Noes.

Mr. Angwin	Mr. Mullaney
Mr. Bolton	Mr. Price
Mr. Carpenter	Mr. Scaddan
Mr. Collier	Mr. S. Stubbs
Mr. Gardiner	Mr. Swan
Mr. Gill	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. Heitmann (*Teller*).
Mr. Lewis	
Mr. McDonald	

Motion (progress) thus negatived.

Amendment put and negatived.

Clause put and passed.

Clauses 3 to 5—agreed to.

Title—agreed to.

Bill reported without amendment; and the report adopted.

House adjourned at 5.20 p.m.

Legislative Council,

Tuesday, 21st November, 1911.

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

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report of Registrar of Friendly Societies and Government Actuary; 2, Regulations under the Electoral Act, 1907; 3, By-laws of the Victoria Park local board of health; 4, Gaol regulations; 5, Copies of reports of the Railway Advisory Board on certain railways.

BILLS (2)—FIRST READING.

1, Deputy Governor's Powers.

2, Veterinary.

Introduced by the Colonial Secretary.

MOTION—STANDING ORDERS, LAPSED BILLS.

Hon. W. KINGSMILL (Metropolitan): I beg to move—

That for the greater expedition of public business it is in the opinion of this House desirable that Standing Orders be adopted by this House similar to those in force in the Commonwealth Senate providing that the consideration of lapsed Bills may be resumed at the stage reached by such Bills during the preceding session.

It is almost unnecessary for me to say that I am getting rather tired of introducing this motion, this being the fourth occasion on which it has been introduced to this House, and I have no doubt it will be the fourth occasion on which the House will pass it. There is not any personal or political aggrandisement to be reached by the passing of a motion of this sort; such is not the case; but from the treatment received elsewhere one would think that members in another place had the object of nipping in the bud any political ambitions which they might think members had, in consequence of the careful apathy which has been extended in regard to this motion which will now have been before them, I have no doubt, for the fourth occasion. The only object I have, and the object which any member of either branch of the Legislature should have, is that if any member sees that the system of political government, or the system of administration can in any way be improved by his pointing out a way, then I take it the plain duty of that member is to do so as quickly as possible, and keep on doing so, as I intend to do, until some tangible result is achieved. That is the only excuse I have for bringing forward this motion again, and it is a perfectly legitimate excuse. Let me again mention that the main object of a motion such as this is to save the time and money

of the State. Members know that we have, in common with other Parliaments, as part of our Parliamentary procedure, that if a Bill lapses during any session, if it has not reached its final stage, has not passed all its stages in each branch of the Legislature, that Bill becomes as if it had never been introduced. This is apt to lead to a great deal of waste of time and money. I can give many concrete instances of that without much difficulty. Let us turn to the Health Act, for instance. After five attempts to place this Bill on the statute-book it has fortunately reached that position. But if the time and money spent in the endeavour, including the time devoted to select committees, that Act which at present stands on the statute-book would not have cost the country some thousands of pounds. I venture to say that if the Standing Orders which have now been tried for a good many years in the Federal Parliament—tried and not found wanting—been in force here we would have had that Act on the statute-book some years ago, and at a fraction of the cost to the State which it now represents. I would remind hon. members that the cost of passing a Bill does not alone mean the printing of the Bill itself, it means the occupation, sometimes unnecessarily, of the time of the members, it means the printing of endless debates on the Bill, and when we take this into consideration—and the time of members is worth a good deal—I think the monetary value which is represented by the expenditure of this time would be such as to induce members to at once pass the motion which is now before the House. The Standing Orders which it is proposed under my motion to adopt will be found in the Standing Orders of the Senate of the Federal Parliament, and are as follow:—

234a. Any public Bill which lapses by reason of a prorogation before it has reached its final stage may be proceeded with in the next ensuing session at the stage it had reached in the preceding session, if a periodical election for the Senate or general election for either House has not taken place between such two sessions, under the following conditions:—(a) If the Bill be in the possession of the House in which it originated, not having been sent to the other House, or, if sent, then returned by Message, it may be proceeded with by resolution of the House in which it is, restoring it to the Notice Paper.

234b. If the Bill be in the possession of the House in which it did not originate it may be proceeded with by resolution of the House in which it is, restoring it to the Notice Paper, but such resolution shall not be passed unless a Message has been received from the House in which it originated, requesting that its consideration may be resumed.

