

clearly that there is an attempt in the Standing Order to introduce a new practice which will materially take away the power of the people in regard to taxation, in regard to the appropriation of the results of taxation, and to transfer that power to a Chamber which cannot in the same degree be called representative and which does not possess the same responsibility, and cannot be made in the same way amenable to the popular will, as this Chamber. I will conclude by giving one farther extract from a speech made by Sir John Forrest at the Federal Convention. He spoke as one who had had some years' experience of the enforcement of this particular clause. In speaking of this question he expressed himself as follows:—

"The right honourable member (Mr. Reid) quoted Sir Samuel Griffith to show that there was very little difference between the power of suggestion and the power of amendment. I, with the greatest respect to that authority, think that there is a very great difference between the two powers. In the one case the Upper House merely sends back the Bill asking the Lower House if it will be good enough to amend the Bill, but the Lower House says, 'No, we cannot do anything of the sort,' so that the responsibility of throwing out the Bill rests with the Upper House. In the other case the Upper House sends the Bill amended down to the Lower House, and the responsibility of throwing out the Bill rests with the Lower House."

That is when an amendment has been made. But after five years' experience of the working of Section 46, after a more intimate acquaintance with its working than was possessed by any other member of either House, knowing that it had been treated to that time, as it has been treated until now, as a mere machinery section, intended to carry out the purpose of its mover and of those who adopted it, Sir John Forrest regarded Section 46 as a thoroughly harmless section, a section giving a weaker power than the power of amendment; whereas the Standing Order of the Legis-

lative Council would, if it became operative, give a greater power. This power to press a request would give a greater power to the Legislative Council in respect of those Bills over which it is supposed to exercise no power at all than is given to that body in respect of Bills over which it has equal powers with this House. I venture to submit I have shown sufficient reasons why my motion should be adopted.

Mr. G. TAYLOR (Mount Margaret) : I second the motion.

The ATTORNEY GENERAL (Hon. N. Keenan) : In view of the weighty matter laid before us by the member for Subiaco, which, together with the section in question, I should like to consider carefully before speaking to the House, I move that the debate be adjourned.

Motion passed ; debate adjourned.

ADJOURNMENT.

The House adjourned at 9.35 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 13th August, 1907.

	PAGE
Obituary, Condolence	748
Standing Orders as Amended	748
Question : Railways (new), Washaways	748
Motion : Railway Rates, Fremantle-Armadale	748
Bills : Marine Insurance, Com. resumed, reported	753
Marriage Act Amendment, Com. reported	754
Education Act Amendment, 2a	754
Industrial Conciliation and Arbitration, Com., progress	755
Permanent Reserve Rededication, 2a	756
Police Force (consolidation), Com., progress	757
Police Offences (consolidation), Com., progress	757

The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

OBITUARY—CONDOLENCE.

The PRESIDENT: In accordance with the resolution passed on the 23rd July, I wrote a letter of condolence to Mrs. Dempster, and have received this reply:

"Mrs. C. E. Dempster and family wish to return their sincere thanks for your kind expressions of sympathy in their late sad bereavement.

Springfield, Northam, August 9th, 1907."

STANDING ORDERS AS AMENDED.

The PRESIDENT reported having presented to His Excellency the Governor the Standing Orders adopted by the Council on the 1st August, and having received the following reply:—

"Mr. President and Honourable Gentlemen of the Legislative Council—

I have much pleasure in approving of the Standing Orders adopted by your Honourable House on the 1st August, 1907.

Fred. G. D. Bedford, Governor."

PAPERS PRESENTED.

1, Report of the Fishing Industry for 1906. 2, Explosives Act, 1895—Additional Explosives authorised. 3, Mining Development Act, 1902—Statement of Expenditure to 30th June, 1907. 4, Audit Act, 1904—Orders in Council under Section 35.

QUESTION—RAILWAYS (NEW),
WASHAWAYS.

Hon. J. W. WRIGHT asked the Colonial Secretary: 1, How many chains of formation and banks respectively, on the Wagin-Dumbleyung and Katanning-Kojonup Railways, have been either washed away or submerged during the recent rains? 2, What is the estimated cost of repairing the damage to same in each instance? 3, Have trains been unable to proceed the whole length of lines in consequence of damage caused to the railways by flood waters? 4, Who is the engineer responsible for the

grading and constructing of the low banks in each instance?

The COLONIAL TREASURER replied: 1, Wagin-Dumbleyung: six chains of formation flooded, and ballast washed away. Banks neither washed away nor submerged. Katanning-Kojonup: eighteen feet of formation flooded and ballast washed away. Banks neither washed away nor submerged. 2, Wagin-Dumbleyung: £5. Katanning-Kojonup: 6s. 6d. 3, Wagin-Dumbleyung: Yes. Train tabled for 31st July was cancelled, but ran on the following day instead. Katanning-Kojonup: No. Trains have continued to run over the full length of line. 4, The Engineer for Railway Construction.

MOTION—RAILWAY RATES, FRE-
MANTLE-ARMADALE.

