apart from the rate imposed, and to bring up for revision the Assessment Act every year would be simply inviting alteration of an experimental nature in the incidence of the taxes which would prevent the results for one year being compared with the results for another year. The cost of the working of the Act would be greatly increased, and considerable embarrassment would be caused to taxpayers. After they thoroughly understood the Act for one year, the knowledge gained would be of no use to them in the preparation of their returns for the next year seeing that the Assessment Act or method of taxation might in the meantime be materially altered. Taxpayers have now become accustomed to the Land and Income Taxes, and philosophically comply, in most cases, with the requirements of the Act, and large numbers recognise that the taxes afford them an equitable means of assisting the revenue according to their abliity. It is anticipated that during the coming year several questions will come up for legal decision by the Full Court or a higher court. When these decisions have been received it will be an opportune time to consider any necessary amendments which are shown to be advisable thereby; also when that time arrives it may be advisable to consolidate into one Act the machinery provisions for imposing Income Tax and Dividend Duty, the latter being clearly of the same nature as Income Tax. At present there is a discrepancy between the two; the income Tax is 4d. in the pound, whereas if one derives an income from an investment or shares, he has to pay 1s. in the pound. This is a matter which must be given consideration in the near future. I do not know that I can give hon. members more details, but should the occasion arise, I shall be pleased to do so at a later stage.

On motion by Mr. Bath debate adjourned.

House adjourned at 11·46 p.m.

Legislative Council,

Wednesday, 1st December, 1909.

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

QUESTION—CRIMINAL TRIALS, GOLDFIELDS.

Hon. R. D. McKENZIE asked the Colonial Secretary: 1, Have any instructions been given to justices on the Goldfields North of Kalgoorlie to commit prisoners for trial at Perth instead of at Kalgoorlie? 2, Do the Government meditate giving such instructions? 3, If it is the intention of the Crown Law Department to change the venue of the following criminal trials from Kalgoorlie to Perth:—Dennis Maher, absconding bankrupt; Wilson, arson; Robustilli, murder. 4, If so, why?

The COLONIAL SECRETARY replied: 1, No. 2, The matter has not been considered. 3, An order has been made changing the venue in the case of Rex *v.* Maher from Kalgoorlie to Perth. No such order has been made or applied for in the cases of Rex *v.* Wilson and Rex *v.* Robustilli. 4, In the case of Rex *v.* Maher, the trial was adjourned to enable additional documentary evidence from Ceylon to arrive and be made available. The venue was changed to Perth on order by the Judge after hearing counsel for the Crown, and the prisoner, for the purpose of avoiding a delay till March next. Maher's bankruptcy proceedings are suspended pending his trial, and several witnesses reside at Perth or Fremantle.

BILL—TRANSFER OF LAND ACT AMENDMENT.

In Committee.

Clauses 1 to 3—agreed to.

Clause 4—Registration of Crown leases granted before the commencement of the Act:

Hon. C. A. PIESSE: Would the Minister give hon. members an idea as to the fees?

The COLONIAL SECRETARY: The fees would be the same as at present. Holders of conditional purchases secured prior to the passing of the Bill would not be compelled to come in under the Transfer of Land Act.

Clause put and passed.

Clauses 5 and 6 agreed to.

Clause 7—No foreclosure without the consent of the Minister for Lands:

Hon. J. F. CULLEN: The clause would be all right regarding mortgages taken after the passage of the measure, but in regard to those taken prior to the passing of the measure the Minister might find himself in an invidious position as being a competing creditor against the person seeking a foreclosure. Would it not be awkward to legislate retrospectively in regard to mortgages which had been taken apart from the Bill altogether?

The COLONIAL SECRETARY: If the State were a creditor it would be secure, for it would only be a creditor to the extent that certain payments had not been made. No title could issue until all the payments were complete.

Hon. J. F. CULLEN: The point was that the Minister for Lands might find himself in an invidious position if no mortgage could be foreclosed without his consent in cases where he might be a competing creditor.

The COLONIAL SECRETARY: There could be no foreclosure without a transfer, and it might be contrary to the conditions of the Land Act to allow a transfer. The person applying for the transfer might be a person who held the statutory quantity of land, and, therefore, the Minister would not consent to the transfer. Again, it might be for land held for five or six years on which the improvements had not been carried out, and, therefore, such transfer would be against conditions. Without this provision any person could take up land and sit on it until it became valuable, when he could transfer it. To delete the clause would be to encourage dummying.

Hon. C. A. PIESSE: It was a strong step to take. Mortgages issued prior to the passing of the Bill had been given and taken subject to the usual conditions, and now a clause like this was to be allowed to upset all the customs of the past. Where would the man who held the mortgage come in? His security would be beaten by the clause.

The COLONIAL SECRETARY: The position would be exactly the same if a creditor were to lend money on a conditional purchase lease which was insufficiently improved. If that creditor were to attempt to foreclose to-day he would find it was unavailing, because the Minister would not consent to the transfer. The block would be forfeited. That was the condition to-day. The only proposed difference was that the clause would be in the Transfer of Land Act instead, as to-day, in the Land Act. It would not lessen the security one iota.

Hon. C. A. PIESSE: If the clause were already in the Land Act there could be no objection to it.

Clause put and passed.

Clause 8—agreed to.

Clause 9—Crown lessee to be deemed of full age:

Hon. C. A. PIESSE: Did that apply to all leases issued prior to the passing of the Bill?

The COLONIAL SECRETARY: The clause was inserted because of a provision in the Land Act whereby a minor from 16 years of age could take up land. If a mortgage were effected for a minor, when he came of age it could be repudiated were it not for this provision, which would enable anyone to lend to a minor.

Hon. C. A. PIESSE: In the past, a lad under age was never allowed to mortgage his land. The provision was a step in the right direction. It was to be hoped the Government would see that in future minors would be able to borrow also from the Agricultural Bank.

Hon. J. F. CULLEN: There was no power under the Land Act for a minor to mortgage although he could take up land. This clause conferred the power, but was it advisable to do so? If a minor had power to mortgage it was right that he should be subject to all the responsibilities. He doubted, however, whether it was right to confer the power.

Hon. C. A. PIESSE: The clause was an excellent one. It was to be hoped it would be carried as also an amendment to the Agricultural Bank Act whereby minors could borrow money from there also.

Hon. R. W. PENNEFATHER: The clause was an enabling one, practically conferring on a minor the same status as a man 21 years of age. The Legislature was giving a minor the right to select land, and, therefore, it was only proper that he should have the right also to raise money on it. One of the rights given was power to mortgage. It was a most beneficial clause.

Clause put and passed.

Clauses 10 to 18—agreed to.

