

of it the man who has paid rent for 10 years together with interest for 10 years will not get the interest repaid. Is that what is intended? Why does the Minister insert the reference to interest? Does he want to keep the interest?

The Minister for Agriculture: That is as far as we are prepared to go.

Mr. ANGELO: But the man has carried out all obligations under the 1923 Act. He now applies for a renewal, and he is prepared to pay the double rent and to pay interest provided the rent that will be charged to him is fair. If in the appraisers' opinion the rent is considerably higher than the man thinks he ought to pay, and if then he says, "I will go no further with it," why does the Minister want to keep the interest the man has paid?

The MINISTER FOR AGRICULTURE: I think I have grasped the hon. member's meaning. The difficulty is as regards the man who applies for extension and decides after reappraisalment that the rent is too high. He is charged interest because he has had the lease at half rent for 10 years. We charge him interest for the rent he has not paid.

Amendment put and passed.

The MINISTER FOR AGRICULTURE: I move an amendment—

That in paragraph (c), after the word "paid," in line 4, "or payable" be inserted.

This is a consequential amendment.

Amendment put and passed.

Hon. Sir JAMES MITCHELL: I move an amendment—

That in paragraph (c) the words "and any over-payment will be placed to his credit" be struck out.

Interest is charged on the amount of rent the man has not paid. In some cases the rent will remain as now, and the overpayment will carry the man on for the next 11 years. It is not a bit of good to the Government, and I do not think it is fair to the leaseholder.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 3, Title—agreed to.

Bill reported with amendments, and the report adopted.

Third Reading.

Read a third time, and transmitted to the Council.

House adjourned at 1.40 a.m. (Friday).

Legislative Council.

Friday, 14th December, 1928.

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

BILLS (4)—THIRD READING.

- 1, Licensing Act Amendment (No. 1).
- 2, Road Districts Act Amendment (No. 1).

3, Reserves.

4, Roads Closure (No. 2).

Passed.

BILL—APPROPRIATION.

Second Reading.

Order of the Day read for the resumption from the previous day of the debate on the second reading.

Hon. H. A. STEPHENSON: I move—

That the debate be adjourned.

The CHIEF SECRETARY: I should like to make a statement.

The PRESIDENT: A motion for adjournment cannot be debated, but the Minister may make a personal explanation.

The CHIEF SECRETARY: I do not wish to finalise this Bill to-day, but I do want members to speak on it and ask questions about it so that I shall be in a position to make investigations and reply to any points raised. If the debate is adjourned from day to day without discussion I shall not have that opportunity.

Hon. A. Lovekin: Let members take the responsibility.

Motion put and passed.

BILL—LOAN £4,800,000.

Second Reading.

Debate resumed from the previous day.

HON V. HAMERSLEY (East) [4.40]: By this important measure we are asked to authorise the raising of an enormous sum of money. As the State's population is not increasing as rapidly as we should like it to increase, one may well marvel at the heavy loan commitments submitted for our consideration. Many years ago when the Danish Government took office, they decided that the country had been spending loan money a little too freely, and resolved to institute what was termed a mark-time policy.

Hon. C. F. Baxter: You cannot call this a mark-time policy.

Hon. V. HAMERSLEY: The term was considered appropriate by many people of that time, who felt that loan moneys were being expended more lavishly than had been the practice in preceding years. Some of the community were particularly concerned, and so impressed the Government of the day that they decided to go more slowly in the spending of loan money: The result was that they instituted the mark-time policy. That policy, however, was not favourable to the whole of the community. The general body of electors desired an early opportunity to secure a different policy, and the result was the Danish Government enjoyed a very short life. A change was made and the Rason Government took office. I am reminded of that when I see the enormous sum of £4,800,000 embodied in this year's Loan Bill, knowing full well that our indebtedness per head of population has steadily increased ever since the days of the Danish Government. Although our revenues have mounted up and wonderful

development has taken place in the country, I cannot refrain from asking myself at times whether we are on the right track, or whether we are spending loan money too freely and are in danger of exceeding the advance of revenue to be reaped. This year producers in some parts of the State have received a set-back with the result that we have a reduced wheat output and a reduced wool output. If we experience a real set-back, with the prices of our primary products coming down, we may find it most difficult to pay the interest on the borrowed money. Care is necessary that all borrowed money is spent as far as possible in the development of primary production. We should develop the cattle and sheep areas of the North, in addition to giving attention to the agricultural areas, where the chief interest is that of wheat growing. I do not know that any progress has been made in the northern areas. Something more should be done to develop the cattle stations. At Wyndham an enormous amount of borrowed money has been put into the meat works, and practically the whole output of cattle passing through those works is required to pay expenses. If we could arrange for a greater production of cattle around those works, so as to double the number passing through them, there would be an opportunity to reduce the cost of handling each beast, and so possibly run the works at a profit instead of a loss. Even those who are associated with the industry are making very little profit and there is poor encouragement for them in the future. If some scheme could be inaugurated to develop the country, and encourage the production of a better quality of cattle, it would be of the utmost advantage to the State and would assist the works to pay their way on the capital invested. We have never returned to the old system of constructing public works by contract. I am confident that departure from it has made all such undertakings more costly. I am inclined to think it has had something to do with unemployment. If more attention were paid to the cost of public works and a system of competition could be engendered amongst those capable of taking contracts, I feel sure that many men would be encouraged to embark upon these undertakings. Men who in years gone by successfully built our railways and other works, used the money they made in establishing valuable private en-

terprises. When the Government carry out these works we do not get the best results from what is done. We are charged a higher rate of interest on the completed work because of the high charges that are added to them. That applies generally to our railway system and to all our public works that are carried out by the Government system. It would be of great advantage to the country if the contract system were reverted to.

Hon. C. B. Williams: The Perth City Council have proved that the day labour system is better than contract work.

Hon. V. HAMERSLEY: The general view of the outside world is that contract will beat the day labour system out of sight.

Hon. C. F. Baxter: More especially in railway construction.

Hon. V. HAMERSLEY: Yes. As we are opening up large areas of country and are about to construct a huge mileage of railway, I think it would be very wise for us to revert to the old system.

The Honorary Minister: We have no contractors here to compete for that work.

Hon. C. F. Baxter: They are not given the opportunity to do so.

Hon. V. HAMERSLEY: We are not getting the best results from the money we are putting into these works for the development of the country. Besides railway construction we have harbour construction and water supply undertakings, all of which help to swell the loan indebtedness, which per head is increasing rapidly. It is becoming difficult for us to see the way out. It is hard to understand when we are spending this huge amount each year how it comes about that there is so much unemployment in our midst. If for any reason financial supplies were cut off, it is difficult to imagine how we should face the position. People are constantly appealing to the Government or coming to Parliament with the object of being given employment or getting meals because they are hungry.

Hon. J. R. Brown: Under the contract system there would be more unemployment.

Hon. V. HAMERSLEY: When a private individual borrows money he goes very carefully into his costs. He sees that the larger portion of it is spent in development in such a way that he can get good interest on it. Anything that is not likely to be reproductive from the start he puts the pruning knife

into. I doubt whether we are looking as closely as we should into our expenditure, especially when we see the long schedule of works provided for in this Bill. I do not think the money is being judiciously used in the development of those industries upon which we rely to keep our house in order and this country financed. I support the second reading.

On motion by the Chief Secretary, debate adjourned.

BILL—HARBOURS AND JETTIES.

In Committee.

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

Clause 1—Short title:

Hon. J. NICHOLSON: I move—

That at the end of the clause the following words be added:—"and shall come into force on the 1st day of January, 1932."

Hon. G. Fraser: Are you anticipating a Government reverse in the meantime?

Hon. J. NICHOLSON: I have good reason for moving this amendment. When a similar provision was made in the Pilotage Act of England, which was passed in 1913, the sections dealing with pilotage and compulsory pilotage were deferred for five years. That was recognised as a fair thing to ship owners as notice of the change. If we pass the Bill without this amendment, it will take effect immediately on receipt of the Governor's assent. Ship owners have to make their arrangements.

The Honorary Minister: They have no more arrangements to make than those existing now.

Hon. J. NICHOLSON: In this case we can follow precedent with great advantage. The Mother of Parliaments recognised that it was only right to insert such a provision.

The HONORARY MINISTER: I hope the amendment will not be carried. A question of principle is at stake. If it is fair that the responsibility should be put on the shoulders of the shipowner in the circumstances set forth in the Bill, there is no need to delay in putting the measure into force. The reason for the delay of five years in the case of the British Act arose from circumstances utterly different from those obtaining here. However, the Imperial

Act has now been in operation for about 10 years. Victoria has had an Act which goes much further than this Bill, operating since 1926. The Commonwealth Navigation Act, which also contains provisions of this nature, has not yet been proclaimed; but when it is proclaimed it will come into operation from the date of proclamation. Therefore I see no reason for delay in the case of the Bill. I presume the hon. member suggests delay so as to allow shipowners time to obtain cover against the liabilities involved; but the responsibility does not fall on the shipowners, who are covered against risks of this kind. Every ship entering Fremantle is insured against them. At least one of the shipping lines insuring their own vessels could afford to lose a ship every week.

Hon. C. Baxter: That would be a million of money.

Hon. J. Nicholson: Impossible.

The HONORARY MINISTER: One of the lines has so large a reserve that it can write down its vessels even before they leave the stocks.

Hon. A. Lovekin: Reserve funds are for other things besides accidents.

Hon. Sir William Lathlain: This Bill will apply to all shipping lines.

The HONORARY MINISTER: Under the rules of the London Steamship Owners' Mutual Insurance Association, whose booklet I have here, shipowners can insure their vessels against all the risks which have been mentioned, and many others too, for a very small payment. The experience of the State Shipping Service shows that a very small sum per ton gross insures against all these risks.

Hon. C. F. Baxter: With what company are the State vessels insured?

The HONORARY MINISTER: Irrespective of whether the vessel is in charge of a compulsory pilot, it is insured against the accidents here contemplated. So that if a mishap does occur, the shipowners do not lose as owners, whether insured or carrying their own risk.

Hon. A. LOVEKIN: I hope the amendment will be carried. I do not care much about precedent; I look at what is fair. The port of Fremantle is, I am sorry to say, somewhat under a cloud owing to accidents which have occurred within the last five years; and now the Government want to

turn the law upside down and change the onus of proof in the twinkling of an eye. Ships coming to Fremantle from another part of the world will come here not knowing of this measure, which reverses the legal position. In the publication of the London Steamship Owners' Mutual Insurance Association there is a list of steamships insured by the association. They seem to be all small steamers; at any rate, no large steamer is mentioned. The list does not include Orient or P. and O. boats.

Hon. Sir William Lathlain: Is the "Kangaroo" there?

Hon. A. LOVEKIN: Yes. They are all steamers about that tonnage. In the ordinary way of insurance, if the average is spread, a fairly small premium can be accepted. Under those conditions a boat might be lost every day, there being hundreds of small boats. But as to mail steamers worth a million of money, it is ridiculous to talk of losing a steamer a day. Some notice of the proclamation of this measure should be given.

Hon. J. Nicholson: I am asking for three years from the beginning of the Act.

Hon. A. LOVEKIN: Give owners every facility to know this law. It takes them a considerable time to get these notices, and the proposed changes are drastic.

The HONORARY MINISTER: I regret hon. members will persist in stating that the port of Fremantle is under a cloud. As I have shown over and over again, it is under no cloud whatever. The Fremantle harbour and its pilotage staff are regarded as equal to any other harbour and pilotage staff in the Commonwealth, and probably as superior. I have quoted figures showing the favourable position of Fremantle.

Hon. A. Lovekin: Quote other ports.

The HONORARY MINISTER: I will quote one now of which I did not have particulars during the second reading stage. In response to a wire asking for information concerning Sydney, the following reply, dated the 11th December, has been received—

Most wharves leased. Trust assisted by covenant requiring lessees make good damage. Unleased wharves costs occasionally recovered where ship admitted liability, but present legal position Trust recovers if negligence proved against ship. Forty cases last five years about half leased wharves. State Navigation Department appoints pilots first class must hold foreign master's certificate have acted at least 12 months in three years preceding appointment as master unless been master

pilot steamer Sydney or Newcastle six months or twelve. Regret delay. Your wire received late. Stoney, Sydney Harbour Trust.

The following notes are attached to my copy of the telegram:—

It will be seen that the accidents to ships have been immensely more than at Fremantle. The Sydney Harbour Trust are protected in regard to their large number of leased wharves, amounting to about half the wharves of Sydney, as it is a condition of the leases that the wharves have to be maintained, so that in actual fact the shipowner pays the cost of repairing damage done by his ships. In regard to the unleased or open wharves in Sydney, the statutory position is the same as at Fremantle. The conditions ruling for the appointment of pilots do not compare with the stringency imposed at Fremantle.

