clause 10 excludes the application of certain sections of the Transfer of Land Act dealing with implied covenants in leases. These matters are provided for in the Land Act of 1898. It is not desirable that covenants and conditions under that Act applicable to conditional purchase and other holdings should be interfered with. Subclause 2 excludes the operation of certain provisions of the Land Act which when the Crown lease is registered will be replaced with the provisions of the Transfer of Land Act. It will be observed that only the leaseholds under the Land Act of 1898 are brought under the Transfer of Land Act. Mining leases will continue to be registered as before in the Department of Mines. Clause 11 repeals Section 39 of the principal Act, as the provisions contained in the Bill will take its place. Clauses 12, 13, and 18 contain certain amendments which are rendered necessary by reason of the extension of executions in local courts to land by the Local Court Act, 1904. Clause 14 re-enacts in revised form Section 105 of the principal Act relating to mortgages and charges, and extends its provisions to Crown leases. Clauses 15 and 16 simplify the law in regard to easements. Easements can only be registered to-day that are attached to a particular piece of ground. An easement in gross cannot be registered, and it is to effect this that Clauses 15 and 16 are inserted. Clause 17, more particularly paragraph (*a*), is adopted from the South Australian Act of 1886, No. 380, Sec. 211, and it places beyond doubt the question that the assurance fund is not to be held liable for any breach by a registered proprietor of any trust. It was believed that the present law set this forth, but it is thought it would be much better to clearly express it than to have any doubt about it. The remedy will be, then, for the mortgagor against the mortgagee. At present the holder often makes application for a new title, asserting that the title has been lost, and the Commissioner invariably

protects himself as far as possible by advertising the fact that the title is said to be lost and his intention to issue a new title; but nevertheless the holder may have given a mortgage over the title which has not been registered. This clause is inserted in order to provide that should the Commissioner issue this title having a mortgage on it it shall not be a charge against the assurance fund, but shall be as between the mortgagor and the mortgagee. Briefly these are the provisions of the Bill. It is simply to give leasehold land, more particularly conditional purchases under the Land Act, 1898, all the benefits of the Transfer of Land Act which freehold land enjoys at the present time. This has been done at the request of the associated banks, solicitors, and the Chamber of Commerce, because holders of conditional purchases at the present time experience great difficulty in obtaining advances from banks, since the title has not the same security as freehold, and the land has not the benefit of the Transfer of Land Act. Very often this endangers the banks in the matter of losing their security. Now this Bill will give them the same security, and undoubtedly it will give a great deal of assistance to conditional purchase holders if they are enabled to obtain advances the same as if the land held was freehold. I move—

That the Bill be now read a second time.

Question put and passed.
Bill read a second time.

BILL—REGISTRATION OF DEEDS, ETC., AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: The object of this small Bill is to enable assistant registrars under the Transfer of Land Act to act as assistant registrars in that branch of the Titles Office that deals with land not under the Transfer of Land Act. Under the existing Act of 1856 the Registrar of Deeds and Transfers alone can perform the duties imposed by that Act unless in case of his illness a locum tenens is appointed from time to time by the Governor. It the Registrar of Titles is absent, a deputy must be appointed by the Governor-in-Council; but sometimes he may be absent temporarily and there is no time to obtain the approval of the Governor, and there is no one in the office to sign deeds. This Bill provides that the Assistant Registrar in the absence of the Registrar can do all the duties of the Registrar. The Bill is simply for convenience to the public. I move—

That the Bill be now read a second time.

Question put and passed.
Bill read a second time.

BILL—ELECTORAL ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th of November.

Hon. W. KINGSMILL: (Metropolitan-Suburban): I have looked through the Bill with a great deal of interest because I am fully aware there are various matters in our Electoral Act which need putting right. I am sorry to say that, while in some respects the Bill achieves that object, in other respects it falls very short of doing so. To take the clauses in the order in which they run, a good deal of emphasis is laid in the measure upon the further division of our electorates into subdivisions. This indeed is following the practice that obtains in the Commonwealth; but why our divisions, which are subdivisions of the Commonwealth, should be further subdivided is a matter of considerable conjecture to me; nor do I think—perhaps it was due to my fault—that the explanation given by the Colonial Secretary was altogether a good and satisfactory one. I understood the Minister to say that it may possibly be expedient in any future redistribution of the Commonwealth electorates, to add not a whole State electorate, but part of one, or to subtract the same. I do not think that is likely to occur. In dealing with the Commonwealth quota, we are dealing with large numbers of electors. I think

the quota for Western Australia is somewhere about 27,000 electors per electoral division.

The Colonial Secretary: A lot of those electorates contain six or seven thousand voters.

Hon. W. KINGSMILL: Some of them do, but it is just those electorates that contain six or seven thousand voters that are most difficult to divide. Let us take the metropolitan electorates, the most densely populated, and those that have the greatest number of electors. It would be extremely difficult indeed to subdivide West Perth in any way satisfactorily. Furthermore, I think the leader of the House will agree with me that it is difficult indeed at all times, even in the most simple circumstances, firstly to get the electors of the State to take an interest in electoral matters, and secondly to get them to understand even the more obvious points. It is easy enough to get them to understand if you can get them to take an interest. Therein lies the difficulty; and I maintain the more we complicate our electoral laws the greater difficulty we will have in getting the electors to maintain this interest. This step of further dividing our divisions—which I would point out to hon. members are subdivisions so far as the Commonwealth is concerned—into subdivisions, is, I think, rather going into too fine a point.

Hon. J. W. Hackett: What remedy would you have to make up the quota?

Hon. W. KINGSMILL: I do not know that any remedy is wanted. Remedy is only wanted in case of complaint. I maintain so far there is no complaint. I understand that during the recent little difficulty in regard to the adjustment of the Commonwealth electorates no less than three solutions, all of which had ardent defenders, were put forward, one by the Commonwealth electoral officer, and two others, one by a private individual, whose solution was most complimentarily referred to in the Commonwealth Parliament, and another by a well known body in this State. All of these redistributions had their defenders with a good show of reason, and all of them obtained as nearly as possible the quota aimed at. In the circumstances I maintain there is very little excuse indeed for further complicating our electoral system by dividing our electoral divisions into subdivisions. I understand the object of the Bill is to more or less bring our electoral matters into line with the Commonwealth, and in some respects, indeed in all respects, this would be a very useful object to attain; but let me point out to the Minister that in Clause 11, dealing with claims and the attestation thereof, he might very well follow the example set by the Commonwealth. The Commonwealth electoral claim is of the simplest possible nature. It would be almost impossible for anyone reading it to misunderstand it. Furthermore it has this virtue that it has not to be attested. No witness to the signature of a claimant is necessary. Again it has this further virtue that the least possible bother is put on the elector. When the elector has filled up a claim, which he can do by himself and without a witness, he simply folds it up, one part inside the other, and places it in the post, and it goes to the person to whom it is already addressed. The elector simply fills in the name of the division whose electoral registrar he is addressing, and then his claim is ready for registration.

Hon. J. W. Hackett: It has to be witnessed for a transfer.

Hon. W. KINGSMILL: I understand that a transfer has to be witnessed, but I am speaking of the electoral claim. In most cases transfers are effected by claims. In very many cases, instead of the transfer being applied for, a new claim is made, and after all, it is almost as satisfactory a manner as applying for a transfer. It simply throws a little more work on the electoral officer, who, I understand, is there for the purpose. One portion of the Bill on which I heartily congratulate the Government, and which has my complete concurrence, is Clause 17 and the succeeding clause. These provide that preferential voting must be compulsory. I am sorry the Government did not take the advice tendered to them by very many members, at all events of this Chamber, when the

Bill was being prepared, and make it compulsory. There is no doubt whatever, that making it optional was simply inviting—I will not say disaster—but inviting confusion. It was playing with the subject. I venture to say that with compulsory preferential voting the only danger feared, that is to say the fear of informal votes, according to the experience of the recent election will be a danger that will be with us only for a short time and will be at the most almost negligible. There is another direction in which I think the Government might with a great deal of advantage have brought their legislation more into line with the Commonwealth legislation. I refer to the provisions which exist in our own Electoral Act as against those which exist in the Commonwealth Act with regard to postal voting. Year by year and day by day there is a growing habit on the part of the public and the electors to regard postal voting as one of the ordinary forms of voting. I maintain that postal voting was never provided for that purpose but that it was only provided for cases of emergency. I will not give instances, possibly some instances may be in the minds of members as to how this habit has grown not only in the State elections but in municipal elections. Postal votes have become, to a great extent, a large proportion of the total votes cast, and persons are induced to give postal votes as an easy way out of the difficulty. These votes may be legal, but they do not express the real intention of the Legislature. In the Commonwealth electoral legislation members will find the sections which I have referred to, dealing with voting by post, Section 109 to Section 122 of the main Act of 1902, which are to some extent amended, but not in any way materially altered, by the amending Act of 1905, and dealt with in Sections 31 to 36 of that Act. There the principle is laid down and a great deal of stress is laid upon the reasons. Satisfactory reason has to be given why the person who wishes to vote by post should be allowed to do so. In our Act that is missing. In the Commonwealth Act the elector, previous to obtaining a postal ballot paper has to satisfy the returning officer of the reasons which actuate him in making application for a postal voting paper, and the returning officer being satisfied then issues a certificate, and with that certificate it is open and competent for a person to vote as he likes before an officer appointed to take postal votes. Members, no doubt, will say that this is a cumbersome system; I maintain that it is right that it should be cumbersome. It is right that electors should be discouraged from making use of what, after all, is provided for cases of emergency, and should be discouraged from looking upon voting by post as being one of the ordinary forms of voting.