New clause—Certificates:

The COLONIAL SECRETARY moved that the following be added to stand as Clause 15:—

Section 49 of the principal Act is amended by inserting after the word "parchment" in line 2 the words "or paper."

The reason for the amendment would be easily understood. Under Clause 49 it was provided that the certificate of title should be on parchment. In England and elsewhere the certificates were now issued on paper. The amendment, if carried, would allow certificates here to be issued in future on paper instead of parchment. The paper to be used was not very inferior from the parchment, and one result of the alteration would be a saving of about £150 a year. In the event of the paper certificates wearing out they could be restored.

Hon. R. W. PENNEFATHER: In the Eastern States Crown leases were all on paper. The new clause should be passed, as paper was more easily handled than parchment and much easier to write upon, to say nothing of the cost.

Hon. C. A. PIESSE: There was no assurance that in the future poor paper would not be used, and it was very doubtful whether merely with the object of saving £150 a year it was a good idea to do away with the parchment.

New clause put and passed.

Schedule, Title—agreed to.

Bill reported with amendments.

The COLONIAL SECRETARY moved:

That the consideration of the report be made an Order of the Day for the next sitting day.

Hon. M. L. MOSS: It was advisable that the report should not be considered until, say, Tuesday next, as while the Bill was being amended there was a vital alteration that might be made to the original Act. He wanted to draw the attention of the Minister to Section 133 of the Transfer of Land Act, which set forth the procedure under a writ of execution. That procedure at present was most defective, and as we were amending the Act the section in question should be brought into line with the Victorian and South Australian legislation. The procedure now was that when one person obtained a judgment against another there was a certified copy of the writ of execution given, and that was registered against the land. In Victoria and South Australia a person who obtained a judgment must sell the land and get the transfer registered under execution within three months of the day it was lodged. Here what a judgment creditor was able to do was this: he registered his writ of execution, waited until nearly the expiration of the three months and re-registered that execution, and kept on repeating the same performance. That enabled a person obtaining a judgment to put himself in the position of a secured creditor. There was this great disadvantage to that procedure. There might be other persons who were creditors, and it shut out their right to enforce their writ of execution against the land until the first man chose to move. There should be a little longer adjournment than to the following day so that an amendment might be introduced and the law brought into line with that in the other States. There was nothing worse than for a person to register the writ of execution against land, sleeping on his rights and precluding others from enforcing a judgment taken at a later date. He moved an amendment—

That the words "the next sitting day" be struck out and "on Tuesday next" inserted in lieu.

The COLONIAL SECRETARY: It would be a pity to have so long a delay, for surely the amendment could be drafted by the following day. He would see the Crown law authorities with regard to the matter. He would not, however, promise to bring in an amendment.

Hon. M. L. MOSS: In the circumstances he would withdraw his amendment.

Amendment by leave withdrawn.

Question put and passed.

BILL—LAND ACT AMENDMENT.

Received from the Legislative Assembly, and read a first time.

BILL—REGISTRATION OF DEEDS, ETC.

In Committee.

Bill passed through Committee without debate, reported without amendment; and the report adopted.

PAPERS PRESENTED.

By the Colonial Secretary: Return under the Life Assurance Companies Act.

BILL—ELECTORAL ACT AMENDMENT.

In Committee.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 6:

Hon. W. PATRICK moved an amendment—

That in line 3 after "registrar" the words "assistant registrar" be inserted.

The registrar for a province was not capable of carrying out the duties of preparing the rolls. There should be assistant registrars so that there would be someone in the centre of the province who would be able to prepare the rolls properly. At present there was only one registrar for a province, and it was impossible for one man to deal with the roll.

The COLONIAL SECRETARY: "Registrar" under the Act included a substitute. The amendment was not practicable. There could not be two registrars for a province, any more than there could be two registrars for a district. There must be one registrar in charge of an electoral roll; the registrar had his substitutes and assistants, and a substitute would have the power of the registrar to receive claims.

Hon. W. PATRICK: Until two or three years ago the registrar for a district invariably acted as the registrar for the province; he prepared the roll for the district, as a portion of the province. He was in the position to receive applications for claims, and to object to names being placed on the roll if necessary. At present the registrar of a district received claims, but he could not deal with them, he could only receive and send them on to the registrar. Unless there was someone in each province to carry out these duties no roll would be worth the paper it was written on.

The COLONIAL SECRETARY: The amendment would alter the principle of the Act throughout. The hon. member was thinking of the Electoral Act of 1904, by which each province was divided into districts, and instead of having the one roll there were five or six rolls, as the case might be. Parliament in its wisdom altered this system and brought the province rolls into one. It would be quite impossible now to do what the hon. member suggested. We should have to go back to the old system, under which each Assembly district roll was a roll for a province.

Hon. W. PATRICK: It did not matter whether these officers were called assistant registrars or deputies, so long as there was someone in a district who had the right to receive and examine claims, instead of being a machine for sending the claims on. There was no reason why we should not put this matter right when an Electoral Bill was before members.

Hon. T. F. O. BRIMAGE: The Council rolls were prepared from the roads board and municipal council rolls.

The Colonial Secretary: That was done away with.

Hon. T. F. O. BRIMAGE: In his district claims could be lodged with the

registrars on the goldfields and they were sent in. In a large province it was hard to get a correct roll, because there was the difficulty in obtaining the qualifications of a claimant so as to satisfy the registrar. We should do what we possibly could to make the rolls as pure as possible.

Amendment put and negatived.

Clause put and passed.

Clauses 4 to 15—agreed to.

Clause 16—Amendment of Section 63:

Hon. J. F. CULLEN: What strong reason was there for extending seven days to twenty-one days?

The COLONIAL SECRETARY: As explained on the second reading, it was provided that fourteen days' notice must be given before the issue of a writ and it was further provided that writs should issue not later than seven days after the dissolution of the Legislative Assembly. Thus it might be necessary to give the notice seven days before the Legislative Assembly was dissolved and while Parliament was in session. This oversight the Bill now sought to remedy so that notice might not be given until after the Assembly was dissolved. The writs would issue not later than 21 days after the dissolution of the Assembly.

Clause put and passed.

Clause 17—Amendment of Section 92:

Hon. W. J. LANGSFORD: This was the first clause where a partial element of compulsion came in. The Committee might express an opinion as to whether the compulsion should be complete and not merely carried to the third preference. If the clause passed as it stood, before long we would need another amending Bill before us to extend the compulsion. If we stopped at the third preference it was capable of creating confusion. If the elector was capable of distinguishing between one, two, and three, he was also capable of distinguishing between one, two, three, four, five, and six. He moved an amendment—

That in Subclause 2, line 4, the following be struck out:—"Also insert in the ballot paper the surnames of at least two other candidates for whom he votes as a second and third preference, and he may."