Mr. Lovekin said the boats listed in the book from which I quoted are of comparatively small tonnage. I venture to say that probably the great majority of overseas vessels coming into Fremantle are listed in that book. The hon. member knows that the Orient line insure their own boats, and that therefore there is no occasion for them to appear in the book. Moreover, this is not the only association with which owners insure their vessels.

Hon. A. Lovekin: You said the figures showed they could afford to lose a boat every week.

The HONORARY MINISTER: I said one line could. The line in question have insured their boats for many years, and this has led to the accumulation of a large reserve fund.

Hon. Sir William Lathlain: The big fire insurance offices could afford to lose a couple of buildings every week, according to that argument.

The HONORARY MINISTER: Of course they could. I merely quoted that fact to show that the shipping people are not those who will have to make different arrangements, should the Bill come into operation straight away. As to the measure being unfair, I do not know of any State that has gone more out of its way than Western Australia to provide extra facilities at its principal port. At a recent conference of harbour authorities, it was said that Fremantle stood well ahead of the other ports of Australia.

Hon. Sir William Lathlain: That must have been said after dinner!

The HONORARY MINISTER: The hon. member delights in running down Fremantle and the State as well.

Hon. Sir William Lathlain: I do not.

The HONORARY MINISTER: The whole of his remarks on the Bill constituted a comparison between Fremantle and elsewhere.

Hon. Sir William Lathlain: That is not so.

The HONORARY MINISTER: The hon. member commented on the pilot service to its detriment. He quoted one or two instances with the object of showing that the pilot staff at Fremantle was incompetent. That was the effect of his statement, and yet he says that he did not run down the State or the services rendered by the State! If the principle embodied in the Bill is sound, there is no reason why it should not be given effect to straight away.

Hon. A. J. H. SAW: It is true, as Mr. Nicholson stated, that the Shipping and Navigation Act dealing with the liability of shipowners in Great Britain was passed in 1913 and did not come into operation until later. I find, however, that the Act set out that it would not be operative until the 1st January, 1918, but the following words were also included:—"Or such earlier date as may be fixed by Order in Council." If Mr. Nicholson will add the words I have mentioned to his amendment I will support it.

Hon. A. Lovekin: But would that mean anything at all?

Hon. A. J. H. SAW: It would mean just as much as it means in the Imperial Act. It has to be realised that with the outbreak of the war and with shipping under the control of the Admiralty during that period, it was not at all likely that the Act would be brought into force while the war was in progress. I cannot support the amendment to defer the operations of the Bill for three years.

Hon. A. Lovekin: Make it one year.

Hon. C. F. BAXTER: I have not heard anything in support of the amendment, far-reaching though it is. I could understand that if contracts were involved, the Bill might place shipping companies in an awkward position financially. All that will be affected will be the insurances and that is merely a matter for adjustment.

Hon. J. NICHOLSON: Regarding the Honorary Minister's references to the London Steamship Owners' Mutual Insurance Association, it has to be remembered that the organisation was established by the shipowners themselves for the purpose of effecting insurances that could not be effected

through Lloyds. That is probably explained by the fact that the vessels listed are of comparatively small tonnage.

Hon. E. H. Gray: Could not those vessels be insured with Lloyds?

Hon. J. NICHOLSON: I understand that Lloyds would not accept the risk.

The HONORARY MINISTER: Are you sure of that statement?

Hon. J. NICHOLSON: I am given to understand that that was the position. The Honorary Minister's statement regarding shipowners, owing to the large reserves, being able to lose ships, bordered on the reverse of the truth. I am convinced that the loss of one big ship would make a big hole in the reserves.

Hon. G. Fraser: Mishaps such as occurred at Fremantle would not make much of a hole in them.

Hon. J. NICHOLSON: A mishap such as that experienced by the "Lygnern" would be an unfortunate one for the insurances.

The CHAIRMAN: Order! I hope the hon. member will connect his remarks with the amendment, which deals with the duration of the measure.

Hon. J. NICHOLSON: Shipowners should be given fair warning of the alteration in the legislation and if I were to alter the amendment to make it apply to the 1st January, 1930, it would be reasonable. If the Honorary Minister will accept that suggestion I will move accordingly.

The HONORARY MINISTER: Mr. Nicholson said he was influenced by the fact that the Imperial Act provided a precedent for the operations of a measure being deferred for a period of years. If he will accept the suggestion made by Dr. Saw and include the words that are embodied in the Imperial Act, I will agree to an amendment of that description. I will also give an assurance that the legislation will not come into operation until a reasonable time has elapsed and until the shipowners have been notified of the change. The hon. member did not point out that the Imperial Act goes much further than the Bill in that it does not exempt ship owners from liability even though negligence on the part of the compulsory pilot may be proved. Irrespective of the nature of the accident, or whether the ship was in charge of a compulsory pilot, the owners are held responsible. The same thing

applies in Victoria and similar legislation is being sought in the other States. Our Bill does not go so far. However, I will accept the hon. member's amendment if he adopts the suggestion made by Dr. Saw. Should it be necessary to delay the operations of the Bill for a reasonable period so that the shipowners may be informed of the change, that will be done.

Hon. J. Nicholson: What period would you suggest as reasonable.

The HONORARY MINISTER: I cannot say; it might be six months or it might be 18 months.

Amendment put and negatived.

Clause put and passed.

Clause 2—Liability of owner or master in the case of a vessel under pilotage:

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That in line 4 "or" be struck out.

This in itself will not make much difference, but I have a further amendment to move afterwards.

Amendment put and negatived.

Hon. Sir WILLIAM LATHLAIN: I move an amendment—

That in line 8 "negligence" be struck out, and "fault" inserted in lieu.

It has been pointed out by Mr. Nicholson that it is very difficult to prove negligence on the part of anybody. The substitution of the word "fault" for "negligence" will make the position much clearer.

Hon. E. H. Gray: A rose by any other name.

The HONORARY MINISTER: I must oppose the amendment. It would nullify the object of the Bill, which provides that if a pilot is adjudged negligent, the responsibility shall not fall on the shipowner. If this amendment were agreed to it would be difficult to conceive of an accident regarding which it would not be possible to show it was due to the fault of the pilot. One might say it was the fault of the pilot when it could not be truthfully said that the pilot was negligent. On the other hand, if the pilot were negligent, then the accident would be his fault. A pilot might in all good faith give an instruction or decide upon a

certain action, and if that action were not fully successful the result might be a slight mishap. That could be said to be the fault of the pilot, but nobody could argue that he had been negligent. Under the amendment, the pilot must be caught both ways, and the object of the Bill will be defeated.

Hon. Sir WILLIAM LATHLAIN: The word "fault" is used in the Imperial Act. That is why I want it here instead of "negligence." If we substitute "fault" for "negligence," the wording of this provision will be exactly the same as that in the Imperial Act.

The HONORARY MINISTER: The Imperial Act has no such qualification as this. The Imperial Act provides that notwithstanding that a ship is in the hands of a compulsory pilot, she shall be responsible for any damage done. The Bill aims only at making the ship responsible for damage done so long as it is not proved that the pilot was negligent.

Hon. A. J. H. SAW: Let us for a moment think what it is the shipping companies are entitled to. We make them take a pilot, and so they are entitled to expect that we should give them a competent pilot. But through stress of circumstances a competent pilot may make an error of judgment because he does not know all the factors coming into play when he is bringing his ship to the wharf. So if we put in the words "fault of the pilot" we shall be excluding the liability of the shipping companies for what may be a mistake on the part of the pilot, but which is not a culpable mistake. If we supply the shipping companies with a pilot it is not necessary for us to say that we will supply a pilot who has such super-human qualities that he is not capable of making a mistake, no matter what the conditions may be. I cannot support the amendment.

Hon. E. H. HARRIS: Sir William Lathlain has not convinced me of the desirability of the amendment. "Negligence" is the term usually applied in our statutes. I have never seen the word "fault" so used. If we insert "fault" we shall be establishing a precedent that might have a very far-reaching effect on the existing statutes. I do not feel disposed to support the amendment.

Amendment put and negatived.

Hon. J. NICHOLSON: On behalf of Mr. Holmes I move an amendment—

That the following be added at the end of the clause:—"Such liability shall not accrue until an inquiry before a police or resident magistrate, assisted by two master mariners as assessors, has been held and their decision as to the cause of the loss or damage reported."

Obviously it would be unfair to arrive at conclusions until an inquiry had been held. There must be some means devised for that, and I think the addition of these words would enable that inquiry to determine whether or not there had been negligence on the part of the pilot.

The HONORARY MINISTER: I must oppose the amendment for the reason that the shipowner cannot be held liable for damage until legal proceedings have been taken against him in the Supreme Court. If the amendment were agreed to there would be two inquiries: first of all the inquiry provided in the amendment, and then the Supreme Court hearing. It is not desirable that there should be two inquiries, or that the proceedings in the Supreme Court should be prejudiced by the earlier inquiry.

Hon. Sir EDWARD WITTENOOM: I will oppose the amendment. I think the Harbour Trust can be relied upon to make all necessary inquiry respecting any of these accidents. The Trust could not possibly exonerate a man who had been at fault, because if they did they would be practically doing away with their position. Naturally they would get rid of a pilot who had made a mistake. I will oppose the amendment.

Hon. A. J. H. SAW: I will oppose the amendment because I do not understand it. It seems to me that if there is an accident the liability accrues at the time of the accident. Where the liability is to be placed is determined by a court of law. I do not really see how the liability can accrue after an inquiry by somebody who is not going to be responsible for the verdict which is to be given.

Hon. J. NICHOLSON: The object of the inquiry is to arrive at a determination as to who is negligent. If the pilot is negligent that will best be determined by men sufficiently skilled in nautical affairs. If such an inquiry be not held, it will add considerably to the responsibilities of the Supreme Court. It will be much better to have a matter of liability like this deter-

mined by a police or resident magistrate with two assessors.

Hon. A. J. H. Saw: And is their verdict to be final?

Hon. J. NICHOLSON: They would determine whether or not there was a claim for negligence, and if the claim existed and the parties did not settle it, they would take it to a higher tribunal.

Amendment put and negatived.

Clause put and passed.

Schedule, Title—agreed to.

Bill reported without amendment.

Recommittal.

On motion by Hon. J. Nicholson, Bill re-committed for the further consideration of Clause 1.

In Committee

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

Clause 1—Short title:

Hon. J. NICHOLSON: Following on the suggestion of the Honorary Minister with regard to this clause, I move—

That the following word be added to the clause:—"and shall not come into force until a date to be proclaimed."

I want an assurance from the Minister that reasonable time will be given to communicate with those interested.

Hon. G. Fraser: You are dying very hard.

Hon. J. NICHOLSON: The Honorary Minister has actually given his assurance that reasonable time will be given to shipping companies.

Hon. E. H. Gray: Will you not take his word without amending this clause?

Hon. J. NICHOLSON: Once the Bill is passed without these words added to the clause, it will be possible to proclaim the Bill immediately after it has been assented to.

The HONORARY MINISTER: I certainly did give Mr. Nicholson the assurance he referred to, but only provided he was prepared to alter his previous amendment. He did not accept my assurance on that condition, and now that the amendment has been defeated he expects me to stand by my assurance.

Hon. J. Nicholson: You must do a fair and reasonable thing.

The HONORARY MINISTER: I am prepared to give my assurance that if there is

any necessity for delay in bringing the Act into operation so that ship owners may be notified, the proclamation will be delayed.

Hon. A. Lovekin: That means nothing either.

Hon. Sir Edward Wittenoom: You cannot object to the amendment.

The HONORARY MINISTER: I am not going to. My assurance was that if there was any necessity to delay the proclamation of the Act it would be delayed until a reasonable time had elapsed.

Hon. A. LOVEKIN: I cannot see any value in either the assurance or the amendment because as soon as the Bill is assented to, the Government can proclaim it straight away and that will be the end of it. The Minister's assurance is to the effect that if there is any necessity for delaying its proclamation it will be delayed. The department, however, will see to it that there is no necessity for delay. I want something more definite, and I suggest that the Minister should accept an amendment that the Act should not come into force before the 1st July, 1929. That will give reasonable time for notices to be sent all over the world.

Amendment put and negatived.

Clause put and passed.

Bill again reported without amendment and the report adopted.

BILL—HOSPITAL FUND.

Second Reading.

Debate resumed from the previous day.

