

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

Bill reported with amendments and the report adopted.

Read a third time and transmitted to the Council.

### ADJOURNMENT—SPECIAL

The PREMIER: I move—

That the House at its rising adjourn to 11 a.m. Friday.

Question put and passed.

*House adjourned at 1.4 a.m. (Friday).*

## Legislative Council.

*Friday, 18th December, 1925.*

	PAGE
Questions: Prices Commission ... ..	2903
Esplanade Fair Grounds ... ..	2903
Motions: Commissioner of Railways, to approve appointment ... ..	2903
Abattoirs Act, to disallow regulations ... ..	2905
Bills: Traffic Act Amendment, 1A. ... ..	2905
Traffic Act Amendment, 2A. etc. ... ..	2914
Traffic Act Amendment, Assembly's message ... ..	2918
Reserves, Com. etc. ... ..	2905, 2909
Reserves, Assembly's message ... ..	2915
Industrial Arbitration Act Amendment, request for conference, managers' report ... ..	2907
Industrial Arbitration Act Amendment, managers' report adopted ... ..	2913
Swan River Improvement, 2A., etc. ... ..	2911
Stamp Act Amendment, Com., Becom. ... ..	2911
Stamp Act Amendment, Further Becom. ... ..	2918
Group Settlement, 2A. etc. ... ..	2913
Taxation (Motor Spirit Vendors) 3A. ... ..	2916
Day Baking, request for conference, managers' report ... ..	2916
Main Roads, Assembly's message ... ..	2916
Main Roads, request for conference ... ..	2919
Main Roads, managers' report ... ..	2919
Main Roads, Assembly's further message ... ..	2919
Adjournment: Close of session ... ..	2919

The PRESIDENT took the Chair at 11 a.m., and read prayers.

### QUESTION—PRICES COMMISSION.

Hon. J. CORNELL (without notice) asked the Chief Secretary: When do the Government expect the Prices Commission to conclude their inquiries and present a report, thus obviating the necessity for further

useless expenditure of public funds and the continued placation of gullible sections of the community?

The CHIEF SECRETARY replied: The Royal Commission are to present their report in February next?

### QUESTION—ESPLANADE FAIR GROUNDS.

Hon. J. M. MACFARLANE asked the Chief Secretary: 1, Do the Government intend to call for public tenders for the leasing of "White City"? 2, As an alternative, will the Government consider the desirability of the State Gardens Board letting the grounds direct rather than through a lessee? 3, Will the Government move to eliminate gambling from carnival or other events held there?

The CHIEF SECRETARY replied: The matter will receive the consideration of the Government during the recess.

### MOTION—COMMISSIONER OF RAILWAYS.

*To approve appointment.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [11.3]: I move—

That the appointment by His Excellency the Governor of Lieutenant-Colonel Harold Pope, C.B., as Commissioner of Railways, at a salary of £2,000 a year, in the terms of the Executive Council minute laid on the Table of the Legislative Council on the 17th day of December, 1925, be approved.

I believe the motion will reveal a unanimity of opinion. Colonel Pope assumed responsibility for our vast railway system at a very critical time, and I say without hesitation he has justified his selection for the very important office now in his keeping. He has nursed the finances of the Railway Department from the almost hopeless to the convalescent stage. The railways now give real service to the people. I do not intend to wander through the details of Colonel Pope's administration, because I could not relieve a monotonous story of improvement with instances of neglect or incompetence. Members may ask why this reappointment has not received earlier attention. The absence of the Premier in England delayed consideration, and the subsequent crush of parliamentary business did not permit of a declaration until Wednesday last. An impul-

sive appointment to the Commissionership was not warranted, even though the appointee possessed the highest qualifications and the confidence of the members in occupation of the Treasury benches. Although Colonel Pope's reappointment was hardly ever in jeopardy, the Government had to give many features serious and mature consideration before making an announcement. The principal phase of recent years has been service to the public and, secondly, financial recovery. The spirit of complaint is not abroad, and that fact, I contend, is a true indication that the customers of the railways are satisfied that the officer in charge is capable. Of course the everyday trivial complaints must be expected in such a far-flung railway system as ours. Colonel Pope presides over a happy household of fellow workers, each and every one of them striving for efficiency. That desirable state of affairs would not exist with faulty leadership. The discontent of bygone years has disappeared. The system has not been starved in expenditure for maintenance. So far as I can discover, everything is in first class running order. The extension of facilities to deal with traffic and the inauguration of greater convenience and efficiency are dependent on the capital available from loan money. We have not been able to give the Commissioner all the money he desired. Very often the Commissioner is criticised for not carrying out some work of perhaps great necessity, but people too often overlook the fact that the fault rests not with the Commissioner but with the Government, and only with the Government to the extent that they may have funds available and may not set them aside for the purpose. Loan moneys are allocated, not only on the necessities of the railways, tramways and electricity departments, but on a proportion of the afforded total loan expenditure for the particular year. It would be wrong to make bounding leaps in loan expenditure. In the expenditure of loan moneys the railways must share with the necessities of other State activities and no more. A pleasing feature of Colonel Pope's success is the fact that practically the whole of his experience has been gained in Western Australia. It is very encouraging to find that men in our own service are capable, when opportunity offers, successfully to fill such high and important posts as the one under discussion. It can be said that our railway system is reasonably

efficient. Difficulties and problems inseparable from a growing concern such as our railways have been successfully met. Colonel Pope has been fortunate in having associated with him a staff of very capable officers who have rendered to him and to the Government their very best assistance and service. No matter what ability or capacity might be possessed by one individual, the success could not have been attained without the loyal co-operation of the whole of the service, and one of the reasons for this co-operation is the tactful administration of the Commissioner.

**HON. J. DUFFELL** (Metropolitan-Suburban) [11.10]: I think I shall be expressing the opinion of every member when I say it was very gratifying to hear the eulogy passed by the Chief Secretary on one who holds such an important position. Colonel Pope has rendered most efficient service as Commissioner. So well has he discharged his duties that, notwithstanding rumours which from time to time gave rise to a certain amount of discontent, ill-feeling and anxiety, Cabinet have been satisfied to reappoint him. During Colonel Pope's occupancy of the position, many important improvements have been made to the system, amongst which I may mention the improvements in front of the central station and at the various stations in the metropolitan area, all of which have been carried out under the guidance of the Commissioner. I am pleased that such harmonious relationship exists between the Commissioner and his staff, and I feel sure his reappointment will give satisfaction to the whole of the people who use the railways.

**HON. H. A. STEPHENSON** (Metropolitan-Suburban) [11.12]: What surprises me more than anything else in connection with the reappointment of Colonel Pope is the fact that his salary has not been increased. If there is any man in the Public Service who should receive an increase, it is the Commissioner of Railways. Five years ago when Colonel Pope was appointed to the position, he was taken practically on trust. The position of Commissioner of Railways had been advertised throughout the world at a salary of £2,500 a year. Apparently there were no applications, and the position was offered to and accepted by Colonel Pope at £2,000 a year. Results have shown that Colonel Pope has made good and proved himself.

The financial position of the railways has improved greatly during his regime, and though I cannot give the Commissioner praise for the whole of the improvements, I give him great credit for his management. The Commissioner of Railways of this State is not paid anything like the same salary as men holding similar positions in the other States. Within the last year or two the South Australian Government appointed a Commissioner of Railways at £5,000 a year; and, in addition, he has an understudy at £1,500 a year. The Tasmanian Government, with a railway system totalling only about 600 miles, pay their Commissioner the same amount as we pay ours, £2,000 a year. New South Wales has a number of Commissioners whose salaries total in the neighbourhood of £15,000 a year. Victoria and Queensland pay much higher salaries than we do. Therefore I consider that we are not treating our Commissioner fairly in asking him to continue at the salary which he accepted five years ago, when he was practically taken on trust. Since then he has made good. Everyone admits that from a financial point of view things have changed materially during the past five years. Only the other day members of Parliament increased their own salaries by 50 per cent.

Hon. T. Moore: But our salaries were a long way below the Commissioner's.

Hon. H. A. STEPHENSON: Our action is a strong reason why the Commissioner should be granted an increase of salary. If it were in order to do so, I would move in that direction.