The subclause would then read:—"The elector shall insert in the postal ballot paper the surname of the candidate for whom he votes as a first preference, and he shall, in like manner, give further contingent votes for the remaining candidates."

Hon. C. A. PIESSE supported the amendment. Sooner or later we would have to do this, because the same difficulty that had already arisen would crop up again if it were not done now. We should anticipate the difficulty while the Bill was before us. If a man was capable of deciding between the first three, he was capable of deciding between the remaining candidates.

The COLONIAL SECRETARY: The clause was a decided advance on the existing provision. It provided for compulsory preferential voting to a certain extent. The main object of preferential voting was to get at the true choice of the electors, and it was thought that if there were six candidates for one seat people generally supported one candidate and opposed another. A person going to the poll was quite decided that A was his candidate and that B was his opponent whom he did not wish to see elected, and would therefore put A at the top of the list and B at the bottom. The voter also generally had an idea of the candidate to whom he would give preference in case his own candidate was not returned. Therefore the voter could place A, B, and C, but the average man would not know how to place D, E, and F in order. It could reasonably be argued that even if the voters were compelled to vote for every man on the ballot paper, it was doubtful whether the true choice of the electors would be obtained; but there was no doubt about it if the compulsion was extended to three candidates. Any man going to the poll could place his first three, and it was not advisable, he thought, to go further than three.

Hon. V. HAMERSLEY supported the clause. There was ample room in the clause to allow a fair number of candidates a good chance of being elected by a

preferential vote, but if we extended the principle to a greater number than three our elections would break down by the number of candidates coming forward, because everyone would have a good chance, and we would probably have twenty up for election.

Hon. J. W. Hackett: Then fifteen would lose their deposits.

Hon. V. HAMERSLEY: It was going quite far enough to allow a preference for three, because very often electors voted absolutely blindly in giving the second and third preference. At the Federal elections, for instance, many country electors voted for men they never heard of. If preferential voting for all candidates was compulsory, and the voters did not give preference votes for the full six candidates, their votes would be invalid. Many electors would have to speculate with their preferences.

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

Ayes	..	.. 12
Noes	..	.. 8
Majority for		.. 4

AYES.

Hon. T. F. O. Brimage	Hon. W. Patrick
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. A. G. Jenkins	Hon. C. Sommers
Hon. R. Laurie	Hon. S. Stubbs
Hon. R. D. McKenzie	Hon. T. H. Wilding
Hon. W. Oats	Hon. J. W. Langsford (*Teller*).

NOES.

Hon. J. D. Connolly	Hon. M. L. Moss
Hon. J. W. Hackett	Hon. R. W. Pennefather
Hon. V. Hamersley	Hon. G. Throssell
Hon. E. McLarty	Hon. S. J. Haynes (*Teller*).

Amendment thus passed.

Hon. J. W. LANGSFORD moved a further amendment—

That all the words after "follows" in line 2 of Subclause 3 be struck out and the following inserted in lieu:—The voter shall first write on the ballot paper the surname of the candidate for whom he votes as a first preference, and he shall mark the numeral 1 against such name, and he shall then write on the ballot paper the surnames of all the other candidates and he shall mark the numerals 2, 3, and so on, against each name respectively in the order of his preference.

Amendment passed.

Hon. J. F. CULLEN: The clause should be struck out. The whole matter of preferential voting was an anomalous kind of thing. It was a short cut to accomplish what was done by a second or exhaustive ballot. It was not only anomalous, but it was done in the first place to compel people either to disfranchise themselves or record a vote for one in whom they utterly disbelieved.

The Colonial Secretary: You did that by your vote just now.

Hon. J. F. CULLEN: Not necessarily. The hon. member was not analytical. Where there were three candidates there was one, or there might be two in whom a voter equally disbelieved.

The Colonial Secretary: You compelled him to vote for them just now.

Hon. J. F. CULLEN: Up to the present he had not cast a vote for compulsion at all. The present was the first time when the question of compulsion had came up, and it would be his intention to vote against it. It was a very serious step to take to make this anomaly of preferential voting. It was hastening without reason. Why should we, after a few months' experience of preferential voting rush in and make it compulsory. Let the present stage of reform be tried for a little longer. It might be that when the people got more reconciled to preferential voting there would be few cases where the greatest number of votes would not be the absolute majority. The Committee were now asked to say that the voter must not only vote for the man he believed in but for the enemy who in other circumstances he would not countenance or give a vote to. He must either do that or not vote at all. The effect would be that numbers of people would not vote at all.

Hon. M. L. MOSS: When the present Electoral Act was before the Committee he informed the Committee that preferential voting should be made compulsory and he predicted if it was not compulsory the system would be a farce. We had been confronted with political contests in Western Australia which had resulted

in minorities representing constituencies. It became absolutely necessary that we should do something to remove that scandal if possible. The best system was that adopted in New Zealand, where they had a second ballot, although it was much more expensive. It was an effectual provision against the third party who had no chance at all coming, in to split up the votes. Having adopted the preferential system of voting he was glad to see now that the Government were making it compulsory. With all respect to Mr. Cullen, whose views were generally worthy of the greatest respect, he could not follow the hon. member in his argument when he said that it would compel a man to vote for a person he did not believe in. The proposal would compel a voter to place the person he disbelieved in most at the bottom of the preferential ballot. He (Mr. Moss) would go further and try and do something to prevent the large number of persons who possessed the franchise from declining to exercise it, and compel them to vote or disfranchise them until they purged their contempt. It might also be wise to fine them unless they gave a satisfactory reason for not voting. With regard to the present system of Government, we should intelligently train the people to understand public questions which agitated public minds, and in the next case we should compel them to do their duty to the candidates who come forward periodically.

Clause as amended, put and passed.

Clauses 18 to 20—agreed to.

Clause 21—Amendment of Section 127 (2):

Hon. J. W. LANGSFORD: In order to complete the work of the Committee in regard to this question of voting he moved an amendment—

That all the words after "follows" in line 2 be struck out and the following inserted in lieu:—"(2) If there are more than two candidates the elector shall mark the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes as to his first preference and he shall give contingent votes for all the remaining candidates by placing the numerals 2, 3, and so on (as the case requires) opposite their names, so as to indicate by such numerical sequence the order of his preference."

Amendment passed; the clause as amended agreed to.

Clauses 22 (consequentially amended) and 23—agreed to.