The Colonial Secretary: There must always be postal voting for the Legislative Council.

Hon. W. KINGSMILL: I admit that postal voting must always obtain for the Legislative Council while the qualifications for the Council are as they are. A person whose habitual residence is in Perth may have interests which qualify him for a vote, say, in the North province of this State, and it is obviously impossible for that person to vote personally in Perth and in the North province on the same day; there is only one refuge for that and that is postal voting. As far as I am personally concerned, while we have adult suffrage, I think the very essence of adult suffrage is personal voting, and while it would be, perhaps hard to rob those persons who are legitimately obliged to be absent from the poll on polling day of this system of voting, still, it would be almost compensated for by the fact that a great deal of the trouble which arises at elections is due to the misuse of postal voting. I know—and I speak as one having had control of the electoral laws of the State for some time—it is a constant source of worry to the Minister controlling that department when appointing officers to take postal votes, to see that the persons appointed are not partisans of either candidate. It is a matter of the greatest difficulty because the Minister, after all, however much time he may give to his department, cannot know the political feelings of

every applicant or everyone put forward as a fit and proper person to take postal votes, and very often mistakes are made ; recriminations and unnecessary worry take place. I should like to see, where adult suffrage is the rule, postal voting done away with, believing that the slight inconvenience will be more than compensated for by a lot of trouble and misuse of the system being prevented. I shall not have an opportunity in Committee of dealing with this Bill, and I do not suppose that the leader of the House at this late moment will take steps to remedy this error, as I think it is, and which I have alluded to in regard to postal voting. I am sorry the Bill is as large as it is, because Clause 17 I regard as the essence and the main point of the Bill in question ; that is, making preferential voting compulsory. I fear that the Government are introducing the Bill so late that with all these points of attack provided, and talked on to Clause 17, it may be possible that both branches of the Legislature may not have time to study the Bill sufficiently as they would like to. I think this Bill must be the outcome of a report of the Chief Electoral Officer. If that is so, I think the Colonial Secretary might take the House sufficiently into his confidence to let that report, or parts of that report dealing with the points raised in the Bill be laid on the Table of the House, if he has no objection.

The Colonial Secretary : They were printed in his annual report last year —notes of the conference in Melbourne.

Hon. W. KINGSMILL : It is essential, in my opinion, that the Bill should be referred to a select committee ; not that I intend to move in that direction because I recognise that it is very nesessary that the Bill should be passed at once, and delay would be dangerous. I have very much pleasure in supporting the second reading of the Bill with those few reservations of which I have already spoken.

Hon. J. F. CULLEN (South-East) : I can see an object in the witnessing of the claims referred to by the member who has preceded me. It would be possible if no witnessing of the claims took place for all sorts of claims to be put in, especially in connection with the Legislative Council, and put in so late that there would be very little opportunity of challenging these claims. That is to say, people might get on the roll just before the election and there might not be an opportunity of challenging these claims, and it would certainly be a deterrent that the claims should have to be witnessed.

The Colonial Secretary : It has to go in at least for 14 days before it is enrolled.

Hon. J. F. CULLEN : But the 14 days may not give an opportunity to the people who would be in a position to challenge the votes to do so. The people who are in a position to challenge a vote may be very far away indeed from the place where the claim is received, and as an extra security the claim should have a witness to it. As the qualification of a witness is wide there would be no difficulty in getting a witness wherever the claimant may be. The main object of the Bill, as Mr. Kingsmill as said, is to bring our law into line with the Commonwealth law, but the Bill goes very much beyond that and I assume that the Minister is going on the confidential reports of officers, but even so, it is a complex measure that requires a great deal of looking into, and there are a number of points on which the House would be very much the better if we had a little argument on it. Take, for instance, the provision to make compulsory preferential voting, or rather, to make it partly compulsory. There is really no logic in compelling a man to go part of the way in preferential voting. So long as the whole thing is optional it is quite logical and reasonable, but when you say to a voter you must specify your choice up to the third man, and you need not go further, there is no logic about it whatever. I confess I have not made up my mind as to whether is it desirable to compel the preference to be given. I would be glad of some argument on the question and to hear the views of those who have studied it. But if you compel preferential voting where is the logic of stopping at the third man if there are five or six candidates.

The Colonial Secretary: You do not stop them.

Hon. J. F. CULLEN: No; but you stop the compulsion. Where is the logic of saying, "You must go to the third man, but you need not go further," or is there any good reason for it? I should be glad to hear. Having gone beyond the real object of the Bill, and brought in a number of amendments which, no doubt are desirable, the Minister has not touched the most glaring weakness of the present law. As a matter of fact, it is all a lottery whether a resident of this State will find himself on the roll or not when the polling day comes. It is entirely a lottery. I know persons, scores and scores of qualified voters, who had been on the roll but who found themselves off it when the last polling day came. They had been on the roll, no change had taken place in their qualifications, and they found their names off; and I am satisfied, having been a candidate for Parliament very recently and having had some experience, that it is a lottery whether the oldest resident in the State will find himself on the roll when the next polling day comes. How is this? It is defective administration. Can we embody in this Bill some security against the defective administration? The Chief Electoral Officer has done a great deal of excellent work, but he has not yet succeeded in so educating his subordinate officers, registrars, registrars' clerks, and so on, as to safeguard the interests of the qualified voters. Numbers of old residents have had their names struck off without rhyme or reason. I remonstrated with a registration officer for having struck off a lot of names from the Legislative Council roll and his reply was: "I compared the roll with the ratepayers' roll and I have struck off all the names that were on the Legislative Council roll but not on the ratepayers' roll." I said to him: "But you have nothing to do with that; it is a kind of collateral evidence, for you certainly, but it is not conclusive; it does not matter a straw whether the qualified man's name is on the ratepayers' roll, or not. If he has the qualifications required by the Electoral Law it does not matter." He said: "If I have struck them off wrongly they can get on again." That is exactly the attitude of numbers of registration clerks. They strike off names that have been on the roll for years and years. At all events if the Minister can do nothing to get over this glaring difficulty, it will at least do good to have it made public; that is the reason why I have referred to it. We have not only to make it easy for all qualified men to get on the roll, but to make it very difficult for them to wrongly be struck off. In so far as it is possible to cheapen the administration of our law and of the federal law by bringing both into line, the object of the Bill is an excellent one, but I am afraid it will add largely to the complexity of the administration, and I do not think that without further discussion, and further light, it is wise for us to add another Electoral Act to those already on the Statute Book.

Hon. W. PATRICK (Central): I think it would have been much better, so late in the session when there is not much chance of a measure of this class being passed, if the Bill had been confined to Clauses 17 and 20, which provide, respectively, for compulsory preferential voting, and that the electoral roll in force at the time of an election shall be conclusive evidence of the right of the voter to vote. I am in favour of the second reading of the Bill simply on account of these two clauses. They are both required, seeing that the result of the Albany election has shown that a minority of the voters can return a member to Parliament.

Hon. J. W. Hackett: So, too, in North Perth.

Hon. W. PATRICK: Yes, and the disputed elections of Fremantle, Geraldton, and Menzies show that it is possible for a citizen to be on the electoral roll and at the same time for a Judge to say he is not entitled to vote. The making of the roll conclusive evidence of the right of a voter to vote is absolutely necessary for the safety of candidates, while the preferential voting is necessary to the prevailing of the voice of the majority instead of that of the minority. But at this late period in the session I do not

think it was at all advisable to introduce the other clauses—those framed to bring about co-operation with the Commonwealth—because they must lead to a great deal of debate, by the length of which the whole of the Bill may be sacrificed. If the qualifications for both Houses in the State were the same as those of the Commonwealth, the matter would be quite simple, but this measure refers not only to the qualification for the Assembly, but also to that of this Chamber as well.

The Colonial Secretary: It is in the Constitution Act.