HON. A. LOVEKIN (Metropolitan) [5.56]: It is common ground amongst us when we say that it is the duty of every State to care for its sick and that the hospitals which take care of the sick must be adequately provided for. Unfortunately the state of the Treasury at the present time is not such that it will permit of the hospitals being maintained as they should be, and therefore to make good the Treasury deficiency there must be additional taxation. Call it what you like, this is essentially a tax Bill and nothing else. The same end would be attained by adding 1½d. to the income tax and reducing the taxable amount to £100, making everyone send in returns. Thus we should get the same result, money would find its way into the Treasury and

the Treasury would meet the demands of the hospitals. I admit the needs of the hospitals; I know that the finances of many of the larger institutions are in a very parlous condition, and that they are having the greatest difficulty in making ends meet. Thus everyone in the community should be called upon to make some sacrifice to put the hospitals on a better footing and enable them properly to fulfil their functions.

Hon. E. H. Harris: More like a burnt offering than a sacrifice.

Hon. A. LOVEKIN: This is really a tax Bill.

Hon. A. J. H. Saw: There is more in it than the collecting of the money; there is the distribution of it.

Hon. A. LOVEKIN: Yes, but we must first catch the chicken before we cook it. We must get the tax in before we can distribute any money. I will try to show how we can economically provide the money, and perhaps the hon. member will assist in the distribution of it. Many years ago a gentleman named Adam Smith who had the reputation of being a great economist, laid down four canons or principles of taxation. Although only one of these concerns us, I shall mention them all. The first canon of taxation is that the subjects of a State ought to contribute towards the support of government as nearly as possible in proportion to their respective abilities; secondly, that the tax should be certain and not arbitrary; thirdly, that the tax ought to be levied at a time and in a manner most likely to be convenient to the contributors, and, fourthly, —this is the principle I wish to apply to the Bill—every tax ought to be so contrived as both to take out and get out of the pockets of the people as little as possible over and above what it brings in to the public Treasury of the State. John Stuart Mill added another canon when he came to write on the subject and it was that income and not capital should be taxed. That principle, however, has nothing to do with this Bill. The canons of taxation I have quoted have been endorsed by all the greatest economists from the time of Adam Smith, and they find confirmation in modern economists like Professor Crew, who has written books on the subject for the use of students of economics. I think we shall be on sound lines if we adopt the fourth canon and say we should not tax people at the rate of 30s. in order to get £1 for the objective we have in view.

When I come to apply that principle to this Bill, I find that we are going to tax the people a very large amount over and above what will be required for the purposes of hospitals. The first source from which the tax under the Bill will be derived is from the present payers of income tax. I take the report of the Commissioner of Taxation for 1928 and use the figures of the twentieth assessment for the year 1926-27. It is stated that the 1927-28 figures are not complete, and obviously they are not because they total only about half the amount of the previous year. On page nine I find that 57,666 persons submitted income tax returns. Of them 45,320 were taxed and 12,346 were not taxed because the deductions brought them below the taxable limit. The total income of the 57,666 taxpayers amounted to £20,223,671, and taking out the income of the 12,346 people who were not taxed, there remains a net taxable income of £13,176,164. The Minister, in moving the second reading of the Bill, said he expected to receive from the hospital tax £217,000. I begin by taking the figures of the Commissioner of Taxation, incomes aggregating £13,176,164 which paid income tax in the year 1926-27. I charge that with 1½d. in the pound hospital tax under this Bill and I get the sum of £82,351. Then I take the 12,346 taxpayers whose returns were thrown out because their taxable income did not reach the minimum amount and I find the aggregate of their incomes was £7,057,507. Under this Bill they will have to come in with the others, so I have to add 1½d. in the pound on the £7,057,507 which produces £44,109. That makes a total of £126,460 available. Those figures, representing the tax payable from the first source, namely income, cannot be challenged. In addition I have it from the Government Statistician that there are 135,000 wage earners in the State, of whom 26,000 are females. Taking the "Statistical Abstract" I worked out the rates of wages paid. I started from the basic wage of £4 5s. and added the rates for skill, and I find the average wage is £5 4s. Thus we have 135,000 wage earners receiving an average of £5 4s. a week.

Hon. J. R. Brown: Are you including the boy who earns £1 a week?

Hon. A. LOVEKIN: I am taking wage earners over 21.

Hon. J. R. Brown: He would not be taxable if he were getting under £1 a week.

Hon. A. LOVEKIN: A youth of 21 is not regarded as a child, although under some of our statutes he is a child until the age of 18. The 135,000 wage earners at an average of £5 4s. a week would yield £234,000. Then I take the dividend duties payable in the same year £273,613 and I apply the 1½d. tax which gives £1,700. I add to those amounts £30,000 received from entertainments tax, which is devoted to hospitals.

Hon. J. Nicholson: Is it not close on £40,000?

Hon. A. LOVEKIN: I am dealing in round figures but I believe the amount is about £32,000.

The Honorary Minister: It is £32,000.

Hon. A. LOVEKIN: I add that to the £318,000 and thus on my figures £350,000 would be available as a result of these two measures.

Hon. A. J. H. Saw: Are not any wage earners included in the income taxpayers who have not come up to the minimum amount of assessment?

Hon. A. LOVEKIN: I understand that those who are purely wage earners represent part of the exemptions under the income tax. Those are the figures I have obtained and I propose to ask the House to make some inquiry into the matter by calling the Commissioner of Taxation and the Government Actuary to say what the position really is. So far we have no information whatever as to the amount this Bill will produce. Members will have noticed that when the Honorary Minister was moving the second reading of the Bill last night he rasped very hard at the shell of the nut, but did not get to the kernel, which is the yield of this taxation proposal. The Minister estimates that the proceeds of the tax will be £217,000, but I suggest he is 50 per cent. out on his calculation, and that would make a great difference if only £217,000 was required. I wish now to apply the canon of taxation that I have read. At the present time we pay to the Commonwealth Government £30,000 a year for the collection of our taxes, which, apart from income tax, includes land and other taxes. As to income tax, they have been handling 45,320 persons, but under this Bill they will handle 57,666 persons, plus so many of the 35,000 wage earners as will henceforth come under the Income Tax Act as being in receipt of

£100 a year or more. Some of them, of course, would pay by way of stamp and thus would probably be able to avoid sending in a return. But a great many of those wage earners receive other small amounts such as 3 per cent. from Savings Bank interest or £5 for bond interest. All such persons would have to send in a return. The result will be, that instead of having 45,000 taxpayers we shall have 80,000 or 100,000 taxpayers, and it is obvious that, whatever the Federal Government may be prepared to do for £30,000 a year, they will not be willing to double or treble the work and still do it for that amount. I have made some inquiries and have learned that not only will double the number of returns have to be dealt with, but practically treble the number, because the 45,000 returns now handled will all have to be gone over again owing to the different incidence of this tax. Clause 5 (b) provides that contributions to the fund shall be assessed and payable without regard to the provisos to Subsection (1) of Section 15 of the Land and Income Tax Act, or to paragraphs (5), (6), (12), (13), (14) and (16) of Section 31 of that Act. Contributors have to come in and pay under this measure, whereas they may be exempt under the Income Tax Act. Consequently, after they have been assessed on the basis of income tax, they will have to be re-assessed to eliminate those exemptions, which represent roughly half the exemptions provided for income tax. In the Income Tax Act there are some 10 exemptions, and five of them will be eliminated by this measure. So it is obvious that each and every one of the 45,000 odd taxpayers will have to be re-assessed. In addition there will be 12,000 additional ones and the percentage, whatever it may be, of wage-earners who will all have to come in for assessment. When the Federal Government charge £30,000 for the 57,666 returns now handled, they will want another £30,000 to cover the cost of handling the additional number.

Hon. Sir Edward Wittenoom: As I said last night, it is a most involved Bill.

Hon. A. LOVEKIN: It is most involved.

Hon. Sir Edward Wittenoom: Very few people understand it.

Hon. A. LOVEKIN: I want to help the Minister and also the people who will have to pay the tax, for I wish to ensure that they shall not pay 30s. in order to contribute £1 to the hospital fund. I do not think anyone desires that they shall.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. A. LOVEKIN: Before tea I was pointing out how costly the collection of this tax would be, and was striving to show that there should be some check upon the costs. My ultimate object is to have appointed a joint select committee with another place or a select committee of this House. The work would take only an hour or two to carry out. It would, I think, be necessary to call only the Commissioner of Taxation, the Government Actuary, and perhaps the Chief Resident Medical Officer, and we could then finalise the whole matter in a short time.

The Honorary Minister: If it would simplify matters and save time, I would be glad to agree to the suggestion that the Bill should be referred to a select committee, provided that it reported not later than Wednesday next.

Hon. A. LOVEKIN: That statement will help us a good deal. We want to arrive at the most economical method of collecting some tax from the people. From the evidence we shall get, we should be able to show, when we get down to actual figures, that 1d. instead of 1½d. tax will suffice. I do not want to be niggardly in the matter because the hospitals do need a good deal of help, but I do not want to see the people paying 30s. if £1 is sufficient. Not only will there be an extra cost in collecting the tax, but there is a provision in the Bill by which people can go to agents for the making of declarations and payments. It is suggested that this would be honorary work. Suppose these declarations were made at some of the State institutions. In a little while the officers would be saying to the Government there was more work to be done and more pay was required. The extra pay might not come out of the hospital fund, but out of some other fund, and the Treasury would be depleted to that extent. There are other points I should like to mention for the benefit of the Honorary Minister. There is no provision in Clause 2 for the Home of Peace and institutions kindred to hospitals. That omission should be rectified.

Hon. E. H. Gray: Would not the Home of Peace come under the Bill?

Hon. A. LOVEKIN: I think not. According to the interpretation, "hospital authority" means—

"a board or committee of management of a public hospital or the person in control of a private hospital, and includes the Minister

while in control of a public hospital under the provisions of Section 7 of the Hospitals Act, 1927."

Under the interpretation of income, the clause refers to—

"income derived from Government securities and other investments exempt from taxation under the first-mentioned Act."

That refers to the Income Tax Assessment Act. Many Treasury Bills and other Government securities have been issued to the public as non-taxable. This Bill proposes to make them taxable. They were issued as non-taxable and the undertaking should not be broken. It is not keeping faith with those who took up the securities.

Hon. F. H. Harris: Was that not deleted from the Bill and then reinstated?

Hon. A. LOVEKIN: I cannot say, but the Bill I have still contains that provision. The State should be honest with those people who took up Treasury Bills and Government securities, which were issued on the understanding that they would not be taxable. It is not honest dealing. Clause 4, paragraph (b) is in contradiction to paragraph (i.), as the Honorary Minister will see. There is also a proviso in that clause which should be looked into. It is difficult to understand as it is now worded. Another defect about the proviso in Clause 5 can be dealt with by the select committee. Subclause 3 of that clause says—

"On the payment of such contribution to the fund a certificate in the prescribed form shall be issued by the Commissioner of Taxation to the contributor."

That looks very simple, but it will be an expensive method of collecting the money. Individuals on the 31st July lodge their returns and business people do so at the end of August. During the two months between 70,000 and 80,000 returns are put in either by post or per medium of the boxes that are available at the Commissioner's office. Under the Bill the person who sends in a return goes to the Commissioner, if his income is taxable, and asks for a certificate. Hundreds of people will be calling at the office for that purpose. Before the Commissioner can issue a certificate he will have to search for a particular return from amongst the heap of other returns and issue the certificate. Such a process cannot be carried out with economy. Then there is the question of the effect of this tax upon the funds of friendly societies.

Hon. A. J. H. Saw: I think I saw in the paper a statement from the Minister for Health that this was an aspect he had not taken into consideration.

Hon. E. H. H. Hall: That is so.

Hon. A. J. H. Saw: It is very extraordinary.

Hon. A. LOVEKIN: That is why this House should grapple with the matter if that flaw is in the Bill. Clause 6 will give rise to a lot of irritation on the part of taxpayers. It says if the Commissioner is not satisfied with a return he can give the taxpayer credit only for part of his contribution, and allow the rest to stand over until some later date until he is satisfied about it. That is crude. It is annoying to taxpayers and not conducive to the popularity of the scheme. Clause 7 deals with the appointment of local agents. Those people will require to receive extra remuneration for their services, and this will add still further to the cost. There should be some means of overcoming that difficulty. The local agency business is tantamount to the creation of another department. I now come to the question of the issue of the certificate. The Bill says that on payment of such contributions to the fund a certificate in the prescribed form shall be issued by the department to the contributor. That is quite impracticable. The matter of interest from investments also requires looking into. Clause 8 says that "income received by any person in respect of shares in any company that has duly contributed to the fund shall be exempt from contribution to the fund." That will exempt a lot of people from contributing to the fund. The proviso to paragraph (d) of Subclause 1 of Clause 9 is in contravention of the Truck Act, and I suppose it will be held that so much of the Truck Act is impliedly repealed by the proviso. I wish also to draw attention to the second paragraph of Subclause 2 of Clause 9, reading—

In such case contribution to the fund shall be payable by the employer accordingly, and the amount payable in respect of each payment of salary or wages may be deducted from such salary or wages by the employer.