Clause 24—Amendment of Section 161:

Hon. J. F. CULLEN: This clause was contradictory; it contradicted Section 161, and it contradicted itself. Section 161 said that the court should inquire as to whether the requisites of Section 166 had been observed, and so far as the voter was concerned it might inquire into the identity of persons and as to whether their votes had been properly admitted or rejected, etcetera. This proposed addition said that the qualification of any person enrolled should not be questioned. It did not simply mean that the qualification would not be questioned at the time of voting, but that it should not be questioned at the time the roll was made out; and so it did not harmonise with the section to which it was to be added. If the first part of the clause was to be accepted, where did the second part come in? The clause had been hastily drawn, was contradictory, and was inconsistent with the section to which it was to be added.

The COLONIAL SECRETARY: The new clause had been put in in order that the roll might be taken as conclusive evidence. Under the clause, if the voter were allowed to vote, the election could not be upset on the ground that he was wrongly on the roll. Of course the clause was to be read in conjunction with Section 118 of the Act, which provided that when a person on the roll went to the booths to vote, the returning officer might put certain questions to him, and, if a scrutineer so desired, the voter might be asked to sign a declaration. If the voter answered the questions and signed the declaration the returning officer had no alternative but to allow him to vote; but the voter would be subject to a penalty if he made a false declaration.

Hon. J. F. CULLEN: Although the enrolment of the voter could not be

questioned at the time of making out the roll, the voter in the proposed new clause would still be subject to being questioned at the time of the election; and if it were then found that he had not the qualification he had had when the roll was made out, presumably he would be struck off the roll.

Clause put and passed.

Clause 25—Amendment of Section 204:

Hon. J. F. CULLEN: The clause invited any elector to witness a claim, following upon which it made him liable to a fine of £50 if he had not done what only one elector in a hundred could do, namely, satisfy himself that all the statements made by the claimant were true in every particular. It should be no part of the duty of a witness to ascertain the truth of the statements made by the signatory.

Hon. A. G. Jenkins: He is only required to satisfy himself by inquiry from the claimant.

Hon. J. F. CULLEN: The effect of the second part of the clause would be that hundreds of people would refuse to witness a claim. The claimant himself was the man who should take the responsibility for statements made in the claim. It should be sufficient that the witness witnessed the claimant's signing of the claim; that would serve to prevent bogus men putting in claims and so bothering the authorities. What more could be required of a witness? It appeared by the subclause that we were not bringing the measure into line with the Commonwealth law.

Hon. M. L. MOSS: There was a somewhat similar provision in one of the repealed Electoral Acts and he had always thought that was placing a burden on a witness to a claim that was entirely unwarranted. One might just as well charge a justice of the peace with the obligation of enquiring into the truth of every statement made in a statutory declaration. No doubt the object of the provision was that the witness should have the burden cast on him of satisfying himself that the claimant for enrolment was entitled to have a vote. Under the Electoral Act, however, if a person made an application without the necessary qualifications he was liable to imprisonment and a heavy fine; surely that was sufficient safeguard for all purposes If the Minister could give a concrete instance where a person had, owing to the negligence of a witness of a claim, been put on the roll without having any qualification, the position might be different. If the clause were passed there would be great difficulty in getting persons to witness claims, that was provided they knew of this new provision, but it was quite certain that the great majority would know nothing at all about it. It was clearly provided by the clause that the person witnessing the application had to be personally acquainted with the facts.

The COLONIAL SECRETARY: The amendment was proposed in order to carry out the scheme of co-operation with the Commonwealth. Only in certain instances was it necessary for Commonwealth claims to be witnessed, and anyone entitled to be on the roll could be a witness. The alteration was being made in order to meet the Commonwealth, but it was at the same time necessary to strike out the first part of Section 204 which provided for the witnessing of claims. Section 204 had been inserted in the Act of 1907 because previously to that anyone could witness an application, and there were consequently numerous instances of "roll-stuffing" on that account.

Hon. M. L. Moss: With the card system that is impossible.

The COLONIAL SECRETARY: It would be quite an easy matter for this to take place in a district like Brown Hill for instance. If responsibility were thrown on the witness one would be able to trace an applicant who had made a false declaration. All the witness would have to do was to ask the applicant what his qualifications were.

Hon. C. A. PIESSE moved an amendment—

That in line 4 of Subclause 1, Section 204, the words "Legislative Assembly" be struck out, and "Parliament" inserted in lieu.

The clause took it for granted that

electors of the Legislative Council were included with those of the Legislative Assembly. It would be better to use the word "Parliament."

The COLONIAL SECRETARY: An elector of the Legislative Council must be entitled to be an elector of the Assembly.

Amendment put and passed.

Hon. M. L. MOSS: In the Commonwealth Electoral Act of 1902 there was no provision for witnesses. There was no necessity for Subclause 2 in order to bring our law into line with the Commonwealth, and it might well be struck out.

Hon. R. W. PENNEFATHER: The clause aimed at imposing an act of indignity upon a claimant. When a claimant went to a witness he would have to put up with cross-examination which would probably cause a considerable amount of trouble, especially, as would most frequently be the case, if the claimant were not aware of the provision.

Hon. M. L. MOSS moved an amendment—

That Subclause 2 be struck out.

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

Ayes	9
Noes	8
Majority for	1

AYES.

Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. S. J. Haynes	Hon. G. Throssell
Hon. J. W. Langsford	Hon. T. H. Wilding
Hon. M. L. Moss	Hon. E. McLarty
Hon. R. W. Pennefather	(*Teller*).

NOES.

Hon. T. F. O. Brimage	Hon. W. Patrick
Hon. J. D. Connolly	Hon. C. Sommers
Hon. J. W. Hackett	Hon. S. Stubbs
Hon. A. G. Jenkins	(*Teller*).
Hon. R. D. McKenzie	

Amendment thus passed; the clause, as amended agreed to.

Clauses 26 to 30—agreed to.

Schedule. Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Colonial Secretary the Bill was recommitted for the purpose of considering Clause 22.

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

Clause 22—Amendment of Section 138:

The COLONIAL SECRETARY moved an amendment—

That the following words be added:—"As regards all the candidates."

This was a consequential amendment on a previous amendment made in this clause.

Amendment passed.

Bill again reported with a further amendment.

BILL—DISTRICT FIRE BRIGADES.

In Committee.

Resumed from the previous day.

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

The COLONIAL SECRETARY moved an amendment—

That Subclause 3 be struck out and the following inserted in lieu:—"Before the provisions of this section are exercised with regard to a permanent fire brigade in any sub-district notice shall be given by the board to the local committee of such district shall be considered by the board."

When this clause was previously before the Committee an amendment was moved to strike out the subclause, but it was pointed out that that was unnecessary. On the other hand, it was contended that a local committee should have at least notice that an officer was to be removed, but the amendment now moved would not take away from the board the power to remove an officer, and the local committee would have notice. It further provided that the removal should not take place until any protest which had been lodged was heard.