Before passing on to other Standing Orders dealing with the same question I should like to call the attention of members to one or two points in this Standing Order. The restoration of any Bill to the Notice Paper is not automatic, the restoration has to take place by resolution of the House. The fact of the House having last session passed a Bill—of course, that would be impossible under the Standing Order, but I will take that as an example—up to a certain stage, does not mean that the Bill would *ipso facto* take its place on the Notice Paper this session. That would have to be done by the resolution of the House affirming the desirability of such a course being pursued. Members will see there is a very efficient safeguard against automatic legislation. Then again, another safeguard I wish to call members' attention to is as follows:—It is provided that if a periodical election of the Senate or a general election has taken place between the two sessions, then the Standing Order will not take effect; that is to say, if the personnel of Parliament is altered during the time the Bill has been hanging up, so to speak, then the Bill would have to take its ordinary course as laid down in the Standing Order. If the Bill has passed, say, the Legislative Council and has been sent to the Assembly and there lapsed, the Assembly cannot restore that Bill to the Notice Paper unless the originators of the Bill asks that such

may be done. I think members will agree with me these Standing Orders are fairly well safeguarded against any undue haste in replacing legislation on the Notice Paper. Standing Order 234b goes on to say:—

> Any Bill so restored to the Notice Paper shall thenceforth be proceeded with in both Houses, as if its passage had not been interrupted by the prorogation, and, if finally passed, be presented to the Governor-General for His Majesty's assent.

I would point out that this Standing Order would be altered in such respects as may be necessary after it is adopted here, which I hope they shortly will be and placed amongst our Standing Orders. Standing Order 234c is as follows:—

> Should the motion for restoration to the Notice Paper be not agreed to by the House in which the Bill originated, the Bill may be introduced and proceeded with in the ordinary manner.

That is to say, even if the House is not willing to restore the Bill to the Notice Paper, that does not block the Government or a private member from bringing the Bill in in the form according to the procedure laid down as to the conduct of business in regard to public Bills. But I would like to point out it is very likely it would have some deterrent effect, if the Bill was not adjudged worthy of being restored to the Notice Paper, or any Government or private individual seeking to introduce it. Such, shortly, are the reasons which actuate me and the details of what I require in the introduction of these Standing Orders. If this motion is carried it is my desire by Message to acquaint the Legislative Assembly of the fact, and ask them, as was done formerly, to pass a similar resolution.

Hon. J. W. Kirwan: Would this apply to two Parliaments?

Hon. W. KINGSMILL: It only applies to one Parliament. If any periodic election for the Legislative Council, or any general election for the Legislative Assembly shall take place betwen two sessions when a Bill is hung up, the Standing Order is of no avail and the Bill cannot be restored to the Notice Paper. These Standing Orders have been in force for several years in the Federal Parliament, and have been largely availed of and nothing has been found wanting therein. As I have said, I intend, if the Chamber is good enough to pass this motion, to acquaint the Legislative Assembly of the fact by Message, asking them to pass a similar resolution; and, without wishing to unduly hasten hon. members, I am given to understand that, if we can get this motion through to-day, it has a very good chance of passing the Legislative Assembly, which I understand is somewhat short of work, at as early a date as tomorrow.

Hon. J. F. CULLEN (South-East): I second the motion.

Hon. J. W. KIRWAN (South): I sincerely trust this House will agree to the motion, because it seems to me a most desirable one indeed. Over and over again instances might be quoted where Bills have come before Houses of Parliament, not only here but elsewhere where Standing Orders of this kind are not in operation, and a great deal of work that has been done in the Legislature has been lost through their having lapsed. The motion seeks a very desirable reform indeed in connection with the Standing Orders, and I do not anticipate there is any member in this Chamber who will oppose a motion so essential to the expediting of public business. I cordially support it.

Question put and passed.

Hon. W. KINGSMILL further moved—

> *That a Message be sent to the Legislative Assembly acquainting them that the Legislative Council has passed the resolution and asking them to pass a similar resolution.*

Question put and passed.

