Legislative Assembly,

Thursday, 1st August, 1912.

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

PAPERS PRESENTED.

By the Premier: 1, State purchase of steamers (ordered on motion by Hon. Frank Wilson); 2, Purchase and Sale of Motor Cars and Wagons (ordered on motion by Hon. J. Mitchell).

By the Minister for Mines: 1, Reports and returns in accordance with Sections 54 and 83 of the Government Railways Act, 1904; 2, By-law No. 64 of Government Railways; 3, Preliminary report of the inter-State Conference on artesian water.

LEAVE OF ABSENCE.

On motions by Mr. LAYMAN leave of absence for one month granted to Mr. Male and Mr. Harper an account of urgent private business.

QUESTION — LAND SETTLEMENT, CANVASSING LAND AGENTS.

Mr. HOLMAN asked the Premier: 1, Is he aware that there are professing land agents canvassing the South-West districts with plans of sub-divisions of land, and by representing they have a title inducing settlers and workers to pay the purchase money by instalments, when in fact, they have no title nor power to sell? 2, Will he cause inquiries to be made through the police, and direct prosecutions to be instituted against the offenders. 3, Will he consider the advisability of licensing all land agents,

The PREMIER replied: 1, This matter has not previously been brought under my notice. 2, Inquiries will be made, but it would be more expeditious if those who consider that they have been victimised in the direction referred to were to take proceedings against the alleged offenders. 3, This matter will receive consideration.

BILL—TRAMWAYS PURCHASE.

Recommittal.

Resumed from the previous day; Mr. Holman in the Chair, the Premier in charge of the Bill.

Clause 8—Privileges conceded to local authorities—(An amendment had been moved by Mr. Dwyer to strike out the words in lines 1 and 2 "and until the Parliament shall otherwise determine.")

The PREMIER: The matter had been fairly fully discussed and by now hon. members should have arrived at a decision on the matter. He would ask the Committee to allow the words to remain.

Mr. DWYER: Rather than see the Bill endangered in any way he would be prepared to withdraw the motion and allow the words to stand, because he felt thoroughly convinced that the people of Perth desired that the tramway system should be nationalised. Some misconceptions, however, had been given utterance to and it was necessary that they should be cleared up. For instance, it had been said that the Perth municipality had no rights; that was altogether wrong, and it was unwise and even impolitic to say so. What would the result be if Parliament decided to take over the Fremantle tramways, the Perth electric lighting, and the Kalgoorlie and Boulder electric lighting, and pay no compensation? A municipality was established by law, and consisted of the inhabitants of a particular place. They could combine and make enactments regarding their local concerns; they had vested in them their streets and properties, and they had the means of acquiring property, and it was the duty of Parliament to see that these means were preserved and that the interests of

the inhabitants were preserved, and if under protection of that kind municipalities acquired property and rights, and goods and chattels, it was not for Parliament to say that such rights did not exist, and Parliament could not filch from them what they had acquired in the course of the conduct of the municipality. It was not only the Perth municipality that was concerned in the amendment, it was every municipality surrounding the city. Subiaco, North Perth and the other municipality had the right to acquire from the tramway company at valuation, while the Perth municipality, at the expiration of a certain period would get the whole lot for nothing. He was speaking on behalf, not of Perth alone, but of every municipality in the metropolitan district when he said that we ought to have some regard for the various rights. The Government were generous in giving three per cent., but it could not be said that they were giving something they ought not to give.

Mr. Allen: There is nothing generous about it.

Mr. DWYER: They were generous in fixing the amount at three per cent. In the course of 40 or 50 years time, when none of us would be here, the three per cent. would have amounted to a tremendous sum. That left us open to the obvious retort that the municipal councils were anxious and ready to take over the trams and run them.

Hon. W. C. Angwin (Honorary Minister): Who said that?

Mr. DWYER: It left us open to that retort, and if the municipal council ran the trams, they would reap in the course of 50 years advantages similar to those Sydney was reaping from an efficient tram service, provided, of course, that Perth ran its system efficiently. The members for Bunbury and Leonora seemed to think that Perth had gained something. Bunbury had been accustomed to get more than its share of everything that was going, and thought that an injustice was being done to it because it was not getting a share in the three per cent., while the member for Leonora forgot that the people of Perth were helping to support mining communities, and were looking upon that as a proper thing to do. Perth was certainly giving more to Bunbury and Leonora than these places had ever given, or were ever likely to give to Perth. Perth was certainly benefiting, or he should have said, the whole of the metropolitan district, was benefiting by the progress of mining and agriculture, but to say that through a measure such as that before the Committee, the Government were ladling out money to the metropolitan municipalities, was to forget the first principles of justice. In speaking of the rights of these municipalities we did not use the word in the sense that any one of them had a legal claim against the Government. It was idle to say that any municipality could enforce its claim in the face of an Act of Parliament. But their rights were of a higher order. In this connection the Federal Government had passed legislation allowing to everyone the right to proceed against the Government in the ordinary course of justice. If that excellent law obtained in this State these municipalities, believing they had certain rights accruing to them under a contract, could sue the Crown for interfering with those rights. He hoped it would not be left to the caprice of any Parliament to deprive the municipalities of the three per cent. The amendment would practically prevent this, and set up an honourable understanding that for all time the municipalities should receive the three per cent., which would represent merely an additional charge on the working expenses.

Mr. TAYLOR: The member for Perth had emphasised the point that in his opinion the municipalities had certain rights, and the honourable member had, possibly to his own satisfaction, established the claim that the Perth municipality had reversionary rights. He (Mr. Taylor) had his own views on the subject. He was confident that under the agreement such rights did accrue to the Perth municipality. But the argument had been set up, both by the Attorney General and by the Premier, that those rights did not hold good against the Crown. At the same time, while Parliament had the

power to nullify that agreement, in his opinion it had been wiser if the Government had come to some arrangement under which the rights of the Perth municipality would have been recognised. He was confident that the ratepayers of Perth would be perfectly satisfied if the Government took over the tram service on the terms of the Bill, for those ratepayers were convinced that they would get a better and more efficient service under the Government control than under the existing system, or, for the matter of that, under municipal control. He thought the words proposed to be struck out should be allowed to remain; because their removal would imply a condition described by the member for Perth as an honourable understanding that the three per cent. should not be disturbed by Parliament, and this, in his (Mr. Taylor's) opinion, was not a proper attitude for the Committee to take up. The words proposed to be struck out in no way suggested that future Parliaments should alter the situation. He hoped, therefore, the Committee would not strike out the words as proposed in the amendment. With reference to the three per cent., he had an amendment which he intended to move on Paragraph (a). The hon. member had pointed out that the outlying districts stood to receive more benefit than did Perth. He would remind the hon. member that under the Bill the State as a whole would be taking over monetary obligations in connection with the service, for if the Government purchased the trams the people as a whole would be responsible, and if there were any deficiency to be made up the whole of the people would be taxed accordingly. In view of this he urged that the interests of the people as a whole should be fully considered in respect to this question. It was not proposed that the people as a whole should get the three per cent., yet they should have the first call on funds produced by national expenditure.

Mr. Underwood : These will be produced from a local community.

Mr. TAYLOR : It mattered not who were to be the users of the cars, or from which part of the State they might come. Most certainly the cars would not be exclusively used by the people of Perth. He sincerely hoped that when this question of the three per cent. was under discussion the Committee would consider deeply before they allowed any small section of the community to have the first call on moneys earned by expenditure from the common funds of the State.

Mr. McDOWALL : The clause as it stood was fair and reasonable and did not call for any such amendment as that proposed. He could not join with those who were constantly abusing municipalities and the work done by municipal councillors who, admittedly, gave up valuable time in the interests of the ratepayers. These councillors should be given credit for the good work they were doing. He held that nationalisation was the correct means of dealing with tramways. Still it was to be remembered that, by entering into contracts, the municipalities had to an extent created certain rights, and therefore it was only fair that we should treat them considerately on an occasion of this kind.

Mr. Underwood : There would have been no private enterprise in respect to the Perth trams, but for these people.

Mr. McDOWALL : The city of Perth would have been without a tram service for many years longer if the councillors had not given away some concession when they did. It was only right that the trams should now be nationalised, but still the Government had done the correct thing in granting three per cent. to the various municipalities. If we did not give the municipalities the three per cent. as proposed, if we were to dislocate their finances by withholding this money, we would certainly have to come to their assistance in some other way. The general rate of a municipality could not exceed 1s. 6d. in the pound, and if we were to suddenly withhold money from the revenue of a municipality, clearly that money would have to be made up in some other direction. The proposal of the Government was not to interfere with the municipal finances at all at the present time. The various

municipalities were only entitled to three per cent. of the gross takings at this juncture, but the Perth municipality had reversionary rights which would give that body at some remote period a valuable asset. The nationalisation of the tramways would give this generation the benefits they desired, and the *quid pro quo* would be obtained in that way. Therefore, the Committee had no right to consider the reversionary rights of Perth 25 or 30 years hence. At the same time, the municipalities were entitled to the three per cent. and to interfere with that three per cent. would seriously disorganise their finances. In those circumstances the proposal of the Government was a proper and equitable one. He could not agree with the leader of the Opposition and the member for Perth when they maintained that the City should obtain a greater proportion than the surrounding municipalities.

Hon. Frank Wilson: They are giving up more, are they not?