Amendment passed; the clause as amended agreed to.

Postponed Clause 42—Municipal contributions, how ascertained:

The COLONIAL SECRETARY: When this clause was previously under consideration it was pointed out that as some local authorities rated on the annual value and some on the unimproved value, it would be hard to arrive at the

amount contributed as the clause was worded. He moved an amendment—

That in paragraph (a) the words "value of the ratable property in a municipal district or a road district" be struck out and the following inserted in lieu:—"amount which would be recoverable under the general rate levied at the maximum amount upon the ratable property in the municipal district or road district."

Amendment passed; the clause as amended agreed to.

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

The COLONIAL SECRETARY moved an amendment—

That all the words after "Act" in line 1 be struck out, and the following inserted in lieu:—"by any local authority may be paid out of the annual rates, provided that if the liability of a roads board to contribute is restricted to a prescribed area of its district the board may increase the general rates payable in respect of ratable property in such area within the statutory limit of the general rates.

The clause was inserted because it enabled the municipal council to strike a fire rate, and thus show what was struck for municipal purposes and what for fire purposes. The Bill also provided that a certain portion of a road district might be exempt from the Act, but if the clause were not passed with the amendment now suggested it would be necessary for the whole of the road district to pay the fire contribution. Again, the Municipal Corporations Act only enabled municipalities to contribute to fire brigades within the municipalities, but under the Bill they would have to contribute to fire brigade work throughout the State. The purpose of the amendment was to provide that any rate struck for fire brigade purposes was not, when added to the general rate, to make the total rate higher than the statutory limit on the general rate.

Hon. M. L. MOSS: This was a clumsy arrangement, and one that was likely to lead to the greatest possible difficulty. It was not necessary to restrict the expenditure of a municipality to the general rate. The simplest way would be for the municipality to pay out of ordinary revenue which was made up in a variety of ways. It was not necessary to strike a special rate for fire brigade purposes. Greater difficulty would occur in connection with road districts. It would be better to have the proposed amendment printed.

The COLONIAL SECRETARY: It was not made compulsory to strike a special rate. The principle of applying the fire rate to a road district would be the same as was followed in applying the health rate. For instance, Laverton was in a road district covering hundreds of miles, but the health rate only covered the town. The fire rate would also cover the town but not the whole district. If we gave power to take the contribution out of the ordinary revenue of the municipality it came back to the same thing, because then the municipality would have to apply the general rate to purposes now provided for out of ordinary revenue.

Hon. J. F. CULLEN: It was really immaterial in municipalities whether we specified general rate or ordinary revenue. There would be no difficulty as regards road districts, because the town part of any road district was always a ward of the road district, and the fire rate would apply over that particular ward. The clause now seemed to be thoroughly workable, and it would be a pity to delay the Bill.

Hon. M. L. MOSS: There would be a general rate throughout the whole of the road district, say of 2d. in the pound, and then for the fire district in the road district there would be an additional rate, making 2½d. in the pound for that area. It would be better for the general rate to be uniform throughout the district and to have a special rate for the particular area. However, he would not oppose the amendment any further.

Amendment put and passed; the clause as amended agreed to

New clause:

The COLONIAL SECRETARY 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 encumbrances.

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 payment, 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 of the clause was to compel the insurance companies to pay one-third of the value of the present plant and buildings of the fire brigades. The question was raised on the previous evening that the clause would have the effect of causing the insurance companies to pay one-third of the cost of the buildings, the land and equipment of the Fremantle and Perth brigades. This was not intended because Perth and Fremantle brigades existed under the Fire Brigades Act of 1898, and there were three parties to that, namely, the Government, who contributed one-ninth, the municipal councils four-ninths, and the underwriters four-ninths. These parties had built up the properties. but with regard to the brigades outside of Perth and Fremantle they had been run entirely by volunteers assisted by municipalities and the Government, who had given them grants for equipment. Consequently the present land and property belonged to the Government and the municipalities. The Bill provided that in future the underwriters doing business in Western Australia should contribute to all the brigades of the State, other than those of Perth and Fremantle, to the extent of three-eighths of the upkeep, the municipalities three-eighths, and the Government two-eighths. If the plant, buildings, and land had not been there, and they were starting afresh, the insurance companies would have to pay three-eighths of the cost of buying the land and equipment. Coming in with the thing already going, all they were asked to pay to the board was three-eighths of the present value. That did not go into the pockets of the municipal council, but into the funds of the board, so that the underwriters had a share of that. Really they were getting in on easy terms. On account of the amendment which the select committee had been instrumental in effecting to Clause 26, he moved an amendment to the proposed new clause—

That in line 3 of Subclause 2 the words "so vested in the board" be struck out and "vested in the board by Subsection 1 of Section 26" be inserted in lieu.

Hon. M. L. MOSS: The position was that the insurance companies had contributed to the Fire Brigades Board since its inception an amount of £26,811. Speaking on the assumption that there was to be one board we were going to take this sum of money from the insurance companies and they were to get nothing for it. They were to get no refund if they came in under the Bill, but they were expected to pay a proportion of the amount contributed by the Government. If it was intended that one board should control all these brigades, was it a fact that under the Bill they would take over the buildings and the equipment of the brigades? Four-ninths had been paid by the insurance companies. The board would make no contribution to the insurance companies, but the insurance companies would be called upon to pay a third of £11,000. He strongly objected to any company, or any person, having a burden cast upon them by Parliament without having a say in the matter. To carry the thing out to a logical conclusion there was nothing to prevent anyone from putting in the Bill that a member should pay £500 without rhyme or reason. The best way to deal with the matter would be to have one

board in control and it would be advisable to strike out Subclause 2, and not call upon the companies to pay one-third of the value of the property, because it was far more than equalised by the amount they had already paid.

Hon. J. F. CULLEN: It was an unsound principle for Parliament to review the past and by its paramount power say, "We call upon A, or B to pay a certain certain sum of money." It was a different thing when two parties came to an agreement and that agreement was put into a Bill before Parliament. Parliament could then go back any length of time, but for Parliament to say that it seemed a fair thing, and it did not matter whether it was constitutional or not, to call upon so and so to pay a certain sum of money, would be a vicious course to pursue. If we were going to be retrospective at all the difference between the three-eighths and four-ninths in the past would far more than cover this £3,300 which it was now sought to be laid upon the outside party purely by a paramount Act of Parliament. The equities of the case would be met by striking out the subclause altogether.