Question put and passed.

### MOTION—ABATTOIRS ACT.

#### *To Disallow Regulations.*

Hon. J. Nicholson had given notice of a motion "That the revised regulations under the Abattoirs Act, 1909, laid on the Table of this House on the 18th November, be and are hereby disallowed."

HON. J. NICHOLSON (Metropolitan) [11.19]: I am pleased to be able to intimate that as the result of negotiations with the Minister for Agriculture a settlement has been arrived at regarding this

matter, and therefore I ask leave to withdraw the notice of motion.

Notice of motion by leave withdrawn.

### BILL—TRAFFIC ACT AMENDMENT.

Received from the Assembly, and read a first time.

### BILL—RESERVES.

#### *In Committee.*

Resumed from the 8th December; Hon. J. W. Kirwan in the Chair, the Chief Secretary in charge of the Bill.

Clause 7—Reserve 5574 (partly considered):

HON. A. J. H. SAW: A former leader of this Chamber, Mr. Colebatch, was an eminent chess-player; and the proceedings during the last week or two in regard to this Bill suggests to me that the present Leader of the House is also an exponent of the game. A masterly hand has treated the Notice Paper much as a chess board, with this Reserves Bill as the king piece. At one time the Bill has been here on the Notice Paper, and at another time there. When we sought to check it or to compel a move, there was immediately a counter move of the measure to the bottom of the Notice Paper. Perhaps the object of the Leader of the House has been to allow the people who are vitally interested in the Bill an opportunity to come to an agreement amongst themselves before this Chamber finally deals with the matter. Unfortunately the parties have not come to an agreement, and we are called upon to arrange a compromise which will give those who desire a sports ground a fitting sports-ground, and will at the same time safeguard the rights of the residents of the West Ward of South Perth. With those ends in view I shall move certain amendments. I may liken the reserve in question to this Chamber. The east end of this Chamber and the part beyond it represent Labouchere-road. The corridor on the left hand outside represents Richardson-street, along which a number of nice villas with gardens have been erected by people who were presumably attracted by the promise of quietude as a result of the area being a botanical

reserve. The corridor on the right hand side of the Chamber would represent Amherst-street, the street between the reserve and the Golf Links; and the corridor on the west side would represent the river. The shape of the reserve somewhat conforms with the shape of this Chamber. The area fronting Labouchere-road is a little over an eighth of a mile in length, and the area along Richardson-street and Amherst-street is approximately a quarter of a mile. The proposal of the clause is that an area facing Labouchere-road, which would be represented by the President's gallery, shall be divided into two portions, with an entrance represented by the door, and that both portions, on the right and on the left, shall be reserved for the parking of motor cars. The residents concerned, especially those in Richardson-street, as represented by the left-hand corridor, do not think it desirable to have a parking area right up against their houses, as it were. One amendment which I shall move is that the parking area on the right hand side towards the Golf Links and Amherst-street shall be reserved, and that the parking area on the left-hand side towards Richardson-street shall be cut out, and shall be thrown into the reserve. If that is done, there will be an area of about 20 acres reserved, and in that area there will be ample room for a cricket and football ground, which at the highest computation should be in the neighbourhood of eight acres. Mr. Orr, the secretary of the Football Association, in writing to me suggested that a complete football ground should comprise 10 acres; but even at 10 acres there will be ample room for football and other kinds of games, such as tennis, bowls, or croquet, or even the despised golf, to be played at the discretion of the council and residents of South Perth, subject, however, to the consent of Cabinet, this being a Class "A" reserve. There will be room for the playing of games, and also for a fringe of ornamental trees and flower beds to be put into the reserve, so that the place may really become a thing of beauty. I have the assurance of the chairman of the South Perth road board that the board intend to follow out such a scheme and that they will plant ornamental trees and shrubs. In certain respects, therefore, the reserve will fulfil the functions of a

botanical garden, if only to a small degree. I have the further assurance that there is no intention, such as has been feared by certain residents of the West Ward, to have a "White City" or anything approaching it, or to have merry-go-rounds and hurdy-gurdies. I wish to have it on record that so far as I am concerned I am expressing my consent to the proposal, with certain modifications, on those conditions.

Hon. J. Nicholson: Would those conditions be embodied in the Bill?

Hon. A. J. H. SAW: No. I do not think it would be possible to include them in the Bill. The matter must be left to the good faith of the South Perth road board and those who follow them, and also to the good will of the residents, who have the matter in their own control. The amendment I propose to move will have the effect of excluding the parking area on the left hand side facing Labouchere-road and adjacent to Richardson-street, and that area will then be thrown into the reserve for sports purposes. I propose to leave the area for parking on the right hand side facing Labouchere-road which will run to Amherst-street, and which should be sufficient for all reasonable parking requirements, especially in view of the fact that along the whole length of Labouchere-road for about half a mile there is no footpath on one side, nothing but the Zoo fence, and there is no reason why any overflow of cars should not be parked along that side of the road. I intend to suggest another amendment. The final clause says that the area shall be devoted to the purpose of recreation, exclusive of golf. That is the meanest and pettiest thing I have seen in a Bill, and it is a reflection on the game of golf which I have played for the last 40 years. It represents that golf is not a suitable game to play and that the people who do play it are something in the nature of pariahs. To that I cannot subscribe. I do not see why the hands of the South Perth Road Board should be tied by such a limitation. I have looked over the area recently. There is a portion near the river consisting of a sandy waste and rushes, and at the present time the algae is so thick that even the hardest golfer would require a respirator if he were to play about that area. I do not know from what source the proposal emanated, because every responsible person who has spoken to me has disclaimed that he had any hand whatever in getting the words "exclusive of golf" put

into the clause. I noticed in the newspaper that Mr. Angwin said he had no objection to the words being excised. Whoever did put them in exhibited a mean and petty spirit. I was rather surprised at the remarks of Mr. Miles who deprecated the use of this area as a sports ground. I fancy the hon. member is rather a keen cricketer himself and I imagine that before avoirdupois came on him he was an able exponent of the game of football. Neither can I agree with the comparison that he made between this reserve and King's Park. King's Park to my mind is a heritage, not only for the people in the metropolitan area, but for the people in the whole State. This particular area at South Perth was set aside at one time for the purpose of botanical gardens. I was astonished to receive a letter from the South Perth Road Board since the matter was last before this House, and I noticed, too, that something similar appears in this morning's newspaper. The letter set out that the board noticed with regret the action taken by three members of the Upper House towards the Bill. It is our desire to see the matter settled amicably amongst the residents and there is no wish that the Bill should be rushed through Parliament without the people who are concerned being fully informed of all the facts. That was our attitude, and at a previous sitting Mr. Duffell asked the Leader of the House to report progress so that our wishes might be given effect to. The residents of South Perth have not arrived at an understanding, but the assurance given by the South Perth Road Board will not only guarantee that the people of South Perth will have an adequate playground, but, it will tend towards beautifying the area on a portion of which at the present time there are merely Christmas trees and which are in blossom and the remainder of which consist of a sandy waste with stunted trees of the banksia type. If the road board live up to what is set out in the petition, the beauty of the area will be enhanced and no harm will be inflicted on anybody.

Hon. J. DUFFELL: I support what has been said by Dr. Saw. While we all realise how necessary it is to safeguard all Class "A" reserves, the delay that has been brought about will enable a compromise to be arrived at which it is hoped will be satisfactory to all parties. We have been assured that the frontage of the reserve will be planted with ornamental trees and that there will be

flower beds as well. Generally speaking, what is suggested should tend to bring about an improvement that all will be glad to see. I am informed also that the golf club intends to put in two more holes. That will involve the expenditure of money and the ground will be made suitable for the purpose of the game.

Hon. T. MOORE: I understood that both the South Perth Road Board and the Zoological Gardens Committee had unanimously agreed to the proposal, before the Bill was submitted to Parliament. It has been said that someone has been instrumental in putting something into the Bill which can be regarded as a slur on the game of golf. A friend of mine has marked for my benefit a plan showing that in the past golf players have not by any means been neglected. If I hold up this plan, members will see the huge area that is marked red. That is all golf land. When the golf people were out to get something for themselves, they secured for their exclusive use that piece of land and they got it for the next 30 years. The golf players, who regard the clause in the Bill as it stands as a slur on the game, have excluded a number of other people from that reserve for a great number of years. At any rate I am glad that a compromise has been arrived at.