That, again, is contrary to the Truck Act, and I suppose it is intended that the Truck Act to that extent also shall be impliedly repealed. I am putting up these points for

the Honorary Minister to look into. Subclause 3 of Clause 9 provides—

Contribution to the fund in respect of salary or wages received by any person in the service of the Government of the Commonwealth or the State, shall be paid by such person to, and shall be collected by, the paying officer on behalf of the department, as and when every payment of salary or wages is received

I do not know whether under the Commonwealth law that provision can be carried out. Now I come to Clause 11, which is important and wants a good deal of looking into. On payday the wage-earner comes for his pay, and the employer has a list of the wages and a card, and opposite John Brown's name the employer has to put one half of a stamp—the stamp is to be torn in halves—and the employee has to put the other half, whereupon both proceed to cancel the stamp. In the case of hundreds of employees that procedure will be quite impracticable, but there is a provision later facilitating matters for the employer. Clause 11 says—

Every person seeking hospital benefit under this Act for himself or a dependant shall produce to the hospital authority evidence that he is a contributor to the fund by (a) the production of a certificate from the Commissioner of Taxation or the department; or (b) the production of a fund membership card; or (c) the production of a certificate from an employer or paying officer, in cases where contribution is collected by deductions on the pay-sheet, pursuant to Subsection 2 or 3 of Section 9, or (d) such other means as may be prescribed.

Under the Bill a person claiming admission to a hospital must have kept good his contributions. Now we have heard about unemployed. Suppose a man has not been employed for a month and there is an absence of contributions on his card, what will happen to him? If he goes to a hospital, will he be sent away? I do not know what would happen in a Government department, because extraordinary things do occur there. Clause 14 involves more expense: inspectors are to be appointed with all sort of powers. Clause 16 wants looking at too, though it may be only a small matter. It says—

Any person who omits to make any contribution to the fund as prescribed by this Act, or fails or neglects to comply with, or commits any breach of, any provision of the Act or the regulations, or furnishes any return or statement of income false in any material particular, or commits or suffers to be committed any act which defrauds or may defraud the fund of any contribution, or by whose default such fund may be or is defrauded, shall be guilty of an offence against this Act.

And then a penalty is provided. The provision is wrong, because persons making these returns may quite inadvertently make an error.

Hon. Sir Edward Wittenoom: That means a £20 fine.

Hon. A. LOVEKIN: Yes. A person not accustomed to making up income tax returns may innocently make a return which is not quite correct, and there is no protection for him, because the fact is that he has committed an act the effect of which is to defraud. To protect such persons the clause should read "any return or statement of income knowingly or wilfully false." I was going to say a good deal more about the Bill, but the Honorary Minister has promised to allow the opportunity of obtaining a little more information that is necessary for the proper consideration of the Bill, information, for instance, from the Commissioner of Taxation himself. From that officer we shall be able to gather the cost of collection, and whether there is not some better and more economical system which can be put into operation. I am amazed that the Commissioner of Taxation has never been heard from in the promotion of the Bill. Dr. Saw has just referred to friendly societies, and I think we should get all the information we can about them. The Honorary Minister tells us that if we can expedite matters he will let us have the select committee. The committee's proceedings should take only a day. I should very much like to have the figures I have put up to the House checked by the Commissioner of Taxation and the Government Actuary, because it appears to me that under my figures the Honorary Minister's estimate of £217,000 becomes £318,000. If it is so, a penny tax would suffice. However, I am not binding myself to that until I get this evidence.

Hon. Sir Edward Wittenoom: Have you moved an amendment?

Hon. A. LOVEKIN: I cannot move it at this stage. When the second reading has been carried, I shall move that the Bill be referred to a select committee to report next day.

Hon. Sir Edward Wittenoom: This day six months.

Hon. A. LOVEKIN: I am not doing anything that will prevent the Government from securing the extra money needed for the hospitals. But my main point is that in

view of the heavy taxation upon the people there should not be excessive cost in collection under this Bill. I support the second reading, and accept the Honorary Minister's undertaking to let us have a select committee.

HON SIR WILLIAM LATHLAIN (Metropolitan-Suburban) [7.55]: Like Sir Edward Wittenoom, I desire to enter a protest against the extremely late introduction of such an important Bill. The measure is of tremendous importance, and if put into effect will place a heavy burden upon the whole of the people of this State. At the present juncture I do not propose to deal with any of the clauses, but shall deal with the principle underlying the measure—the adoption of a scheme of special taxation to meet a particular need. If that scheme is adopted, probably the next thing we shall hear, when the Government are hard up—I do not mean the present Government—is that a special tax is to be imposed for education.

Hon. Sir Edward Wittenoom: This will be a precedent.

Hon. Sir WILLIAM LATHLAIN: There will also be another tax to carry on the work of the police.

Hon. A. Lovekin: Or the State trading concerns.

Hon. Sir WILLIAM LATHLAIN: There will be other taxes for other purposes. In my opinion the most vital question we have to decide is whether we are prepared to accept this new principle. Ever since Western Australia has had responsible government, there has been sufficient money from general revenue to provide for all the requirements of hospitals and asylums. It is quite true, as the Honorary Minister has said, that the cost of hospitals and asylums has increased considerably. But so has the revenue. The Honorary Minister said yesterday that the hospital accommodation provided in 1921 was 714 beds, that in 1924 it was 887 beds, and in 1927 1,075 beds.

The Honorary Minister: Those are the average numbers of beds occupied.

Hon. Sir WILLIAM LATHLAIN: In the same period the revenue figures were as follows:—1921, £6,789,565; 1924, £7,865,595; 1927, £9,750,836. So that although the requirements of the hospitals and asylums

have increased considerably, they have not increased in so large a proportion as the general revenue. I maintain that there should be sufficient money in the general revenue to provide for those requirements. When the totalisator tax was imposed, we felt that great relief would be afforded to the financial troubles of the hospitals. I wish to add my word in commendation of the many men who give their services to the various committees endeavouring to carry on the work of the hospitals under very difficult financial conditions. It is all very well to say, "Put on a special tax." It is a serious matter to impose a tax which will mean practically a two-thirds increase in income taxation. Apart from the totalisator tax, there are the proceeds of the entertainments tax. I would like to remind the Honorary Minister that these taxes are something quite new, relatively to older days when there was only the general revenue of the State. In addition to the enormously increased general revenue, there has been the benefit of these two taxes. There are many points connected with the Bill which deserve serious consideration. The first one is the effect of the Bill on workers in the goldfields areas and other districts who pay subscriptions to country hospitals. Those workers must receive some consideration. I maintain they will be in a peculiar position, more particularly those who have undertaken the financial responsibility for the erection and maintenance of hospitals, in respect of which they have taxed themselves. If the Government intend to impose further taxation upon them, it will merely mean a double impost for the same purposes. There is another important point that deserves every consideration. What will be the effect of this Bill upon the other charities? Everyone will be compelled to pay taxation towards the upkeep of our hospitals, and that fact may be advanced as an excuse by many as the reason for not contributing towards other deserving charities.

Hon. E. H. Gray: Mean-spirited people may adopt that attitude.

Hon. Sir WILLIAM LATHLAIN: Never mind about that; others may not be so generous as the hon. member! I would like the Honorary Minister to tell us definitely what the Government's intentions are regarding such institutions as the Home of Peace, the Blind Asylum, as well as others of a like description. I was much surprised

to hear that no consideration had been given to the position of friendly societies.

The Honorary Minister: That is not correct.

Hon. Sir WILLIAM LATHLAIN: If it is not correct, I will not say any more about it.

The Honorary Minister: They will receive consideration.

Hon. A. Lovekin: Dr. Saw said not.

Hon. Sir WILLIAM LATHLAIN: Probably every member of the House has been associated with friendly societies, and we know the immense amount of good those organisations have carried out in connection with sickness and general relief. I was a member of one order, and I spent most of my Saturdays and Sundays in distributing sick pay. I endeavoured to carry out my job in the interests of the members, although I had a wide area to cover. Only by being connected with such organisations can we gain a proper appreciation of the heavy burden the friendly societies shoulder. It must be admitted that the Bill represents another financial burden upon people who are already heavily taxed. When we consider that those people are called upon to bear the heavy losses that have been incurred because of the existence of the State trading concerns—

The Honorary Minister: Has the State lost anything on account of the trading concerns?

Hon. Sir WILLIAM LATHLAIN: Undoubtedly. Look at the Wyndham Meat Works.

Hon. E. H. Gray: What has that to do with the Bill?

The PRESIDENT: Order!

Hon. Sir WILLIAM LATHLAIN: The Government have constructed many railways by day labour which every business man acknowledges is not a paying system.

Hon. E. H. Gray: It has been proved to be the best system.

Hon. Sir WILLIAM LATHLAIN: Where?

Hon. E. H. Gray: In Western Australia.

The PRESIDENT: Order! I must ask the hon. member to connect his remarks with the Bill.

Hon. Sir WILLIAM LATHLAIN: I am endeavouring to show that the system of taxation in the Bill is a new impost.

Hon. J. R. Brown: But day labour is not.

Hon. Sir WILLIAM LATHLAIN: I desire to establish my point that the State has suffered loss of revenue because of the existence of State trading concerns, and the adoption of day labour in preference to the contract system.

Hon. E. H. Gray: Work on the railways in England is carried on by day labour.

Hon. Sir WILLIAM LATHLAIN: It may be.

Hon. J. R. Brown: You are on the wrong track again!

The PRESIDENT: Order!

Hon. Sir WILLIAM LATHLAIN: The Honorary Minister stated that the estimated amount to be raised under the scheme he propounded was £217,000. The whole of the revenue collected last year under the heading of income tax amounted to £323,597, so that the hospital tax will represent exactly two-thirds of our income tax collection. I am not prepared to vote for the second reading of the Bill at the present juncture, because I consider we require to give very serious consideration to the new principle that is embodied in the measure. I do not consider we should have to raise special funds to carry on any particular department, whether that department deals with hospitals, police, education or any other activity, when, in my opinion, there should be sufficient funds available from Consolidated Revenue to provide for all our requirements. There is one redeeming feature in the Bill and that is that there are to be no exemptions from taxation, and that everyone will be compelled to pay his quota towards the maintenance of the hospitals. In my opinion those institutions will be used more extensively than the Honorary Minister anticipates, and the cost will probably be much greater than he suggested.

Hon. E. H. Gray: Do you think people will go into hospital for a holiday?

Hon. Sir WILLIAM LATHLAIN: Many people will go to a hospital because they feel they have a right to go there.

Hon. E. H. Gray: They will get sick just because they have to pay the tax!

Hon. Sir WILLIAM LATHLAIN: And those people may stay at the hospitals for a longer period because of the tax.

Hon. A. Lovekin: They will go there when they feel tired.

Hon. Sir WILLIAM LATHLAIN: The Children's Hospital and other hospitals are overcrowded to-day, and the demand for accommodation is such, more particularly

since the advent of motor cycles and motor cars, that the authorities are at their wit's end to make the necessary provision. They will not allow patients to remain at the hospitals for longer than they can help and they will get rid of them as speedily as possible in order to make room for others. If the Bill be agreed to, I am afraid that will not be so easy, because everyone will consider he has a perfect right to secure accommodation, just as parents have a right to send their children to State schools although they may be in a position to send them to the secondary schools. I shall listen with keen interest to the views expressed by hon. members and in the meantime shall reserve my decision as to how I shall vote on the second reading.

HON. E. H. H. HALL (Central) [8.10]: I am glad that the Government have seen fit to introduce a Bill to place the finances of our hospitals on a decent footing. Such a measure is long overdue. I regret that a similar measure was defeated in this Chamber last year.

Hon. A. Lovekin: It was not this Bill.

Hon. E. H. H. HALL: I am glad to know that on this occasion no sudden-death method of defeating the Bill has been attempted. I would like to see the Bill discussed on its merits and thoroughly thrashed out. I do not wish to convey the impression that I have a greater knowledge of the subject than anyone else in this Chamber, but I have taken some interest in the affairs of the Government hospital at Geraldton. I am sorry to say that the institution is not controlled by a committee; it is a purely Government institution, controlled directly by the department. The people of Geraldton have no say in the management of the hospital.