Mr. McDOWALL: They are giving up more 25 or 30 years hence, but the increased population and prosperity which would be attracted to the City would compensate for that loss. That being so, one must heartily agree with the justice of the Government in proposing to allow the three per cent. arrangement to continue. Some members argued that in 25 years the population would be immense and the three per cent. would amount to an enormous sum. Suppose that in 10 years' time that contribution was an excessive one; things might have altered to an extent which it was impossible to foresee today, and by leaving this provision in the Bill the people and the Government of the time would have power to readjust matters. For that reason it was unwise for the member for Perth to endeavour to delete those words. It was fair and just that the Government should not disorganise the finances of the municipalities, and that they should continue to allow them the three per cent; but as years passed by, and it was eventually found that this contribution was out of all proportion to what it should be, and when, perhaps, the fares had been lowered to such an extent that the system could not afford to make this contribution from the gross earnings, Parliament should have the power to step in and alter the arrangement. He was strongly in favour of nationalisation, but Parliament should be just to the existing municipalities, and he would support the clause as printed unless something could be adduced to prove that it was unfair and unjust.

Mr. UNDERWOOD: It had been said that the Government should continue to pay the three per cent. because the councils in the past had received that proportion, but the fact that they had the three per cent. would, in ordinary circumstances, make one inquire how they obtained it. They obtained it by giving a concession, practically against the people, in favour of a foreign company; had the municipal councils never made that agreement the City would have had a national tram service years ago, and the people of Perth, and others who came to Perth, would have enjoyed a considerably better service than they had had to put up with for many years. Some people said that because the people of Perth paid rates Parliament should continue to give them the three per cent., but, as a matter of fact, the local governing bodies had not a scintilla of title to that money. The member for Coolgardie contended that if Parliament took the money away from the local governing bodies it must be returned to them in some other way. But why should it be returned to Leederville or North Perth when it was not being returned to Leonora or Coolgardie, or even Twenty-mile Sandy? The values in the City were made by the progress of the State outside the City, and if there were any people in the State who were able to pay rates they were the owners of City land, because they, above all others, had benefited by the unearned increment. It was the people who had made the back country prosperous who had given the value to Perth property, and when the people owned the trams it would be unfair to tax them by taking three per cent. of their takings to save the rich landlords of Perth from paying their rates. The local governing

bodies could make up the deficiency by taxing the owners of property in their midst, as other local governing bodies had to do. The landlords of the city had sufficient advantages at the present time and he was strongly opposed to giving them any further advantages. He hoped the amendment would be defeated and the clause struck out.

Mr. SWAN: The members from various parts of the State were deserving of thanks for the solicitude they displayed for the interests of the ratepayers of Perth, but as one who represented more of the ratepayers of Perth than any other member he was entirely in accord with the Bill as printed.

Amendment put and negatived.

Mr. TAYLOR moved an amendment,—

That after "shall," in line 1 of Paragraph (a.) of Subclause 1, the words "after interest and sinking fund are provided for" be inserted.

The people were paying for the system, and before any of the earnings were paid away to any local governing body, interest and sinking fund, at least, should be provided for. After that had been done the three per cent. could be divided amongst the local authorities as was provided in the Bill. If sufficient support were forthcoming, he would prefer to strike out the provision altogether, but, failing that, members should support the amendment because it was their duty to preserve the interests of the State as a whole; that the amendment would do, so far as the finances involved in this transaction were concerned. Once interest and sinking funds had been provided out of the earnings, the people of the State were freed from any obligation. But if the system did not pay, and the Government could not meet working expenses and maintenance after paying the three per cent., they would have to make provision in the Estimates to pay the shortage out of Consolidated Revenue. Parliament would then know every year exactly how the system was run, and if there was a shortage it would be brought to the notice of the people, and the Legislature could consider whether the payment of the three per cent. should be discontinued altogether. At the present time the whole of the interest and sinking fund which the State had to meet each year was paid in a lump sum, and the people did not notice it. When the people were told the amount paid from revenue annually for interest and sinking fund they were amazed; because it was not brought sufficiently forcibly under their notice for them to realise how much was paid in this direction on works that did not return sufficient revenue to meet interest and sinking fund charges upon them. The amendment could not be opposed on sound lines from any economic point of view. One could not accuse him of having said anything to show that the local governing bodies had no claims or that they should not have been seen to, but the Committee should accept the amendment to safeguard as far as possible the payment of interest and sinking fund from the earnings of the tram system before the distribution of the three per cent. to the local governing bodies commenced.

The PREMIER: As Treasurer for the time being it was somewhat difficult for him to ask the Committee to reject the amendment, because, if it were carried, it would mean that a very much smaller amount would need to be returned to the local authorities; but the clause had to be appreciated in the nature of an agreement entered into between the Government and the local authorities when the latter were approached with reference to the Government taking over the tramway service. It would not be fair to break this agreement, though of course, if Parliament decided the Government had been over liberal, it was in the hands of Parliament. However, the Government had given close consideration to the matter and the Committee ought to appreciate the desirability of completing the contract entered into with the local authorities, leaving it to a future Parliament, after the trams were in operation for a period, to decide whether the payment should be continued or not.

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

Ayes	..	..	8
Noes	..	..	22
Majority against	..		14

AYES.

Mr. Foley	Mr. Mullany
Mr. Gardiner	Mr. Munsie
Mr. Johnston	Mr. Taylor
Mr. Lewis	Mr. Layman (*Teller*).

NOES.

Mr. Allen	Mr. McDowall
Mr. Angwin	Mr. Monger
Mr. Bath	Mr. Moore
Mr. Bolton	Mr. Nanson
Mr. Carpenter	Mr. Scaddan
Mr. Collier	Mr. B. J. Stubbs
Mr. Dwyer	Mr. Swan
Mr. Hudson	Mr. Underwood
Mr. Johnson	Mr. Walker
Mr. Lander	Mr. F. Wilson
Mr. Lefroy	Mr. Heitmann (*Teller*).

Amendment thus negatived.

Mr. DWYER suggested as an amendment, That in Subclause 2 the words "in ratio to the car miles run in the several districts during the then last preceding period of six months" be struck out, and "according to the present methods of apportionment" inserted in lieu.

The PREMIER: The difficulty might be got over in another way, by an amendment which would precede that of the hon. member's. Parliament were not concerned very much with how the three per cents. on the gross takings were apportioned between the different local authorities, if the latter could agree among themselves, so long as no more than three per cent. was taken on the gross earnings. Therefore, he would suggest that the apportionment of the three per cents. be fixed by agreement between the local authorities, failing which, instead of submitting it to costly arbitration, as proposed in the event of another dispute referred to later in the clause, we might submit the matter to the Auditor General, who held a position independent of both the Government and the local authorities, and whose certificate should be binding on all concerned. All matters of dispute which might arise between the local authorities and the Government could be submitted to the Auditor General and thus do away with costly arbitration on these small matters, because, after all, they were small. The amendments he suggested would so alter Subclause 2 as to make it read—

> The percentage referred to in paragraph (a) of Subclause 1, shall be apportioned by agreement between and paid half-yearly to the several local authorities of the districts in which the tramways are constructed.

Then he proposed to strike out the words at the end of Subclause 3, referring points of difference to a single arbitrator under the provisions of the Arbitration Act, and to substitute—

> Such apportionment or appropriation, as the case may be, shall be made by the Auditor General, and his certificate with reference thereto shall be conclusive and binding on the local authorities and the Colonial Treasurer.

It would be the fairest and also the cheapest way of settling small points of difference. If these matters were submitted to arbitration the chances would be that the costs would swallow up the percentages for four or five years. If the member for Perth would agree to this, the Government were prepared to move to amend the clause in this way.

Mr. DWYER: I am quite willing to accept that amendment.

The PREMIER moved an amendment—

> *That in Subclause 2, line 2, the words "by agreement" be inserted after "apportionment," and "half-yearly" after "paid."*

Amendment passed.

The PREMIER moved a further amendment—

> *That in lines 4 and 5 of Subclause 2 the words "half-yearly in ratio to the car-miles run in the several districts during the then last preceding periods of six months" be struck out.*

The Committee should be given to understand that the intention was to leave the question as to the basis on which the three per cent. should be apportioned to the local authorities, to the Auditor General to decide.

Member: Perth will want the lot.

Mr. Dwyer: I repudiate that Perth will require the lot.

The PREMIER: It was hardly necessary to say that Perth would not get the lot. The information which had been supplied to the Committee, on a previous occasion, when the matter was under discussion, was not correct. The amount came to something like £53 as against what was stated by the member for Perth £76. In preparing their table of figures, they took the car mileage not on the basis provided in the Bill, but the actual car mileage run within the boundary of the local authority, plus half the distance run in the adjoining district. For instance, on a Subiaco tram running from Rokeby-road to the car barn, the full car mileage from Rokeby-road to Thomas-street would be charged to Subiaco, then half the distance it travelled through the City. Under the proposal in the Bill it was merely the car mileage to the boundaries of the municipality; taken on that basis, the figures would be totally different. The member for Perth might have explained, if he had his figures correctly, the loss to the city council would have been £29, which would have been divided between the various municipalities, Subiaco £4 10s. 3d., Victoria Park £3 18s. 8d., Leederville £4 5s. 1d., North Perth £5 0s. 4d., Osborne Park £1 11s. 9d., and Nedlands £3 1s. 3d. Owing to there being a difference of opinion as to whether the Perth City Council would be fairly treated, under this method, he would be prepared to deal with the local authorities if they could find a better one. Under existing conditions it was not based on the car-mileage but on the number of passengers carried over the border in the different local authorities' areas. It had to be remembered that a car might start from Rokeby-road and might travel to Coghlan-road before it became absolutely full; there would then be a full car of Subiaco passengers carried through Perth, and on which Perth would get the full benefit, and Subiaco would not be credited with this, which, it seemed to him, was unfair. If it was necessary to run 25 miles in Subiaco to get a certain revenue, it would not be fair to give extra consideration to the city council, because of that fact. Under existing conditions, the conductor was compelled to keep a record of the number of passengers on the tram when it crossed the border of one local authority into that of another, but, under the car mileage, that would not be necessary. If penny sections were to be introduced, hon. members would see at once the additional work which would be involved for the conductor, and how utterly impossible it would be for the conductor to carry it out in the case of a big car, which might be crowded, and at the same time to have to collect the penny fares. It might also be that a penny section would not end exactly at each boundary, and it would mean that the conductor would have to take a record of every passenger who went over the boundary. Suppose the first penny section were to be from the town hall to Harvest-terrace, the next penny section would not surely end at Thomas-street, because that was the city boundary; it would probably go to Coghlan-road. The city boundary would be about half-way between those two points, and, if a two-penny ticket were issued to a person travelling, say to Colin-street, how would we keep a record of that to give what was due to the city council, unless there was a record kept of the number of people who went over the border into Subiaco? It could not be done. That was the reason why the Government, after considering the matter, came to the conclusion that the simplest and fairest method would be to pay on the basis of the car miles run in the boundaries of the various local authorities; this would mean less expense and trouble for both passengers and conductors, especially after the penny sections were introduced. If the local authorities thought they had a better method, which would be cheaper to them and to the Government, the Government would be prepared to leave the matter in their hands. It would only cost the Government three per cent. on the gross earnings, but it might cost more by way of labour and the keeping of records.