BILL—APPELLATE JURISDICTION.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This measure involves no innovation, except such as must com-

mend itself to the intelligence and good sense of hon. members. The object can be clearly explained and well understood if stripped of the legal phraseology. In Western Australia to-day, some members may be surprised to learn, there is no court of appeal in matrimonial causes, except to the Governor-in-Council. The Full Court can order a new trial, but can do no more. If there is to be an appeal in Western Australia it must be to the Governor-in-Council. Though that might have been a condition of things justifiable on the grounds of expediency 50 years ago when the Ordinance was enacted, I think all will agree it is completely out of touch and out of harmony with the spirit of modern times. Fifty years ago there was only one judge in Western Australia, and it then might have been necessary to constitute the Executive Council the court of appeal. To-day we have four judges in Western Australia, hence the necessity does not exist for a tribunal of this character. Moreover I would point out that the Executive Council wish to be relieved of this responsibility. The question as to whether the Full Court has the power which this Bill seeks to confer has already been decided. It was decided in the case of Thomson and Thomson that the Full Court had no power to hear an appeal case, and that it must be heard before the Governor-in-Council. But when they come to the Governor-in-Council the Governor need not accept the advice of his Ministers; he can act entirely on his own initiative. The Chief Justice may be called upon to give advice, but the Governor need not accept that advice. Neither the Government nor any party concerned wishes this state of affairs to continue, hence this Bill has been introduced for the purpose of remedying it. Clause 2 confers the necessary jurisdiction on the Full Court of Western Australia; that is to say, it transfers it from the Executive Council to the Supreme Court of Western Australia, and in addition to that it enables the Full Court to determine an appeal from every judgment, decree or order given or made within three months before the commencement of the Act. In this respect the Bill is retrospective, and will permit judges to deal with any case that has already arisen, and remove the responsibility in that case from the Executive Council. Clause 3 confirms the Full Court power which already exists, that is the power of granting new trials, and Clause 4 further provides that findings of facts by a jury can only be set aside on principles which are already accepted in connection with civil law. That is, in order to have the verdict of the jury set aside the decision must be such as no reasonable man could come to in the circumstances. These principles are already well established and have been followed for a great number of years. They place matrimonial causes on the same plane as ordinary civil actions in that particular respect. Clause 5 enables the Full Court to make any order which could have been made in the first instance, that is any order which could have been made by one judge. Clause 6 provides for the repeal of Sections 28 and 30 of the Supreme Court Ordinance of 1861. Section 29 reads—

> That it shall be lawful for the plaintiff or plaintiffs, defendant or defendants, against whom any final judgment, decree, or order of the said Supreme Court shall be given or pronounced, which final judgment, decree, or order shall directly or indirectly involve any claim, demand, or question respecting property or any civil right, amounting to or of the value of five hundred pounds and upwards, if no appeal therefrom shall lie to Her Majesty's Privy Council to appeal therefrom to the court of appeal hereinafter mentioned; and the party or parties appealing from such final judgment, decree, or order, shall, within 14 days from the passing thereof, give notice to the adverse party or parties of such appeal, and within 28 days from and after such judgment, decree, and order, enter into sufficient security, to be approved by such Chief Justice, to satisfy or perform such judgment, decree, or order of the said Supreme Court respectively, in case the same shall be affirmed, or the appeal dismissed, together with such further costs as shall

be awarded thereon; and in all cases of appeal when notice shall be given and security perfected as aforesaid, execution shall be stayed and not otherwise.

Section 30, which constitutes the Governor-in-Council the court of appeal in matrimonial causes, reads—

That the Governor in Executive Council shall, from time to time, hold a court, to be called the Court of Appeal of Western Australia, which court shall have power in all such cases as last aforesaid, to receive and hear appeals from the final judgments, decrees, and orders of a civil nature of the said Supreme Court as aforesaid, and to affirm, alter, or reverse the said final judgments, decrees, or orders, in whole or in part, or to dismiss the said appeals, with costs or otherwise, as may seem just; provided that the said Court of Appeal may, in their discretion, be assisted in the hearing and determining all appeals from the said Supreme Court by the Chief Justice of such Supreme Court; and provided that the record of any final judgment, decree, or order to be pronounced by the Court of Appeal, shall by such course be remitted to the said Supreme Court, whence the appeal was brought, to be by such court carried into effect, according to law; provided also that upon any appeal to be brought to the said Court of Appeal from any final judgment, order, or decree found on a verdict of a jury, the said Court of Appeal shall not reverse, alter, or inquire into the said final judgment, decree, or order, excepting for error in law apparent on the record.