Hon. C. F. Baxter: Can you not get them to contribute any money towards its upkeep?

Hon. E. H. H. HALL: As I said on a former occasion regarding statements made in this Chamber, the interjection, like the flowers that bloom in the spring, has nothing to do with the case. I am surprised that a member like Mr. Baxter, who has had some ministerial experience, should interject so irrelevantly.

Hon. C. F. Baxter: It has a lot to do with the case.

Hon. E. H. H. HALL: The people of Geraldton, like many others, contribute

their fair share towards the Consolidated Revenue, out of which our hospitals are maintained. Surely a member with the experience of Mr. Baxter should not ask a new member a question like that.

The PRESIDENT: Order!

Hon. E. H. H. HALL: It has always been a matter of wonderment to me that the Government have not seen fit to appoint a committee of management for the Geraldton hospital, as they have for the Fremantle and Perth hospitals. While I am anxious for legislation that will deal with the difficult problem of financing our hospitals, I must confess I am somewhat disappointed at the very complicated measure before us.

Hon. E. H. Harris: What do you think of the incidence of the tax?

The PRESIDENT: Order! I must ask hon. members to allow Mr. Hall to proceed with his speech without interruption.

Hon. E. H. H. HALL: I regret that greater consideration has not been given to various people who are deserving of every consideration. For instance, the Honorary Minister contradicted a member who said there would be no consideration given to members of friendly societies. I have read in the Press that members of friendly societies interviewed the Minister for Health, and I am certainly of opinion that that phase of the question has escaped his notice. The friendly society movement is so deserving of encouragement that when the Bill was under consideration so important a phase of it should not have been permitted to escape the notice of the Minister.

The Honorary Minister interjected.

Hon. E. H. H. HALL: Well, there is nothing in the Bill about it. Another thing: I think it is the policy of the Government, as it is the policy of Governments of other States, to assist a man charged with the responsibility of bringing up a family. But the Bill is going to put the same impost on the family man as on the single man. I do not agree with that. Again, it is a highly dangerous experiment to extend free hospital treatment to all in the State, irrespective of the income received.

Hon. E. H. Gray interjected.

Hon. E. H. H. HALL: When a member interjects I do not mind, even if it is a

silly interjection, but I think it ought to be something that will be a contribution to the debate.

The PRESIDENT: All interjections are disorderly, and should be ignored by the speaker.

Hon. E. H. H. HALL: To offer free hospital treatment to all in the State is a highly dangerous experiment. For some considerable time past it has been known to everybody taking an interest in the matter that the Medical Department has been hard put to it to secure sufficient nurses for our public hospitals. How on earth can the doctors be expected to effect clearances in hospitals if everybody is to be allowed to enter those institutions free of charge? Not only will the new system involve the training and employment of additional hospital nurses, but it will necessitate increased hospital accommodation. The existing system of street appeals in aid of our hospitals has been deplored by a number of members and many of the electors. Then why should we permit it to continue? Members of both Houses have expressed themselves entirely in favour of the Government raising money for the hospitals and charities, either by premium bonds or by conducting a lottery. If the Government continue to permit the selling of sweep tickets in the streets of Perth and continue to allow the running of White City, then why on earth do not the Government take their courage in both hands and come out with a golden casket sweep for the maintenance of our hospitals and charities? I shall not take up any more time, except to say I hope members will allow the Bill to pass the second reading and enter the Committee stage. Every member of the Chamber is genuinely desirous of arriving at a satisfactory solution of the extremely difficult problem of seeing that those who use the hospitals shall pay for them. I am not at all concerned as to where the man who can afford to pay for his hospital treatment gets the treatment, but the idea that men well able to pay for medical and hospital treatment should go to a public hospital for that treatment is not my idea. I am entirely against that. The Government should be charged only with the maintenance of hospitals for those who, unfortunately, are not able to provide it for themselves. I will support the second reading.

Hon. C. F. BAXTER: I move—

That the debate be adjourned.

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

Ayes	13
Noes	9

Majority for	..	4
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AYES.

Hon. C. F. Baxter	Hon. A. Lovekin
Hon. J. Cornall	Hon. W. J. Mann
Hon. E. H. Gray	Hon. E. Rose
Hon. V. Hamersley	Hon. A. J. H. Saw
Hon. E. H. Harris	Hon. H. A. Stephenson
Hon. G. A. Kempton	Hon. J. R. Brown
Hon. Sir W. Lathlain	(Teller.)

NOES.

Hon. J. M. Drew	Hon. C. B. Williams
Hon. J. T. Franklin	Hon. Sir E. Wittenoom
Hon. E. H. H. Hall	Hon. C. H. Wittenoom
Hon. W. H. Kitson	Hon. G. Fraser
Hon. J. Nicholson	(Teller.)

Motion thus passed.

BILL—COAL MINES REGULATION ACT AMENDMENT.

Second Reading.

Debate resumed from the previous day.

HON. E. H. HARRIS (North-East)

[8.25]: It has been said that the Minister for Mines was encouraged to introduce the Bill by threats of direct action by the Coal Miners' Union of Collie. I believe it is a fact that for quite a long while those miners have been desirous of having an inspector appointed.

Hon. G. Fraser: Is that direct action?

Hon. E. H. HARRIS: And their wishes not having been acceded to, I believe they went before the Minister and gave him 14 days in which to put their policy into operation failing which, they said, certain things might happen in the coal mining industry. If that is correct, then surely that was direct action. The Honorary Minister, in moving the second reading, referred to various clauses but did not go into a great deal of detail, relying perhaps on what might be said in Committee. But when a few years ago the agreement was made between the Amalgamated Collieries and the Commissioner of Railways for a supply of coal, the charge was made against the Commissioner that there had been a little palm oil, or a few golden reasons, for arriving at certain decisions. That has been used in

a political sense during an election, and subsequently representatives of the Coal Miners' Union, desirous of getting these inspectors, approached the Government of the day when the agreement was about to expire and again threatened that if that agreement was not executed in exactly the same terms, they would do certain things in Collie. I mention that because during the debate on the Bill in another place it was asserted that direct action had been threatened; and I am quoting those two instances to show that the Coal Miners' Union would be quite capable of doing either one of those two things if they thought it necessary, and probably bring pressure to bear on the Minister in order that he might be persuaded to introduce the Bill. What has happened of recent date to justify the introduction of the Bill? They already have inspectors and the proposal now is that special inspectors and workmen's inspectors shall be appointed. It is popular to applaud the idea of having a workman's inspector, particularly in industrial centres, but I have yet to learn that this is going to be an added advantage to the wage earners who claim the representative as their own. I submit that if they elected and supported by funds a man who was quite qualified to speak on their behalf and who was responsible to them and to them alone, they would be infinitely better represented in the industry than they would be by selecting a person who was paid by the Government to discharge certain duties of a very limited character. I might illustrate what happens on the largest coalfield of Australia—in New South Wales. A full-time inspector is employed by the industrial workers in the industry, namely the Miners' Federation. He visits every branch of the organisation from time to time, and when he is making his visit to the underground workings of a mine, he is accompanied by two employees conversant with the workings, whose daily wage is paid by the organisation while they are accompanying him. He is a qualified man capable of being an inspector under the obligations cast on any person who seeks to fill that office under the Government of New South Wales. The details of his visits are published in the Press. If the men are not satisfied with the conduct of operations in a mine, their own inspector submits his report and the union act upon it. They evidently realise the importance of employing such a man,

and the responsibility that he owes to them gives added value to his opinion. The union at Collie have for the last 26 years enjoyed the right to appoint check inspectors, and I believe everything has worked quite amicably. The check inspector will now be superseded by the workmen's inspector. We are given to understand there will be one inspector who will work half-time. The Bill provides, not for an inspector, but for inspectors. The Minister, when replying, might tell us whether it is contemplated to have two half-time inspectors or more, or is it intended to have only one? If there be only one, will he be paid full salary for his three days' work, or will he be otherwise employed by the Government during the remaining three days? I should like to know also whether the Minister will provide by regulation that members of the union shall not be restricted from nominating or be subject to any discipline of the union if they desire to nominate for the position of workmen's nominee. In the gold-mining industry applications are called by the Government from persons capable of filling the position of workmen's inspector. The gold-mining industry differs from the coal-mining industry in that about a dozen industrial unions are involved. It has happened that there have been as many as 29 nominations for two positions as workmen's inspectors. In connection with the Mine Workers' Relief Fund a certain union have been anxious to have one of their members elected to the board. A number of their members have nominated for the position, and the union have subsequently held a selection ballot and compelled the members who did not win the selection to retire from their candidature. That is a restriction which should not be permitted.

Hon. C. B. Williams: Are not you telling a deliberate untruth?

Hon. E. H. HARRIS: I am not telling a deliberate untruth.

The PRESIDENT: Order! I did not hear that interjection. The hon. member must withdraw it.

Hon. C. B. Williams: Very well, I withdraw it in deference to you, but his—

The PRESIDENT: Order! The hon. member must withdraw unreservedly.

Hon. C. B. Williams: In deference to you I withdraw the remark.

Hon. E. H. HARRIS: A dog-like obedience to the organisation has fastened

on to some of the members and, when they have nominated for a position, they are not free to let their names go to the ballot.

Hon. C. B. Williams: I say you are wrong.

Hon. E. H. HARRIS: I should like to remind the hon. member, who persists in interjecting, that I am not now referring to workmen's inspectors. I am relating an incident that happened in connection with the Mine Workers' Relief Fund. A representative was to be elected, a selection ballot was held by the union and the other members of the organisation who had nominated were compelled to retire. When regulations are laid upon the Table of the House I shall be watchful to ascertain whether provision is made to ensure that any person who nominates for the position shall be free to go to the ballot, so that the employees in the industry may have an opportunity to select any one of the number who nominate.

Hon. C. B. Williams: You are keeping up your reputation for bolstering up a falsehood.

Hon. E. H. HARRIS: I am not bolstering up anything; what I say I can substantiate.

Hon. C. B. Williams: You are not telling the truth.

The PRESIDENT: The hon. member must withdraw that remark.

Hon. C. B. Williams: Very well, but it is hard to listen to such statements.

The PRESIDENT: Order! The hon. member must withdraw.

Hon. C. B. Williams: I withdraw.

Hon. E. H. HARRIS: The hon. member is the arbiter of what he shall listen to.

Hon. C. B. Williams: You do not know what you are talking about.

Hon. E. H. HARRIS: I have had as much experience in the industry as has the hon. member.

Hon. C. B. Williams: You have not.

Hon. E. H. HARRIS: I have had 26 years. If the hon. member can exceed that—

The PRESIDENT: This dialogue must end. I ask the hon. member to proceed with his speech.

Hon. E. H. HARRIS: Neither the union nor the Bill insists upon a member being qualified for the position. The only qualification necessary under the Bill is that the candidate shall have worked as a practical miner in the industry for the preceding five years. There will be qualified departmental

inspectors, and I presume that if anything unforeseen happened and special inspectors were appointed, they would hold very high qualifications. The workmen's inspector, who will be the workers' representative, who will be there to watch the interests of the worker, and who will check the work of those highly qualified men, will be a man who probably has no more qualification for the position than that he is a popular person able to win a ballot and has worked in the industry for five years. I have expressed the viewpoint before and I repeat it now that the workers would be far better off if they elected a man as their own representative not for his popularity, but because he holds the qualifications of a departmental or special inspector.

The Honorary Minister: And if we do not agree with your standpoint?

Hon. E. H. HARRIS: I am expressing my viewpoint. If members do not agree with it, let them accept what the Minister proposes under the Bill, namely the unqualified person who may be very popular. Such a man, so far from being an advantage to the industrial organisation, never was and never will be able to fulfil the qualifications.

Hon. G. Fraser: Would they be likely to have an unqualified man where life was concerned?

Hon. E. H. HARRIS: I do not claim to know so much about coal mining as gold mining but men engaged in the industry assure me that coal mining is far more complicated from the point of view of ventilation, and that a man needs theoretical and more or less scientific knowledge, as well as practical knowledge of mining, and should be qualified to pass the examination provided for Government inspectors.

Hon. G. Fraser: You do not give them credit for much sense.

Hon. E. H. HARRIS: I have said that too many of the positions are won as a result of popularity and not qualification.

Hon. G. Fraser: Where have you experienced that?

Hon. E. H. HARRIS: On the goldfields we have workmen's inspectors elected every two years. I have known 20 or 30 men to nominate for the position, and in my opinion the most highly qualified men from a practical standpoint were not the men elected.

Hon. C. B. Williams interjected.