Amendment put and passed.

The PREMIER moved a further amendment—

That in lines 9 and 10 of Subclause 3 the words "any such difference shall be referred to a single arbitrator under the

provisions of the Arbitration Act, 1895," be struck out, and "such apportionment or appropriation as the case may be, shall be made by the Auditor General, and his certificate with reference thereto shall be conclusive and binding on the local authorities and the Colonial Treasurer" be inserted in lieu.

Amendment passed.

Mr. E. B. JOHNSTON: It was his intention to object to the whole clause, and he was sorry that the Government were not going to run nationalised trams on the same system as they ran the nationalised railways. If the local governing bodies in Perth could get three per cent. on the gross amount earned by the trams, the people should have the same right to ask three per cent. of the railway earnings; they were equally entitled to get that, and he would ask the Premier whether he would be prepared to give the goldfields three per cent. of the amount earned by the Eastern Goldfields railway, and the people in the Great Southern districts three per cent. on the amount earned by the Great Southern railway. The people of Perth were on a good wicket, because the rich ratepayers would get penny sections, and extensions of the trams, which would make their properties much more valuable, and they would get three per cent. of the gross earnings of those trams. The extensions which would be made by this progressive movement would add largely to the value of property not only in Perth but in the suburban municipalities. At any rate the country people were unduly taxed through high railway freights and fares, and surely they were better entitled to 3 per cent. of the earnings of the railways than were the people of Perth to 3 per cent. of the earnings of the trams, seeing that these citizens of Perth were to secure greatly reduced fares through the transfer of the trams to the Government. He was not prepared to let the clause pass without a protest. The one saving feature was that the 3 per cent. was only to be paid until Parliament should otherwise determine, and he hoped that after the tramways were safely nationalised, this question would come up again for further consideration.

Clause as amended put and passed.

Bill again reported with amendments.

BILL—PREVENTION OF CRUELTY TO ANIMALS.

In Committee.

Resumed from the 30th July; Mr. Holman in the Chair, the Attorney General in charge of the Bill.

Clause 9—Apprehension—(Mr. Turvey had moved an amendment that Subclause 2 be struck out.)

Hon. J. MITCHELL: It was to be hoped the Minister would agree to the amendment, for it was only reasonable that before the apprehension of any person charged with an offence under the measure, a summons should issue in the ordinary course.

The ATTORNEY GENERAL: It was desired that the Bill should be something more than a general wish, should indeed be an effective prevention of cruelty. The subclause proposed to be struck out constituted an ordinary safeguard and precaution. It was provided in cases of common assault and petty larceny, and most certainly it should be provided in this instance.

Mr. LANDER: It was to be hoped the Attorney General would not agree to the amendment. Decidedly the magistrate should have the right to issue a warrant in a case of gross cruelty. The provision was already in the Criminal Code, and was properly included in the Bill. There were numerous cases of maltreatment of animals which would not be met by the issue of a summons. He hoped the Attorney General would let the amendment go to a division, and that the Minister would be supported by hon. members.

Mr. DWYER: The clause should be supported as it stood. Under the present procedure in ordinary offences a justice could issue a warrant in the first instance, and there was no reason why the same course should not be followed in cases of cruelty. A case that happened

at Cranbrook recently would be within recollection of hon. members. A teamster tied a horse to a tree and battered its head about until the animal died. The case was brought before two local justices who, for some reason or another, held that the evidence was not sufficiently strong. This too, notwithstanding that they had the evidence of the tree being covered with blood, the evidence of the fractured skull of the horse, and the evidence of an eye witness. Yet the perpetrator of the deed got off scot-free. If a justice had had power to order the arrest of the man straight away on the score of having committed the hideous offence, the probability was that a conviction could have been secured. The proceeding were taken under Section 449 of the Criminal Code, which applied only to the property of other persons, thus leaving it open for a man to kill or maim his own animals with impunity, so far as that Statute was concerned. The Bill should be made as drastic as possible.

Hon. J. MITCHELL: No one would deny that the offender referred to by the member for Perth should be severely punished indeed. But it should be pointed out that a man would be open to arrest for any offence under the Bill.

The Attorney General: When there are good grounds for his arrest.

Hon. J. MITCHELL: If in hiring a horse from a livery stable the hon. member were to be given an animal with a sore back, and without noticing it the hon. member were to mount and ride away, he would be liable to arrest. There was no disputing this. He (Mr. Mitchell) had no desire whatever to protect the man who had been guilty of battering the horse's head at Cranbrook. Such a man ought to be imprisoned for a very lengthy period; but the proceedings should be taken by summons. He was altogether in favour of inflicting heavy penalties in cases of gross cruelty, but it was only right that the Committee should protect the community against injustices which might possibly arise under the subclause proposed to be struck out. Under that subclause it would be possible for a constable, at the instance of a third person, to apply to a justice for a warrant against one who might be innocent. Surely it would be sufficient to proceed by summons.

The ATTORNEY GENERAL: The fears of the hon. member were entirely groundless. At the present time if anybody were to be mistaken enough to swear an oath that the most innocent man in Perth had committed a crime a warrant could be issued against that innocent person at the instance of a justice of the peace. That was possible to-day, and in one out of a million cases it might occur. Still, we did not legislate to meet that one particular instance. The clause was perfectly safeguarded by the words "any justice may." This did not necessarily mean "must." Then there was the further provision, "Whenever good grounds for so doing." The justice had to satisfy himself in regard to that point. Again, the good grounds had to be stated on oath, and must appear to be good and sufficient grounds before the magistrate would act. Surely this was a sufficient safeguard. Section 59 of the Justices Act, dealing with arrest in similar cases, provided that when complaint was made before a justice of a simple offence the justice might, on oath being made before him substantiating the matter of complaint, instead of issuing a summons issue in the first instance his warrant to apprehend the defendant and cause him to be brought before the justice to answer the complaint. The only difference was that the Bill was more safe to the offendor because it did not merely require substantial grounds, but said that there should be "good grounds" for issuing a warrant.

Hon. H. B. LEFROY: The clause should be supported in the interests of prevention of cruelty to animals. The Bill should be made as stringent as possible consistent with justice, and it would be preferable to see the Attorney General arrested because he unknowingly went out from a livery stable with a horse having a sore back, than to see a guilty man escape. It was a reflection on justices of the peace to ask for the striking out of

the clause, because if a justice understood his duty he would satisfy himself that there were good grounds for issuing a warrant, and exercise very carefully the provisions of the measure. A man might commit a serious offence under this Bill and clear out before he could be reached with a summons, but if a warrant could be issued the offender could be confined and speedily brought to justice.

Amendment put and negatived.

Clause as previously amended put and passed.

Clause 10—Limitation of time within which information or complaint laid or made:

On motion by the ATTORNEY GENERAL clause amended by striking out the words "information or" in line 1.

Mr. LANDER moved an amendment—

That in line 2 the words "fourteen days" be struck out and "six months" inserted in lieu.

Fourteen days was not sufficient time to allow of the police or the society taking action against offenders in all cases.

The Minister for Lands: It is only a matter of laying an information, not a prosecution.

Mr. LANDER: But how could an information be laid if the name of the perpetrator was unknown?

The ATTORNEY GENERAL: The clause did not limit the time within which an offender could be brought to justice, but simply meant that if a person was aware that an offence had been committed he should make it known to the authorities at once. He should not be allowed to keep the knowledge of the offence hanging over the offender's head all his life. It was desirable that the information of an offence should be laid as speedily as possible, and it was to be hoped the hon. member would not press the amendment.

Mr. LANDER: If a report was sent to the society from the North-West or from Meekatharra in reference to a case of cruelty in the back country, how could it be dealt with within fourteen days? Often it would take a letter a fortnight or a week to reach the city.

The Minister for Lands: The information can be laid there.

The ATTORNEY GENERAL: The feature of the Bill was that it provided that anyone could make a complaint; there was no question of taking every case to the society. The Bill also provided for special constables, who would be members of the society, all over the State, and, therefore, there was no necessity for any preliminary correspondence in order to bring an offender to justice.

Mr. LANDER: What would be the treatment of a man in the back country if it became known that he had laid an information of a case of cruelty? Such information could only be laid secretly through the police or the society, and it was only through the assistance of people in that way that the society was able to do its work. It was practically impossible to get a person in a district to lay an information personally, and it was not always convenient for the police to attend to these matters. Therefore they were brought under the notice of the society.

The MINISTER FOR LANDS: In providing every power to take proceedings, the Committee must bear in mind the position of any person to be accused. If too much time were allowed in which to take action, it might have the effect of preventing the accused person from taking the steps necessary to enter any defence he might have. Surely a period of fourteen days after the offence had been committed was sufficient time in which to lay an information. The time for the taking of proceedings which followed upon the complaint was not circumscribed, and in view of the provision in the Bill for any person to go before a justice and lay an information of an offence, it was not necessary to have any lengthy correspondence with the society before proceedings could be taken.