Progress reported.

## BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.

### *Request for Conference.*

Message from the Assembly received and read requesting a conference with managers of the Council and intimating that the Assembly would be represented by three members.

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [11.47]: I move—

That a message be transmitted to the Assembly agreeing to a conference; that the Hons. J. J. Holmes, E. H. Harris, and the mover be appointed managers on behalf of the Council, and that the conference be held in the President's room at noon.

Question put and passed.

*Sitting suspended from 11.52 a.m. (Friday)  
to 7 a.m. (Saturday).*

*Conference Managers' Report.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [7 a.m. Saturday]: I desire to report that the managers of the Conference have met, and, I am pleased to say, have come to an agreement. The report is as follows:—

No. 1. Clubs.—Council's amendment agreed to.

No. 2. Preference.—Council's amendment agreed to.

No. 3. Domestic Servants.—Council's amendment not agreed to, and the first paragraph of Subclause (6) of the Bill deleted. In lieu thereof the following is inserted:—“(6) By inserting after the words ‘domestic service,’ in the interpretation of ‘worker,’ the words ‘in a private home, provided that no home in which more than six boarders and/or lodgers are received for pay or reward shall be deemed to be a private home.’”

No. 4. Insurance Canvassers.—Council's amendment agreed to.

No. 7. Same industry.—Council's amendment agreed to.

No. 8. Application to deregister while cases pending.—Council's amendment not agreed to.

No. 9. Registration of A.W.U.—Council's amendment agreed to.

No. 10. Consequential on No. 9.—Council's amendment agreed to.

Nos. 11 to 17, inclusive.—Council's amendments not agreed to. In lieu thereof Clauses 8 to 14, inclusive, are amended as follows:—

No. 11. Clause 8.—Strike out all words after the word “is,” in first line, and insert “amended by inserting after the words ‘shall be a,’ in line five, the words ‘person qualified to be appointed a,’ and by substituting for the word ‘nominated,’ in line six, the word ‘appointed,’ and by substituting for the word ‘judge,’ in line seven, the words ‘third member’ such amendment shall have effect from the 7th day of April, 1925.”

No. 12. Clause 9.—Strike out all words after “is,” in first line, and insert “amended by substituting for the words ‘a judge of the Supreme Court’ the words ‘a person qualified as aforesaid.’”

No. 13. Clause 10.—Strike out all words after “as follows” to the end of the clause, and insert:—

47. (1.) The tenure of office of the President shall be the same as in the case of a judge of the Supreme Court, and he shall be entitled to all rights and privileges of a judge (including pension).

Provided that a President shall not continue in office after he shall have attained the age of seventy years.

(2.) Each ordinary member of the court shall be appointed for a period of three years, and until the appointment of his successor.

(3.) Each ordinary member of the court shall be eligible for reappointment.

(4.) In the event of the period of office of the ordinary members of the court expiring during the period of any investigation on which the court has entered, the Governor may

continue them in office for such time as may be necessary to enable them to take part in the completion of the matter.

No. 14. Clause 11, lines 3 and 4.—Strike out the words “if he is not a judge of the Supreme Court.”

Nos. 15 and 16.—Council's amendment not agreed to.

No. 17. Clause 14.—Strike out all words after “amended,” in line one, and insert “by omitting the words ‘other than the President, and by inserting in place of the words ‘before the President’ the words ‘before a judge of the Supreme Court.’”

No. 18. Power of Minister to refer a dispute with an unregistered body into the court to be given into the hands of the court.—The Council's amendment is disagreed with, and in lieu thereof Clause 15 is amended by the deletion of all words in subparagraph (b) from the beginning to the word “and,” in the twelfth line, inclusive.

No. 21. Appearance of solicitors in court.—Council's amendment agreed to.

No. 22. Order in which cases are to be taken.—Council's amendment disagreed with.

No. 24. Relief not limited to claim.—Council's amendment agreed to.

No. 25. Retrospective effect of awards.—Council's amendment agreed to.

No. 26. Employers not in industry.—Council's amendment agreed to.

No. 28. Term of award.—Council's amendment disagreed with.

No. 29. Term of award.—Council's amendment agreed to.

No. 30. Retrospective effect.—Council's amendment agreed to.

No. 31. Retrospective effect.—Council's amendment agreed to.

No. 32. Inclusion of non-employers.—Council's amendment agreed to.

No. 33. Repeal of Section 85.—Council's amendment not agreed to.

No. 34. Industrial magistrates.—Council's amendment not agreed to, and in lieu thereof the clause is amended by the insertion of the words “police or resident” before the word “magistrate,” in line five.

No. 35. Gazetteal of appointments.—Council's amendment not agreed to, but in lieu thereof the clause is amended by striking out the last three words.

No. 37. Reference to court by industrial unions or associations.—Council's amendment not agreed to, and in lieu thereof the clause is amended as follows:—

Clause 56.—Strike out all words after “as follows,” and insert:—

97. (1.) No industrial matter including any application for the enforcement of any industrial agreement or award of the court or dispute shall be referred to the court by an industrial union or association otherwise than pursuant to a resolution of the governing body of such industrial union or association.

(2.) In the case of an industrial dispute such resolutions shall be published in a newspaper circulating in the district in which the registered office of the union or association is situated.

(3.) If in the case of an intended reference by an industrial union a request in writing, signed by not less than ten per centum of the union, is made to the governing body within fourteen days after such publication to submit the matter of the intended reference to a ballot of the members, such ballot shall be taken in the prescribed manner, and the dispute shall not be referred to the Court unless a majority of the members who record their vote vote in the affirmative.

(4.) In the case of an association, if within fourteen days after the publication of such resolution a majority of the industrial unions represented on the association at special meetings to be called for the purpose of taking such resolution into consideration pass resolutions forbidding the reference, the dispute shall not be referred to the Court.

No. 38. Basic Wage.—Council's amendment agreed to subject to the following amendments:—

To subsection two of new section 100, the following provisos are added—

"Provided that in the application of the basic wage to industrial agreements and awards so far as a wage is thereby fixed for workers who receive from their employer without charge board and lodging, or lodging or board, or partial board, or other allowances which are deemed by the Court to be a just set-off, the monetary value thereof, as assessed by the Court, shall be deemed, *pro tanto*, payment of a portion of the wage received by the worker."

"Provided also that in fixing the basic wage the Court shall not deem itself bound by any previous decision of the Court or any other Court fixing a minimum or basic wage."

In subsection six of new section 100, in lines three and four, the words "in money or money's worth" are deleted.

In new section 101, the words "commencement of" in line two are deleted and in lieu thereof the words "first declaration of a basic wage under," are inserted.

In new section 102, the words "commencement of" in line two are deleted and in lieu thereof the words "first declaration of a basic wage under" are inserted.

In new section 102, paragraph (a), the word "and" is inserted after "wage."

In new section 102, paragraph (b), "any," in line one, is deleted, and all the words after "remuneration" in line two to the end of the paragraph are deleted, and the word "and" is added.

In new section 102, paragraph (c), the words from "deductions" in line one to the end of the paragraph are deleted and the word "therefrom" is added.

In new section 103, the word "in" is inserted before "parity" in line five.

No. 48. Prescribing number of apprentices by regulation.—Council's amendment disagreed with.

No. 51. Clubs. — Council's amendment agreed to.

No. 52. Powers of inspection by union secretaries.—Council's amendment agreed to.

No. 53. Industrial Magistrates.—Council's amendment disagreed with.

No. 54. Period in which action may be taken for recovery.—Council's amendment agreed to.

No. 55. Obtaining opinion of Full Court.—Council's amendment disagreed with.

No. 56. Power to enforce awards. The Council's amendment is amended by the deletion of all words after "thereof" in line 7 to the end of subclause (1), and by the insertion in lieu thereof of the following words, "and if on such inquiry he shall be of the opinion that any person has committed or is committing any breach of this Act or any industrial agreement or award of the Court he shall forthwith acquaint the Court and the Crown Law officers accordingly."