Hon. M. L. MOSS (West) moved—

That this House is of opinion that the passenger fares on the Fremantle-Armadale Railway line should be revised so that the same be placed upon a more equitable basis than now prevailing, and that the Acting Commissioner of Railways be directed that all goods sent by rail from Fremantle to the South-Western districts be dispatched via the Jandakot line.

He said: There is an impression abroad in the Fremantle district that the Railway Department are doing their best to kill the line that runs from Fremantle through the Jandakot Area to Armadale; and I move this motion mainly with the object of enabling the Government to make a statement in refutation of the belief that prevails as to the intention of the Railway Department. That railway, as members know, was constructed to give the people of Fremantle a shorter cut to the South-Western District, and if the line is utilised properly a distance of some twelve miles is saved in the journey between Fremantle and Bunbury. But I am credibly informed that the department, instead of encouraging the people in the Fremantle district to use the new line, are placing every obstacle in the way; are doing their best to deter people from using it. Until I

was furnished with particulars by persons in a position to know something of the matter, I declined to take any action; but I have been informed by those who profess to know that these are a few of the circumstances in which the line is worked. I understand that a goods train with a car attached leaves Fremantle at 8 a.m.—a very slow train which generally does not start to time and frequently arrives in Fremantle at 10.30, thus occupying two and a-half hours in a journey of nineteen miles. I need hardly say this is no great encouragement to people from the South-Western District to travel *via* Jandakot. I am farther informed that a goods train with a car attached leaves Fremantle at 8.30 p.m.—a very slow train which frequently arrives in Armadale at 1 a.m., occupying four and a half hours on the journey. These are the only trains leaving Armadale over the Jandakot line, and thus it will be seen how the department are catering for the passenger traffic. As to the traffic from the Fremantle end I am informed there is only one train a day. At 3.30 a very slow train starts from that end, and does not arrive at Armadale till 5 o'clock, and sometimes later. Moreover, I think the country is entitled to some information as to the goods traffic over the line, for if the information I have received is correct, I hardly know why a line through the Jandakot Area was made; and the action of the department is very unfair to people resident in my province, which contains this branch line, that in ordinary circumstances would save 12 miles in the haulage of goods, but is not being utilised, goods being sent by a circuitous route through Perth, exactly as they were before the construction of the branch line. I am informed that goods carried 31 miles from Fremantle to Armadale *via* Perth are charged at the same rate as if carried *via* Jandakot, though the latter route is 11 miles shorter. I should like to know why that is so, and why the new line cannot be utilised. It will be very unfair for the country to be presently informed that the new line is not paying. No wonder it is not paying when the department are doing their best to divert the traffic in

another direction, while at the same time, to prevent public complaint, the goods are being carried an additional 11 or 12 miles by the circuitous route at the same rate as would be charged for the shorter journey. I am informed also that instances can be given of a settler south of Armadale ordering some tons of goods from Fremantle and requesting that they should be sent by Jandakot line. The Railway Department, however, elected to forward them *via* Perth, and when the department were approached for an explanation they said the charge for the railage of 31 miles *via* Perth was exactly the same as over the Jandakot line of 20 miles. The passenger fares charged on the line seem grossly unfair. For a first-class return ticket from Fremantle to Armadale *via* Jandakot, a distance of 20 miles, the fare is 4s. 5d., whilst 3s. 6d. is the fare from Perth to Armadale, a distance of 10 miles. For the one mile extra there is a charge of 11d.

Hon. W. Kingsmill : Consider the extra time for which the public use the train.

Hon. M. L. MOSS : I forgot that; but I hardly think it is a sufficient excuse for compelling the people of Fremantle to pay 11d. for a journey of one mile, when they desire to avoid an additional 11-miles' journey. I know the excuse will be made that though the journey from Perth to Armadale is only one mile shorter than from Fremantle to Armadale *via* Jandakot, the 19 miles from Perth is within what is known as the suburban radius, while the Jandakot line is outside that radius. Well, the sooner the suburban radius is made 20 miles instead of 19 miles, and those desiring to travel from Fremantle to Armadale by the shorter route are put on the same footing as residents of Perth, the better for them and probably the better for the railway from a financial point of view. I need hardly say that general disappointment is expressed at Fremantle with this highly unsatisfactory service between that place and Armadale. It is felt, and I confess there is much to justify the feeling, that an attempt is being made to unduly prejudice the Jandakot line so