Mr. LANDER: The period of six months had been the law for twenty years, and it had never been abused, nor had the society received any complaints. In the Cranbrook case, for instance, it was impossible for a person to lay an information within fourteen days unless he went to Broomehill or some such place. In many parts of the State it was practi-

cally impossible to lay an information within that period.

Mr. HUDSON: Doubtless the complaints mentioned in the Bill must be in the proper form under the Justices Act, and in the majority of cases it would be necessary for the person laying the information to go to a town, where there was a clerk of courts, to lay the information in a proper way, so as to get a conviction. Fourteen days was too short a time. In the Second Schedule of the Interpretation Act, provision was made for laying an information within a month, three months, six months, or twelve months, according to the particular class of the offence, but in no case was the time limited to fourteen days. In this Bill it might not be necessary to extend the time to six months, but certainly fourteen days was not long enough.

—

Sitting suspended from 6.15 to 7.30 p.m.

Mr. LANDER: Some period should be substituted for the 14 days mentioned in the clause. He would like to see it six months, but perhaps the Attorney General might make it three months.

The ATTORNEY GENERAL: It was quite likely there were people who would be capable of holding over others the possibility of a charge, and during the six months the evidence that the person might be able to obtain to clear him of a charge might disappear. The period of 14 days might be too short considering the area of the State, but, as a matter of fact, every person in the State should be near enough to a place where a complaint might be lodged to enable him to lodge a complaint within that period. However, if hon. members wished it, the period could be altered to one month. He was willing to go to that extent by way of compromise, but no further.

Hon. J. MITCHELL: The Attorney General was right in limiting the time to 30 days, as it was impossible for any person not to get to a place where a complaint could be lodged in that time. The complaint should be lodged at the earliest possible moment to prevent persons ill-using animals as soon as possible. On the other hand, the longer the time the more difficult it would be to get evidence for the prosecution, and it might also be rendered impossible for the accused to produce the evidence he would require.

Mr. LANDER: In regard to securing evidence, the proceedings should be taken as soon as possible, and complainants were just as eager to get cases hastened as the defendants, because the best evidence was an ill-used animal itself. The point, however, was that it was practically impossible to send police or inspectors to some places within a month.

Amendment (to strike out "fourteen days") put and passed.

On motion by the ATTORNEY GENERAL "thirty days" was inserted.

Clause as amended put and passed.

Clause 11—Vehicles, animals, etcetera, may be detained:

Hon. J. MITCHELL: Was there provision for the owner to be notified?

The Attorney General: Yes.

Hon. J. MITCHELL: A team might be detained so long as to become valueless to the owner. It would be fair to give the owner reasonable notice. The Minister might look into this clause and, if necessary, recommit the Bill.

The ATTORNEY GENERAL: The Bill would be recommitted to deal with Clause 5; but in view of Clause 16 it scarcely seemed necessary to do so in regard to the clause now before the Committee. However, he would look into it.

Mr. LANDER: There was no fear of this provision being abused.

Clause put and passed.

Clause 12—Special constable may be appointed:

Mr. HUDSON: It was too great a power to give to two justices to appoint special constables. It was liable to be fraught with great danger, if two justices could appoint persons with full power to arrest and with all the authority given under the Act. He would oppose the clause.

Mr. DWYER: Exception could be taken to the fact that the clause gave too much power to two justices. The appointment should be made by the Attorney General.

The ATTORNEY GENERAL: If the matter was to be taken to headquarters at all the appointment should be made

by the Executive Council, but there was not much danger in allowing two justices or a magistrate to appoint these special constables whose power was limited to time and to matters connected with the Act.

Mr. Hudson: The clause does not provide what the limit shall be.

The ATTORNEY GENERAL: That would be done by regulation.

Mr. Hudson: We ought to know what they are before we pass the Bill.

The ATTORNEY GENERAL: Admitted; and this was too important a matter to be omitted from any regulations. The proposal was that there should be power given in the outlying districts where it would take a considerable time to appeal to headquarters to get a magistrate or two justices to appoint an officer of the Society for the Prevention of Cruelty to Animals a special constable for the purpose of carrying out the Act. Where was the danger? He would be limited in his powers. We would not think of allowing two justices to appoint special constables with wholesale powers; they would be strictly limited to acts of cruelty under the Act. The best constables under the Act would be those who were members of this society. If we were going to make the Bill effective, we must give powers somewhere. Hon. members would know of the delay which would follow if the course proposed in the clause were not adopted.

Mr. Hudson: You have not told us what the duties of the special constables will be.

The ATTORNEY GENERAL: The hon. member scarcely required to be told. Their duty would be to carry out this Act so far as it was possible, and to see that no act of cruelty was practised, and if they saw acts of cruelty, to take steps to bring the offending parties to justice.

Hon. J. MITCHELL: Taken in relation to Clause 9, it seemed that we were giving these special constables great powers. He confessed, however, that the provision had to remain in the Bill; but it might be better to leave it to a magistrate to make the appointment instead of to two justices. We were placing tremendous power in the hands of the special constables, and the appointment might be made, if not by the magistrate then by justices sitting on the bench. Under the clause as it stood all that would be necessary would be to get the signatures of a couple of justices of the peace and the special constable would be appointed.

The Attorney General: There is no danger.

Mr. Underwood: What harm can he do when he is appointed?

Hon. J. MITCHELL: If the hon. member had been in his place when Clause 9 was being discussed he would have understood. The Attorney General, however, might accept the suggestion to have a special constable appointed by a resident magistrate or two justices sitting on the bench.

The Attorney General: We have not too many magistrates, and it is often necessary to drive a long distance to get some of them.

Mr. FOLEY: It was his intention to vote against the clause, for the reason that he did not think special constables were necessary under the measure. If members read clause 9 they would see pretty well what the powers of special constables were. He was one of those who thought amateurs should not be permitted to do the work of professional men. The police in this State were being paid to do their duty and it was not right to encourage amateurs to do work they were not conversant with. We had heard it argued in the Chamber that the ordinary rank and file of justices of the peace was made up of not very intelligent men. If two of such justices were able to appoint special constables, one could take it that their want of intelligence would not lead them to appoint the best men in the district, and as a matter of fact they would not get the most intelligent men. The measure was complete enough without the provision contained in Clause 12, because any magistrate in any district had the power at the present time on a statement on oath, to issue a warrant where cases of cruelty were practised, or even to issue a summons against any offender

who was alleged to have committed a cruel act, and if there was no policeman in the district it was within the province of the justice to serve the summons on the individual himself. Looking at it from an impartial standpoint, he knew that there were men in the State who, if they were appointed special constables under this measure, would do their duty well, but wherever special constables were necessary it was the duty of the State to appoint men to do that work.

Mr. LANDER: It was hardly possible for the Attorney General to agree to amend the clause. It had to be remembered that in some of the distant places there were no magistrates available. He was in Wyndham five years ago and there was no magistrate there at the time. Some hon. members thought that every Tom, Dick, and Harry who might aspire to be a special constable would be appointed by the Society for the Prevention of Cruelty to Animals. Many men had tried to be appointed even honorary inspectors by the society, but members would be surprised to know that the society always made full inquiry into a man's character and into his qualifications as well before appointing him, and when permanent inspectors were appointed they always had to undergo an examination in connection with the ailments of animals. If the clause were altered it would be practically impossible to carry out the provisions of the Act.

Mr. UNDERWOOD: So far as he could see, there was no reasonable objection to the clause. The object of the Bill was to prevent cruelty to animals, and only those who had been cruel to animals would have any occasion to fear the special constable. We had in the State a large number of ordinary constables, but no honest man was afraid of them. If these special constables were appointed to prevent cruelty to animals they would only be feared by those who had been exercising cruelty. In any event, the case would be tried before a magistrate, and so an innocent person would have but little to fear. In the out-back country there were but very few representatives of the Prevention of Cruelty to Animals Society; if more of them were in evidence it might be better for the animals. Wherever it was desired to appoint an inspector, a magistrate would be found reasonably close at hand, for even at Wyndham there was now a magistrate available. The clause was necessary to the carrying out of the intention of the Bill, but he thought the clause might with benefit be slightly amended. He moved an amendment—

That in line 1 the words "or any two justices" be struck out.

Mr. DWYER: In view of the fact that under the clause the magistrate who might appoint special constables was not confined within the limits of his own jurisdiction, a magistrate in Perth could appoint persons to act at Wyndham; that being so, it was quite sufficient to provide for a magistrate without any reference to the two justices. It might so happen that two justices would appoint a man who would not properly carry out the provisions of the measure.

Mr. HUDSON: It was not a question of whether an individual was afraid of a policeman, or whether the operation of the clause would extend to Wyndham. The point was that if we were going to give extreme powers to what the member for Leonora had termed "amateur policemen," what would be the position in the event of a special constable being appointed in a place where there was no magistrate? The special constable would be within his powers in making an arrest, but, there being no magistrate before whom to take the offender, what was the special constable to do?

Mr. Underwood: What would he do if the offender had stolen the horse?

Mr. HUDSON: We were not contemplating a special constable appointed to arrest horse thieves. The point was that the special constable, with his limited knowledge, would be called upon to exercise an important discretion, for it would be for him to say whether or not a man should be arrested. The special constable might imagine a case of cruelty; it might, to that officer's mind, appear to be a cruel act; was he, upon this supposition, to be allowed to make an arrest? If so, it seemed that all people's liberty

would be in jeopardy. If it so chanced that the powers were extended to a man of no responsibility, with no position to lose, such a man might have an axe to grind, and so might be tempted to exercise his powers arbitrarily, and thus do a great deal of injury. The clause was objectionable altogether.