Clause 7 enables the Full Court to impose conditions and restrictions. For instance, under that clause they can limit the time during which appeals may be brought. This, in short, explains the principles of the Bill. I do not think any objection will be taken to the measure by this House. I move—

That the Bill be now read a second time.

Hon. D. G. GAWLER (Metropolitan-Suburban): I have much pleasure in supporting the second reading of this Bill. As the leader of the House has said, it is to remedy a defect in the present law. Section 61 of the Ordinance to Regulate Divorce and Matrimonial Causes provided for the appeal to the Governor-in-Council. In 1880, when the Supreme Court was amalgamated, and the various branches of the Supreme Court were brought under one court, the question of appeal was left untouched, so that the appeal really still lay to the Governor-in-Council. That, apparently, has been overlooked to the present time, and I think it was discovered first in the case of Anderson and Anderson decided in 1903, when an appeal was made against an order for judicial separation. Then the judges held they had no power, sitting as a Full Court, to hear any appeal under the Ordinance to Regulate Divorce and Matrimonial Causes. Apparently in England they found themselves in the same position. When the Adjudicature Act of 1873 was passed they found they still left the appeal to what was known then as a Full Divorce Court, and only in 1881 was that state of affairs altered, and a Bill similar to this was brought in to remedy it. Then the appeal was allowed to the Court of Appeal, and under certain circumstances to the House of Lords. Another point this Bill covers, which the leader of the House has not referred to is this—whereas under Section 61 of the Ordinance to Regulate Divorce and Matrimonial Causes no appeal was allowed in the case of decree pronouncing judicial separation; that is now provided for under this Act, as the words "matrimonial causes" are defined in the Act to include judicial separation. That really is another amendment brought about by the Bill. When the Bill reaches Committee I propose to move an amendment of which I have privately spoken to the leader of the House, and also to the Parliamentary draftsman, to the effect that the time be shortened in one particular respect. Under the present Act parties are not at liberty to marry again until after the order absolute is pronounced. Hon. members know that decrees in

matrimonial causes consist of nisi and absolute. and that nisi is an order pronounced to the effect that, unless within a certain time cause is shown, that decree shall be confirmed. Hon. members will therefore see that as regards the parties the order absolute is purely a formal matter. Under the Bill an appeal would be allowed from an order absolute, so hon. members will see that that would virtually mean nine months before either parties were allowed to marry again. I propose to move the insertion of a clause which is in the English measure, to the effect that where parties have had an opportunity of appealing from an order nisi, which after all is the effectual decree in the cause, and have not done so, they shall not be allowed to appeal from the order absolute. I have pleasure in supporting the second reading.

Hon. J. F. CULLEN (South-East): There is another matter which my friend has not touched upon. The mover of the motion said that the measure proposed to go back twelve months. He meant three months; that is to say, the words in the Bill are three months. But even that, I submit, would require to be somewhat more carefully guarded. I can understand the Bill providing that the decree nisi—which is still open, although it may have been pronounced three months before the commencement of the Act—should be open to appeal. But Clause 2 also provides that not only the decree nisi but the decree final, that is to say the decree absolute, even though pronounced three months before the commencement of the Act, shall be open to appeal. I submit that is not a sound principle of legislation. The parties may actually have re-married within that time. The moment the decree absolute is pronounced, the parties are free to re-marry, and re-marriage may have taken place; yet there would lie under the Bill an appeal to the Full Court against the dissolution of a previous marriage.

Hon. D. G. Gawler: They may not marry until after the time for appeal under the old Act has elapsed, namely three months.

Hon. J. F. CULLEN: Marriage might have taken place before any notice of appeal was given. I submit this Clause 2 would have to be guarded, that the retrospective provision would have to be made to apply only to rules nisi, and not to decrees absolute; otherwise there might arise an intolerable confusion. I presume it has been an oversight in the drafting of the Bill. There can be no difference of opinion as to the good intention of the Bill, and that it is high time that this development should take place, but I think that in taking a step long since justified it would be a mistake to bring in the very wrong principle of going back a long period during which other conditions may have arisen. I am sure that when the Minister looks into this point he will be in favour of safeguarding Clause 2.

The COLONIAL SECRETARY (in explanation): I just wish to explain that if Mr. Cullen succeeds with an amendment which I understand he intends to move, it will mean that the Governor will have to decide any particular case.