Hon. R. D. McKENZIE: This was not retrospective legislation in any form whatever. It was proposed in the Bill that certain bodies should take the responsibility of the fire brigade service. Some of these bodies had property distributed throughout the State which had cost them a lot of money. The Bill proposed to confiscate that property. If this were not done new fire stations would have to be built and equipped. Clearly the property would have to be taken over, and as the insurance companies had borne no part in the provision of this property, it now became necessary for them to bear a fair share with their partners in the concern, namely, the Government and the municipalites. It had been in his mind to propose an amendment providing that the fire insurance companies should pay more than one-third; because, after all, what they were paying would not be taken by the municipalities, and the Government, but would be paid into the funds of the board, and consequently the insurance companies would still have a third interest in the amount they paid in. That being so, it was only fair that the companies should be called upon to pay 50 per cent. However, he would not move his amendment, seeing that a section of the Committee seemed to be averse to it. The property would not be taken over at anything like what it had cost, but would be taken over on its present day valuation which, of course, would be considerably lower than the original cost. The figures distributed by the Underwriters' Association showing that they had paid certain sums towards the upkeep of the Perth and Fremantle brigades were entirely by the way. Most of that money had been expended on a service from which the companies had materially benefited.

Hon. M. L. MOSS: If it was really the case that it was proposed to confiscate this property from the municipalities, was it to be understood that the municipalities had not been consulted about the Bill? If this was the case the Bill was worse than it had at first sight appeared to be. It was going to put a burden on the insurance companies, and, apparently, it was going to confiscate the property of the municipalities. The clause ought to be struck out.

Hon. R. D. McKENZIE: The municipalities had been consulted, and whilst they were agreeable to handing over the property in their possession, they were of opinion that the insurance companies should pay a fair proportion of the value.

The CHAIRMAN: While not wishing to limit discussion, he would remind hon. members that the question was that the words "so vested in the board" should be struck out with the view of inserting other words.

Hon. W. PATRICK: Although the companies had paid a considerable sum towards the upkeep of the brigades at Fremantle and Perth, yet during all these years in the back country the whole burden of prevention of fires had fallen on the people of the neighbourhood, while the insurance companies had had the benefit of whatever expenditure was incurred. Instead of reducing the rates in the back country the insurance companies had put them on as stiffly as they

could. He himself had paid as much as £8 for years. Instead of it being unjust to ask these companies to contribute the 3,000 odd pounds required, in his opinion the companies were getting off with one-tenth of what they ought to be contributing.

Hon. C. SOMMERS: The suggestion made by Mr. Moss to strike out the clause was a good one. The insurance companies had paid enormous sums towards the upkeep of brigades during the past 10 years, and surely that should be held as a set-off against the £3,000 now proposed to be asked of them.

The Colonial Secretary: Would you take into consideration what the municipalities have spent?

Hon. C. SOMMERS: Would it not be better to strike out the accounts on both sides and start afresh? He had previously suggested that a proviso should be put in to the effect that in the event of the Fremantle and Perth brigades coming under the control of the board the companies should have some refund of the amounts they had contributed. Altogether, the simpler way would be to start afresh. Provided the companies would forego their claim to any rebate on the amount expended in Perth and Fremantle they should be liberally dealt with. He would support the amendment moved by Mr. Moss.

The CHAIRMAN: No amendment had been moved by Mr. Moss. If the amendment before the Chair were to be passed the hon. member could not move to strike out the subclause, except on recommittal. If the amendment were carried the subclause could not be further dealt with at this stage.

Hon. M. L. Moss: Would the Colonial Secretary temporarily withdraw his amendment?

The COLONIAL SECRETARY: The amendment could not be withdrawn, for the reason that no advance would be made by so doing. What the discussion was on was quite clear, and it was equally clear what the vote would be on. The amendment was devised for the purpose of protecting the fire insurance companies. The Committee were not concerned at the moment about the cost of the brigades of Perth and Fremantle at all. A clause already passed provided that under certain conditions Perth and Fremantle might come in under the board. These two brigades had six months after the passing of the Bill in which to come in if they saw fit. Mr. Moss had rather mixed the matter up by mentioning Perth at this stage at all. The clause only dealt with property outside of Perth and Fremantle. The insurance companies were only asked to pay into the funds of the board one-third of the value of the property in which they were to become a partner. The amounts contributed by the insurance companies in the past were beside the question. That money had been contributed as four-ninths of the upkeep of the brigades of Perth and Fremantle. Every penny of it had been spent in wages with a certain proportion for the plant. Why was that done? For their own protection exactly as a man insured for his protection. The debt on the property was £8,000 for Perth and £6,000 for Fremantle. Last year we passed a special Bill to validate the loan to Fremantle. There was a debt now on the properties of £14,000, and if those brigades came under the measure the other brigades would have to take their share of liability. The proposal before the Committee was a perfectly fair one. The companies had been allowed for years to go without contributing anything to the brigades, except those in Perth and Fremantle. The excuse that the brigades were no use would not hold water. Personally, he had seen work done at a fire by the Kalgoorlie brigade which could not have been done better in Perth and Fremantle, yet the companies had never contributed anything towards that brigade. The companies were let down lightly, and if they had been asked to pay one-half that should not have been objected to.

Hon. M. L. MOSS: Were representatives of the insurance companies examined?

The Colonial Secretary: Yes, the chairman of the underwriters, Mr. Sullivan.

Hon. M. L. MOSS: Did that witness say he was satisfied to pay one-third?

The Colonial Secretary: The evidence is published.

Hon. M. L. MOSS: Legislation of that kind, which was a burden upon people who were not parties to a voluntary agreement, should not be allowed. It was placing an unjust burden on people who had no right to express an opinion. It had been said by the Colonial Secretary than an expenditure of £11,000 had been incurred in connection with the brigades other than Perth and Fremantle. It was now understood that Perth and Fremantle would come under the Bill, therefore, on the one hand the measure would be confiscating a certain amount of plant for which nothing was given, and on the other hand was compelling a party to pay one-third of the £11,000. He would not agree to that.

The COLONIAL SERCETARY: With regard to the amount of £11,000, that sum had been mentioned by him as the value of the plant owned by the volunteer brigades. He had also added, however, that the land and buildings were worth £9,000, so that the total was really £20,000.

Hon. M. L. Moss: What was the total value of the Perth and Fremantle properties?

The COLONIAL SECRETARY could not say. What we had to consider was the value of the properties besides Perth and Fremantle. The hon. member objected to the companies being asked to pay one-third, but if there had been no brigades in the country they would have been compelled to establish them themselves. Now they were being merely asked to pay their share.

Hon. R. D. McKENZIE: The legislation enacted in 1898 was of an exactly similar character to that now suggested. In that case the fire insurance companies, the municipality of Perth, and the Government entered into an agreement to equip a fire brigade in Perth. There was little or nothing then to take over, consequently the companies had to pay four-ninths of the building up of that brigade. Under the present Bill they were simply asked to pay one-third of the value of the plant they were taking over in the country districts.