Mr. LANDER: It was surprising to hear the arguments urged against a simple clause. Section 542 of the Criminal Code made provision for the arrest of a person without any warrant; so if a constable did not care to apply the measure under review he could equally well apply the Criminal Code, or the Police Act. Yet all sorts of objections were being urged to a simple clause like this.

Amendment put and passed.

Mr. DWYER: No provision was made in the clause for the cancellation of the appointment of special constables. It would be unwise to allow the clause to go without such a provision. He moved that the following proviso be added to the clause:—

Provided, however, that such appointment may be cancelled at any time by the appointing magistrate or by the Attorney General.

Amendment passed.

Mr. FOLEY: Was it possible to move, at this stage, an amendment in line 5 of the clause?

The CHAIRMAN: No. The hon. member could not move an amendment in line 5 after an amendment had been moved at any subsequent point in the clause. In the circumstances the hon. member could only vote against the clause.

Clause as amended put and passed.

Clauses 13, 14, 15—agreed to.

Clause 16—Proprietors of vehicles to be summoned to produce their servants:

Hon. J. MITCHELL: Why should not the servants be produced in the usual manner? How was the employer to produce a servant if the servant refused to be produced? It was provided that sufficient excuse would be accepted by the bench, but surely it was a little unreasonable to expect an employer to appear in order to furnish that excuse. The servant could easily be produced on summons.

The ATTORNEY GENERAL: This was merely a matter of obtaining necessary evidence.

Hon. J. Mitchell: But you usually issue a summons.

The ATTORNEY GENERAL: That did not count. In this case it would be the servant who committed the offence. The proprietor would be summoned. If the proprietor preferred to keep his man out of the witness-box the possibility might be that the prosecution could obtain no evidence.

Hon. J. Mitchell: But they could bring the witness in the usual way.

The ATTORNEY GENERAL: That might be so, but it was regarded as preferable that the employer should be compelled to produce the servant. Provision was made for an escape. Subclause 2 provided that if the proprietor or owner, after being duly summoned, failed, without reasonable excuse, to produce the driver or servant, etcetera. Surely to goodness it was a reasonable excuse that the man had cleared out, or died. If the employer could not produce the man, that in itself would be a reasonable excuse. If it was a matter of impossibility, of course it could not be done. If, on the other hand, the employer had no reasonable excuse for not producing his man, then he would have to take the consequences; but if the employer had a reasonable excuse such excuse would be accepted. The only condition was that the excuse should be reasonable.

Mr. LANDER: The clause was necessary in its present form. If an injured horse was being worked it would pay the employer to keep his servant, the driver, out of the way so that guilty knowledge on the employer's part could not be proved, and without guilty knowledge there could be no conviction.

Hon. J. Mitchell: You can get as many witnesses as you like in the ordinary way.

Mr. LANDER: If a summons could not be served on the employer the witnesses could not be obtained.

Hon. J. MITCHELL: The member for East Perth had admitted that it might not suit the owner to produce his servant, but the clause made it necessary for him to

produce evidence against himself. When the summons was served on the owner, a summons could be served on the employee also, compelling him to come forward and give evidence. The clause was favourable to the employer, inasmuch as if he could not give reasonable excuse for not producing his driver he could be fined, but the court wanted the driver before it, and let him be produced by the usual process of law.

The Attorney General: We are going to make this a process of law; it has worked all right elsewhere.

Hon. J. MITCHELL: It was ridiculous to compel an owner to do something which under the law of the land he had no right to do. The owner was not a constable and could not compel his driver to go to the court and give evidence. The Attorney General might take that point into consideration.

The Attorney General: He must bring the evidence.

Hon. J. MITCHELL: That was something new in law.

The Attorney General: It is the usual thing. If we were engaged in a civil action and you had evidence I could compel you to produce it whether it was a book, an animal, or a human being.

Hon. J. MITCHELL: If the driver refused to go to the court what was the owner to do?

The Attorney General: We will see that you do not screen him and get him out of the way. I am satisfied that this is a necessary clause.

Hon. J. MITCHELL: The clause was throwing too much responsibility on the employer.

The Attorney General: The innocent employer has nothing to fear and the guilty man is not entitled to the same consideration.

Hon. J. MITCHELL: Would the Attorney General tell the Committee how the owner could produce a driver who was unwilling to go to court? In the interests of justice the driver must go to the court, but he should go in obedience to a summons.

The Attorney General: This clause will prevent you from hiding him away.

Hon. J. MITCHELL: It was desirable that the driver should appear in court, but it should be the duty of the prosecutor to produce the evidence. That was justice, was it not?

The Attorney General: Not always. The defendant may be able to get rid of a good deal of evidence.

Mr. LANDER: If a policeman intercepted a teamster and asked him if his employer knew that the animals were in bad condition, and the teamster answered in the affirmative, the employer on discovering what the teamster had done, would send him away so that he could not appear in court, and it was only through the driver that the prosecution could prove guilty knowledge on the part of the employer. How easy it would be on a timber mill for the company, when threatened with a prosecution, to send the driver off to another place and say they had sacked him. It was necessary to retain the clause in order that justice might not be defeated by questionable horse owners.

Mr. HUDSON: The clause was innocent enough in its intention, but it did not go far enough. The object was to make the owner produce his servant, and to render him liable to a penalty if he failed to do so, but no power was given to the owner to bring his servant to court.

Hon. J. MITCHELL: The owner had no power to issue a summons against the driver.

The Attorney General: If he has a reasonable excuse, that is sufficient.

Hon. J. MITCHELL: But even after the owner appeared before the court, and produced a good excuse, a further summons might be issued.

The Attorney General: No. If there is reasonable excuse the matter stops there.

Hon. J. MITCHELL: Would it not be wise to insert a provision, making it possible for the owner to produce the driver by summons?

Mr. MULLANY: The clause would well remain as printed, because the words "reasonable excuse" absolutely protected the employer. The hon. member for

Northam seemed to desire to keep himself in favour with the employers.

The CHAIRMAN: The hon. member must not impute motives.

Mr. MULLANY: There was nothing in the argument of the member for Northam. If the owner attended the court and gave reasonable excuse for not producing his servant the court would find other means of bringing the servant forward to give evidence.

Clause put and passed.

Clause 17—Power to provide food to neglected animals:

The ATTORNEY GENERAL moved an amendment—

That after "apply" in line 1 of Subclause 3 the words "except as hereinafter provided" be inserted.

The amendment was to fulfil a partial promise made to the Committee that the animals carried on railway trucks should be provided for in the same way as animals carried by any other carrier or in any other conveyance. He intended to also move the addition of a new subclause.

Amendment put and passed.

The ATTORNEY GENERAL moved a further amendment—

That the following be added to stand as Subclause 4:—"The Governor may make regulations determining the duties and liabilities of the Commissioner of Railways and of persons employed on or about Government Railways, and of the owners, managers, and employees of or on other railways with regard to supplying animals carried on the Government or other railways with proper and sufficient food and water, and rendering the owners of such animals liable for the reasonable cost of any food or water supplied.

Mr. LANDER: It was a necessary provision, but it was understood that the Commissioner of Railways already had power to give food and water to animals and charge for it.

The Attorney General: But it is not quite clear.

Mr. LANDER: The railway authorities were to be complimented on the way they tried to carry the stock, though there were many complaints.

Hon. J. MITCHELL: The provision was very reasonable, but the owner had to pay.

Mr. Lander: Yes, and so he ought to.

Hon. J. MITCHELL: If there was a break down on the railway causing considerable delay it would be rather rough on the owner to have to pay for the food and water supplied to the animals in the trucks.

Mr. Lander: Very often owners tried to send stock too far, for instance, from Nannine to Coolgardie.

Mr. UNDERWOOD: If there was unreasonable delay it was the duty of the Railway Department to feed and water the animals. It did not matter who had to pay, so long as the animals were provided with food and water.

Amendment passed; the clause as amended agreed to.

Clause 18—agreed to.

Clause 19—Exemptions:

The ATTORNEY GENERAL moved an amendment—

That paragraph (d) of Subclause 1 be struck out and the following inserted in lieu:—"In any vivisection or other experiment performed on any animal in accordance with regulations made by the Governor for the humane conduct of such experiments, by any person who has (pursuant to such regulations) been duly authorised by the Governor to perform such experiments, and whose authority in this behalf the Governor has not withdrawn."

Hon. J. MITCHELL: Was slaughtering exempted? It was referred to in Clause 4, but it was not quite clear. Would it be possible for an owner to shoot an old or damaged horse?

The ATTORNEY GENERAL: Where it was necessary to save pain the Bill actually ordered that to be done. Paragraph (g) of Subclause 1 of Clause 4 spoke of slaughtering and indicated that slaughtering was not an offence unless it inflicted unnecessary pain.

Hon. J. MITCHELL: The exterminating of rabbits was exempted. Was it not possible to allow an owner to kill his own horse?

The ATTORNEY GENERAL: The extermination or destruction of any animal under the authority of any Act, regulation, or by-law was exempted under paragraph (d) of Clause 19.

Mr. LANDER: No one would interfere with the owner of an animal slaughtering it. What the Bill did was to provide against murdering instead of slaughtering.

The CHAIRMAN: The amendment has nothing to do with slaughtering.

Amendment put and passed.