No. 57. Penalty for contempt.—Delete all words after "principal Act" to the end of subclause (2) of proposed new clause and insert "is amended by inserting the figure (2) instead of (3) as the number of the last paragraph."

[Consideration resumed at a later stage.]

## BILL—RESERVES.

### *In Committee.*

Resumed from an earlier stage of the sitting; Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 7—Reserve A5574:

Hon. A. J. H. SAW: I move an amendment—

That at the end of Subclause 1 the following words be added "and may be declared as a Class 'A' reserve for a parking ground for vehicles."

That means that the portion of the reserve fronting Labouchere-road, which is on the south side nearest to Amherst-street, shall be utilised as a parking reserve.

Hon. G. W. MILES: A week ago members of the Metropolitan-Suburban Province were seeking to delete this Clause. Since then a petition has been signed by residents of the East Ward and Como. The people of the West Ward bought their homes knowing that this area was a botanical reserve, and they ought to be considered. The clause should be struck out. Dr. Saw referred to the matter as a game of chess that should be played to a finish. In my view a stale-mate should be arranged so that residents of South Perth might get up another petition. I understand that there will be a petition signed by 650 residents instead of 607. I appeal to the Committee to delete the clause altogether.

Hon. H. J. YELLAND: It is wrong to destroy any of our natural flora if it can

be retained, and we would be ill-advised to allow any part of a public reserve to be used as suggested. With the improvement scheme for the foreshore of the Swan River, ample ground will be available for sporting purposes.

The CHAIRMAN: The amendment before the Chair refers to setting apart portion of a Class "A" reserve for the parking of vehicles.

Hon. H. J. YELLAND: That will necessitate an alteration in the status of the reserve and I support Mr. Miles in opposing the alteration.

Hon. A. LOVEKIN: I move—

That the Committee do now divide.

Motion put and passed.

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

Ayes	..	..	..	13
Noes	..	..	..	12

Majority for .. 1

#### AYES.

Hon. J. R. Brown	Hon. A. Lovekin
Hon. J. M. Drew	Hon. T. Moore
Hon. J. Duffell	Hon. G. Potter
Hon. E. H. Gray	Hon. A. J. H. Saw
Hon. J. W. Hickey	Hon. H. A. Stephenson
Hon. J. J. Holmes	Hon. J. M. Macfarlane
Hon. W. H. Kitson	(Teller.)

#### NOES.

Hon. C. F. Baxter	Hon. J. Nicholson
Hon. A. Burvill	Hon. E. Rose
Hon. J. Cornell	Hon. H. Seddon
Hon. V. Hamersley	Hon. H. Stewart
Hon. E. H. Harris	Hon. H. J. Yelland
Hon. G. W. Miles	Hon. J. Ewing

(Teller.)

Amendment thus passed.

Hon. A. J. H. SAW: I move an amendment—

That Subclause 3 be struck out.

This course should be pursued in the interests of the residents of Richardson-street, whose properties front the reserve.

Amendment put and passed.

Hon. A. J. H. SAW: I move an amendment—

That in line 4 of Subclause 4 the words "exclusive of golf" be struck out.

Amendment put and passed.

Hon. G. W. MILES: I appeal to the Committee to give this matter further consideration. The whole of the residents of South Perth have not had an opportunity

to say whether this reserve, which was set aside as a botanical garden site, should be handed over to the road board for a recreation ground. No harm will result from postponing action for another year. The first intimation that the South Perth residents had of the intended interference with the reserve was when reports of the proceedings in the Assembly appeared in the Press. Dr. Saw, while not intending to mislead the Committee, said that the amendments were moved as the result of an agreement. There was no agreement on the part of the residents of the West Ward, but on the part of the road board and the Zoological Gardens authorities.

Hon. A. J. H. SAW: Mr. Miles is misrepresenting what I said. I said that the residents of South Perth had failed to arrive at an agreement but that the amendments I moved were agreeable, I understood, to the South Perth Road Board.

Hon. G. W. MILES: I accept Dr. Saw's assurance. When the next election takes place in the South Perth district, I believe it will be found that the present board does not represent the views of the South Perth ratepayers. I am informed that the great majority of the people who signed the petition in favour of the proposal are residents of the outer ends of South Perth and not of the west ward which is directly affected.

Hon. C. F. BAXTER: We should be careful about interfering with a Class "A" reserve. My information is that the larger petition was signed by people who are in no way concerned directly with the reserve. I have information that some persons signed both petitions, and I have been told that some who signed the larger petition did so under the impression that they were signing one having the same object in view as the earlier petition. They were misled.

Hon. J. Duffell: Fifty of those who signed the second petition signed the first one.

Hon. C. F. BAXTER: And probably those 50 were misled equally with those to whom I have referred. The position was misrepresented to them.

Hon. H. Stewart: Did not they read it?

Hon. C. F. BAXTER: No, it was signed on the representations of the people who presented it. A good parking area that will not be required for any other purpose could be provided along the boundary of the Zoological Gardens. The Committee would



be well advised to strike out Clause 7 pending further inquiries.

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

Ayes	..	..	..	12
Noes	..	..	..	12
				—
A tie	..	..	..	0
				—

## AYES.

Hon. J. M. Drew	Hon. T. Moore
Hon. J. Duffell	Hon. G. Potter
Hon. E. H. Gray	Hon. A. J. H. Saw
Hon. J. W. Hickey	Hon. H. A. Stephenson
Hon. W. H. Kiltson	Hon. J. R. Brown
Hon. A. Lovekin	(Teller.)
Hon. J. M. Macfarlane	

## NOES.

Hon. C. F. Baxter	Hon. E. Rose
Hon. A. Burvill	Hon. H. Seddon
Hon. J. Cornell	Hon. H. Stewart
Hon. J. Ewing	Hon. H. J. Yelland
Hon. V. Hamersley	Hon. J. Nicholson
Hon. E. H. Harris	(Teller.)
Hon. G. W. Miles	

The CHAIRMAN: In accordance with Standing Order No. 155 the question passes in the negative.

Clause thus negatived.

The CHAIRMAN: The schedule will be struck out consequentially on the deleting of Clause 7.

Title—agreed to.

Bill reported with amendments and the report adopted.

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

## BILL—SWAN RIVER IMPROVEMENT.

### Second Reading.

THE HONORARY MINISTER (Hon. J. W. Hickey—Central) [7.40] in moving the second reading said: This is a rather important measure but it is late in the session to ask members to consider it. The Bill has received a good deal of publicity and has been accorded general support, not only by members in another place but by the public. The reclamation of the foreshore and improvement of the river is a necessary work, and though it might appear to be a big undertaking, the operations proposed will be extended over many years. All we desire is

that the Government be given authority to make a start with the work. I move—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

### In Committee, etc.

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

Read a third time and passed.

## BILL—STAMP ACT AMENDMENT.

### Recommittal.

Resumed from the previous day; Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 2—Conveyance duty in cases where conveyance made at request or by direction of intermediary (partly considered):

Hon. J. NICHOLSON: I previously moved to add a proviso to this clause, and explained the reasons for safeguarding the provisions of Section 71. Since then I have had a conversation with the Solicitor General, and now I move—

That the following be inserted to stand as Subclause 3:—“This section is subject to the provisions of Section 71.”

The CHIEF SECRETARY: I accept the amendment.

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

Bill reported with an amendment.

### Further Recommittal.

Hon. H. STEWART: I move—

That the Bill be recommitted for the purpose of further considering Clause 4.

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

Ayes	..	..	..	12
Noes	..	..	..	9
				—
Majority for	..	..	..	3
				—

## AYES.

Hon. C. F. Baxter	Hon. G. W. Miles
Hon. J. Ewing	Hon. E. Rose
Hon. V. Hamersley	Hon. H. Seddon
Hon. J. J. Holmes	Hon. H. A. Stephenson
Hon. J. W. Kirwan	Hon. H. Stewart
Hon. A. Lovekin	Hon. A. Burvill
	(Teller.)