Hon. E. H. HARRIS: In the opinion of the hon. member they may have elected the best men. Having regard to the fact that there were 28 aspirants and that 23 counts were necessary in order to determine the result —

Hon. C. B. Williams: Was not that due to the system of counting?

Hon. E. H. HARRIS: Well, I shall deal with the system of counting, which is another matter I wish to bring under the notice of the Minister. The voting is conducted on the preferential system.

Hon. C. B. Williams: The same as the Federal Senate voting.

Hon. E. H. HARRIS: It is not.

Hon. C. B. Williams: Exactly the same.

Hon. E. H. HARRIS: At the recent Federal election we had to vote one to six for all the candidates.

Hon. C. B. Williams: Up to a certain number.

Hon. E. H. HARRIS: No; one to six. It is recorded in the Press this morning that when the ballot papers were recounted in Victoria, 80,000 odd votes were cast aside because the voters had not exercised the full preference. I want it indicated to the members of the industrial organisation that they shall record their votes for all the candidates; that the system is compulsory preference through the list.

Hon. C. B. Williams: That is what they do now.

Hon. E. H. HARRIS: No; they voted for four or five, the ones they knew, the same as the people in Victoria did at the Senate election. They voted one, two and three and did not show their preference for the remaining candidates.

Hon. C. B. Williams: Your knowledge is very limited.

Hon. E. H. HARRIS: I have no desire to deceive the House. Members know me well enough to understand that I invariably tell the truth. I want to know whether the workmen's inspector will be capable of being elected a special inspector. There are three grades. It seems to me from the Bill that a workmen's inspector may also be appointed a special inspector. We are informed that he will be a half-time inspector. Is it intended that he shall be a special inspector for the other part of the time? Should he receive a salary for the whole

time? I should like to quote Clause 9 of the Bill, Subclause 3—

Whenever any inspector shall have inspected any mine, he shall enter in a book to be kept on that mine for the purpose by the manager, his opinion derived from such inspection of the actual conditions of health and safety therein at the time of such inspection.

It may be understood from that, when a workmen's inspector inspects a mine, that he will make an entry in the book. The clause reads "any inspector." I find, however, that the interpretation of "inspector" in the Act is "an inspector of mines or the State Mining Engineer." That is under the Act of 1902. I am emphasising the point that the workmen's inspector makes his inspection, which amounts to a formal look-round, but makes no entry in any record book of his opinion of anything he has seen. That is a very important point. It would be advisable in the interests of the workers that they should provide that when their representative has had a look through a mine, he shall make an entry in the book and express some opinion.

Hon. C. B. Williams: Your knowledge is lacking. You do not know what you are talking about. This is always done in Kalgoorlie.

Hon. E. H. HARRIS: I have told the hon. member what the Bill provides.

Hon. C. B. Williams: I am telling you what is done.

The PRESIDENT: The hon. member will have an opportunity later of expressing his views.

Hon. C. B. Williams: I have already done that.

The PRESIDENT: You will have an opportunity in Committee.

Hon. E. H. HARRIS: I am not quoting from the Coal Mines Regulation Act, 1902. This Bill does not provide for workmen's inspectors making entries in the book provided. Section 6 says—

No inspector shall hold any interest in any coal mine in the State without the permission in writing of the Minister.

That is to provide that the person in authority shall not have any interest in the particular mine or any other coal mine, but it does not apply to workmen's inspector. I presume that is because he is a man with no authority to express an opinion about things. It would be better in the interests of the workers that he should have some authority and some qualifications. We are

assured that the workmen's inspector would be on practically all fours with one in the Kalgoorlie district. There are two on the Eastern goldfields and one on the north-east. Since the Miners' Phthisis Act was put into operation the Government have given the workmen's inspector in Kalgoorlie an extra £100 a year to look after the work of the phthisis board. They also provide him with a motor car, which I believe is used to assist him in getting amongst the men he has to interview on the question of phthisis. A discussion ensued recently regarding men in the coal mining industry coming within the scope of the Workers' Compensation Act and the schedule relating to miners' diseases. I believe the Government contemplate bringing them all within the scope of that measure. Is it intended that the workmen's inspector in Collie shall receive an extra £100 a year, as the official in Kalgoorlie does?

Hon. C. B. Williams: He is doing special work.

Hon. E. H. HARRIS: The inspector there utilises his motor car not only to get amongst the men, but for political purposes. I should like an assurance from the Honorary Minister that a similar official at Collie will not use a Government car for the same purpose.

Hon. Sir Edward Wittenoom: Has he asked people to vote for him?

Hon. E. H. HARRIS: If reports are true, and he succeeds in ousting Mr. Cornell from his seat at the next election, he may be asking people for support.

Hon. C. B. Williams: He would be the better man.

The PRESIDENT: Members must not discuss the merits of an hon. member of this Chamber.

Hon. E. H. HARRIS: I have no desire to do so. I am pointing out that the inspector in Kalgoorlie makes use of a Government motor car in a direction in which he has no right to do. He has used it for political purposes in order to take people to the poll.

Hon. C. B. Williams: You know that is not true.

Hon. E. H. HARRIS: I know that during the Federal elections the workmen's inspector was going around in a motor car gathering up electors. The Honorary Minister said the inspector at Collie would have the same privileges as the man in Kalgoor-

lie. I want an assurance that if the Collie man is given a motor car he will not have the same right to use it for these illegal ends.

The Honorary Minister: I will give you no such assurance.

Hon. E. H. HARRIS: Will he give me an assurance that he will not permit this to be done?

Hon. C. B. Williams: Will you prove that it has been done?

Hon. E. H. HARRIS: I could produce my friends who rode in the car.

Hon. C. B. Williams: They must be like yourself.

The PRESIDENT: Order!

Hon. E. H. HARRIS: I do not know that the position can be made any clearer. I believe in workmen's inspectors.

The Honorary Minister: It does not sound like it.

Hon. E. H. HARRIS: From the tone of the debate one would think that no one worked in a mine but miners. Plumbers, engineers, fitters and all manner of men work in the industry. When they have a grievance about something that should not be, they do not fly to the workmen's inspector. They ignore him and go direct to their industrial organisation, which exists for that purpose. Mr. Fraser pointed out last night that the worker loves to go to the inspector and tell him his story. These other people are members of industrial unions, and pay fees in order to have their affairs looked after. Their duty is to take up any question that is referred to them and endeavour to secure relief for their members. The secretary of the union interviews the officials of the mine and he sees that the trouble is rectified. It would be better for the men if they did not have a Government official who received his salary from the same source as do the inspectors who dodge around the mine. If that were so, he could go where he liked and take exception to anything he liked. Suppose a big disaster occurred. The union might be sceptical as to whether a matter had been looked after as it should have been by the inspector. If they had an independent man acting for them they could get his opinion and look up the report on the last occasion when he visited the mine. Should such a thing happen to-day, they would go to the workmen's inspector and ask if he had raised an objection on the last occasion of his visit. The Bill, however, provides that he would not

have made any report. I do not know whether reports are made in the log books on the goldfields.

Hon. C. B. Williams: You should not make statements on matters you know nothing about.

Hon. E. H. HARRIS: The Bill contains no provision for the making of reports. It gives a workman's inspector no power to do anything of the kind. Let us provide for what we are told by Mr. Williams is done in Kalgoorlie. If there is no provision, we should look into the matter, and find out what is done in Kalgoorlie in the goldmining industry and make the necessary amendments in this Bill. I am going to vote for the second reading, but in Committee will move certain amendments which I think will be advantageous.

HON. J. CORNELL (South-East) [8.57]: I have compared the Bill with the Mines Regulation Act of 1915 and the Timber Workers' Act of 1926. What it is proposed to give to the Collie miners is practically on all fours with what the auriferous miners and the timber workers have. One of two things must be done: either we must repeal the law relating to auriferous miners and timber workers, or give the Collie miners what they asked for, which would be the fair thing to do. I gave my vote that the auriferous miners should have check inspectors. I have grown older since then. We are told that if we do not get wiser as we get older, we get more cautious and more conservative. I am not so optimistic about workmen's inspectors as I was 13 years ago.

Hon. E. H. Gray: You have slipped.

Hon. J. CORNELL: It seems extraordinary that auriferous miners should have had workmen's inspectors for 13 years and that only now are the Collie miners asking for them.

Hon. J. Ewing: They have had them for 26 years.

Hon. J. CORNELL: They have had nothing of the kind. They have had check inspectors—a totally different thing from the proposal of the Bill. The coal miner, of course, is as intelligent as the auriferous miner. After the lapse of 13 years the coal miners have asked for workmen's inspectors. A consolidating measure relating to coal mining was passed two years ago, and it contains no provision for workmen's inspectors. My personal view is that the coal

miners are making a mistake; they should adhere to the system which has served them all these years with eminent satisfaction. However, as they want check inspectors I am not going to stand for one set of miners having them and another set of miners not having them. When I was in South Africa in 1921, one of the first questions put to me by the secretary of the South African Miners' Union was whether in Western Australia there were workmen's inspectors. My reply was, "Yes." Thereupon he said, "We have had them here, and the union itself decided to do away with them." However, the other set of miners in this country has not decided to do away with workmen's inspectors. One could go on for hours making such comparisons. Certainly, the coal miners have infinitely a better case for workmen's inspectors than the timber workers have. On the other hand, coal mining is very different from gold mining. I have heard an American say that coal mining is gold mining upside down. It could easily be shown that if the timber workers are entitled to have workmen's inspectors, a dozen other unions in Western Australia, which have not got them, are equally entitled to have them. I repeat, the Collie miners would be well advised to adhere to what has served them satisfactorily for many years. In my opinion the best class of inspection is that in vogue among the Fremantle lumpers who appoint and pay the inspectors themselves. I support the second reading.

HON. E. ROSE (South-West) [9.3] : I have listened attentively to the speeches which have been made on the Bill, and I see no reason to take exception to the appointment of workmen's inspectors in coal mines. That system has worked satisfactorily on the goldfields. The only difference is that there the inspectors are appointed by the Government and paid by the Government. As the goldfields and the timber mills have workmen's inspectors, I see no reason for voting against the Bill. Indeed, what I have heard in the course of the debate has influenced me to vote for the second reading. Possibly amendments improving the Bill may be made in Committee, but I do not know why so much exception should be taken to the appointment of workmen's inspectors at Collie. Such appointments are well justified if they will lead to increased safety of life and limb. No doubt workmen's inspectors will look

most carefully into matters. They would be under the control of the Government inspector of mines at Collie, an officer who has given every satisfaction. He is a thoroughly capable man, and is highly spoken of by all who have come in contact with him. Workmen's inspectors will hear from the miners whether there are likely to be any faults or creeps in the mines, and they will go carefully into such matters. I have no doubt the workmen's inspectors will prove of great assistance to the Government inspector. Therefore I shall vote for the second reading. I shall not speak at greater length, because I think quite sufficient has been said by previous speakers.

HON. SIR EDWARD WITTENOOM (North) [9.5] : I have much pleasure in supporting Mr. Rose's remarks. That hon. member belongs to the locality to which the Bill specially applies, and he knows a good deal of the details of the subject. He has put the case so simply and clearly that I have no hesitation in voting for the second reading.

HON. H. SEDDON : I move—

That the debate be adjourned to the next sitting of the House.

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

Ayes	..	..	..	..	13
Noes	..	..	..	..	10

Majority for 3

AYES.

Hon. J. Cornell	Hon. W. J. Mann
Hon. E. H. H. Hall	Hon. J. Nicholson
Hon. V. Hamersley	Hon. E. Rose
Hon. E. H. Harris	Hon. H. Seddon
Hon. G. A. Kempton	Hon. H. A. Stephenson
Hon. Sir W. Lathlain	Hon. C. F. Baxter
Hon. A. Lovekin	(Teller.)

NOES.

Hon. J. R. Brown	Hon. W. H. Kitson
Hon. J. M. Drew	Hon. C. B. Williams
Hon. J. T. Franklin	Hon. Sir E. Wittenoom
Hon. G. Fraser	Hon. C. H. Wittenoom
Hon. E. H. Gray	Hon. J. Ewing
	(Teller.)

Motion thus passed.

BILL—POOR PERSONS LEGAL ASSISTANCE.

In Committee.

Resumed from the 12th December; **Hon. J. Cornell** in the Chair, the Chief Secretary in charge of the Bill.

Postponed Clause 4—List of practitioners willing to assist poor persons:

Hon. J. NICHOLSON: In accordance with the promise I made to the Chief Secretary, I have gone into the matter exhaustively. I find it necessary to make somewhat extensive amendments throughout the Bill, and to add several new clauses. I submitted a draft of the amendments and the new clauses to the Crown Law Department, so that they might have the opportunity of advising the Minister in regard to them. I do not think it would be right for me to move an amendment to Clause 4 at this stage, when I have amendments to move in other clauses.