Hon. M. L. Moss: Would the hon. member show him in the 1898 Act where there was a similar provision?

Hon. R. D. McKENZIE: In that Act the companies were forced to pay four-ninths of the equipment, the property and buildings, and four-ninths of the maintenance. The money referred to in the slip, which had been placed before members, was spent for services rendered. It was the total sum the insurance companies had paid towards the brigades.

Hon. C. SOMMERS: The previous night he had said he was satisfied that the contribution was a fair one, but that was on the assumption that, after Perth and Fremantle came under the board, some refund should be made to the companies for the amount they had paid for plant out of the £26,000 they had contributed. It was generally understood that the clause was postponed for the purpose of drafting such a provision. From the tenor of the remarks it appeared certain that Perth and Fremantle would come in. There should, therefore, be some provision that in the event of their doing so some proportion should be given back to them for what they had expended, as a set-off to the amount they would have to pay to the country brigades. The leader of the House should promise to put that in a proviso. The objection was that this would mean a great deal of bookkeeping and the amount offered was so small that it would be better to set off what was paid against what should be paid and make a fresh start, the companies neither paying nor receiving anything.

Hon. S. STUBBS: The arguments used by the previous speaker met with his approval. The Fremantle municipal council for a considerable time had been so upset owing to the enormous upkeep they were called upon to find in connection with the working of their brigade that the moment the Bill became law—it was doubtful whether it ever would, for its father would never know it owing to the changes that had been made—the Fremantle people would immediately apply to come under it.

Hon. M. L. Moss: The Fremantle council paid £1,300 last year.

Hon. S. STUBBS: They had a very heavy burden. If the Fremantle brigade desire to come under the measure the proportion the companies had paid should be refunded. If it were made clear in the Bill that if either Perth or Fremantle desired to come under the operations of the measure the companies should have a refund of the large amount they had paid, then he would be satisfied. Unless that was done he would vote against the clause.

Hon. M. L. MOSS: There was no similar provision in the 1898 Act calling upon the insurance companies to pay any proportion of the existing liability. There were no obligations existing then and no property worth talking about to take over. When Mr. McKenzie argued that the same provision existed in the 1898 Act, his case was not assisted. It appeared that there were some £14,000 of encumbrances on the Perth and Fremantle properties. The board would get the value of the property held by those brigades, and the country brigades would consequently become practically co-owners of the property. The land in Perth cost £25 a foot, therefore the total value of the Perth and Fremantle brigades would be greatly in excess of the liability now existing. The Minister declined to withdraw his amendment and forced him (Mr, Moss) and others to vote upon his amendment to support the views they had expressed in argument. He would ask the Minister again to withdraw temporarily so that there could be an intelligent vote on the question. It was absurd that we should vote for the striking out of five words and the substitution of something else when that was not the question that had been debated.

The COLONIAL SECRETARY: If the amendment were carried the board would have to contribute one-third of the cost of the property, while Mr. Moss's proposed amendment was to strike out certain words so that the board would not have to contribute one-third. We learned from Mr. Moss that the land in Perth had cost £25 per foot, which would mean £3,000, and the cost of the building was £7,000 or £8,000. In Fremantle the building cost £6,000, and the Government gave the board the land. The amendment before the Committee was perfectly clear. Did members want the insurance companies to contribute their share towards the property?

Hon. M. L. MOSS would have to vote against the amendment because the Minister regarded it as a test.

Hon. J. F. CULLEN: The Minister placed the Committee in a difficulty. Members must vote for the amendment because a change must be made in the clause, and having passed the amendment the Committee were tied to the clause. He was not so much concerned with the question whether the amount covered by the subclause would be fair or not, but he objected to taking a high-handed procedure in assessing an outside party willy nilly with a proportion of the cost.

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

Ayes	13
Noes	4
Majority for	9

AYES.

Hon. T. F. O. Brimage	Hon. E. McLarty
Hon. J. D. Connolly	Hon. W. Patrick
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. J. W. Hackett	Hon. G. Randell
Hon. V. Hamersley	Hon. T. H. Wilding
Hon. S. J. Haynes	Hon. R. Laurie (*Teller*).
Hon. R. D. McKenzie	

NOES.

Hon. M. L. Moss	Hon. S. Stubbs (*Teller*).
Hon. R. W. Pennefather	
Hon. C. Sommers	

Amendment thus passed.

Hon. M. L. MOSS: There had been no vote on the merits of the question and he would ask members to vote against the clause as it was a manifest injustice. While he was in the House he would not put a burden on any company or person; in other words he would not make an agreement with parties without their concurrence.

Clause as amended put and a division taken with the following result:—

Ayes	11
Noes	6
Majority for	5

AYES.

Hon. T. F. O. Brimage	Hon. W. Patrick
Hon. J. D. Connolly	Hon. C. A. Piesse
Hon. S. J. Haynes	Hon. G. Randell
Hon. R. Laurie	Hon. T. H. Wilding
Hon. R. D. McKenzie	Hon. J. W. Hackett
Hon. E. McLarty	(*Teller*).

NOES.

Hon. J. F. Cullen	Hon. S. Stubbs
Hon. M. L. Moss	Hon. V. Hamersley
Hon. R. W. Pennefather	(*Teller*).
Hon. C. Sommers	

Clause as amended thus passed.

New clause:

Hon. C. SOMMERS desired to insert a new clause providing that the officers and servants of the fire brigades board should come under the Public Service Act. Some of the officers had been in the service of the board for years and should they not be brought under one of the divisions of the public service?

The Colonial Secretary: Certainly not.

Hon. C. SOMMERS moved—

That the following be inserted as a new clause:—"*The period of continuous service under the board shall be deemed to be continuous service under the Public Service Act, 1904, subject to such exceptions as provided for in accordance with Section 36, Subsection 8, of the Public Service Act, 1904, and subject to officers having continued in the service of the board for a period of not less than three continuous years prior to the passing of this Act. Provided always that the services of any officer in the service of the board shall have been satisfactory, this to be determined by the Governor-in-Council on the recommendation of the Commissioner.*"

The CHAIRMAN: The proposed clause was not in order, being foreign to the title of the Bill.

Hon. C. SOMMERS: Could it be redrafted?

The CHAIRMAN: Yes.

Hon. C. SOMMERS: At the report stage he would move to recommit the Bill.

Schedule—agreed to.

Bill reported with amendments, and a Message ordered to be transmitted to the Legislative Assembly requesting that the amendments be made, leave being given to the Committee to sit again on receipt of a Message from the Assembly

BILL—NORTH PERTH TRAMWAYS ACT AMENDMENT.

In Committee.