Mr. CARPENTER: It was not quite clear whether the alteration made by the amendment just passed covered what one would like to see done. Vivisection was recognised as a necessity under certain conditions, and it was subject to regulation, but under paragraph (d) of Subclause 2 it was laid down that the animal was to be under the influence of some anæsthetic. That was right enough from a sentimental point of view, but the paragraph would interfere very much with the powers which it was sought to give under the clause. A medical gentleman gave assurance that to administer an anæsthetic in every case of vivisection would nullify, if not destroy altogether, the object of some operations. The English Act made provision for the issue of certain licenses and under a particular license the operator might make an operation without the use of anæsthetics. According to reports 90 per cent. ofthe vivisection operations in Great Britain were carried on without the use of anæsthetics, and were allowed to be carried on under licenses issued by the Government. What we should make sure of was that we should give as much power to the Government here as was given in the old country, and not block the matter altogether as the important researches which were being carried on now would be carried on still further in the interests of science when our university was established. To make the matter quite clear the words "Except as provided by regulation" might be inserted at the beginning of sub-paragraph (ii.) of Paragraph (b) of Subclause 2. That would give the Governor power to issue a license, where there was no danger of unnecessary pain being inflicted, to conduct operations without the use of anæsthetics. He moved a further amendment—

That at the beginning of sub-paragraph (ii.) of Paragraph (b) of Subclause 2 the words "except as provided by the regulations" be inserted.

Mr. FOLEY: If it were possible he would like to influence the Committee in the direction of allowing the clause to remain as it was. Anyone who had read anything about vivisection would know that there were as many who were of the opinion that good results followed without the use of anæsthetics as there were of a different opinion. The clause should be permitted to remain as it was because if vivisection had to take place it should be done under as humane conditions as possible.

Mr. LANDER: The Government should think seriously before attempting to alter the clause. Vivisection meant the chopping up of an animal and seeing the organs at work. But on the question of vivisection generally, if he had thought the subject was likely to come up for discussion he would have quoted authorities who were prepared to protect animals against vivisection. The more one read about it, the more brutal it seemed to be to watch the organs at work. It was to be hoped the Government would not permit any alteration of the clause.

Amendment negatived.

The ATTORNEY GENERAL moved a further amendment—

That at the end of Clause 19 a new sub-paragraph be added as follows:— "(iv.) *An animal which has suffered one operation shall not be subjected to another.*"

Mr. GEORGE: Was that only to apply in cases of vivisection?

The ATTORNEY GENERAL: In any case of vivsection, or other experiment described in Subclause (d.)

Amendment passed.

Mr. HEITMANN: Before the clause was passed he would like to know whether there was anything in it which would have the effect of preventing the sport known

as pigeon shooting? It was surprising that nothing had been heard on this subject from the friend of animals, the member for East Perth. Of all the unreasonable sports pigeon shooting was the most unreasonable, and steps should be taken to abolish it.

The ATTORNEY GENERAL: Pigeon shooting was not mentioned specifically, but cruelty of any kind was, and the only exemptions were those mentioned in the clause the Committee were dealing with.

Mr. LANDER: No one more than himself would like to have seen steps taken to prevent pigeon shooting, but members should realise the difficulty that would exist in attempting to get anything of that description through a certain quarter. It was, therefore, considered best to get in the thin edge of the wedge first and possibly, after we were civilised a bit, take further action.

Mr. FOLEY: Before the clause was finally passed he would like to ask the Attorney General whether power was provided in the Bill to afford protection against cruelty to kangaroos running wild. He had a liking for the kangaroo and if the clause dealing with the definitions was read it would be found that there was no mention made of the kangaroo.

The ATTORNEY GENERAL: The hon. member was trying to obtain a special definition of kangaroo; the definition of "animal" in the Bill was "every species of quadruped and every species of bird whether in a natural or domestic state, and all other animals dependant upon man for their care or sustenance; in a state of captivity."

Clause as amended put and passed.

Clauses 20, 21—agreed to.

Title—agreed to.

Bill reported with amendments.

Recommittal.

On motion by the Attorney General, Bill recommitted for the reconsideration of Clause 5.

Clause 5—Dehorning cattle:

The ATTORNEY GENERAL: This was the promised amendment made with a view to meeting the requirements of stockholders. He moved—

That after the word "cattle," in line 1, the words "or the castration, spaying, ear-splitting, ear-marking, or branding of any animal, or the tailing of any lamb" be inserted

Amendment passed; the clause as amended agreed to.

Bill again reported with a further amendment.

BILL—HEALTH ACT AMENDMENT.

Second reading

Hon. W. C. ANGWIN (Honorary Minister) in moving the second reading said: Hon. members will notice that the proposed amendments are purely administrative. The purpose of the Bill is to enable the Pure Foods Advisory Committee to carry into effect the desires of Parliament as expressed when in 1911 we passed the existing Act. At that time the measure was supposed to contain all the necessary powers to enable the advisory committee to see that pure foods and drugs should be supplied to the public, but when the time came for putting the provisions into operation it was found that the powers given were limited. The Committee have not power to force the manufacturer to state the proportion used in mixed goods which were tinned or bottled, consequently the pure foods committee are of opinion that their work will be almost useless unless that additional power be given. Let us take the item coffee, which, I think, is the one most easily understood by those who are perhaps not well versed in the mixing that goes on in regard to our food supplies. While the Act gives power to the committee to frame regulations providing that the package shall be labelled "coffee" and, if the coffee be mixed with chicory, shall be labelled "coffee and chicory," there is no power to enforce the manufacturer to disclose the proportions of the mixture. So, as it stands, the Act does not do all that Parliament intended it should. Again, in regard to the preparation of drugs, it is a matter almost of impossibility at the present time to get proper analyses made of the drugs with a view to ascertaining whether or not they contain anything deleterious to public

health, because before this can be done it is necessary the committee should have submitted to them a formula of the contents of the drugs so that the analyst might be able to give his attention to one particular part and ascertain whether it is detrimental to health. The committee require power to compel the manufacturer of these drugs to supply them with the formulae so that at any time they can have proper analyses made of these drugs with a view to protecting public health. There is also in the Act another limitation which has caused a great deal of inconvenience during the last 12 months. It will be remembered that, last session, we passed a Bill amending the Health Act, and providing for the registration of maternity nurses. In another place an amendment was made whereby the registration board are unable to accept the certificate of any maternity nurse who comes from the hospitals of Melbourne or Sydney, and similar institutions. This has been brought about by reason of the fact that there is no statutory authority issued in either of these States. I think members will agree that when a nurse has put in her probationary period and accepted a certificate of the Australian Trained Nurses' Association it is advisable that the committee should have power to register that nurse without requiring her to pass another examination. There is no intention whatever of lowering the standard of nursing, as some hon. members seem to think would happen if such powers were given. The board themselves fix the standard of examination, and will not admit any nurses who cannot pass that examination. Any certificate submitted will be perused by the board, and they will thus be able to ascertain from the professional knowledge of those who constitute the board whether a nurse is entitled to be registered. These are the principal provisions of the Bill. There are one or two other small amendments without which it will be a matter of impossibility for the Pure Foods Advisory Committee to draft regulations necessary to the proper protecting of the public as desired. There is one important point in the Bill which I feel confident those hon. members who have seen recent reports in regard to the analyses of milk will realise to be necessary. It is provided that the board shall have power to prescribe a method by which the analyses shall be taken. To-day there are several methods in vogue and, in consequence, we have different analyses presented to the court. The board desire to have power to prescribe which method shall be adopted, with a view to securing more even analyses. It is not necessary for me to say any more in regard to the Bill. It is purely a Committee Bill, because it deals with administrative clauses. I move—

That the Bill be now read a second time.

Hon. J. MITCHELL (Northam): I move—

That the debate be adjourned.

This is an important measure, and we should have an opportunity of looking into it.

The Minister for Lands: Do not adjourn the debate; let us get as far as the Committee stage, for it is a Committee Bill.

Hon. J. MITCHELL: I hope the Minister will agree to the adjournment. The debate should be adjourned for it is impossible to deal intelligently with the measure unless we have an opportunity of looking into it.

Motion put and passed; debate adjourned.

BILL—PEARLING.

Second Reading.

The MINISTER FOR WORKS (Hon. W. D. Johnson) in moving the second reading said: The Bill is introduced for the purpose of making it possible to more closely control, and give more general assistance to the pearling industry, which is of vast importance to the State. As far back as 1873 a measure was introduced for the purpose of controlling to some extent the pearl shell industry, which, at that time, was looked upon as being principally confined to Shark Bay. Since then various amendments and additions to the original Statute have been in-

troduced, and to-day we have no fewer than nine measures dealing with this subject which have been passed at various times since 1873. The number of these measures and the early history of the introduction of the first Bill to control this industry demonstrates that it was recognised at a very early stage that the industry required some attention. The fact that nine different measures have been introduced is an evidence that the industry was recognised as of some importance. While by these various methods we have had certain powers of regulating the industry, I must say that up to date very little has been done in regard to pearl shell culture. Of course, one has to realise that this is particularly difficult. An effort has been made in this direction and, according to the report of the gentleman who conducted the experiments, he met with more success than have other experimenters in other parts of the world. It is generally recognised that the cultivation of pearl shell is particularly difficult, and, as far as one can read, the problem has not been solved up to the present time. The cultivation of pearl shell can scarcely be said to have been seriously considered by any Government of Western Australia, but I am glad to say that the recently appointed Chief Inspector of Fisheries is somewhat of an enthusiast in this direction. He does not claim to be an expert in respect to pearl shell; still his enthusiasm is such as to convince me that with a little more experience he will be able to perform better work in respect to this industry than has been accomplished in the past, which, as I say, has been practically nil. Certainly a little has been done, but that little has been limited to giving certain rights to exclusive areas, mainly round Shark Bay. Now these exclusive rights were given to certain people with a view to encouraging them to go in for cultivation. So far as I can gain from information, I think the exclusive right was originally given with that object in view, the idea being that if an exclusive area was given to a man he would only operate the area when the shell was properly matured, and he would endeavour to cultivate the smaller shell, and so get a constant return from this area, which he knew would not be interfered with by other people. I have said that, in addition to the exclusive areas around Shark Bay, Mr. Haynes, in 1902, obtained a 14 years' lease of the Montebello Islands, and formed a syndicate with a view to cultivating pearl shell. This gentleman operated for a while, but some difficulty arose in connection with his lease, and in 1908 new leases were issued with a 14 years' tenure, which expires some time in 1922. This gentleman has undoubtedly devoted a great deal of study to pearl shell culture, and has spent much of his own time and capital in addition to the other moneys he was able to raise in the old country for the purpose of trying to solve this problem. There is no doubt he has met with various difficulties, including the total destruction of his pond and the buildings he had erected, by a hurricane some few years ago, but nevertheless he does claim—and from his publication he is evidently a man who is some authority on the question—to have successfully bred the young pearl shell; of this we have no reliable data. I am extremely sorry to admit that the Government have taken practically no interest in this experiment, and it is difficult, so far as the department is concerned, to get any information at all concerning it, but I was able to get hold of Mr. Haynes' publication, and in that he claims that he was successful in his experiments, inasmuch as he has done more than has been done in any other experiments of the kind in the world. Mr. Haynes claims now, however, that he cannot proceed any further owing to the insecurity of his tenure, and in his publication, which was issued to those members of the syndicate interested in the experiment, he says—