Hon. W. PATRICK: But the machinery of this Bill refers to the working of the electoral machinery brought to bear on the voting for members of this House, and I think the main object of an electoral department should be to see that everyone who is qualified to vote for either House is on the roll. This is far more important than any economy: because, after all, the electoral roll is simply Parliament in embryo. If it is correct we get a correct representation of the people, and if it is incorrect we cannot get such correct representation. I have a very grave objection to the working of the Electoral Department at the present time. I believe the present Chief Electoral Officer is the very best man we could have for the position, but, as you are aware, the last Act provides for an electoral registrar for a district and an electoral registrar for a province.

Hon. W. Kingsmill: We are going to have one for a sub-district now.

Hon. W. PATRICK: Yes, but the point I want to bring before the House is that one electoral registrar for a province is of no use at all to prepare a roll. Take the Central Province, which I have the honour to represent: The electoral registrar is domiciled in Geraldton, the province extends from Gingin to hundreds of miles beyond Peak Hill, and to the South Australian border in one direction. There are numerous important towns dotted about it and it is utterly impossible for any registrar to have an idea of who is who outside the small portion of the province in which he is living. There ought to be a change in the law, and I intend, when in Committee, to move that each registrar for a district shall be an assistant registrar for a province. There will then be some possibility of getting an approximation to a correct roll.

Hon. T. F. O. Brimage: Is that not so at present?

Hon. W. PATRICK: No, it is not. I can bear out what Mr. Cullen says. I know of several instances in which people have been removed from the roll without rhyme or reason, and I know of instances in which the police have collected names for the roll, and those names have not been put on the roll. At the last election for the Central Province, when Mr. O'Brien was returned, several people personally known to me came in to Northampton to vote. They were people who had been in the district for years, yet they were told that they could not vote for the reason that they were not on the roll. That sort of thing could not exist if the Electoral Department were managed as it ought to be, and if the Chief Electoral Officer had the power to carry out the Act in the way it should be carried out. The leader of the House mentioned that this co-operation with the Commonwealth would result in a saving of £1,000. But would a saving of £10,000 be of any consequence as compared with having in Parliament a correct representation of the people of the State? If there is any department of the State where economy, or shall I say cheese-paring, should be resorted to, it should certainly not be that responsible for the making of a correct roll. I believe the abolition of the card system—because practically this proposed co-operation means the abolition of the card system—of filing claims is a retrograde step. If the Commonwealth have not as progressive opinions as we have in connection with the taking of claims, that is no reason why we should go back, although it is a reason why we should ask them to come up to our advanced position. I do not know whether the Chief Electoral Officer has asked for this to be brought about, but

he has the card system in full working order.

The Colonial Secretary: It does not do away with the card system.

Hon. W. PATRICK: No, but it does away with the chief object of the card system, namely, the checking of the applicants for a place on the roll. At present anyone who wishes to be placed on the roll has to sign an application form and a card in duplicate. These are sent to the registrar for the district or province, where one is retained while the other is sent to the Chief Electoral Registrar. The result is that both in the case of the Chief Electoral Registrar and the district registrar it is the simplest possible matter to lay one's hand on the record. If you reduce the system to a single card that check will no longer be with the central office, and you can imagine whether it will be possible for the Chief Electoral registrar to say that an applicant at, say, Peak Hill is genuine or not. The Bill will tend to take away this necessary check, and although I intend to vote for the second reading I would much rather have seen all clauses other than 17 and 20 eliminated. Both of these are necessary, and had the Bill been confined to these two clauses there would have been no difficulty whatever in putting it on the Statute Book this session. As it is, I am afraid the discussion which is sure to arise on the Bill, will make it impossible to get this necessary reform effected during the present session. I shall vote for the second reading but I hope these changes will be made in Committee.

Question put and passed.

Bill read a second time.

BILL—AGRICULTURAL BANK ACT AMENDMENT.

Second Reading.

Debate resumed from the 25th November.

Hon. G. THROSSELL (East): It is most gratifying to those acquainted with the history of the Agricultural Bank to find that the modest sum of £100,000—the original capital with which the Bank was started— is now desired to be increased to two millions pounds, That serves to show the confidence the public, and the farmers in particular, have in the bank. The success attained by the working of the institution fully justifies the granting of the increased capital. I well remember 14 years ago when the measure was first introduced to the other House by Sir John Forrest that it was received with fear and trembling, and was denounced as a storekeeper's bill. Persons soon recognised however, that the work of the bank should be supported, for it increased the paying powers of the people and led to general prosperity. As to this Bill in particular, some of my friends have in this House and elsewhere said the amount of £750 was too great to advance. A few years ago we advanced £800, so that now we are £50 under that amount. True, when we were advancing £800 we made a hard and fast condition with the bank that the money was to be expended in the clearing of land. I desire to emphasise heartily the wisdom of such a condition, because everyone who knows anything about the development question realises that if we assist the right man, then once the land is cleared for him it will give the wealth necessary for all other improvements, even to the purchase of machinery Looking back to the earlier days, some 20 years ago, when we were agitating for State aid for farmers, we remember that we were surrounded by conditions under which even the best men could not go to a convenient institution and get aid on anything like reasonable terms. However, we were surrounded at that time by men with great grit although with little money. They had strong hearts and arms, and they tackled the wilderness and many of them, without financial assistance from any bank, have left a goodly heritage to their sons. I would be the last to oppose any suggestion to increase the assistance able to be given by the bank. We are living in different times now, and I believe it is not improbable that we shall soon have such a condition of affairs as to justify even a further enlargement of the funds

of the bank. It has been said here, and elsewhere, that much of the success of the institution is due to the capability of the first manager, Mr. Paterson. I am here to endorse that. In the earlier days he was not only the bank manager, but the guide, counsel and friend to every man seeking assistance, and I am confident that much of the success of the bank is due to the able mangement of my good friend Mr. Paterson. The bank has been called, and properly so, the poor man's bank. I am disappointed in one direction, for I thought that the bank would not only be the poor man's bank, but would also help the large land owner to subdivide his estates. In the olden days we were surrounded by the pioneer settlers, rich only in broad acres, and with very little money. If in those days the old settler had been able to call in a surveyor of to-day and slice off a thousand acres of his holding for each of his boys and handed the blocks over to them, those estates would now have been cut up and we should still be keeping the old names in the agricultural districts. The scheme I suggest would have meant that if a man held eight thousand acres and had five sons he could have given each of them a grant of a thousand acres in his lifetime. If this had been done the result would have been that these blocks would have been cultivated and improved years ago. I am disappointed that something was not done in this direction. In the olden days it frequently happened that the settler would have been quite unable to have done this as he could not call in a surveyor to cut up his block through the estate being encumbered. The clause as to machinery provides a new feature in the Bill. A great deal has been said elsewhere as to the cruelty inflicted on the present farmers by the prices they have to pay for machinery. There is a great deal of truth in that. We have to pay a huge commission on the machinery, and it has been said, and with truth in many cases, that the commission agents are simply a curse to the farmer, not intentionally, for they are living by the commission, but this is where it hurts. Many of the farmers obtain machinery much in advance of their requirements, the storekeeper gets to know the position of the land, and that it is not sufficiently cleared in order to justify the purchase of all that machinery, and then the farmer's credit is stopped ; he is unable to meet his bills, and calls a meeting of creditors. In that way the commission agent ruins the farmer. I welcome this departure on the part of the Government, not so much to benefit the farmer as to establish local manufactories. From the time of the Forrest Government and the initiation of Federation it has always been a blot upon our administration that efforts have not been made to establish manufactories of agricultural machinery in the State. We are now proving our lands, and we recognise that every man who has taken up areas of 500 acres or more will require certain machinery during the course of the year. What are we doing to supply that want ? We are getting all we can out of the land, but we allow our farmers to go to the Eastern States, to Canada, and to the United States of America for machinery which we should realise, and many of us do realise, we could make in this country. It is a great blot on the country to be told that over £100,000 was spent by this State last year for a certain class of machinery which was imported, and that no effort was made to build that machinery ourselves and so stem the outgoing tide. We were told last week that we were guilty of a breach of the Federal compact. We may be running it close, but I am willing as one, to take all the risks attending our action. I do not believe there will be any stir made, but if there be a law suit, it will only emphasise the mistake we made in not making a better contract before entering Federation. We should do very much more in the way of encouraging the manufacture of machinery here. We have the present Minister for Lands introducing sheep and cattle for the farmers, and why did he do that ? Because he thought he could do better for the farmer that way than the farmer could do for himself. Why does he not go one better ? Every business