## NOES.

Hon. J. R. Brown  
Hon. J. M. Drew  
Hon. J. Duffell  
Hon. J. W. Hickey  
Hon. W. H. Kitson

Hon. J. M. Macfarlane  
Hon. T. Moore  
Hon. G. Potter  
Hon. J. Nicholson  
(Teller.)

Motion thus passed.

*In Committee.*

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

Clause 4—Amendment of Second Schedule:

Hon. H. STEWART: Subclause 2 proposes to double a number of fees. These fees were increased as a war measure, and the increased amounts have been continued from year to year. I desire to move an amendment to limit the operation of the Bill to the 30th June, 1927. I think the proper course will be to move to strike out "omitting" in line 6 and substitute "amending," and to strike out "1926" in the next line and substitute "1927."

The CHAIRMAN: When hon. members have amendments to move, they might give notice of such amendments, or at least have them written out. It is not fair that the Committee should be delayed while members on their feet are drafting amendments.

Hon. H. STEWART: I would be glad if the Minister would report progress. This amendment is particularly difficult to draft. The way we have been kept hanging on is most unsatisfactory for the conduct of public business.

Hon. J. NICHOLSON: I move an amendment—

That Subclause 2 be struck out and the following inserted in lieu:—"The second schedule is amended by the insertion in lines 9 and 30 respectively under the heading 'conveyance of Transfer on Sale of any Property' of the figures '1927' instead of '1924.'"

The CHIEF SECRETARY: We have had no word of explanation as to the object of the amendment. No notice of the amendment has been given. The Bill has been through Committee and has been twice re-committed, and now, after 19 hours of continuous work, this amendment is sprung upon me.

Hon. J. NICHOLSON: The intention is merely to extend the operation of the Act for another 12 months, instead of making it altogether permanent.

Hon. A. LOVEKIN: At this late stage it is quite evident we cannot give attention

to details of these Bills. If the Minister will agree to limit the operation of some of them it will facilitate the business this morning. All this amendment asks is that the duration of the Bill be limited.

The CHIEF SECRETARY: It is the desire of the Government that it should be a permanent measure. We have sacrificed 15 per cent. of the income tax, and we want the Stamp Act made permanent.

Hon. H. STEWART: I did not think this Bill would even pass its second reading. Yet it was put through Committee in about five minutes. Is that the proper way to pass legislation?

Member: What is wrong with it?

Hon. H. STEWART: I was temporarily absent from the Chamber.

Hon. J. R. Brown: There were other members here.

Hon. H. STEWART: Yes, and probably 50 per cent. of them had not read the Bill.

Hon. G. POTTER: I have yet to know that Mr. Stewart has any right to cast a reflection on any section of the House merely because they will not vote at his direction.

The CHAIRMAN: I intended to call Mr. Stewart's attention to the fact that in saying 50 per cent. of the members present had not read the Bill he was out of order. Under the Standing Orders he must cast no reflection upon members of the House. I ask him to withdraw that remark.

Hon. H. Stewart: I withdraw it.

Hon. C. F. BAXTER: The Committee is in a very bad temper this morning. Small wonder! Let us take time over the business. I deprecate the haste to close the session. Following on an all-night vigil we are not in a fit state to deal with business.

Hon. E. H. Harris: All you want is a poached egg.

Hon. C. F. BAXTER: This is not a time for levity. The managers have been kept continuously in conference for 19 hours and are now expected to come here and deliberate on further measures. We should report progress and adjourn until Monday. It is wrong that we should finish up in haste.

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

Ayes	..	..	..	..	14
Noes	..	..	..	..	10

Majority for .. 4

**AYES.**

Hon. C. F. Baxter  
Hon. J. Duffell  
Hon. V. Hamersley  
Hon. J. J. Holmes  
Hon. A. Lovekin  
Hon. J. M. Macfarlane  
Hon. G. W. Miles

Hon. J. Nicholson  
Hon. E. Rose  
Hon. H. Seddon  
Hon. H. A. Stephenson  
Hon. H. Stewart  
Hon. H. J. Yelland  
Hon. A. Burvill

(Teller.)

**NOES.**

Hon. J. R. Brown  
Hon. J. Cornell  
Hon. J. M. Drew  
Hon. J. Ewing  
Hon. E. H. Harris

Hon. J. W. Hickey  
Hon. W. H. Kitson  
Hon. T. Moore  
Hon. G. Potter  
Hon. E. H. Gray

(Teller.)

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

Bill again reported with a further amendment, and the report adopted.

*Sitting suspended from 8.20 to 9.15 a.m.*

**Further Recommittal.**

On motion by Hon. J. Nicholson, Bill again recommitted to further consider Clause 4.

**In Committee.**

Hon. J. NICHOLSON: It appears that some of the increased duty exacted has been wrongly taken as the extension under the 1924 amending Act was made to apply to only portion of one item. If progress were reported for a few minutes, I could prepare an amendment to rectify the omission.

Progress reported.

**BILL—INDUSTRIAL ARBITRATION ACT AMENDMENT.****Conference Managers' Report.**

Message from the Assembly received and read notifying it had agreed to the recommendations of the conference.

The CHIEF SECRETARY: I move—

That the report be adopted and that a message accordingly be transmitted to the Assembly.

Hon. A. LOVEKIN: I think I should say that, having read the recommendations, I consider the managers who represented this House have done their work splendidly, after a very long and, I presume, severe struggle.

Hon. C. F. Baxter: Hear, hear!

Hon. A. LOVEKIN: I am satisfied that the fundamentals upon which this House insisted have all been safeguarded.

Question put and passed.

**BILL—GROUP SETTLEMENT.****Second Reading.**

**THE HONORARY MINISTER** (Hon. J. W. Hickey—Central) [9.28] in moving the second reading said: This matter has been fully discussed in another place and has received considerable publicity in the Press, so that members have had an opportunity to consider the whole work of group settlement.

Hon. A. Lovekin: This is merely a machinery Bill?

The HONORARY MINISTER: Yes. To the 25th November, 1925, the expenditure on group settlement amounted to £2,557,280. Members will be fully acquainted with the position. A number of the groups are ready for dissolution, and the settlers will thus be enabled to work upon their own blocks. The Bill is designed to bring these settlers under the Agricultural Bank, and to put into operation machinery that will allow them to work on their own and be more independent. The Bill provides also for the granting of increased areas. Its main object is to bring disbanded settlers under the Agricultural Bank. I move—

That the Bill be now read a second time.

**HON. A. BURVILL** (South-East) [9.32]: I am glad that arrangements have been made for group settlers to work on their own. They will have an opportunity to go on to piecework, and to lessen the cost of their holdings, as well as the cost to the Agricultural Bank, and to reduce their interest charges. This will have a tendency to provide against the necessity for writing down. No doubt a lot of writing down will have to be done.

Hon. T. Moore: This is the first time we have had that put up.

Hon. A. BURVILL: Some time ago a special session of Parliament was called in order to pass two railway extensions for the purpose of assisting the group settlement scheme. I refer to those railways that will ultimately join Denmark and Pemberton.

Hon. A. Lovekin: Have these railways anything to do with the Bill?

The PRESIDENT: The hon. member will be brief.

Hon. A. BURVILL: They have a great deal to do with the Bill. I do not want to see any further losses to the Government, or any further loading upon these settlers. These railways should be constructed as soon as possible. I understand that some of the blocks are not large enough. The Bill provides that they may be enlarged up to 400 acres. That is a good provision. As the scheme develops there is no doubt a railway running out westward from Mt. Barker will have to be built. In that particular district larger areas will have to be given to the settlers than are now given in other parts of the State.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Clauses 1 to 4—agreed to.

Clause 5—Interest and instalment of principal from mortgages to be paid as an account at Treasury:

Hon. E. H. ROSE: In the past group settlers have not known what mortgages there were on their properties. I hope the Government will arrange that in the case of all group blocks that are handed over, the amount of the mortgage is set down against them.

The Honorary Minister: I understand that has been arranged for.

Clause put and passed.

Clauses 6-10—agreed to.

Title—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time and passed.