The CHAIRMAN: The hon. member has given no notice of a proposed amendment to Clause 4.

Hon. J. NICHOLSON: No, Sir. Probably the best course would be to allow the Bill to be finished now, and to recommit it at the next sitting.

Clause put and passed.

Postponed Clause 6—agreed to.

Preamble, Title—agreed to.

Bill reported without amendment.

Recommittal.

On motion by Hon. J. Nicholson, Bill re-committed for the purpose of further considering Clauses 2, 3, 4, 5, 7 and 9, and adding new clauses.

In Committee.

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

Clause 2—Interpretation:

Hon. J. NICHOLSON: I shall move the first amendment I have to the Bill, and I shall ask the Chief Secretary to report progress so that the other amendments may appear on the Notice Paper for Tuesday. I move an amendment—

That a new definition clause be added as follows:—"Committee" means the Committee of the Law Society of Western Australia."

Progress reported.

BILL—TOWN PLANNING AND DEVELOPMENT.

Second Reading.

Debate resumed from the previous day.

HON. W. J. MANN (South-West) (9.20): I desire to join with others who have congratulated the Government on bringing the Bill before the House. For many years Western Australia, particularly the city of Perth, has been unfortunate in not having the advantage of legislation of this description. I can also join with those who have expressed their appreciation of the labours of those few enthusiasts who have worked persistently for years to achieve what will ultimately mean the beautification of our cities and the advancement and improvement of our towns. Many of the older settlements of this State have suffered from the absence of legislation of this description, to guide them when the towns were being laid out and to assist them as those towns have developed. One has only to travel around the State to see how ideal townsites have been positively ruined because of the absence of some guiding hand in control when the laying out was undertaken. It is regrettable that much the same sort of thing is to be seen in our newer districts. I would instance the rising town of Margaret River, beautifully situated on the banks of a stream. The site is eminently fitted by Nature for an ideal town. It is being spoilt because no idea of system has been apparent in the lay-out of the township. Another small but progressive centre that comes to my mind is Norlandcliffe. The spectacle there is positively sinful. It furnishes a strong indictment against someone who placed the townsite in the middle of a huge swamp. During the winter months the town is practically flooded, and in the summer water can be obtained at a depth of three or four feet.

Hon. J. Nicholson: It must be a sort of Venice.

Hon. W. J. MANN: Yes. If the Bill serves no other purpose than to obviate such mistakes in the future, it will be of advantage to the State. In the lay-out of a town it is essential that provision be made for all public conveniences. The business portions should be regulated in common with the residential and industrial parts. The sites for railways should be determined so

that we shall not have the spectacle that is to be seen in so many parts of the State, of a railway dividing into two straggling sections what otherwise might be a compact township. I have read the Bill with a great deal of pleasure and I hope it will be agreed to. I trust that the Commission, when appointed, will be able to get to work immediately, and that it will assist not only the larger centres but that its members will travel throughout the State and aid the smaller communities in an endeavour to effect the improvements that are so essential.

HON. J. NICHOLSON (Metropolitan, [9.25]: The complimentary references that have been made to the Bill should be a happy augury of the reception to be accorded it by the House. A few nights ago references were made in connection with another Bill to the excellent services rendered by medical practitioners to the sufferers and the poor. While it has been the good fortune of the members of that particular profession to do much voluntarily for humanity, there are others in other departments who have rendered equally capable service in the interests of the community. They have done much by making available their knowledge and experience in the direction of improving the conditions that obtain in our midst. I refer to the members of the Town Planning Association who, while acting in a purely voluntary way, have laboured most earnestly in striving to achieve the betterment of conditions under which we live. Though few in numbers, they have combated apathy and almost ignorance that has existed to an astonishing extent. It has been their task to arouse interest on the part of the public in a scheme of approved town planning and to create a civic conscience that is so essential in the accomplishment of work of this description. Those interested in the realisation of this work can by no means be described as faddists, although they may be idealists in a certain sense. They are men with a wide conception of the benefits that must accrue from the laying out of cities and towns as they should be, and from conforming to those requirements that are so essential in a truly successful plan. We have ample evidence of the benefits to be derived from town planning on the results achieved in other parts of the world, notably in England, and in many parts of America, in Canada,

in New Zealand—where it has been taken up most enthusiastically—and also in many centres on the Continent of Europe. The man who happens to be fortunate enough to travel in those places is impressed with the advantages that have accrued to those countries where a system of town planning has been adopted. It has been said by previous speakers that we have come somewhat late into the field. That is very true, particularly so far as relates to our own capital city. Twenty-eight years ago, when I first entered public life, I should have been glad to see a system of town planning introduced. Some effort indeed was made about 1900 to arouse in the minds of the people the consciousness that Perth was no longer going to be the village it had been; that there were greater days in front of Perth, and that it was to be the capital of no mean State. That position is being forced upon us more clearly to-day, and as the years progress we shall be still more impressed with that fact. If that conscience had been fully aroused in the minds of the people at that time, there would have been many changes and alterations effected by now. But it is an old saying that it is never too late to mend. Whilst I admit the truth of that adage, I recognise that by coming somewhat late into the field as we now have with our town planning scheme—those engaged in that work are not to blame—we are faced with the fact that it must be a more costly scheme than it would have been had we embarked upon it in earlier years. It is better that we should undertake it even at this time; because if we were to be foolish enough to leave the work until later years, then the cost would be enormously greater. That has been evidenced in the striking reforms that have been effected in the city of London, where, at enormous cost the work of the town planner has achieved wonderful success, and where practically a new city has been created. The same thing applies throughout the whole of the provinces, both of England and Scotland. We see the work progressing there, and as we move into the Continent of Europe we have further evidences of it. Fortunately we still have in our own State many places where we shall not be faced with the enormous expense which necessarily will accompany a scheme of town planning in the city of Perth. Mr. Mann has referred to some centres within the province he represents. One realises that there

are many places like Augusta where the advantages of town planning can be carried out with signal success. Take many of our coastal towns, places of beauty: if the town planner is given a free scope, as he will be under the Bill, he will be able to transform or so regulate their planning that those centres will be made more and more attractive for the people of the State, and for visitors also. We have such places as Albany. What more desirable place for practising the art of town planning than that centre, with its lovely harbour? Take again the beautiful port of Esperance which is practically little known to the people of the State. I have the conception that Esperance will be one of the finest coastal resorts in this State in the years to come; probably in a very short time. People of the State will learn to appreciate the wonderful attractions these places possess, and how generous nature has been to us in providing such beautiful centres. There are many other places one could mention. One could go right round the coastline. As we move up to the north, taking in Geraldton, Carnarvon and Broome and going as far Wyndham, it is wonderful what opportunities are offered in those various places for the hand of the true artist. All these places can be beautified, and there can be a proper system adapted to each place to their lasting benefit. That is what I understand is conceived by the Bill before us. While I recognise that the board will be there only in an advisory capacity still, being constituted as they will be, of men possessing a peculiar skill for work of this nature. I feel sure that the result of their labours will be eminently successful. Under the Bill they will submit their recommendations to the Minister, and he has certain powers of requiring the various local authorities to carry out proper schemes. It is very fitting that that power should be given. Dr. Saw called attention to Clause 21. I noted that matter when the Minister was moving the second reading, and I should like the Minister to reconsider that provision. Under it allotments of land are to be no less than half an acre. I can quite conceive that town planners would realise that half an acre is a proper area to provide for all allotments. But the view that always occurs to me is this: If we are to devote half an acre to the use

of every householder, it will mean that as population increases our city will extend over an enormous area from the centre, necessitating a considerable amount of inconvenience and requiring the residents to travel inordinate distances. For instance, if each house is to occupy half an acre, we shall not be making the best use of our land and not providing the facilities for residents who may be earning their livelihood by working in the city. For we shall be compelling them to travel unduly long distances between their homes and their places of employment. Every city finds it essential to resort to the practice of building gradually upwards towards the sky so as to provide accommodation within a reasonable distance of the centre, and so make it as easy as possible for those who depend on the city for their livelihood. Assume that within a reasonable time the population of Perth should reach 500,000, and gradually go on to a million, as in other Australian cities. I am perhaps looking a little far ahead, but not so very far; because I have a strong belief that this State is going to progress by leaps and bounds, so long as we manage it properly and control its destiny with that wisdom so essential to the success of any country. If we can do that it is not looking so far ahead to anticipate for Perth a population first of 500,000 in the near future, and gradually reaching up to a million. We shall then be confronted with this position: if half-acre allotments have to be provided for a million people it will mean gradually throwing those people further and further back. Means of transit will have to be provided for. It will all mean extra expense, whereas if we can centralise the blocks and provide suitable homes and preserve symmetry we shall be creating a benefit and a convenience for the people who depend for their living on the city. I hope the Minister will consider whether there should be that restriction. The subject should be reviewed so as not to place too hard a restriction upon the dealing with land of less than half an acre.

The Chief Secretary: I shall be dealing with that in Committee.

Hon. J. NICHOLSON: I am glad to hear that and I shall be pleased to hear what the Minister has to say to us in reply. I feel sure that the Bill will be accorded the

fullest support by members, and I cannot conclude without again adding my sense of appreciation of the great work done by those engaged in town planning and who were responsible for this Bill.

HON. E. H. H. HALL (Central) [9.48]: All that need be said about this measure can be compressed into a maximum of five minutes. We have listened to the remarks of many members, and the metropolitan members who have spoken to the Bill have adopted an attitude towards it that created the impression that they had almost to be persuaded to vote for it. I am sure however, that there will not be a dissentient voice against the Bill. I do not know whether the members of the Town Planning Commission are following the debate that has taken place on the Bill. If they have done so they will understand that it is the wish of those who have spoken that the commission should not confine their attention to the metropolitan area, but that they will go out into the country and visit particularly towns such as Geraldton. The hon. member who has just resumed his seat and Mr. Harris in the course of their remarks roamed from Dan to Beershebah. I shall not follow in their footsteps but will confine my remarks to advocating that the commission should pay attention to some of our country towns. For instance, if ever a town was spoilt by being built on the foreshore, that town is Geraldton, and if any particular body was responsible for that, it was the Government of the day. We had a beautiful marine drive that followed the contour of the bay and one Government—and it was not a Labour Government—was responsible for blocking that drive. The main street of Geraldton runs into the railway yards. I do not know now whether any Government will ever be wealthy enough to make up to the people of Geraldton for what they have been robbed. If, however, a Government should happen to be in a position to do something for Geraldton, there is one part of the town that still can be resumed and that resumption will give to the town additional foreshore. I refer to that part of the town at the end of Fitzgerald-street, the Chief Secretary knows it well: it is almost opposite what was his place of business for years. A few old buildings that are there can be purchased for a reasonable figure and much could be done by improving the

locality. I shall conclude by again expressing the hope that the Town Planning Commission will not entirely neglect the towns of the State.