man knows that if he gives an order to a manufacturer, say in Canada, for 50 or 100 harvesters, or seed drills, he can make much better terms than a man who desires a harvester for himself. The Minister could book all the harvesters needed in the year which we are told can be got from the manufacturer for £45, and yet they are sold here for from £80 to £100. If the Minister booked for the farmers and remitted the orders he would obtain the goods for the farmers at a very much lower price. Members will be suprised to hear that if we adopted that course we would be doing nothing but following the example of Russia. Mr. Foster Fraser tells us that in Siberia huge quantities of machinery are imported by the Russian Government and sold to the farmers at cost price. We need not be afraid of following the example of a country like Russia. When it was decided to carry water to the goldfields the Forrest Government called for tenders for the manufacture of pipes for the scheme. Those tenders contained a proviso that all the pipes should be manufactured in Western Australia. We know that the object was achieved, and that the pipes were manufactured here, but so soon as enough pipes were made to meet the requirements the manufactories ceased to exist. If all we say is true as to land settlement, the reverse will be the case in connection with the manufacture of agricultural machinery, for that work will go on for ever. With our bold Minister for Lands, who is full of enthusiasm—perhaps not always wise—why should he not go one better than the Forrest Government and call for tenders for so many binders or so many harvesters and other machinery, attaching the condition that they shall be manufactured in Western Australia. We are in a position to give statistics as to the probable number of those implements to be required annually. What would the result be? There is no doubt that ere long the eyes of the manufacturers would be so open to the requirements of the State, and to the fact that agricultural settlement here was going forward at a great rate, and that we had such a huge market and such a growing demand for these machines that they would establish manufactories in Western Australia. I commend this view very seriously to the powers that be. One clause of the Bill is I think attended with great danger; that is Clause 4, Subclause 6 of which says—

> "Provided that where any land is held by two or more persons as joint proprietors, the amount to be advanced under the provisions of this section may in the discretion of the trustees be multiplied by the number of such joint proprietors."

If I understand that, in plain English it means that if there are two men going on the land they can apply for £1,500, one man could apply for £750, but if there were four of them they would be entitled to £2,000. It goes without saying, and this will be recognised by the practical men in this House, that it should not be the number of individuals who should guide the board in their decision as to the amount of the loan; that should have nothing whatever to do with it, for it is the number of acres and the area held that should guide the trustees as to the amount of money to be lent. I have no fear even with such a clause, while Mr. Paterson and his co-trustees are at the head of affairs, that it will ever be abused. But I repeat it should not be the number of people on the land, it should be the area of the land that they hold. I believe we have arrived at a stage in our history when we should be more conservative with our money and with our land. We are told that there is land speculation going on, that people are arranging for loans from the bank purely with the desire of speculating and selling. It is a very simple matter to destroy that. If we limited the loans to the man actually living on the land we would be aiming a death blow at this financial speculation. I venture that opinion to meet objections which have been made to me outside the House with regard to abuses that are likely to arise. I need not labour the question further than to say that I am heartily in accord with the object of the

Bill. The most important part is that with regard to the manufacture of ploughs, which are the first things that a farmer must have, and I believe that the Minister for Lands is quite right in taking this step. At the same time I think it is a reproach on the present Government and on previous Governments that some serious effort has not been made to take over this manufacture of machinery before. It will be curious to watch the history of the settlers of the Midland line as compared with those we might call the Government settlers pure and simple. The Midland settlers have to pay a high price for their land and have not the facilities that are offered by the Government, but it will not require a prophet to foretell what the result will be; at any rate, we can watch the developments with interest. I have pleasure in saying in general terms that I have a special interest in supporting this Bill. I say special interest because in the early days I always agitated for these facilities, and I was laughed to scorn. I waited patiently and long, and having a friend in Sir John Forrest, the result of it all was that State aid to farmers was placed upon the statute-book in the name of the Agricultural Bank. This institution can be rendered even more successful now, but we must be up and doing and grasp all the opportunities of the trade that are likely to spring from it. I have pleasure in saying that I support the second reading of the Bill.

Hon. V. HAMERSLEY (East): I recognise that a great amount of good has been done by the legislation which was passed by this House some years ago in the way of helping along settlement, and if it has done nothing else it has at least given to the people who are on the land the opportunity of dealing with their land in a manner which private institutions in days gone by failed to realise and failed to help in. I believe an altered condition of affairs has come about now and that many of the private institutions are eager to compete with the Agricultural Bank in catering for the requirements of the man upon the land. On that I think we should congratulate ourselves; at the same time it should compel us to go along steadily with the Agricultural Bank. I am not a pessimist by any means, but it seems to me that we can very often be carried away by a little success, and because of the success of a great many who have obtained money through the Agricultural Bank, it is as well for us not to be too rash in increasing the amount which each individual can acquire from the bank. There are private institutions now prepared to come along and relieve the Agricultural Bank of some of the higher liabilities. I remember some years ago the amount that could be advanced to the agricultural settler was smaller than the amount suggested in this Bill; the amount at that time was reduced to £500. It was deemed wise by Parliament to reduce the limit from £750 to £500. There were a great many members of Parliament at that time opposed to the greater risk which was being taken by the manager of the Agricultural Bank, but as everyone recognised that in Mr. Paterson we had such a reliable gentleman, it was deemed advisable to permit an increase in the amount which could be advanced if it was accepted by Parliament. In a great many instances the men upon the land have exhausted the £500 limit, and there is the fear that many of them feel that unless they get another £250 they will not be able to carry on. There are men who feel that they should abandon their holdings unless they can get a greater advance. My impression is that the original measure and the limit of £500 which it contained was a sufficiently good start, and that those who used £500 and then required more should be able to get it from private institutions, and return the money they borrowed from the Agricultural Bank to that institution so as to enable it to deal with the larger body of smaller men who found it more difficult to approach other financial institutions. I do not think there is any very great danger while we are having the good seasons which have been experienced and the good prices which follow, but we must all realise that we are not always going to have good times. I think it is only right

to assume that many men who are upon the land are inclined to be rash in their purchase of machinery and stock, and if an alteration in prices were to come about speedily many would be inclined to give up the land they have been borrowing money from the Agricultural Bank to develop. My feeling with regard to the Agricultural Bank is that if I had cash to invest in this State I would not invest it in agricultural land but I would put it into something a little more safe. Having tied up my own cash I should borrow from the Agricultural Bank the money that belongs to the people of the State ; I would also take up the land which belongs to the people of the State, and I would use their own money upon that land.

Hon. J. W. Hackett : Do not give the secret away.

Hon. V. HAMERSLEY : I am pointing out the danger, and I think a great many people are working upon this principle to-day.

The Colonial Secretary : They can only borrow to the extent of £750.

Hon. V. HAMERSLEY : Yes; but there is a clause in the Bill which enables them to go up to £3,000.

The Colonial Secretary : The limit to each man is still £750.

Hon. V. HAMERSLEY : It is not decided that each man must live upon the land.

Hon. C. Sommers : Why should he ?

Hon. V. HAMERSLEY : That is what I wish to draw attention to. There is a danger in lending money in this manner, and I am satisfied that there are financial institutions which will come to the rescue of settlers who want to take advantage of a provision like that, and that amount of money would be more wisely distributed in the best interests of settlement by being distributed in small amounts and only to those about to go on the land. If a man lives on his block for a few years he is not so inclined to throw it up, for every day that he lives upon it he seems to get more out of it ; but the man who is not living on his land and has spent money on it and has no more money to obtain from the Agricultural Bank, finds it even more difficult to get money from someone else, and becomes eager to dispose of it. The land is then taken over at a price which will probably be a 50 per cent. reduction upon the amount advanced on it in the good times. We know well that advances have been made to the full extent of the improvements carried out, and this is the result of the valuation put upon the work done. We know that the Government have valued the work done on some of these areas at 4s., which the average settler has carried out at from 1s. 6d. to 2s. 6d. I only make these remarks by way of calling attention to the existing danger. I have the utmost faith in the agricultural lands. I believe that the manager of the Agricultural Bank and the trustees, whose salaries I am pleased to see are to be increased, will act in good faith and safeguard the interests of the State in every instance. They are careful men who know their business, and who, at all times, have given good sound advice to settlers on the land, and they are not likely to make very many mistakes, but I think the amount of capital would go very much further if it were confined to the smaller rate of advance, that is to that which at present exists, and if it were confined to the man actually on the land. There are many instances where if £750 be advanced, especially to two or three partners, only one of whom may be on the land, it will cause the manager and his co-directors to be put into a little bit of a dangerous position should an alteration take place and should there happen to be bad prices on top of a ba season, instead of the very happy con dition of affairs around us to-day. I would like to see the measure get into Committee, but I reserve to myself th e right. in the interests of helping the farmers, to deal with this matter more strictly when we get into Committee.