> The position as regards the four leases (or "exclusive pearling licenses") of the Montebello sea area is equally unsatisfactory and amounts to a deadlock. For the last ten years I have been promised legislation by the successive Ministers in office to provide for renewals of such leases. These are now

limited by the Act to 14 years, and there is no provision entitling an outgoing tenant to compensation for improvements or for growing crops of immature shell. The promise has not been carried out, and there appears to be little likelihood of its being observed. The Bill drafted last year

He refers to the Bill in 1910.

referred to in my last report has been put on one side by the new Ministry

Referring, of course, to the present Ministry.

and the subject may be regarded as abandoned.

Although Mr. Haynes took that pessimistic view, I am pleased to say that in the Bill we have made provision for a renewal of licenses, because I maintain that 14 years is not a fair term to limit an experiment of this sort to. And, if a man is doing good work in an experiment of this nature, it should be stated in the lease that if he is fulfilling the conditions of the lease, he should be entitled to a renewal. Provision is made accordingly in the Bill. Apart altogether from the measures we have introduced for the regulating of the industry, proof that the industry is valuable, worthy of closer attention, and capable of returning more to the State, is supplied by a return which has been submitted to me by the Fisheries Department. The return is most interesting, and will give hon. members an idea of the value of this industry to those operating it and the comparatively small value of it to the State from a revenue point of view. For the year 1911 the value of the pearl shell secured, so far as the North-West was concerned, apart from Shark Bay, which is generally recognised as a separate area in connection with pearling, was £240,000. Of course, members will recognise that it is somewhat difficult to get the exact value of the pearls because we know that we do not always get a true record of the whole of the pearls discovered and their real market value when sold, but taking a figure on the safe side it is estimated that the value of pearls won in 1911 was £60,000, making the total value of the industry for the year £300,000. Now the revenue derived from that portion of the State, exclusive of pearl dealers' licenses, was under the existing conditions £363, or .15 per cent. of the declared value of the shell alone. Members will see that while the State is responsible in regard to the general control of the industry, which is of such value, we are justified in expecting for the State a greater return than we are now receiving.

Hon. J. Mitchell: It is a costly industry to work.

The MINISTER FOR WORKS: It is costly to work, but nevertheless the shell is there, and the State should receive more than it is receiving to-day. In the case of the mining industry we do not receive a great deal of revenue so far as rents are concerned because we say that we get it in an indirect fashion by the number of men it employs, but this does not obtain to any extent in the pearling industry, the employees of which are mainly Asiatics. Consequently the return to the State is small, and unless we get the return in a direct fashion we do not receive anything like what we should get, taking into consideration the value of the industry. Coming now to Shark Bay, which, as I said before, is generally recognised as being a separate area, the value of shell and pearls obtained in 1911 was estimated at £8,592. The revenue received, exclusive of pearl dealers' licenses, was £513, comprising general licenses £86, exclusive licenses £427. The total of £513 represents 5.969 per cent., or nearly 6 per cent. of the value of pearls and pearl shell obtained during the year. From this it will be seen that Shark Bay is returning considerably more revenue to the State than the whole of the other portions of the North-West combined; of course, this is an anomaly that cannot be allowed to continue, and in the Bill we are putting it right so that the revenue derived from the whole industry will be on somewhat the same basis as that received from Shark Bay. The Bill does not increase to any great extent, if it does increase at all, the revenue we derive from Shark Bay, but it will give us a proportionate amount from the other portions of the North-West. The number of

banks now held under exclusive licenses at Shark Bay is 72, comprising an area of 16,879 acres; the number of men employed in the industry is 2,518, comprising Europeans 250, and Asiatics 2,268. Taking the value of the pearl shell and pearls won, it allows £119 2s. 10d. per man, or £1,200 to each European, on the total value of the industry, so it will be recognised that in proportion to the number of men employed there is a fair return of pearls and pearl shell to each individual. From that point of view I claim that the State is justified in expecting a little more from this industry than we are receiving, at the same time giving greater attention and closer supervision than the State is giving to-day.

Mr. George: How much revenue do you expect?

The MINISTER FOR WORKS: We are receiving to-day roughly £850 per annum, but under the Bill the amount will be advanced, purely of course on account of increased fees, to £2,178; but, on the other hand, we are taking over greater responsibilities so far as the State is concerned. I want to make it perfectly clear that we do expect to receive a little more revenue from this industry.

Hon. J. Mitchell: That will not be 6 per cent.

The MINISTER FOR WORKS: What I want the House to understand is that we will receive from the different portions of the State an amount somewhere about proportionate to that which we are now receiving from Shark Bay. There are other licenses coming in which will make up the difference. In reply to the member for Murray-Wellington, we anticipate that we will receive roughly £2,000 as against the £800 we are receiving to-day, and we will take over greater responsibilities.

Mr. George: Will that adjust the differences which members have complained of between Shark Bay and other places?

The MINISTER FOR WORKS: Yes. Another return which has been given to me refers to the most recent sale of which particulars are obtainable; it is for May, 1912, and shows that from the North-West generally 209 packages were offered and sold at 20s. advance on the average price; from Shark Bay 1,246 bags were offered and 1,152 sold at 2s. and 3s. decline for ordinary quality. But it is interesting to note—of course I am not speaking as an authority on the pearling industry, but I am informed by those who have knowledge—that the coloured shell from Shark Bay, which some years ago was not marketable, is marketable to-day, with the result that the pearling license is more valuable owing to the fact that the pearlers can to-day market a commodity which they could not market previously. To show the number of licenses held in the various ports the chief inspector has supplied me with a return. There are 317 licenses held in Broome, 26 at Cossack, 12 at Onslow, and 10 at Port Hedland. I have already given the number of exclusive licenses held at Shark Bay. The total number of licenses held outside Shark Bay is 365. The exclusive licenses are limited almost wholly to Shark Bay. It is interesting to get a return showing the number of deaths from diver's paralysis as we know it is the main dread disease connected with the industry, and I have asked the chief inspector to give me the number of deaths from diver's paralysis for the last five years. He has supplied me with the following figures :—In 1907 there were 16 deaths, in 1908 the number was 14, in 1909 the number was 9, in 1910 the number was 11, and in 1911 the number was 10. It is interesting, though somewhat amusing at times, to study this question of diver's paralysis. When recently in the North-West I had the pleasure of discussing it with a number of those in Broome who are connected with the industry, and they informed me that the white divers who were recently imported for the purpose of their labour being utilised in connection with the industry were not afraid of diver's paralysis, because experience had taught them that if they carried out certain precautions the disease was practically unknown. In the report I submitted to Cabinet I voiced that opinion, but unfortunately almost simultaneously there appeared the announcement of the death of one of those

white divers. Recently there was an article in the Press drawing attention to this fact, but while the writer of the article rather ridiculed me for making this statement, practically saying that I was speaking of something I did not understand, owing to the fact that this unfortunate man had died at the time I made the statement, he immediately proceeded to point out that the death was due to the carelessness of this man. And that is certainly so. Apart from what I was told in Broome, I have read since, and find, that provided that a diver will come up gradually to the surface at certain stages, there is absolutely no danger of his getting diver's paralysis; the investigations of scientists have proved it; but when men will not carry out this precaution and, like this unfortunate man, will not come to the surface in stages, when they are determined to come to the surface without taking these precautions, they meet with his unfortunate fate. I read an article only this evening commenting on a paper read by Dr. Blick who has been in Broome for many years and has had vast experience in connection with diver's paralysis, and it says exactly the same as I was told in Broome, and as I have read in other journals, that if the diver will only take precautions and carry out instructions there is no danger of diver's paralysis. That is all the information I can give in connection with the industry. When the Bill was placed in my hands I was under the impression that one could get a fund of information, giving a general outline of the history of this important industry; because it is one of vast importance to the State, though the people of the State know little or nothing about it. It is in an isolated portion of the State, and, of course, we do not have the opportunity of having its progress and its value placed before us that we have in connection with other industries of the State. Consequently, I was anxious to get some further information to place before hon. members, but I found it extremely difficult. Even in our departments little or nothing is known of the industry. It seems to me to be one of those industries recognised of great value to the individual, but, so far as the State is concerned, it has been looked upon as a sort of side-line that does not require serious consideration. So one is at a disadvantage inasmuch as one cannot get the information he would like in order to present the Bill clearly to the House. There are in all nine Acts in operation to-day controlling the pearling industry, which by this measure, which is a consolidating Bill, will be repealed. The Bill is largely based on a measure that was introduced by the James Government in 1903 with certain omissions and certain conditions. That measure was introduced in the Legislative Council and passed that Chamber, and reached the second-reading stage in the Assembly, and then became one of the slaughtered innocents at the end of the session. The Bill now before the House contains all provisions relating to pearl fisheries, and also the law regulating dealing in pearls. It annuls the regulations under the Immigration Restriction Act, 1897. While our Pearl Shell Fishery Act to-day deals with the restriction of Asiatics coming into the State, of course it is superseded by the Federal measure and has really been a dead-letter since the Federal measure came into operation. Consequently under this Bill it is annulled, and the matter is left, as it should be, to the Federal authorities to deal with. We do not deal with the Asiatics from an immigration point of view, but we define an Asiatic for the purpose of issuing licenses, because there are certain restrictions as far as the holding of licenses is concerned. The issue of all licenses, other than diver's licenses, is limited to natural born or naturalised British subjects. Under the Bill any Asiatic diver can be licensed, but that is the limit of the license an Asiatic is entitled to hold. There is a provision that no Asiatic shall share in the profits of pearling, and that no person shall act as trustee for any Asiatic in respect to pearling profits, or pearling ships. That is supposed to be in operation to-day, but many people consider that Asiatics do hold pearling ships, and are directly con-