## **BILL—TRAFFIC ACT AMENDMENT.**

*Second Reading.*

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [9.42] in moving the second reading said: This Bill re-enacts for the time being the provisions and schedules of fees in the amending Act of 1924, with a proviso

in favour of horse-drawn vehicles used only on occasions by a farmer for the carriage of produce or farming requisites to and from his own farm; or for a cart mainly used for the carriage of ore and mining requisites within a mining area; or for a cart used only in connection with the sandalwood industry; or for a cart mainly used for the carriage of supplies to and produce from cattle and sheep stations. The fees for these vehicles shall be one-fourth of the prescribed fee, with a minimum fee of 15s. The fee for carts is also to be reduced. The existing fee is 1s. per cwt. up to two tons, and 1s. 6d. for every additional cwt. The new scale will be 1s. per ton with a minimum fee of 15s.

Hon. G. W. Miles: What about wagons used for carting on stations?

The CHIEF SECRETARY: I will give the hon. member that information. In addition it is proposed to reduce the fees for whims or jinkers, etc., to a flat rate of £6. The present fee was based on the weight of the vehicle, and load, which was regarded by the timber companies as excessive. The original intention was to embody other features in the amending Bill, but as it had to be laid aside until the submission of the report of the select committee on the Main Roads Bill, it was considered unreasonable to ask hon. members to give consideration to the many and varied questions that would have to be reviewed, and on which there may be divided opinions. I move—

That the Bill be now read a second time.

HON. J. DUFFELL (Metropolitan-Suburban) [9.46]: If we had reasonable time to consider the Bill, it would take days, instead of hours or minutes, to dispose of it. The Bill proposes, generally speaking, to make permanent the schedule as it was agreed to last session. That is set out in Clause 3, which seeks to delete Section 5 of the Act. I do not think the House will perpetuate the anomalies that are contained in that schedule. As the Leader of the House has agreed to an amendment to the Bill, that will overcome one difficulty and we may agree to the schedule being continued until the 30th December, 1926, and no longer. That will enable the Government to consider the matter and bring down a Bill at an earlier stage next session. We shall then be able to give the schedule full consideration. It will take a considerable time to rectify the

anomalies that exist at present. I support the second reading and will deal with one or two points during the Committee stage.

**HON. H. STEWART** (South-East) [9.49]: The amendment to the schedule is of great interest to all producers, but the charge imposed upon those least able to afford it has not been altered. It is fixed at 15s. for a sulky or spring cart. We would do well if we agreed to make the charge 7s. 6d. That would cover the cost of administration, and I will move in that direction in Committee.

**HON. J. J. HOLMES** (North) [9.51]: The Bill should have been dealt with last session. It was brought down at the eleventh hour and finally practically only the schedule was approved. We limited the operations of the Bill until the 31st December. A peculiar position has arisen. I understand that the traffic branch have collected fees to June 30th next, although they have no power beyond the 31st December. It is unfortunate that the Bill should again reach us at such a late stage this session, because of the Main Roads Bill. I hope the House will agree to limit the duration of the Bill to compel the Government to bring the measure before us early next session. Provision is made to relieve people in the outback districts respecting the charges for wagons, but no reduction is provided on account of motor vehicles. The vehicles concerned do not travel over the main roads and probably never will. Despite that, the same fees will be charged there as in the South-West, where we have spent tens of thousands of pounds in making good roads.

Question put and passed.

Bill read a second time.

#### *In Committee.*

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

Clause 1—agreed to.

Clause 2—Amendment of Part 1 of third schedule:

Hon. H. STEWART: I move an amendment—

That in line 9 "fifteen shillings" be struck out and "seven shillings and sixpence" inserted in lieu.

Hon. J. J. HOLMES: Is it worth while? The fee has already been collected to the 30th June next, and a suggestion has been

made that the duration of the Bill should be limited to the 30th December, 1926. That would mean that we would be amending the Bill for the sake of 3s. 9d. that would have to be paid over.

Hon. A. BURVILL: Mr. Stewart would be well advised not to proceed with his amendment.

Amendment put and negatived.

Clause put and passed.

Clause 3—Repeal of Section 5 of No. 37 of 1924:

Hon. A. LOVEKIN: I will move an amendment, the effect of which will be to limit the duration of the measure to the 30th September, 1926.

The CHIEF SECRETARY: I have no objection to such an amendment, but I would point out that if a Bill were introduced next year in another place, it might be referred to a select committee.

Hon. A. Lovekin: That would be a good thing.

The CHIEF SECRETARY: It will take at least six months to deal with it, and I suggest that the amendment be altered to enable the legislation to have effect till the 31st October, 1926. The Government are not to blame for the position that has arisen this year, owing to the careful consideration given to the Main Roads Bill which was well worth while.

Hon. A. LOVEKIN: I will accept the Minister's suggestion and move an amendment as follows:—

That in lines 2 and 3 "repealed and such Act shall continue in operation as if that section had not been enacted" be struck out and the following be inserted:—"Amended by omitting the words '31st day of December, 1925' and inserting in lieu thereof the words '31st day of October, 1926.'"

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

Clause 4, Title—agreed to.

Bill reported with an amendment and the report adopted.

Read a third time and returned to the Assembly with an amendment.

#### **BILL—RESERVES.**

Message from the Assembly received and read notifying that it had agreed to the Council's amendment.

**BILL—TAXATION (MOTOR SPIRIT VENDORS).***Assembly's Message.*

Message from the Assembly received and read notifying that it had agreed to make the amendment requested by the Council.

*In Committee.*

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

Title—agreed to.

Bill reported without amendment, and the report adopted

*Third Reading.*

Read a third time and passed.

**BILL—DAY BAKING.***Request for Conference.*

Message from the Assembly received and read requesting a conference with managers of the Council and intimating that the Assembly would be represented by three members.

The HONORARY MINISTER: I move:

That a conference be granted and that the Hons. J. Duffell, E. H. Gray, and the mover be appointed managers to confer with the managers from the Legislative Assembly forthwith.

Hon. A. LOVEKIN: On a conference of this kind we must have amongst the managers those who represent the majority views. Therefore Mr. Gray should not be elected.

The HONORARY MINISTER: Do I understand that Mr. Lovekin's point stands.

The PRESIDENT: Yes.

The HONORARY MINISTER: Then I will nominate the Hons. J. Duffell and A. Lovekin and the mover.

Question put and passed.

*Sitting suspended from 10.15 until  
11.30 a.m.*

*Conference Managers' Report.*

The HONORARY MINISTER: I desire to report that the managers of the Legislative Council and the managers of the Legislative Assembly have met and have failed to agree.

**BILL—MAIN ROADS.***Assembly's Message.*

Message from the Assembly notifying that it had agreed to amendments Nos. 1 to 22, 24 to 26, 28 to 34, and 36 to 41, made by the Council, and had agreed to amendments Nos. 23, 27, and 35, subject to amendments now considered.

*In Committee.*

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

No. 1. Amendment No. 23—After the word "board" and before the word "roads" in the first line of paragraph (a) of Clause 17 insert the words "and construct or super-vise."

On motion by the Chief Secretary, the Assembly's amendment on the Council's amendment agreed to.

No. 2. Council's amendment No. 27 in Clause 21—Prefix the words "Delete the words 'board,' in consultation with the local authority," and insert 'Minister may require the board to'."

Hon. H. STEWART: Is that amendment in order, having regard to Standing Order No. 230, which says—

No amendment shall be proposed in any words of a Bill which have been agreed to by both Houses and which have not been the subject of or immediately affected by some previous amendment, unless such proposed amendment be consequent on an amendment already agreed to or made by the Council.

The CHIEF SECRETARY: The Legislative Assembly's amendment is rendered necessary by amendments made in the Bill by the select committee. The whole tenor of the Bill has been altered. Originally, the measure was to be operated by a board under the control of the Minister. As amended here, it is to be operated by a corporate body not under the control of the Minister. In view of that new situation it is necessary that this amendment should be made. The power to declare developmental roads should be in the hands of the Governor alone, because such roads are financed out of the Federal grant. The whole responsibility for declaring developmental roads and submitting them to the Federal Government for their concurrence rests not with any private board or corporate body but with the State Government.

Hon. A. Burvill: Who will advise the State Government? Will not the board do so?

The CHIEF SECRETARY: The State Government will secure any advice they think fit. Under the clause as it now stands the Governor could not declare any road a developmental road except upon the recommendation of a board, such board not being in any way attached to the Government.