Hon. T. H. WILDING (East) : I am pleased the Covernment have introduced this Bill, and I think some of the clauses are very good. It is only right that the trustees should have an increase in salary. They have to travel about the districts a good deal to satisfy themselves that they are lending the money judiciously, and they have to spend two or

three days in Perth to attend a meeting, and two guineas per sitting is not sufficient for the services they render. We know the increase of capital to two million pounds is necessary. It is necessary to have the money to develop the State. We have to thank Mr. Paterson, the manager of the bank, and also the trustees, that up to the present time, through their care, little or no loss has been made by the bank; but now that we are going to still further increase the amount of advance from £500 to £750. I thing we should have an inspector who is a capable man travelling round the different districts instructing those who are selecting land who have not had an opportunity of knowing how to spend the money on the land, so that they will spend it in such a way as to get the best possible return. It is suggested in one of the clauses of the Bill to give £100 for the purchase of stock; but it will be necessary to be careful in this direction, because although £100 does not seem very much, when we get a thousand selectors asking each for £100 it amounts to a good deal of money, and I think that in the case of purchasing stock they should have to insure the stock. A lot of our land, I am sorry to say, has poison on it, and if these men get stock and put them on to land with poison on it, though they think they have got rid of the poison, they can very easily lose 30 per cent. of the stock, so that if we have a thousand men borrowing each £100 for stock we may easily lose a good deal of money, but if we insist on having the stock so purchased insured it would overcome the difficulty. As I have said before, I am pleased the Bill has been introduced and, with amendments which I trust will be made in Committee, I hope it will pass.

Hon. R. D. McKENZIE (North-East): I have listened with a good deal of interest to the hon. members representing the agricultural districts in their second reading speeches on the Bill, and as a goldfields member I am quite satisfied that the Agricultural Bank has filled a very successful function in this State. There is no question at all that it has been carefully managed, and that up to the present time the advances have, if anything, been on the conservative side. The institution is now growing in volume. It has become rather a big thing, and year after year we are asked to increase the amount that has been advanced to the farmers. To this I have no serious objection. The amount that is proposed to be advanced to the individual farmers under the Bill is the very moderate amount of £750, and I would have no objection to seeing the amount increased to £1,000, because I believe that, with a farmer who goes on the land without means, it is necessary that he should get a larger advance than he has been able to get in the past. The objections I have to the Bill have reference to Clause 28. It is proposed that a certain amount shall be advanced out of the £750 for the purchase of stock for breeding purposes, and also for the purchase of agricultural machinery manufactured in Western Australia. I hold, as a business man, that both these items, as a security, are very poor indeed. We advance money to a farmer to buy stock for breeding purposes, but there is no guarantee that the farmer will hold this stock, that he will not sell it.

The Colonial Secretary: It is provided for in the agreement.

Hon. R. D. McKENZIE: There is no guarantee; the stock may die; the security may vanish; we can provide what we like in an agreement but the security may vanish; and if the security is not there when the bank forecloses, naturally the bank must lose. We heard it said in the House not many days ago that it is the one worry of many farmers' lives to get rid of the man who goes around with the fountain pen and a bundle of agreement forms, and wants the farmer to purchase machinery. I am told on good authority that a man can get a harvester in this State, and get four years' terms; and if that is the case—and I have no reason to think it is not—what good reason have the Government in wishing to advance money to farmers for the purpose of purchasing agricultural machinery? It would be much better if they increased

the amount they could advance to the individual farmer to £1,000, and insisted on the money being spent in improvements on the land, such as in clearing, ringbarking, fencing, and water conservation. I agree with Mr. Throssell when he says that providing the man spends the money in improving the land, the land will soon find the necessary means for purchasing machinery and stock. Mr. Cullen, who represents a large agricultural district, advises extreme caution in making advances to farmers, and I agree with him to a certain extent. I would rather err on the liberal side in advancing the farmers sufficient money to improve the land, so as to put permanent improvements on the land, and leave out this very problematical security of advancing on the purchase of stock and agricultural machinery. Members, especially those not living in agricultural districts, and who have no knowledge of the agricultural districts, will have to be guided by those who live in and have experience of the agricultural districts; but we are in somewhat of a difficulty to-day because those honourable members have diverse opinions. However, when the Bill goes into Committee I intend to move for the deletion of that particular portion that provides for the purchase of agricultural machinery manufactured in Western Australia. Otherwise I think the Bill is one that might fairly be supported by all members, and I intend to support the second reading, reserving to myself the right in Committee to move a certain amendment.

Question put and passed.

Bill read a second time.

BILL—DISTRICT FIRE BRIGADES.

In Committee.

Clause 1—agreed to.

Clause 2—Interpretation:

On motion by the Hon. A. G. Jenkins the definition of "District" was amended by inserting "fire" between "a" and "district," and the clause as amended was agreed to.

(Sitting suspended from 6·15 to 7·30 p.m.)

Clause 3—Act not to apply to municipal districts in which Fire Brigades Act of 1898 in force:

Hon. A. G. JENKINS moved an amendment—

That Subclause 2 be struck out.

The desire of the select committee was, as far as possible, to bring the whole of the brigades of the State under one board. The subclause provided that when a municipality wished to come under the Bill and ceased to be bound by the provisions of the old Act, all the plant became the property of the new board, but the clause said nothing about the representation of the new municipality on the new board. If Perth decided to come under the Bill, the importance of Perth and the contribution it would give to the new board would entitle it to have representation.

Amendment passed; the clause as amended agreed to.

Clause 4—Fire districts:

Hon. A. G. JENKINS: It would be better to postpone this clause until after the clause dealing with the constitution of the board, because this clause divided the State into two fire districts, and if the constitution was affected, would not the constitution of the districts be affected?

The COLONIAL SECRETARY: The clause might be allowed to pass, and if necessary it could be recommitted.

Clause put and passed.

Clause 5—agreed to.

Clause 6—Constitution of the Board:

Hon. A. G. JENKINS: The object the select committee had in view was to endeavour to bring the whole of the fire brigades of the State under one Bill, and give all the bodies who would become liable under the Bill, representation. With that object in view it was proposed that the representation should be two members appointed by the Governor, three by the municipalities, three by the insurance companies, and one by the fire brigades. The select committee also proposed that if Perth decided to come under the Bill, Perth should have representation. Perth was easily the largest contributor to the fire brigades of the State at present; it contributed

nearly three times as much as any other municipality. The contributions of Perth last year were over £3,000, Fremantle being next with £1,200. It was also felt that Kalgoorlie, Coolgardie, Boulder, and the roads board district of Kalgoorlie being large contributors should be entitled to a representative, and the rest of the State to one representative. The select committee decided that was the most equitable means of electing the board. Some objection might be taken that the volunteers only had one representative on the board instead of two. It was felt that as long as the volunteers had a representative on the board who could set their claims and wishes before the board, that was all that was required. The main contributors were the insurance companies and the municipalities. We should if possible endeavour to bring all the brigades under the board, because otherwise there would be a conflict of authority which would lead to expense, and which would fall on those who had to insure. There was an opportunity given to Perth to come under the Bill, but if it did not two boards would have to remain. There was no doubt Fremantle would come under the Bill. If it did, and Perth came under the Bill, and the clause as drawn gave Perth the option of coming under the Bill within six months, then the redistribution of seats was provided in the clause. If members favoured one board the clause was a very good one, but if it were thought that two boards were necessary the proposed clause would have to be abandoned. He moved an amendment—

That all the words after "nine members" be struck out, and the following inserted in lieu:—"as follows:—(1.) Two members shall be appointed by the Governor. (2.) Three members shall be elected by the insurance companies carrying on business within Western Australia. (3.) Three members shall be elected by the local authorities as follows:—(a.) One of such members shall be elected by the councils of the municipalities of Coolgardie, Kalgoorlie, and Boulder, and the roads board of the Kalgoorlie road district conjointly; and (b.) One of such members shall, subject as hereinafter provided, be elected by the remaining local authorities conjointly in each fire district, but only those local authorities which contribute under this Act shall be permitted to vote at such election: Provided that if this Act within six months after its commencement is, on the petition of the council of the city of Perth, applied to that municipality the following provisions shall apply in lieu of paragraph (b.) of subsection three:—(i.) One of such members shall be elected by the council of the city of Perth; and (ii.) One of such members shall be elected by the local authorities throughout Western Australia conjointly, other than the council of the city of Perth, and the councils of the municipalities of Coolgardie, Kalgoorlie, and Boulder, and the road board of the Kalgoorlie road district; but only those local authorities which contribute under this Act shall be permitted to vote at such election. (4.) One member shall be elected by the volunteer brigades."

Hon. T. F. O. BRIMAGE: Had the insurance companies been consulted in the matter?

The Colonial Secretary: They gave evidence before the select committee.

Hon. T. F. O. BRIMAGE: But had those companies been consulted as a body?

Hon. R. D. McKenzie: Yes; the chairman of the underwriters represented them.