Hon. J. F. Cullen: There is never an appeal under the decree absolute.

The COLONIAL SECRETARY: That is the object of the insertion of the words "three months." In the first place it was one year, and afterwards it was altered by the Crown Law Department to three months. It is intended to cover any existing cases, to be retrospective, so that if there be any cases for appeal they will go to the Full Court rather than to the Governor-in-Council.

Hon. Sir E. H. WITTENOOM (North) As I have not engaged generally in legal avocations, I am not in a position to say whether or not the existing Act works satisfactorily. I gather from the Minister that it is not giving satisfaction now, and therefore he is desirous of changing it. But, under the circumstances, it seems to me that whatever alteration is made will be opening the avenues to a good deal more litigation. From what I have read and heard lately an effort is to be made to make matrimonial causes somewhat easier, and it seems to me a little inconsistent that when trying to do that a condition like this is brought forward to enable people

to continually make appeals. I do not know whether this view of the matter has escaped the leader of the House, but it seems to me beyond doubt that it will result in making it harder for those with small means to lodge or defend appeals which may be brought to the Full Court. I only mention this as a point in connection with the Bill. I have no intention of opposing the measure.

Question put and passed.

Bill read a second time.

BILLS (2)—FIRST READING.

1, Divorce Act Amendment (Hon. M. L. Moss in charge).

2, Criminal Code Amendment.

Received from the Legislative Assembly.

BILL—GAME.

Second Reading.

Hon. W. KINGSMILL (Metropolitan) in moving the second reading said: In introducing this Bill, it may be as well if I give my reasons for so doing. Shortly, they are these: the parent Act which this Bill repeals bears date 1892. In my opinion that Act has not been even yet sufficiently amended. Legislation on this subject, which has been continually going forward from past years, must, in practically twenty years time, become to a great extent obsolete. That is the reason for wishing to further amend our present legislation. Three such attempts have been made, which hon. members will find mentioned in the First Schedule of the Bill, namely, in 1900, in 1907, and in 1911, to amend the parent Act of 1892. So hon. members will see that our legislation in regard to the preservation of our native and imported game is spread over four Acts. That, I think, fairly conclusively proves the need for consolidation. With regard to opportunities I may have had of acquiring information, it may be as well to tell hon. members that in May of this year, the Government having been asked to send to Queensland one to represent them at certain university functions, paid me the honour of asking me to take that office upon myself. And the opportunity was given to me, which I availed myself of, of enquiring into this subject. in which during the greater part of my life I have taken a keen interest. I had the opportunity of inquiring into the legislation, and more important still, the administraton of the legislation on this subject as I passed through the various States on the way to my destination. I might say that the information I acquired was most generously given and was extremely varied and very full, and it was from the consideration of that information, coupled to some extent also with the legislation of New Zealand, which is fairly up to date, and which is the legislation of a country that takes a great deal of interest in this subject the importance of which, I venture to say, is not duly recognised in Australia, that the present Bill has been prepared. I have already touched upon the fact that in my opinion this subject is to some extent neglected in Australia, and to any one making enquiries such as I did this contention must be fully apparent. The State which I found most progressive, up to date, and careful in the administration of its laws was the State of Queensland and I would point out to my friend, Mr. Connolly, the late leader of the House, that I have taken considerable care to credit those Statutes from which I obtained hints on the marginal notes, so hon. members will see that in most cases the source of my authority is duly credited therewith. It is principally from the legislation of Queensland and New Zealand that this Bill is taken. I have said that I do not think this question has received the attention which it deserves, and I feel that I am justified in saying that. Even those who do not take any scientific interest in the preservation of the native fauna must admit that the preservation of that fauna must have a large amount of economic value, and this should be recognised by everybody whether he takes an interest in the game laws or not. There are in this Bill several new principles, or rather principles which are new to the State of Western Australia. In the first place there is the system of making those persons who buy or sell native or other