Hon. H. STEWART: If I were to debate the merits of the amendment at this stage, I would cite clauses and refer to the select committees report to show that this matter was made perfectly clear when the Bill was before the House and when the Government had ample opportunity to submit amendments. Clause 17 does not deal only with main roads. With the full knowledge of the Minister, it was amended to deal with developmental roads. It now provides that the board shall inspect and report on and construct and supervise roads at the request of the Minister. So that under Clause 17 the Minister has the power which the Chief Secretary asks for. In the circumstances, is the amendment in order?

The CHAIRMAN: I would like the Chief Secretary to point out to me in what respect this amendment is the subject of or immediately affected by any previous amendment. That is the point I have to consider under Standing Order No. 230.

The CHIEF SECRETARY: My contention is that practically this is not the Government's Bill. The operation of the measure has been transferred from the Government to a corporate body outside the Government. In consequence of that, it was necessary for the Assembly to further amend the Bill. A position has arisen which was not contemplated when the Bill was previously before the Assembly. Previously the Bill provided for the administration of the board under the control of the Government. Since then it has been amended so that the control is altogether removed from the Government. If this amendment of the Assembly, and also another one, are not accepted, the Government cannot possibly accept the Bill, because they would be unable to get any grant from the Federal Government. The Federal Government will not deal with boards; they deal only with States, which have to find pound for pound. I am not suggesting that the Government will not seek the assistance of the board. There is no intention of that

kind. I want to prevent the Bill from being lost. Grants cannot be obtained from the Federal Government if they are to be handed over to a board. The State is responsible for the proper expenditure of Federal grants.

Hon. H. STEWART: There is in the Bill a provision that will do all the Chief Secretary says is necessary. Under Clause 17 the Minister can call upon the main roads board to inspect any road and report upon it to the Governor-in-Council.

Hon. V. Hamersley: There is a distinct difference between a developmental road and a main road.

The CHAIRMAN: We cannot discuss that. We are discussing whether or not the Assembly's modification is the subject of or immediately affected by any previous amendment made by the Council.

Hon. A. BURVILL: I think the Chief Secretary is quite right. In the original Bill the Minister was to have charge of all main roads and developmental roads. That has been altered, and the board, a corporate body, will now have charge of main roads. It changes the whole character of the Bill.

The CHAIRMAN: I must rule that the Assembly's modification is not the subject of or immediately affected by any previous amendments made by the Council, and is therefore not in order.

No. 3 (Council's amendment No. 35):

The CHAIRMAN: The next amendment made by the Council and agreed to by the Assembly subject to a modification is in Clause 29. The Assembly proposes to add the following words:—

Add to the proviso the words "provided also that no moneys to the credit of the trust account shall be applied to the provision or construction of developmental roads without the approval of the Minister after consultation with or reference to the local authority."

Hon. H. STEWART: I raise the same point of order as I raised on the last amendment.

The CHIEF SECRETARY: The position is intensified here. Under the amendment made by the select committee the board, a corporate body, would secure control of the Federal grant. The Assembly's proposal is made with the object of preventing that. The Federal Government would not make the grant if it were to be handed over to a corporate board. It must be

handed to the State Government, who have to provide pound for pound.

The CHAIRMAN: I point out to the Minister that this new proviso is in contradiction to an amendment made by the Council to Clause 16, an amendment subsequently agreed to by the Assembly. Under that amendment the following words have been added to Clause 16:—

Provided that no contract involving the expenditure by the board of an amount exceeding £1,000 shall be entered into by the board without the permission of the Minister being first obtained.

Is that not in contradiction to the proviso now proposed by the Assembly?

The CHIEF SECRETARY: The two provisos are not in any way inconsistent, for the board, a corporate body, will have control of the expenditure of other large sums of money. It was never intended that the board should have control of the Federal grant.

Hon. E. H. GRAY: This matter was considered by the select committee. The board cannot spend any money in excess of £1,000. In Victoria the Main Roads Board do handle Commonwealth money. Surely the Commonwealth will be better satisfied to leave the money in the hands of a board of skilled engineers! With the proviso that the board shall not spend in excess of £1,000 without the approval of the Minister, both the State and Commonwealth Governments will be safeguarded. If it be that the main road board are not to handle any Commonwealth money, that board will be practically useless.

The CHIEF SECRETARY: That is not the point. I do not think I have said that the main roads board would not be able to expend any Commonwealth money. What I say is that to a large extent they will spend it under Government direction.

Hon. J. M. Macfarlane: The Federal grant in the first instance would be paid, not to the main roads board, but to the State Government.

The CHIEF SECRETARY: Yes, and the State Government could adopt the recommendation of the Main Roads Board regarding the expenditure.

Hon. H. STEWART: No work can be engaged upon by the board without the approval of the Governor-in-Council following upon the recommendation of the board. I merely want your ruling on the

question. I should be sorry if after all the work that has been done the Bill should be imperilled in any way.

Hon. A. BURVILL: At present the money is allotted by the Federal Government upon roads recommended by the local road boards. It is the desire of the select committee that the allotment should be placed in the hands of the new board. I do not think that will meet with the approval of the local authorities, the State Government, or the Federal Government.

Hon. H. STEWART: The Bill already provides that the board, before recommending to the Governor-in-Council that any road should be a main road, must prepare plans, maps and estimates and issue a notice of their intention to make such improvements. The Minister has authority to ask the board to report on any particular proposition. The board have also to consult the local authority.

The CHAIRMAN: I rule that the Assembly's amendment, No. 35, is in contradiction to an amendment of the Legislative Council to Clause 16, which has been agreed to by the Assembly, and is therefore not in order.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

#### **BILL—TRAFFIC ACT AMENDMENT.**

Message from the Assembly received and read notifying that it had agreed to the amendments made by the Council.

#### **BILL—STAMP ACT AMENDMENT.**

##### *Further Recommittal.*

Resumed from an earlier stage of the sitting. Hon. J. W. Kirwan in the Chair; the Chief Secretary in charge of the Bill.

Clause 4—Amendment of Second Schedule:

Hon. J. NICHOLSON: I have gone into this clause and find there is provision under the 1924 Act which covers transfers under the Transfer of Land Act. I move—

That Subclause 2 be further amended as follows:—That the words "under the heading" be struck out and "by substituting in the item headed" be inserted in lieu, and that after "property" the words following be struck out, and "in the item headed 'land



transfer' the figures '1927' in place of the figures '1926' be inserted in lieu.

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

Bill again reported with a further amendment, and the report adopted.

Read a third time and returned to the Assembly.

*Sitting suspended from 12.15 to 1 p.m.*

## **BILL—MAIN ROADS.**

### *Request for Conference.*

Message from the Assembly received and read requesting a conference with managers of the Council, and intimating that the Assembly would be represented by three members.

**THE CHIEF SECRETARY** (Hon. J. M.

Drew—Central [1.7]: I move—

That a message be transmitted to the Assembly agreeing to a conference; that Hons. H. Stewart, A. Lovekin, and T. Moore be appointed managers on behalf of the Council, and that the conference meet in the President's room forthwith.

**HON. J. W. KIRWAN** (South) [1.8]:

It is rather extraordinary that a request for a conference should be made in the circumstances that have arisen. It is indeed strange that a conference should be asked for when amendments are ruled out of order. I think, however, that in the circumstances we might perhaps agree to the Assembly's request, subject to the distinct understanding that this is not to be taken as a precedent for what may occur in the future. In my opinion, something ought to be said to make it clear that only by reason of the very extraordinary circumstances is the request agreed to. It might put this House in a very peculiar position in future if what is done now is to be taken as a precedent. I have read in "May" of strange things that have been done in connection with Parliament, but when such things were done it was clearly stipulated that although they were done, they were not to be taken as precedents for the future. I am anxious that the position should be made absolutely clear.

**HON. H. STEWART** (South-East)

[1.10]: It seems to me difficult to go as a manager to a conference called in such cir-

cumstances. I do not see how one can deal with amendments that are out of order.

**HON. J. W. KIRWAN**: The conference may desire to endeavour to put those amendments in order.

Question put and passed.