Hon. T. F. O. BRIMAGE: Because were it not so hon. members might be considering this matter from one point of view, while in their turn the insurance companies would have the right to raise the premiums.

Hon. A. G. JENKINS: The chairman of the underwriters' gave evidence in favour of one board.

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

Clause 7—agreed to.

Clause 8—Constitution of local committee:

Hon. A. G. JENKINS moved an amendment—

That in line 4 before "district" the words "municipal or road" be inserted.

Amendment passed; the clause as amended agreed to.

Clauses 9 to 25—agreed to.

Clause 26—Vesting of property:

Hon. A. G. JENKINS moved an amendment—

That in line 2 the word "municipalities, the districts whereof are comprised within the district of the board" be struck out, and the words "local authorities, the districts whereof are wholly or partly comprised within a fire district" be inserted.

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That the following sub-clause be added:—"On the extension of this Act pursuant to a petition under Section 3 to the municipal districts or any municipal District to which at the commencement of this Act the provisions of the Fire Brigades Act, 1898, apply, all real and personal property of the Fire Brigades Board constituted under the last-mentioned Act within such municipal districts shall become the property of and vest in the board constituted under this Act, subject to the board becoming responsible for and indemnifying the said Fire Brigades Board from and against all liabilities in respect thereof; and thereupon the debts and liabilities of the last-mentioned board or a proportionate part thereof to be fixed by the Minister shall by force of this Act alone become the debts and liabilities of the board constituted under this Act."

The object was to enable the new board to take over the property of the various bodies and to indemnify the fire brigades board against all liabilities in respect thereof.

Amendment passed; the clause as amended agreed to.

Clauses 27 to 32—agreed to.

Clause 33—Appointments, etc., of officers and members of permanent brigade:

Hon. A. G. JENKINS: Apart altogether from the report of the select committee he desired to move that Subclause 3 be deleted. The clause provided that the board should from time to time appoint officers and should have the power of suspension or removal of such officers. But Subclause 3 laid it down that the provisions of the clause should not be exercised in regard to permanent fire brigades in any subdistrict except on the recommendation of the local committee. If the board had to pay these officers it was only right that the board should have power to remove them independently of the opinions of the local committees. In a small place it would be very difficult to get a committee to recommend the removal of an officer, no matter how incompetent he might be, and the board would have to go on paying his salary merely because the local committee would not agree to his dismissal. The board was scarcely likely to dismiss any man except there were good reasons for so doing.

Hon. R. D. McKENZIE: The proviso applied only to permanent fire brigades, of which there were not likely to be any in Western Australia, outside of Perth, Fremantle, and Kalgoorlie. In the case of the goldfields, which in regard to property to be protected was a most important centre, it might be that the superintendent appointed by the board might have a grudge against the man in charge of the brigade, and would recommend the board to dismiss that man even against the advice of the local committee. Was it not reasonable that the local committee, who would be responsible men elected by the insurance companies, the local governing bodies and the Government, should be given a voice in the matter. He hoped the proviso would not be struck out.

Hon. T. F. O. BRIMAGE: It was a wise provision. As a rule when a new man of authority was appointed the first thing he did was to clear out all the old officers. The subclause would prove very serviceable.

Hon. C. SOMMERS: While the subclause remained there could not be

discipline in the brigade. It would be a very difficult matter indeed to get a local committee to recommend the dismissal of a local officer. The principle as embodied in the clause worked well in respect to health boards in their relation to the central board. Surely where a board was appointed to control the whole of the State, and appointed by powers representing a variety of interests, that board should be trusted to see that justice was done.

Hon. R. D. McKENZIE: The local people would have a better knowledge than the board could possibly have.

Hon. A. G. JENKINS: The local committee would not contribute one shilling towards the men's salary, and would not engage the men. If a permanent official were recommended for dismissal the board would give the matter the closest attention, while the officer himself would see that there was a most minute investigation. Only lately a case had arisen to show what inefficiency could prevail where there was not proper control.

The COLONIAL SECRETARY: There were very good reasons for the provision. Members of the board would be in Perth, and when appointing officers, which would be their first duty, they might think that the officers on the fields were not up to their work and appoint others in their places. That would probably be wrong and would be unfair. Local knowledge accounted for a good deal.

Hon. M. L. Moss: You wanted to prevent that with regard to the health authorities.

The COLONIAL SECRETARY: That was a very different matter. It might be going too far to say that no officer should be dismissed without the recommendation of the committee, but a proviso might be inserted whereby an officer should not be removed until a report had been received from the local committee.

Hon. A. G. JENKINS: That would meet the case. His only desire was to protect the powers of the board. The clause might be postponed so that an amendment could be drawn up. In the meantime he would withdraw his amendment.

Amendment by leave withdrawn.

Hon. A. G. JENKINS moved—

That the clause be postponed.

Hon. B. C. O'BRIEN: The postponement of the clause would not improve the position. If the suggestions made were adopted there would still be dual control. The local committee was created by the board, who would not allow incapable officers to be appointed. The board would never question the decision of the local committee as to the discharge of an officer. The board would have to rely upon the local committee in a great many matters.

Motion passed; the clause postponed.

Clauses 34 and 35—agreed to.

Clause 36—General duties and powers of chief officer:

Hon. A. G. JENKINS moved an amendment—

That in line 6 of paragraph (f) the word "against" be struck out and "for prevention of and escape from" be inserted in lieu.

Amendment passed: the clause as amended agreed to.

Clause 37—agreed to.

Clause 38—Power to make regulations:

Hon. A. G. JENKINS moved an amendment—

That in line 1 of paragraph (c) after the word "establishment" there be inserted "and maintenance."

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That in line 1 of paragraph (c) the word "permanent" be struck out.

Amendment passed.

The CHAIRMAN: It was stated in the Notice Paper that it was desired to transpose paragraphs (*w*) and (*x*). The only way to do this would be by striking out paragraph (*w*) and reinserting it subsequently at the end of the clause.

Hon. A. G. JENKINS moved a further amendment—

That paragraph (w) be struck out

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That in line 1 of paragraph (x) after the word "and" there be inserted "for such other purpose as the Governor may by proclamation order and"

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That paragraph (w) be reinserted at the end of the clause.

Amendment passed; the clause as amended agreed to.

On motion by Hon. A. G. Jenkins Clause 39 was amended by adding the following subclause:—"After the first meeting of the board all regulations shall be prepared by the board and submitted to the Minister for approval prior to being made by the Governor."

Clause as amended agreed to.

On motion by Hon. A. G. JENKINS Clause 40 was amended by striking out, in line 5, the word "its" and inserting "each" in lieu.

Clause as amended agreed to.

Clause 41—Contribution towards expenditure:

Hon. A. G. JENKINS moved an amendment—

That paragraph (b) be struck out and the following inserted in lieu:—"(b.) The local authorities whose districts are within or partly within the fire district: Provided that the Governor may exempt any municipality from liability to contribute. Provided also that a roads board shall not be liable to contribute unless the Governor so orders, and by such order the liability to contribute may be restricted to a prescribed area of the road district."

The object was to clearly define who should or who should not contribute towards the expenses.

Amendment passed; the clause as amended agreed to.

Clause 42—Municipal contributions, how ascertained:

On motions by Hon. A. G. Jenkins the clause was amended by inserting in line 2, before the word "district" the word "fire"; also in line 2 of paragraph (a) the word "municipality" was struck out and "local authority" inserted in lieu.

Hon. M. L. MOSS: It was quite obvious that the clause as amended would not work unless there was some reference to the roads board assessment.

The COLONIAL SECRETARY: The difficulty might be got over by providing for a roads board assessment as well as municipal assessment. He moved an amendment—

That in line 6 of paragraph (a) the words "or roads board" be inserted after "municipal."

Hon. M. L. MOSS: What was meant by "pro rata" in the clause?

Hon. A. G. JENKINS: The whole of the roads boards and municipal districts had to contribute so much to the Fire Brigades Board and a municipality had to contribute pro rata on its annual value.

Hon. M. L. MOSS: With this class of legislation, when the draft of a Bill was taken as the Committee were doing and an attempt made to put in all these improvements, the probabilities were that the Committee would find themselves in a hole. With regard to paragraph (a) some roads boards assessed on the annual and some on the capital value. In the paragraph the value of rateable property was referred to. Were the Committee dealing with roads boards which assessed on the capital or the annual value? How would the thing work?

Amendment put and passed.

On motion by Hon. A. G. Jenkins the words "such municipal district," in line 17 of paragraph (c) were struck out, and the words "the municipal district or road district" inserted in lieu.

Hon. M. L. MOSS moved—

That the clause as amended be postponed.

The object was to secure advice as to the manner in which the first paragraph would work. It must be palpable that with some roads boards assessing on capital value and others on annual value, and with the municipalities assessing on annual value there would be trouble ahead.