cerned in the pearling industry, that they are simply employing trustees—some people call them dummies—who act for them, and are supposed to control the ships, when, as a matter of fact, the Asiatics are the real owners. While we limit the holding of licenses to British subjects, and do not allow Asiatics to participate in any of the profits, still we make provision, which is justified, I consider, for allowing an Asiatic to get any special reward for special services rendered. For instance, if a diver is doing particularly good work it will be permissible for the owner of the fleet to give a special bonus to the diver for the work performed. The fees that we propose to charge are outlined in the schedule. These again are based largely on the fees it was proposed to charge under the Bill that was introduced in 1903 but did not get through the Legislative Assembly owing to its reaching the Chamber at a very late stage in the session. Pearling by unlicensed boats is prohibited. No boat can be used in pearling unless it holds a pearling license, and the license fee for boats is fixed at £5 per annum. Of course provision is made for the transfer of a license when there is a change in the ownership of a boat. A pearl shell area is defined as being either the Shark Bay or other areas to be declared by proclamation pearl shell areas. We know we can define an area so far as Shark Bay is concerned, but it is impossible for us to define a pearl shell area as far as other portions of the coast are concerned, so that under the Bill the Governor will define them by proclamation from time to time. The exclusive licenses that are now being issued at Shark Bay are to be continued and issued over defined portions of a pearl shell area, and these licenses will confer on the licensees exclusive rights to plant, cultivate, and propagate pearl oyster shell, and to gather, collect, and remove pearl shell and pearls from the areas defined in the licenses, and may confer the rights to take, collect, or gather within the defined areas, to the exclusion of all other persons, any marine animal life or product of the sea. This is new. Under the old system we could give an exclusive license in connection with pearl shell, but the exclusive area was thrown open to the general public in regard to marine animal life or any product of the sea. It has been found by experience that this interferes with pearl shell cultivation, and we consider that if a man is given an exclusive right he should have it so that he can control the area to the fullest extent. The area that any exclusive license can be granted for is limited to six square miles. The general license is the same as at present, giving general rights to pearl-fish on any area outside an exclusive area. Then a new provision is made for the licensing of divers. This was proposed in the 1903 Bill. It compels all divers to hold licenses, and probationary licenses for divers may also be issued. The Pearl Dealers Licensing Act, 1899, is repealed and, of course, embodied in this measure with certain modifications. Under the old Act a license was confined to one particular pearling port, but outside that particular port anyone could deal in pearl shells. This Bill proposes to make a pearl dealer's license operative over the whole of the State north of the 27th parallel of south latitude, so that a man who holds a license will not be confined to Broome or Shark Bay, but may operate right along the coast, providing he keeps in the area prescribed. The Bill compels anyone trading in pearl dealing or pearl buying to hold a license, irrespective of where he is operating, and does not permit one to hold a license in a particular port and then allow anyone outside that port to deal in pearls without a license. Provision is made prohibiting the sale of pearls, even to a licensed dealer, by any person who is not the holder of a ship, exclusive, general or pearl dealer's license. This may appear on the face of it pretty drastic, but hon. members know from experience that there is a considerable amount of what is called snide work going on in connection with the selling of pearls, and we consider that under this measure we must give some protection to the holders of licenses and those operating in the industry to prevent the selling of pearls unless the sellers hold licenses. We give this protection, that a man who does not hold a license has no right to have a pearl, and consequently he

cannot sell a pearl unless he is a licensed person.

Hon. Frank Wilson: Could you prosecute him if he had a pearl in his possession?

The MINISTER FOR WORKS: There is no such provision in this measure, but prosecution could take place under the Police Act. I do not think you could make provision in a Bill of this character for a prosecution if a pearl was found in the possession of anyone. This is simply to see that a licensed pearl-dealer shall not buy a pearl from any person other than one who is licensed under the Act, or who holds a ship's license, an exclusive license, or a general license. Even a diver with a diver's license has no right to sell a pearl. This will give a much needed measure of protection to the industry.

Hon. Frank Wilson: I am afraid it will not stop it.

The MINISTER FOR WORKS: We know we cannot stop it, but we can limit it. Inconvenience has been experienced through there being no provision, similar to that relating to discipline under the Merchant Shipping Act, for the government and control of the men on luggers. There has been a great deal of comment in regard to this matter, and there have been one or two cases heard. This is now put right under the Bill, and certain provisions in the Merchant Shipping Act will be made to apply to the luggers in the pearling industry, and the masters of the vessels will be given some control over the crew similar to the control exercised over the crew on a British ship. Various provisions are made for the protection of pearl fishers, and a written agreement has to be signed before an official. This was taken from the measure introduced in 1903, and it has been found necessary because of so many difficulties arising in connection with the responsibilities and duties of the individual, the ship owner and the ship master. Considering they are largely Asiatic, and so that the matter will be clearly understood and will be fair both to employer and employee, agreements will have to be signed before an official or resident magistrate and clearly explained, so that the individual going to work on one of those ships will understand the responsibility that he is taking. Strict rules are laid down regarding the payment of wages, and the pearl fisher must be discharged in the presence of a magistrate or an inspector. The object is to get a guarantee that the man on his discharge receives payment according to his agreement. For the regulation of pearling operations and pearling ships, various provisions are adopted from the Queensland Act and from existing local Acts. These give inspectors power to enter and search vessels and fishing stations, also power to examine diving gear, and generally seeing that the pearling law is not violated. The inspector is also given power to bring a ship into port if he is satisfied that it is engaged in pearling contrary to law. This may appear drastic, but we have no other protection, considering that we say the ship must be licensed and if it is found that the ship is operating without a license, the only way in which we can get control is to give the inspector power to bring the vessel into port so that the matter may be investigated. Diving gear will have to be inspected every six months. The carriage of liquor beyond the prescribed quantity, and the carriage of opium on any ship is prohibited. The Government, under the Bill, can prescribe the size of the shell that may be taken. That varies in different places. Provision is made to compel all ships to carry life-saving appliances, and then in the event of any action being taken against a ship, and a verdict given, that ship can be taken in execution and sold to pay the penalty. That has been found from experience to be necessary, as a guarantee that the judgment of the Court is satisfied. Briefly, I have outlined the measure which is before members. As I stated at the outset, the Bill is a comprehensive one, inasmuch as it is a consolidating measure which repeals nine existing Acts, and while the Bill provides for increased revenue being returned to the State, by way of increased licensing fees, on the other hand, it imposes additional responsibilties on the State. I think when hon. members go through the measure they will recognise that it is fair to the

industry and to the State, and fair also to the employer and employee. Generally speaking, I think that when the Bill is passed, it will be better for the industry as a whole and certainly better for the State. I beg to move—

That the Bill be now read a second time.

On motion by Hon. Frank Wilson debate adjourned.

PERSONAL EXPLANATION—TRAMWAYS PURCHASE AND "STANDARD OF EMPIRE."

The PREMIER (Hon. J. Scaddan): Before moving the adjournment of the House, may I be permitted to make a statement, or really an explanation. During the second reading debate on the Tramways Purchase Bill, I spoke of the action of the Perth correspondent of the *Standard of Empire* in cabling to London that the Government proposed to purchase the Perth tramways for £500,000, and that was referred to as having interfered with the negotiations that followed. The leader of the Opposition declared that this was a most reprehensible act with which the House concurred, and I stated then that so far as I knew, the correspondent of that newspaper was attached to the staff of the *West Australian*. The proprietor of that newspaper, Sir Winthrop Hackett, has written to me pointing out that probably I was led to the belief that the correspondent was in that office because Mr. Adey, who was at one time attached to the *West Australian*, was also correspondent of the *Standard of Empire*. Mr. Adey left the *West Australian* some two years ago, and had since been residing in London, and no one attached to the *West Australian* was now acting as correspondent for the *Standard of Empire*, and that, so far as he was aware, that journal had no correspondent in Perth at the present time. I am of the opinion also that the correspondent was not in Western Australia, and although the telegram was published in the *Standard of Empire* as having come from Perth, the item must having been cabled from Melbourne, to which city the matter must have found its way. In fairness to the *West Australian*, therefore, I desire to make this explanation.

House adjourned at 9.55 p.m.

Legislative Council,

Tuesday, 6th August, 1912.

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

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Annual Report on Medical, Health, Factories and Early Closing for 1911. 2, By-law and returns under Government Railways Act. 3, By-law by the Claremont Road District Health Board. 4, Preliminary Report of the Inter-State Conference on Artesian Water held in May, 1912. 5, Annual Report on Prisons for 1911 and Supplementary Report to 30th June, 1912.

WICKEPIN-MERREDIN RAILWAY, SELECT COMMITTEE.

Leave to confer.

On motion by Hon. H. P. COLEBATCH resolved: That the Committee appointed to inquire into the deviation of the Wickepin-Merredin railway be