game as part of the commerce of the country responsible for their actions in buying or selling, or, at all events, subject to survey, by enforcing the taking out of licenses before they can engage in that traffic. Secondly, I found in connection with the game laws, as with everything else, that the more we localise the administration the greater the interest taken therein, and with a view to putting that into force I have embodied the system of appointing game guardians, which exists in Queensland, and to a certain extent also in New Zealand. A new departure so far as Western Australia is concerned is that the Governor is given power to make regulations limiting the quantity of game to be taken or killed by one person in any one day. This is fair and reasonable, because I am aware that a great deal of wanton and unnecessary destruction of game goes on in this State, and the game is put to no good use when it is killed. Let me deal with the various clauses of the Bill one by one. The first important clause deals with the power of the Governor to proclaim (a) what shall be the close season for native game; (b) to define reserves or sanctuaries; and (c) what game shall be strictly preserved. I think very few remarks are necessary in this matter. Clause 7 deals with the sub-division of the State into districts, and this is undoubtedly a step in the right direction, because the circumstances in various parts of the State differ so materially that one law for the whole of the State would be obviously absurd. Let me take the case of kangaroos for instance. As we all know, kangaroos are disappearing very fast from the Southern part of the State, but we are also aware of the fact that they are increasing at a rapid rate in the Northern portions of the State, and that whilst in the north they are a nuisance in the south they should be preserved. Then again, there are in some portions of the State, more particularly the Gascoyne, a herb known in the vernacular as the "double-gee." Now the double-gee has a particularly obdurate sort of seed, a three-cornered seed that sits on the ground with one point up and always intent on business. It is growing to such an extent on the Gascoyne that the hard seeds of it are rendering it almost impossible to drive sheep through certain districts. It has been found that the only thing that keeps this herb in check is the fact that cockatoos and galahs select this seed as their principal food, and in order to get at the little kernel they have to destroy the outside husk that protects the kernel. Would it not be a good thing to render the protection of cockatoos and galahs in the Gascoyne district absolutely imperative? Clause 8 deals more with the future than with the present. It is entitled "acclimatisation areas." There is in this State a body known as the Acclimatisation Committee, a body which has been to a certain extent, too small an extent, recognised in past years, and I have inserted this clause in the hope that the Government may find the time and inclination in the future to grant these acclimatisation areas to this body, in order that the experiments and work they are conducting may be more efficiently carried out. Clause 9 deals with licences for killing imported game, and this too relates more to the future than to the present. Hon. members may not be aware of the fact that in some portions of the State deer, red deer, and fallow deer have been liberated by the Committee and are increasing fairly satisfactorily; indeed, it would seem that within a few years it will be competent for the Government or the Acclimatisation Committee to authorise the issue of licenses for the shooting of these deer, and if it is to deal with such a state of affairs, which it is hoped may come about, that this clause is put in. It is taken from the New Zealand Act. Clause 10 relates to licences to sell game, and it is to my mind one of the most important clauses in the Bill. I do not know whether it will be necessary or not to amend the clause by placing therein a proposition that no person shall sell or shoot for sale imported game, but if it is necessary I shall welcome that amendment. When we consider the immense harm that is done to some of our native game by shooting them out of season and by killing them by most unsportsmanlike methods, it must be recognised that it is