Motion passed; the clause postponed.

Clause 43—Municipal contributions under this Act to form part of rate :

On motion by Hon. A. G. Jenkins, the word " municipality " in line 2 was struck out and " local authority " inserted in lieu.

Hon. A. G. JENKINS moved a further amendment—

That the words " and notwithstanding any statutory limit of such rates " in line 3 be struck out.

The object was to prevent any municipality striking an exorbitant rate for fire brigade purposes. By the omission of the words they would have to pay their contribution out of general rate, or would have to make provision for the fire brigade expenditure when striking the general rate.

Hon. M. L. MOSS : There should be no doubt upon this point. There should be no power given to municipalities to increase the general rate on property. He was not convinced by taking out the words proposed it would achieve the object the hon. member had in view.

Hon. A. G. Jenkins : The clause is taken from the present Fire Brigades Act.

Hon. J. F. Cullen : Is there any need for the clause ?

Hon. M. L. MOSS : The Bill compelled a municipality to pay the annual contribution for fire brigade purposes out of any funds at its disposal within the maximum rate. either from the general rate or from other sources of revenue So there was no need for the clause. He would vote against it.

Hon. A. G. JENKINS : It would be a mistake to strike out the clause. The object was to prevent the municipalities from going beyond the statutory limit. Under the clause the municipality could show the ratepayer what was struck by way of general rate and what was struck for fire brigade purposes.

Hon. M. L. MOSS : It was of more moment for the ratepayer to be sure there was no power to strike a special rate to exceed 1s. 6d. The existence of Clause 43 would be an argument that it was a power to strike a special rate over and above the general rate.

The COLONIAL SECRETARY : It would be a mistake to strike out the clause for the reasons Mr. Jenkins stated. Undoubtedly it was the intention of the select committee to take from the council the power to increase the general rate. The words as they stood in the clause gave the municipality power to go to any limit for fire brigades purposes. We might postpone the clause to make quite sure the rating should not exceed 1s. 6d. in the pound. He was not sure that the municipalities had sufficient power to utilise money for the full purpose of this Bill. He moved—

That the clause be postponed.

Hon. M. L. MOSS : The idea was to prevent any possibility of the argument later on that the existence of this Clause 43 was a special authority to strike a special rate.

The Colonial Secretary : That does not matter so long as you limit them to the maximum rate.

Hon. M. L. MOSS : There was no objection to postponing the clause, but the clause would be useless if the municipalities were authorised to pay the contribution out of ordinary municipal revenue.

Hon. A. G. JENKINS : The select committee were just as anxious as the hon. member not to see the municipal rating increased. and it was with that object the amendment was moved. However, the clause might be postponed. He withdrew his amendment temporarily to enable this to be done.

Motion passed ; the clause postponed.

Clause 44—Return by insurance companies :

On motion by Hon. A. G. Jenkins, Subclause 4 was amended in line 3 by striking out " less " and inserting "more" and the clause as amended was agreed to.

Clause 45—Amount of contribution by individual insurance companies, how to be ascertained :

Hon. A. G. JENKINS : moved an amendment—

That in line 3 after " money " the words " not being less than £10 per annum " be inserted.

Amendment passed ; the clause as amended agreed to.

Clause 46—Insurance Company to permit books to be inspected:

Hon. A. G. JENKINS moved an amendment—

That the following new subclause be added:—"(3.) Provided that except for the purpose of a prosecution for an offence against this Act, all such returns and all information obtained and all extracts made in order to verify such returns shall be kept secret by the board and every member thereof, and by every officer and person appointed thereby; and every person guilty of non-observance of the secrecy hereby required shall be liable, on conviction, to a fine of not less than twenty pounds and not exceeding fifty pounds, or to imprisonment with or without hard labour, for not more than three months."

This provision was in the present Fire Brigades Act but it had been left out of the Bill, evidently in error. It was necessary, because when the books of a company were being inspected there should be secrecy.

Amendment passed; the clause as amended agreed to.

Clause 47—Further contribution for delay in payment of contribution:

On motions by the Hon. A. G. Jenkins, the clause was amended by striking out "municipality" in line 1 and inserting "local authority" in lieu; also in line 3 by striking out "14" and inserting "28" in lieu; also in line 5 by striking out "less" and inserting "more" in lieu; also in lines 5 and 6 by striking out the words "and not exceeding £50"; also in line 6 by striking out "ten" and inserting "two" in lieu.

Hon. M. L. MOSS: In regard to the penalties, where it said "not less than £20," all the alterations would be perfectly sensible if the penalties were recoverable on summary conviction, but they were not intended to be recoverable on summary conviction.

Clause as amended agreed to.

Clauses 48, 49, 50—agreed to.

Clause 51—Board may borrow money:

Hon. A. G. JENKINS moved an amendment—

That in line 2 after "moneys," the words "not exceeding £5,000" be inserted.

That would limit the power of borrowing.

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That in line 1 of Subclause 2 after "shall" the words "subject to any existing charge on property vested in the board under Section 26" be inserted.

Amendment passed; the clause as amended agreed to.

Clauses 52 to 56—agreed to.

Clause 57—Telephonic communication to be used:

Hon. J. F. CULLEN: Possibly this clause had been copied from some other Act, if not, one could hardly understand how such detail should be put in the Bill.

Hon. A. G. JENKINS: The select committee found that the draughtsman had taken the Victorian Act, cut out provisions, pasted them together. The Bill was referred to a select committee in another place, altered considerably, and then apparently thrown at this Chamber to make a Bill of it.

Clause put and passed.

Clause 58—Rewards to Brigades:

Hon. M. L. MOSS: This was not a proper clause to be in the Bill. There were either voluntary brigades, or brigades paid for their work, yet it was intended to award bonuses to brigades as a whole, or to the individual members of a brigade for the performance of duties for which they were paid. The board were going to be very generous with other people's money, it was a mischievous provision to put in the hands of the chief officer.

Hon. A. G. JENKINS: This was a necessary clause, it was entirely within the discretion of the board who supplied the money to grant bonuses. They had thought that special services rendered at a fire might be deserving of recognition. There would be volunteer brigades under the board, and whether volunteer or permanent if the board thought that any particular member

should receive special recognition then clearly that recognition ought to be made.

Clause put and passed.

Clause 59—Removal of persons not members of recognised fire brigades from burning premises:

Hon. A. G. JENKINS moved an amendment—

That Subclause 3 be struck out.

Amendment passed; the clause as amended agreed to.

Clauses 60 to 63—agreed to.

Clause 64—Hotels, threatres, etc., to keep life saving apparatus, etc.:

Hon. A. G. JENKINS moved an amendment—

That in line 9 the words "for the saving of life in the event of" be struck out, and "prevention of and escape from" inserted in lieu.

Amendment passed; the clause as mended agreed to.

Clause 65—Board to furnish information to Central Board of Health:

Hon. A. G. JENKINS moved an amendment—

That in line 3 the words "protection from fire of" be struck out and "prevention and escape from fire in" be inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clause 66—Payment of expenses where house and property uninsured:

Hon. A. G. JENKINS moved an amendment—

That in line 5 the word "approved" be inserted before "expenses."

The reason for moving this was that the select committee did not want people to be saddled with the expenses the brigade might see fit to impose. The expenses should first be approved by the board.

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That the words "one fifth" in line 2 of Subclause 2 be struck out, and "one eighth" inserted in lieu.

Amendment passed.

Hon. A. G. JENKINS moved a further amendment—

That the following be added to stand as Subclause 10:—"Expenses under this section shall include payments made to men employed at special rates on special occasions."

In the event of large fires when it would be absolutely impossible to get men to work at the rates in the schedule. The subclause would give the superintendent power to put on special men at special rates.

Amendment passed; the clause as amended agreed to.

Clauses 67 to 72—agreed to.

Clause 73—Action for recovery of contributions:

Hon. A. G. JENKINS moved an amendment—

That the word "municipality" in line 1 be struck out, and "local authority" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clauses 74 to 77—agreed to.

New clause—Contravention of meeting of representations of fire insurance companies to nominate members:

Hon. A. G. JENKINS moved—

That the following be inserted to stand as Clause 11:—"(1.) Immediately after the coming into operation of this Act the Minister, and in the month of December of every alternate year thereafter the board, shall convene a general meeting of the chairman, principals, or representatives of the insurance companies by circular addressed to each such company, or the representative thereof, for the purpose of electing persons as members of the board. (2.) Each such meeting shall elect its own chairman, and all matters shall be decided by a majority of votes, and the votes allotted to each person representing an insurance company at such meeting shall be according to the following scale, that is to say:—Where the company's premium income in the State does not exceed two thousand pounds, the person representing such company shall be entitled to one vote at every such meeting; where such income is above two thousand pounds and does not exceed five thousand pounds, such person shall have two votes; where such income is above five thousand pounds, such person

shall have three votes ; and the chairman of each such meeting shall have, in addition to his own vote or votes, a casting vote."