*Sitting suspended from 1.12 to 3.45 p.m.*

### *Conference Managers' Report.*

**HON. H. STEWART** (South-East) [3.45]: I have to report that the managers have met and recommend the following amendments:—

No. 1. Clause 21, line 1, after the word "may" insert the words "of his own initiative or."

No. 2. Clause 21, Subclause 2, line 1, strike out the word "and" and insert the word "or" in lieu.

No. 3. Clause 29, Subclause 1, add a further proviso as follows: "Provided that no money to the credit of the trust account shall be applied to the provision or construction of developmental roads without the approval of the Governor."

On motion by Hon. H. Stewart, report adopted and a message accordingly returned to the Assembly.

### *Assembly's Further Message.*

Message from the Assembly received and read notifying that it had agreed to the recommendations of the conference.

## **ADJOURNMENT—CLOSE OF SESSION.**

### *Complimentary Remarks.*

**THE CHIEF SECRETARY** (Hon. J. M. Drew—Central) [3.50]: This being the last occasion of our meeting during the present session, the desire of my colleague and myself as well as of every member is that I should express to you, Sir, our high appreciation of the admirable manner in which you have presided over our deliberations. In paying this tribute of regard, we are especially conscious of the strict impartiality you have invariably shown to every member, thus securing that efficiency of debate which is indispensable to the proceedings of so important a body as this House. May I offer my congratulations on the long term of valuable service in many important offices

that you have given to the State, and may I, as one born in the State, urge you to consider that your duty still lies in guiding the public affairs of Western Australia. It is the most earnest wish of every member that you may be granted a very long term of enjoyment of the honourable position you occupy. Your position is honourable in that you not only preside over this House but you hold a high place in the goodwill, the confidence and the esteem of every member. I wish to convey thanks to our worthy Chairman of Committees for his kindly guidance and forbearance. Among his predecessors none has exceeded him in courtesy, and none has shown more consideration for the leader and other members of the Chamber. Mr. Kirwan has extended assistance to us in every way, and we have always felt that we could rely upon his valuable help. We are exceptionally fortunate to have officers of the calibre of the Clerk of the Council and the Usher of the Black Rod. They have lightened the cares of my leadership, and I am sure they have protected other members as well from the pitfalls of procedure. The accuracy and efficiency of Western Australian "Hansard" is notable. Not once have I heard a complaint about the Chief or his staff. Other officers and the attendants have also done good work. I thank members for the kindness and thoughtfulness they have displayed through a long, difficult and arduous session, and I wish them with my whole heart all the joys of the season of peace and goodwill. I move—

That the House at its rising adjourn until the 21st January, 1926.

**HON. J. W. KIRWAN** (South) [3.55]: I, and I believe, all the members of this Chamber cordially endorse the remarks of the Chief Secretary concerning yourself Mr. President. I, as Chairman of Committees, have received considerable assistance from you, and whenever I have sought your advice you have been very kind and have extended all the help that I required. If the remarks of the Leader of the House concerning me are deserved, it is largely due to the assistance I have received from you, Sir, from the Clerk of the Council, and the Usher of the Black Rod. I hope that you, they, and the staff generally will have a merry Christmas and a happy New Year, and that we shall all meet again when Parliament re-assembles next year.

**THE PRESIDENT** (Hon. Sir E. H. Wittenoom—North) [3.5]: I am deeply sensible of the kind remarks that have fallen from the Leader of the House and from the Chairman of Committees. Mr. Kirwan referred to the Chief Secretary's conduct of the business. I am quite certain the business would not have proceeded so smoothly as it has done and with such an absence of unpleasantness had it not been for the co-operation of all the members. I am always glad to think that members recognise that the standing orders are of their own creation. The standing orders are not rules that have been made for members or drawn up by the President and forced upon them; they are rules made by themselves to maintain the dignity of the House and permit of the work being carried out in as excellent and expeditious a manner as possible. I cannot speak too highly of the manner in which the Chief Secretary has conducted the business. We are all pleased at his untiring attention and his unwavering courtesy and patience. I occupied the position of Leader for four years and I know that considerable patience is required to deal with a lot of the little amendments that come in just when the Minister feels that he has his Bill safely through, or when someone moves to report progress just when he wishes to make progress. The Chief Secretary has shown the greatest patience and courtesy and has always presented his measures clearly and concisely, without speaking at too great a length and without leaving anything of importance unsaid. We are all indebted to him for his work. I should like to include an expression of appreciation to Mr. Holmes and Mr. Harris for their good work at the conference last night, long and tiring work, which I feel sure members generally deeply appreciate.

Members: Hear, hear!

**THE PRESIDENT:** In extending the compliments of the season to hon. members, I do not forget that there will be an election in May next, when 10 members will have to submit themselves to the will of discriminating electors. I can honestly say that I hope that all will be returned, because, as I have already said, one would have to go a long way before finding a better debating House, or a better Chamber, than we have in the Legislative Council. We have all shades of opinion here, and that is what we should have. The only weakness that I

can see in it is that we want Mr. Walsh here. If we could only have him with us, then we would have all shades of political opinion represented in the Chamber. I think it would be found that after some hon. members had done with him here, he would hold different opinions himself. I can honestly and conscientiously express the wish that those members who have to go up for re-election will be returned to their places in this House. As I said to an hon. member to-day, a newcomer amongst us has not, in the early stages of his career as a member of this Chamber, the knowledge of the forms of the House and experience generally to enable him to carry out his work with justice to himself. When he has been in the Chamber for some time, it is different. He does not get very far during his first year or two because he has not established the confidence of other members in his ability and capacity. When we have amongst us eight or 10 experienced members who know how to give and take, how to debate and compromise, and yet maintain their strong personal opinions, we shall be fortunate if we have them back with us after the elections. I hope that will be our experience next year. In conclusion, I wish all the compliments of the season and I hope you will have a very happy and prosperous New Year. I desire to invite members to meet me in the President's room so that, over some refreshments, we may say farewell.

Question put and passed.

*House adjourned at 4.4 p.m.*

## Legislative Assembly,

*Friday, 18th December, 1925.*

	PAGE
Questions: Land Resumption, Karragullen	2921
Unemployment and Christmas holidays	2921
Wyndham Meatworks, unskilled labour	2922
Motion: Commissioner of Railways, to approve appointment	2922
Bills: Industrial Arbitration Act Amendment, request for conference, Conference with Council	2925
Industrial Arbitration Act Amendment, conference report	2926
Industrial Arbitration Act Amendment, Council's further Message	2935
Miner's Phtthisis Act Amendment, returned	2925
Day Baking, Council's Message, request for conference	2931
Day Baking, Conference with Council, managers' report—Bill discharged	2935
Dried Fruits, ruled out of order	2931
Swan River Improvements, returned	2934
Reserves, Council's amendments	2934
Taxation (Motor Spirit Vendors) Council's requested amendments	2934
Taxation (Motor Spirit Vendors) 3a.	2936
Group Settlement, returned	2935
Traffic Act Amendment, Council's amendments	2935
Stamp Act Amendment, Council's amendments	2936
Main Roads, Council's message, request for conference	2936
Main Roads, Conference managers' report	2937
Main Roads, Council's message	2937
Adjournment: Close of Session	2937

The SPEAKER took the Chair at 11 a.m., and read prayers.

### QUESTION—LAND RESUMPTION, KARRAGULLEN.

Mr. SAMPSON asked the Minister for Works: 1, In connection with the purchase and removal of Mr. T. K. White's house from land resumed at Karragullen, is he aware that the house has already been dismantled? 2, Will he say why it was that a written request, dated 2nd June last, asking for an opportunity to tender for the purchase of the building in the event of its being for sale, was disregarded? 3, Is he now able to give information regarding the conditions of removal and the price obtained?

The MINISTER FOR WORKS replied: 1, No. 2, Through a regrettable oversight. 3, No.

### QUESTION—UNEMPLOYMENT AND CHRISTMAS HOLIDAYS.

Mr. PANTON (for Mr. Sleeman) asked the Minister for Works: 1, Is he aware that the unemployed recently sent out on the roads to work are to have a compulsory holiday without pay for 10 or 12 days during Christmas and New Year? 2, If so, will he en-