HON. J. T. FRANKLIN (Metropolitan) [9.50]: I am not going to advocate the resumption of a lot of land; that is not what the Bill is for. I do, however, wish to congratulate the Government on having introduced the Bill. We have had many promises, year after year for the past 10 or 15 years, that such legislation would be brought down. Not only this, but we have also been promised times out of number an amendment of the Municipalities Act. At last we have a Government who are prepared to carry out a promise made. The Bill before us is a good one so far as I can ascertain. I also desire to accord praise to that small body of people, the executive of the Town Planning Association of which Mr. Saw was president for a number of years. In fact, I think he was responsible for the framing of the Bill we are now considering. The Bill, in Subclause 2 of Clause 4, ties the hands of the Government in the selection of the personnel of the commission. I notice it is said that the commission shall consist of, amongst others, an architect, and an engineer or surveyor. May I draw attention to the fact that in days gone by there was an adage that anyone could draw a straight line, but that it took an engineer or a surveyor to draw a crooked line. We must have had wonderful engineers in Perth in days gone by, because nothing but crooked lines are to be seen everywhere, to say nothing of streets ending in cul-de-sacs. I realise that Perth is in the same boat as Melbourne and Sydney found themselves in some years ago. It has cost those cities many millions to rectify the mistakes made in the earlier years when the cities were laid out. The same expense will have to be undergone here, though perhaps not to as great an extent. I feel sure that the Town Planning Commission will do good work not only in Perth but in the other towns, such as Geraldton, Fremantle, and Bunbury. I think, too, it would be advisable if the Government, before laying out new towns, consulted the Town Planning Commission. When the commission is appointed under the Bill, we want to be careful to obtain the services of the best town planners it is pos-

sible to get. Get them locally if possible and if not, we should get them from the other States or from British countries. As Mr. Nicholson has stated, the day is not far distant when we shall have a population of a million. Consequently this is the time to look ahead. The duties of the commission, when appointed, will be advisory. They will also have to take into consideration alterations to be made or remodelling to be carried out, of existing cities, as well as the laying out of new cities, and their recommendations will be considered by the various local bodies. If we were at the mercy of the commission and they declared that a certain amount of work had to be done in a town, it might be a difficult matter for the local bodies concerned to find the money with which to carry out the work. I am pleased to know, therefore, that the commission will be advisory and will suggest to local authorities the manner in which improvements should be carried out. The Bill does not take from the local governing bodies the power to adopt plans for improvements. Whatever it is decided to do, the ratepayers will have to be consulted with regard to loans to be raised. Town planning cannot be carried out without the expenditure of a considerable sum of money. As I have already stated, the Bill ought to have been introduced ten or 15 years ago. At that time certain alterations in the city could have been carried out at comparatively low cost, and all would have been of wonderful advantage. One alteration I have in mind is the extension of Forrest-place. If that had been possible, the thoroughfare would have been a great asset to the city because we would have obtained from £100,000 to £150,000 per annum from the work. That revenue would have been of great advantage to the ratepayers. I whole-heartedly support the Bill and in Committee I shall assist Mr. Nicholson in the direction of amending one or two clauses. I agree with him that a half-acre block is too large in a prosperous city. For a householder such a block instead of being an advantage is a disadvantage.

Hon. G. Fraser: The owner has to work too hard on it.

Hon. J. T. FRANKLIN: Of that, the hon. member who interjected has never been guilty. Certainly the people living on such a big block have not sufficient time to

keep it in a condition in which we like to see it. My experience of residential lots is that a quarter acre is sufficient and it is as much as any working man, or, for that matter, any man who does not work, to look after.

Question put and passed.

Bill read a second time.

In Committee.

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

Clauses 1 to 6—agreed to.

Clause 7—Preparation of scheme:

Hon. V. HAMERSLEY: Subclause 3 provides that a town planning scheme, when approved by the Minister and published in the "Gazette," shall have full force and effect as if it were enacted by this measure. That is an extraordinary power.

The CHIEF SECRETARY: The right of appeal to the Minister is provided for and that should ensure sufficient protection.

Hon. H. SEDDON: I agree with Mr. Hamersley. There may be conflicting interests in adjacent districts and it would be wise to provide that a scheme, when submitted by a local authority, shall receive the approval of Parliament.

Clause put and passed.

Clauses 8 to 10—agreed to.

Clause 11—Compensation:

Hon. C. F. BAXTER: Subclause 2 provides that when as a result of a town planning scheme property increases in value, the responsible authority shall be entitled to recover one-half the amount of the increase. That will open the door to a lot of trouble. If a property increased in value it might be contended that the increase was due to a town planning scheme, and it would be very hard to decide whether the claim was just. The provision should receive further consideration, particularly from metropolitan members.

Hon. Sir WILLIAM LATHLAIN: This is known as the betterment principle and is in operation in other cities. In Sydney wonderful work has been done by taking over properties and widening streets, thus increasing property values. Oxford-street has been considerably widened and has been transformed from a poor, narrow street into

one of the best business thoroughfares. Consequently there should be a readjustment of values. Money will have to be borrowed to carry out such schemes and therefore no scheme can be undertaken without the sanction of the ratepayers.

The CHIEF SECRETARY: The clause contains two principles. If a man's property is injuriously affected by a scheme, he may claim compensation. If his property is benefited by a scheme, he will be required to contribute on the betterment principle. A remedy is provided. If he is dissatisfied with the amount, the dispute may be referred to arbitration. Property owners will benefit from town planning schemes; their properties will increase in value and they should therefore contribute towards the cost of the schemes, which will cast additional burdens on the ratepayers.

Hon. C. F. BAXTER: Reference has been made to Oxford-street, Sydney. Suppose in the next street a property was purchased for £10,000 and sold for £15,000, it would be easy to contend that the increase had resulted from the town planning work. The clause is a wide one and will give rise to much litigation, and it may operate harshly against ratepayers whose property may increase in value through causes other than town planning.

Clause put and passed.

Clauses 12 to 20—agreed to.

Clause 21—Certain transfers, etc., to be subject to approval:

Hon. J. NICHOLSON: The Chief Secretary said he had some information upon this clause.

The CHIEF SECRETARY: This clause especially attracted my attention, and I asked the Solicitor General to give me an explanation of it. He says—

The object of this clause, which was drafted by the Commission, is to prevent the crowding of a number of dwelling-houses on a small piece of land. The approval of the board is required to prevent the abuse of subdividing areas of less than half an acre into a number of small parcels for residential purposes. A similar provision is continued in Subsection 6 of Section 155 of the Road Districts Act, 1909. The right of appeal is given by Clause 25.

The subsection referred to and this clause are almost identical, with the exception that in the Act there is no reference to mortgage.

Hon. J. NICHOLSON: I am doubtful

about the practicability of this clause and of limiting these allotments to half an acre. The people will demand the right to live as near to the city as possible, to avoid travelling too far out of their way to reach it. The population of the metropolitan area is rapidly increasing. If we are to accommodate 500,000 people, an immense area of land cut into half-acre blocks will be needed. There are very few half-acre blocks in any city. If there were any it would mean that one individual would be taking up a two-chain frontage on to the road.

Hon. E. H. Gray: This does not bind a man to half an acre.

Hon. J. NICHOLSON: It does. Accommodated on this 2-chain frontage may be a man, his wife and two children, and two chains further on another family of the same size.

Hon. J. T. Franklin: Think of the extra roads and footpaths required.

Hon. J. NICHOLSON: We can imagine what it would be like with half a million people on that basis. The Road Districts Act should not be applied to city conditions. Town planning must be carried out on a scale that will provide the maximum of convenience for the people. As cities grow the tendency is for the community to live more or less in larger buildings. A man with half an acre in the city would put upon it a full tenement house of three or four storeys in height, and people would live in flats there in order to be near their business and the entertainment centre. The result would be an enormous increase in the value of the lands within reasonable proximity of the centre, and a corresponding depreciation in lands further out. That is unfair. We can carry out a scheme of town planning without attempting to regulate in this way. The provision referred to by the Chief Secretary is working considerable harm in the suburbs. The matter requires further consideration, and the clause might be postponed.

The CHIEF SECRETARY: That is in my mind. I wish to consult the framers of the clause, and ascertain the reason for it. However, such a provision operates in the metropolitan area. The Solicitor General suggests that it does not mean what Mr. Nicholson thinks it means, and that its object is to prevent the abuse of undue subdivision. I move—

That consideration of the clause be postponed to the end of the Bill.

Motion put and passed; the clause postponed.

Clauses 22, 23—agreed to.

Clause 24—Encroachments:

The CHIEF SECRETARY: The select committee of another place recommended the substitution of "board" for "competent authority" throughout the Bill. In this clause the matter was overlooked. I move an amendment—

That the words "competent authority" be struck out, and "board" inserted in lieu.

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

Clauses 25 to 33—agreed to.

Progress reported.

BILL—TEXAS COMPANY (AUSTRALASIA) LIMITED (PRIVATE).

Second Reading.

HON. G. FRASER (West) [10.28]: In moving the second reading said: Although this Bill is fairly lengthy, I do not anticipate that it will occupy much time. It is a Bill for an Act to grant to the Texas Company (Australasia), Limited, powers and provisions for the storage and supply of oil, liquid fuel, petroleum spirits, kerosene and petroleum products, and for other purposes. As most hon. members are aware, the company have operated in this State for some years, and have premises at South Fremantle. Up to the present they have dealt only in case products. In order that they may compete in the oil trade, it is necessary for them to build tanks and go in for bulk installation. To that end they have already obtained land and certain buildings at North Fremantle. It is now asked that this House shall give the company permission to erect tanks for bulk installation and also to run a pipe line from where the tanks will be installed to a position on the North Fremantle wharf. The pipe line will run along the Ocean Parade, North Fremantle, to a point on the north side of the river, and then will go direct through a culvert to the wharf. I understand that a culvert exists there already, and that arrangements are being made for the company to utilise that culvert. This is a limited liability company registered under the Companies Act of New South

Wales. The company have complied with Part 8 of the local Companies Act, 1893, and have a registered office in St. George's Terrace, Perth. So far the Company have acquired here land and buildings the value of approximately £9,000. It is the intention of the company to erect further buildings at an estimated cost of £20,000. Ocean parade, along which, as I have said, the pipe line will run, will be at once recognised, by hon. members familiar with the locality, as an unused and unmade thoroughfare. It runs practically along the foreshore at North Fremantle. The Bill also contains permission for the company to carry their pipeline across certain streets. The Road Closure Bill that was passed last evening dealt with two of the streets that are concerned. Both are unmade, and there are no houses or buildings in the locality. The private residences that will be affected number three. The company will be empowered to cut up streets, cross railways and wharves, and penalties are included should the company fail to carry out certain conditions laid down in that regard. It is the intention of the company to put down an 8-inch steel pipe, situated approximately 10 feet west of the present line laid down by the Shell Company. Plans and particulars of the proposed works have been deposited with the North Fremantle Council, which body is anxious that the Bill shall be passed by this Chamber. If hon. members have taken the trouble to peruse the Bill they will realise that all the details necessary are included. The measure, apart from the difference in the name of the company, the date, and the numbers of the town blocks, is exactly similar to the Bill passed by the Council in 1925 for the Shell Company.

Hon. H. A. Stephenson: Will the ship berth at the one spot for oil?

Hon. G. FRASER: Yes, the Harbour Trust will allow only one berth for oil.

Hon. J. Nicholson: Is this not the same company as the Shell Co.?

Hon. G. FRASER: No. They are different companies, and the Texas Co. will enjoy the same privileges as those accorded to the Shell Co. The area where the tank will be built is practically waste land, and is mostly beach sand. In connection with the rent to be paid for the pipe-line, there has been some discussion between the North Fremantle Council and the Texas Co. The

council intended to levy a charge on a percentage basis on the quantity of oil run off through the pipes. A charge of that description was levied by the Fremantle Municipal Council on the Anglo-Persian Oil Co., but there is a difference in that in one instance, the oil is refined, and in the other it is crude. After considerable discussion the council decided to refrain from levying such a charge, and realising that it would be unfair to the Texas Co. to charge more than they were charging the Shell Co., finally agreed to impose £35 a year as rent, that being the amount charged against the Shell Co.

Hon. Sir William Lathlain: That is the rent from the pipes.

Hon. G. FRASER: Yes, exclusive of any rates to be charged in respect of the land and buildings. At the present time there is some argument between the council and the Shell Company as to whether the tanks are rateable. If it is proved later that a rate can not be levied on the tanks, it is the intention of the North Fremantle Council to ask Parliament to pass an amending Bill to permit a higher rental being imposed. The matter may be adjusted, however, so that further action in that direction may not be necessary: I move—

That the Bill be now read a second time.

HON. SIR WILLIAM LATHLAIN (Metropolitan Suburban) [10.35]: I support the second reading of the Bill. I wish to be assured regarding the area of land to be used for the line between the premises to be erected and the foreshore. It is true that at the present time that area, including that occupied by the Shell Co., is of little value. Now that the land has been taken over and in view of the growing population of North Fremantle and the expansion of industries there, the land I refer to may become valuable. In fixing the conditions attaching to the use of the land, we should do everything possible to see that the interests of the community in respect of the land between the foreshore and the buildings are preserved.

Question put and passed.

Bill read a second time.

In Committee.

Hon. J. Cornell in the Chair; Hon. G. Fraser in charge of the Bill.

Clauses 1 to 13—agreed to.

Clause 14—Payment in lieu of rates, etc.:

Hon. G. FRASER: I wish to reply to Sir William Lathlain regarding the land on the other side. There is no land between the property of the Texas Co. and the foreshore, for the company's land runs right through the foreshore.

Hon. Sir William Lathlain: Is there no space whatever between the company's property and the foreshore?

Hon. G. FRASER: None at all.

Hon. Sir William Lathlain: Is there no reserve for promenading, no beach reserve?

Hon. G. FRASER: Yes, that is there.

Clause put and passed.

Clauses 15 to 17—agreed to.

Preamble, Title—agreed to.

Bill reported without amendment, and the report adopted.

House adjourned at 10.45 p.m.

Legislative Council.

Tuesday, 18th December, 1928.

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