New clause passed.

New clause :

Hon. A. G. JENKINS moved—

That the following be added to stand as Clause 40 :—"(1.) All property vested in the board under Section twenty-six shall be held by the board subject to all incumbrances. (2.) The insurance companies shall pay to the board on demand one-third of the value of all property so vested in the board. (3.) Such payment by the insurance companies shall be made by each insurance company providing such sum of money as shall amount to the pro rata proportion of such payments calculated in manner hereinafter provided for the annual contribution towards the expenditure of the board. (4.) Any question or dispute that may arise between the board and any local authority or insurance company shall be submitted to arbitration under the provisions of "The Arbitration Act, 1895." "

The object was to provide that the insurance company should contribute towards the cost of the land, buildings, and plant taken over by them. They had not in the past contributed towards the expenses and maintenance of any of these brigades, nor to the purchase of the land and buildings. In these circumstances the select committee had thought that the companies might well be called upon to pay one-third—the valuation of land, buildings, and plant. Mr. McKenzie, a member of the committee, thought that it should be one-half. The question had been raised that in the event of Perth and Fremantle coming under the Act the insurance companies who in the past had contributed so much towards the upkeep of these brigades, should receive some compensation for the money they had spent.

Hon. S. STUBBS : If the proposed new clause were passed the insurance companies would be in a very unfair position. They had already paid four-ninths of the cost of the fire stations at Perth and Fremantle.

Hon. R. D. McKenzie : This does not apply to them.

Hon. S. STUBBS : The chairman of the select committee had said it was probable that the Fremantle municipality would desire to come under the operations of the Act. What position would the insurance companies be in then in regard to money they had already provided ?

The Colonial Secretary : They would be in a much better position than they are now.

Hon. S. STUBBS : The companies would be considerable losers if they had to pay under the proposed new clause. Would the companies have to pay one-third of the value of the land and the cost of the buildings in addition to what they had already contributed by their four-ninths contribution. He moved an amendment—

That the proposed new clause be referred back to the select committee.

The CHAIRMAN : Such a motion was quite out of order, as first of all such must be made before the Council ; secondly, an instruction to a committee of the House on a Bill required notice, and could only be moved before going into Committee on any question. The member could vote against the clause.

Hon. S. STUBBS : It was an absolute disgrace that such a Bill as that under discussion should come before the House. It was nothing like the same Bill that was sent up to the Council.

The COLONIAL SECRETARY : The Committee had made a Bill of the measure. The companies were not badly treated under the proposed new clause. The Perth and Fremantle brigades would not come under the Act. As to the country brigades, all the expense in the past was contributed by the municipalities and the Government. The insurance companies had escaped not only the whole cost but also the annual contribution. When a third party was invited to enter into any business concern he was always called upon to pay a proportion of the capital cost, so were the insurance companies in the present case, but they would

be in a better position than the ordinary trader, for instead of the money going to the partners it would go to the partnership fund. The Bill only applied to districts other than Perth and Fremantle, although those brigades could come in if they liked.

Hon. S. STUBBS: The chairman of the select committee had said that it was more than probable that Fremantle would come under the operation of the Act. Would the insurance companies be called upon to pay one-third of the value of all the fire brigade plants in Western Australia. They had already contributed four-ninths of the cost of the Perth and Fremantle brigades, and it would be unfair to require them to pay one-third on taking over the other brigades until reimbursed for the four-ninths paid by them to the Perth and Fremantle brigades.

Hon. A. G. JENKINS: Perhaps the clause was not sufficiently clear. If Perth elected to come in the board might have to pay one-third of the cost of the Perth and Fremantle fire brigades stations' plant. It should be provided that the clause would not apply to the Perth and Fremantle municipalities if they decided to come in.

Hon. C. SOMMERS: A proviso should be inserted that in the event of Perth and Fremantle coming in certain credits should be made to the companies for the money already paid. The clause should be held over.

Hon. J. F. CULLEN: There should be a proviso to set forth that in the event of Perth and Fremantle coming in the clause should not apply. The clause was bad in another respect in that it clearly provided retrospective legislation, and the Committee were asked to see that the companies who had escaped taxation for fire brigades outside of Perth and Fremantle for so long should now be called upon to pay up what would have been a fair share if they had been brought under the law from the first. No law in the past made such a levy upon the insurance companies and practically they owed nothing. The Committee should set its face against any attempt at retrospective legislation of this character.

Hon. M. L. MOSS: The principle involved in Subclause 2 of the proposed new clause was a very bad one. We should be certain before casting an obligation on any person, especially when it ran into thousands of pounds, that we were perfectly fair in imposing it. The proposition as explained by Mr. Stubbs did not appear to be a very fair one. How would a member like Parliament without consulting him to pass a law calling upon him to pay £3,000. That was exactly what it came to. The Insurance Companies were called upon to pay one-third of £11,000, and there was no mutuality as far as regarded that conduct. It was a most one-sided arrangement, whereby, by a stroke of the pen, Parliament said these people had to pay one-third of the four-ninths which they had contributed to Perth and Fremantle.

On motion by Hon. C. Sommers further consideration of the clause postponed.

New clauses 57 (Restriction as to establishment of Salvage Corps); 58, (Turncocks to attend fires), 59 (Disconnection of gas or artificial light); 60 (Interfering with Superintendent or members of the brigade or damaging property of Board); 61 (Penalty for covering up fire-plugs or injuring hydrants); 62 (Use of pillar hydrants instead of fire-plugs); inserted as printed in select committee's report.

New Clause—Tampering with fire alarms and signalling apparatus:

Hon. A. G. JENKINS moved—

That the following be inserted to stand as clause 63:—"Any person who tampers or interferes with any fire alarm or other signalling apparatus, or gives a false alarm of fire, shall be liable for the first offence to a penalty not exceeding Five pounds or seven days imprisonment, and for any such subsequent offence shall be liable to imprisonment for a period not exceeding two years, with or without hard labour, and without the option of a fine."

Hon. M. L. MOSS: The clause provided that for a subsequent offence the imprisonment should be for a period not exceeding two years, with or without hard labour, and without the option of a

fine. Was it intended that a magistrate should send a man to goal for two years?

Hon. A. G. JENKINS: The clause had been taken from the present Act.

Hon. M. L. MOSS moved an amendment—

That in line 7 the words "two years" be struck out and "six months" be inserted in lieu.

Hon. A. G. JENKINS: That period would hardly be sufficient.

Hon. M. L. MOSS: Two years was pretty stiff punishment for breaking a glass; moreover he did not know of any instances where a magistrate had the power to send a person to gaol for two years.

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

Progress reported.

House adjourned at 9.41 p.m.

Legislative Assembly,

Tuesday, 30th November, 1909.

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

PETITION—PUBLIC SERVICE GRIEVANCES.

Mr. BROWN presented a petition from the Public Service Association praying for the redress of certain grievances.

Petition received.

QUESTION—PUBLIC SERVANTS' SALARIES.

Mr. TAYLOR asked the Premier: 1, Have any promises been made to any officers in the service to grant them retrospective rises in payment of salary? 2, If so, have they been complied with? 3, What are the names of the officers, and the amounts due or paid under those promises? 4, If they have been paid, out of what vote?

The PREMIER replied: 1, Yes. 2, No. 3, E. A. Mann, Government Analyst, and C. J. Matthews, Chief Inspector of Machinery. The amount due has not yet been determined. 4, Answered by No. 3.

BILL—LAND ACT AMENDMENT.

Report of Committee adopted.

ANNUAL ESTIMATES, 1909-10.

In Committee of Supply.

Resumed from 26th November; Mr. Daglish in the Chair.

Works Department (Hon. Frank Wilson, Minister).

Vote—*Public Works and Buildings*, £129,428:

Roads (new works) £10,500:

Item, Roads throughout the State, £10,500:

Mr. BATH: Had the Minister yet arrived at any decision in regard to the disposal of this item, about which there had been so much discussion on Friday?

The MINISTER FOR WORKS: In accordance with promise the matter had been inquired into, as a result of which it had been found that it was impossible to treat the estimated amounts, as itemised, in the manner desired by certain hon. members. Consequently, there was no alternative to deleting the item and bringing it in as supplementary Estimates, when the details could be dealt with separately. With that object he moved—

That the item be struck out.

Amendment passed.

Bridges (new works), £1,767:

Item, Gosnell's Roads Board, tar paving Gosnell's and Bickley bridges:

Mr. BATH: This seemed rather an extraordinary item. Surely it was sufficient if the State built the bridges, without