time that some step was taken to put an end to such an undesirable state of affairs. The next clause of any great importance is Clause 15, which deals with guardians. In the State of Queensland, from which this clause and the two succeeding ones have been taken, it has been found that in country districts it is easy to obtain persons who, from the interest they take in this subject, are willing to undertake the duties as laid down in these three clauses as pertaining to game guardians. I believe, indeed I know from my knowledge of the country, that there would be no difficulty in obtaining the same class of persons in this State. Hitherto the administration of the game laws in Western Australia has been thrown on the shoulders of the already overburdened police, and as the police are supposed to do everything and be a sort of administrative omnibus, they have agreed, unless cases are brought directly under their notice, not to say much about the administration of the Game Act. Now, I should not expect these guardians, if appointed, to make themselves personally very busy about the arrest of offenders or undertake what is after all scarcely their personal business, but I take it that they would be persons who would take sufficient interest in the preservation of our native and imported fauna that they would see that the persons whose duty it was to arrest evildoers attended to their responsibilities in that respect. They would, in fact, act as instigators to the arrest of offenders by the police. Clause 18 deals with the use of heavy guns, and I would like to point out that in studying the legislation on this question in the various States I had some difficulty in arriving at a reasonable proposition as to what was a heavy gun. I find that in some of the States a gun such as I have often seen my friends using as a gun to be fired from the shoulder is classed as a swivel or punt gun. In Victoria on the other hand a person is allowed to use what may be termed a small cannon, so long as the barrel does not exceed 6ft. in length and one inch in the bore. I leave it to members to imagine what sort of a gun to be fired from the shoulder would be one with a 6ft. barrel and a one inch bore. I have effected a compromise by providing that no swivel or punt gun shall be used or any gun other than such a one as is habitually used at arm's length and fired without other support from the shoulder, that the length of the barrel shall not exceed 48in., and that the bore shall not exceed the calibre known to gunsmiths as No. 8. This, I think, is a very fair and reasonable proposition. Another very important clause in the Bill is Clause 24 which provides for the disposal of penalties, etc. I referred just now to the fact that the Zoological and Acclimatisation Committee were carrying out a good deal of work in this State. I also hinted that for the past few years the Committee have received extremely inadequate support. In the year before last for the purpose of acclimatising all sorts of birds, animals, and fish, the Committee received a sum of £150, and last year they received £200. This year I hope the up-grade will be continued, and I would point out how ridiculously small this sum is compared with the expenditure in the other States, when even little Tasmania is expending on the acclimatisation and distribution of fish alone no less a sum than three times the amount we are spending on the whole work of acclimatisation. We find that New South Wales is expending over £2,000 a year on part of her acclimatisation, and that Victoria is also expending over £2,000 on part of her acclimatisation. We find, also, that in those States, as undoubtedly would be the case in this State if the Government encouraged this question, which has a very large economical as well as scientific value, that the Government efforts are supplemented to a great extent by private subscriptions and private income. I maintain that that will be the case here. Failing, however, any decided inclination on the part of the Government to help this society still further, I have provided that all fees and penalties obtained under this Act shall be divided into two moieties, one to be paid to the Zoological and Acclimatisation Committee, the other moiety to be passed into the Consolidated Rev-

enue. This is not without precedent; the same law obtains both in New Zealand and in South Australia. It is, I maintain, a very fair and reasonable proposition that this should be done, because, after all, I take it in the administration of this measure, the committee, who are responsible for the introduction and for the preservation, to a great extent, of imported game, must play no important part. Clause 25 deals with the regulations. Power is given to the Governor to make regulations prescribing among other things the maximum number of any species of imported or native game which may be taken or killed by any single person in any one day. That is a step in the right direction, a step which the game protection societies of the other States have been asking for for some years, without having been able to secure for it a place on their statute books, and I take it it is a good thing that this State should be in the van of progress by being the first to include it in its legislation. I have little more to say, but I would explain that the Bill, such as it is, is the result of my own drafting. There is an old proverb which says that a man who is his own lawyer has a fool for his client. That may or may not be so, but I suspect the source of it,—I think the proverb was invented by lawyers. I hope it will not turn out to be the case with regard to this Bill. I am willing to admit that already I can see places where little lapses have occurred. When I first came into this Chamber it was pointed out to me—and I am pleased to say that it shows that some hon. members have taken an interest in the measure—that there was a very obvious mistake in Clause 13. This clause, I might say, was taken holus bolus from one of our own Acts, and in subclause 2 it is stated, "In every prosecution under this Act or the principal Act." This is obviously wrong, because it will be the only Act dealing with game. It will be necessary to examine this Bill fairly closely in Committee, and while on the subject of the Committee stage I might mention that I will not have the opportunity of seeing the measure through Committee. It is my intention, however, to ask that after the second reading of the Bill has been agreed to it should be referred to a select committee, and that that select committee should be requested to report in good time to have the Bill passed through this Chamber this session. I can scarcely hope to get it through another place, because the rush of business there will be so great as to preclude it finding a place on the Notice Paper. I maintain, however, that one good step will have been taken if we pass the Bill through this Chamber this session, and obtain a report from the select committee which will, undoubtedly, have the opportunity of examining witnesses and satisfying itself of the bona fides of the measure, and I might say that one of the principal witnesses to be called will be the Parliamentary draftsman. Then the Bill will be in presentable form to be brought up again next session, when, I hope, it will pass through both Houses of the Legislature and become law. I have nothing more to say, except that the schedules have been taken without amendment from our present Acts. Although I think they might be amended, still, I would prefer that that should be done by a select committee which, I hope, this House will appoint. I beg to move—

That the Bill be now read a second time.

On motion by Hon. J. D. Connolly, debate adjourned.

House adjourned at 5.37 p.m.