Clause 1—agreed to.

Clause 2—Confirmation of provisional order:

Hon. M. L. MOSS: Had the Minister information as to whether in granting this concession there would be any overlapping in the times for the reversion of the trams?

The COLONIAL SECRETARY: The question was raised as to whether the lines under this amended provisional order would revert to the municipality at the same time as those covered by the original provisional order. The original provisional order covered the amendment, so the time would be the same in both cases. There was no provision for watering the streets. The company did this for its own benefit to maintain the lines. The tramways in the municipality of Perth would fall into the City council in 1939; in North Perth it would be 1945, in the case of Osborne Park it would be 1931, and in the case of Subiaco, 1936. There were conditions attached to the various agreements between the local bodies and the tramway company. The conditions in regard to Perth were that on giving six months' notice to the company the Perth council could purchase the tramways at present constructed in 1925 and also again in 1932 at a price to be fixed by arbitration. Failing the exercise of this right the whole of the City tramways would revert to the council without payment in 1939. This free reversion did not apply to land purchased at the time the concession was granted. The council would be required to pay the price originally paid by the company

without interest. In North Perth the conditions were that on giving six months' notice to the company the municipality could purchase the trams in the eastern portion in 1940 on payment of a price to be fixed by arbitration. Perth was the only municipality where the trams fell in at any period without compensation. Failing the exercise of the right in North Perth the trams in the eastern portion would revert to the council in 1945 on payment of a price to be fixed by arbitration. In the western portion, formerly the North Perth road district, the trams could be purchased at six months' notice at a price to be fixed by arbitration in 1924, and would revert to the council in 1931 on payment of a price to be fixed by arbitration. The Osborne Park portion of the service could be purchased at six months' notice in 1924, and would revert in 1931 on payment of a price to be fixed by arbitration. In Leederville at six months' notice the trams could be purchased in 1934 at a price to be fixed, and they would revert in 1939 on payment of a price to be fixed by arbitration. In Subiaco at six months' notice the council had the right to purchase in 1931 at a price to be fixed by arbitration, and in 1936 the trams would revert on payment of a price to be fixed. In the case of the Nedlands Park section the company had the right to purchase from Colonel Bruce, in 1911, 1914 and 1917, and within six months' of the company's failing to purchase in 1917 the municipality had the right to purchase also. In 1931 the municipality could purchase at a price to be fixed by arbitration, and in 1936 the trams would revert to the local authority on payment of a price to be fixed by arbitration. The Victoria Park section was leased by the municipality to the company, and the company had the right to purchase till 1911 at a price to be fixed by arbitration. In 1940, assuming the right to purchase was completed, the trams would revert to the council at a price to be fixed by arbitration. The divergence in the due dates depended entirely on the agreements made between the respective local authorities and the tramway company, and were the result of a fight for the best terms between the company and the local body, and could not be controlled by the Government. If Perth exercised the right in 1925, or 1932 to purchase the trams, or if later the trams fell into the City council in 1939, it practically compelled the tramway company to seek some uniform date o' reversion of the suburban trams or to sel to the City council, as the company would be left with only branch lines in the suburbs. It would be unprofitable to work separate systems without having control of the central system in Perth. With regard to the provisional order now before the Committee, it was not a new one. It was passed in 1904 and it merely altered the route.

Hon. M. L. MOSS : It was satisfactory to have the information which the Minister had placed before the Committee. It disclosed a state of affairs which was very discreditable to the whole of the local bodies around Perth, because it showed that they had entered into a number of agreements, all of which were overlapping one another, and no one would agree with the Minister in his view that in 1925, if the City council purchased, or if they waited until the reversion in 1939, it was going to have anything like the result the Minister imagined, namely, that it would compel the tramway company to sell out all the lines to the City council. This method of conducting business had led to a lot of trouble in many parts of the world before. When these concessions had been granted, particularly in America, the promoters had sought the overlapping, with the idea of putting the community served by the tramways in a difficulty. It furnished a strong argument against giving concessions like these to private companies. However, the dates were a long way off before any of the difficulties anticipated would arise, but if he should be sitting in the House when the Perth Tramway Company were asking for another concession he would take care to watch it very carefully in order to see whether it could be put on a better and more businesslike footing.

Hon. J. F. CULLEN.: Had the people interested in the street which was to be

deserted a say in the matter? Giving a provisional order for a certain street naturally affected prices and development in that street, and if Parliament quietly left all those people in the lurch it was a most serious matter. With regard to overlapping, that could not be helped. The company dealt with a number of entities and made the best bargain they could with each municipality. No doubt the evil would be met before the matter came before Parliament again by the development of a greater Perth. The time was coming when Perth and the greater number of the suburbs would become consolidated under the term of "Greater Perth." It would have been better if the Government had constructed the tramways.

Hon. T. F. O. Brimage: When does the provisional order fall in.

The Colonial Secretary: In 1939.

Hon. V. HAMERSLEY: A great deal of feeling had been exhibited in the locality which was being deserted and many of the residents had appealed to members of Parliament. What he would like to know was whether any test vote had been taken on the question of the alteration of the routes.

Hon. C. SOMMERS: As far as could be learned the ratepayers were in accord with the proposal before Parliament. The mayoral election at North Perth was fought on this question of the alteration of the route, and the present mayor, who favoured the change, had been returned by a big majority. That seemed to have settled the question locally. The very absence of any protest should lead the House to the conclusion that the proposed route had the support of a big majority of property owners.

Hon. T. F. O. BRIMAGE: A number of people interested had communicated with him, protesting against the change of route These people had acquired property in Forrest-street, and their complaint was that it had decreased in value in consequence of the alteration. There should be an assurance that the work, as proposed would be completed. It was some four years since the tramway company had obtained the provisional order for Forrest-street, and in the Bill before the Committee there should be a time limit, say of two years.

Clause put and passed.

Clauses 3 to 6—agreed to.

Schedule:

Hon. T. F. O. BRIMAGE: Would it be possible to insert a provision in the schedule that the works should be carried out within two years?

The COLONIAL SECRETARY: The provisional order provided for it.

Schedule passed.

Title—agreed to.

Bill reported without amendment; the report adopted

BILL—METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE.

In Committee.

Resumed from 25th November.

Clauses 72 and 73—agreed to.

Clause 74—Valuation:

Hon. M. L. MOSS: The Minister ought to report progress at this stage. Clauses 74 and 75 opened up debatable questions. If he might for a moment be permitted to refer to Clause 75 there would be found an attempt to introduce into municipal government the rating on unimproved values. He thought he had said enough to indicate to the Minister that in a thin House, and with questions of such importance before the Chair, progress ought to be reported.

Progress reported.

House adjourned at 9·32 p.m.