as to bring the traffic through Perth. The line has cost a considerable sum of public money, and I think we can fairly ask that the department shall enable it to secure the traffic to which it can make a legitimate claim. I am informed that the conveniences along the line are exceedingly primitive, that it would not cost much to erect a few rough sidings; and I believe, if those sidings were erected, we should find the settlers in the Jandakot Area utilising the line much more freely. The House does not require me to remind them that the population of the Fremantle district is nearer 30,000 than 20,000, and that consequently the traffic between Fremantle and the South-Western Districts is considerable. There is no reason why large bulk lines should continue to be hauled through Perth, no reason why people should be penalised either by being compelled to have their goods hauled an additional 12 miles, or by a differential rate imposed with the idea of enabling the route *via* Perth to compete unduly and unfairly with the route *via* Jandakot. I am told that many people in the South-Western Districts have complained to business people at Fremantle that with the higher fares *via* Jandakot as compared with the fares *via* Perth, people are compelled to go to Perth to make their purchases, when in other circumstances, if the fares were arranged on a more equitable basis, they would go to Fremantle. I do not know that it is the duty of the Railway Department to attempt to divert to another part of the State traffic which legitimately belongs to Fremantle; and I shall therefore wait with some degree of curiosity to know why it is that the people who desire to travel over this branch railway are to be penalised in the way I have indicated. I have quite a number of other items upon these notes that have been handed to me which I shall be prepared to show the Minister—I presume he will ask for an adjournment of this debate with the idea of consulting the Railway Department—however, I think that even the few matters to which I have referred indicate clearly that it is a question that calls for some reply, and that there is a legitimate

number of grievances existing in connection with it.

Hon. G. RANDELL (Metropolitan): I have pleasure in seconding the motion. From the first hint that there was a likelihood of a railway being made from Fremantle to Armadale I was in favour of it, as I thought it was due to Fremantle and Jandakot and the people on the South-Western line that the shortest communication possible should be made between Fremantle and the South-Western Railway; and I am sorry to hear that there is anything approaching a desire—of course the information may not be altogether correct, but I take it that the hon. member has made himself acquainted as far as he possibly can with the facts of the case, and we can accept, at present, what he has given us until it is contradicted—or an attempt to divert legitimate traffic from Fremantle to the South-Western Railway at all, and I hope that this honourable House will make it quite clear and plain that we will not allow the Railway Department to do anything that is unjust or unfair or improper in regard to this railway. I hope members are of this opinion that we should insist on the Railway Department doing its duty in regard to the railway instead of retarding it or failing to make the best possible use of it. [*Hon. M. L. Moss*: Turning it into a white elephant.] Quite so. I should be sorry if there was any motive of that kind. One can understand the official element showing itself to some extent at any rate in regard to this railway, but the settlers at Jandakot have waited a long time to get this communication with Fremantle, their proper port and the proper place for the sale of their products, and they should not be disappointed in their expectations. I hope the Minister will see that the strictest inquiry is made into this matter, and that if there is any iniquity or unjust action towards that railway and the settlers along it, it will be altered immediately.

Hon. E. McLARTY (South-West) : I have much pleasure in supporting the

motion, because I know of my own experience that Fremantle has been considerably handicapped for a number of years. In the olden days before we had a railway to Perth, I personally did all my business with Fremantle merchants ; and most of the settlers throughout the South-West did their business at Fremantle ; but we found that the delay was so great in getting our goods from Fremantle, because they had to be sent to Perth and were shunted off there so that it usually took five or six days to get them—that we were obliged to abandon all connection with Fremantle and transfer our business to Perth. I think now that we have a more direct route *via* Jandakot, it is due to the people of Fremantle and also to the people of the South-West that the Fremantle-Armadale Railway should be utilised as much as possible. Already I have found considerable benefit through that railway in the trucking for instance of stock from Robb's Jetty. There is a large business done there, and it obviates the necessity of travelling the stock all round that additional distance *via* Perth, and it reduces the cost accordingly. The freight on stock is almost prohibitive, and I can assure the House that the people of the South-West feel the slight relief afforded by the construction of the Fremantle-Armadale Railway very much.

Hon. R. F. SHOLL (North) : I think myself it is purely a matter of administration. The House is asked to express an opinion that the passenger fares on the Fremantle-Armadale Railway should be reduced so that they may be placed on a more equitable basis. I do not know really whether the fares are equitable or inequitable ; it is purely a matter for the Government or those administering the Railway Department to give reasons why these apparently excessive charges are made in respect to this line. But when the House is asked to express an opinion that the rates of fares should be reduced, I think it is asking members to take too much responsibility on their shoulders, too much of the detail of the work of the railway system of the country. Probably the Colonial Secretary

when he speaks will give reasons. If not I think the matter should be adjourned so that the reasons of the Traffic Manager may be ascertained.

Hon. M. L. MOSS : I am satisfied with that. I want to know the reasons.

Hon. R. F. SHOLL : I do not feel inclined to commit myself to express an opinion that these fares should be altered, and I do not feel inclined to support the motion for the simple reason that I do not know anything at all about the matter. As I stated before it is a matter of administration, which I think those controlling the railways should in their discretion be allowed to use.

The COLONIAL SECRETARY (Hon. J. D. CONNOLLY) : I agree with the hon. member who has just sat down. It seems to me this is really a matter of administration. In speaking to his motion, Mr. Moss departed somewhat from the wording of it. What he complained about particularly was as to the time occupied in running these trains ; but there is nothing in the motion about that. I am not in a position to say whether the hon. member is right or not in this regard, but I have certain information in regard to the matters mentioned in the motion. If I have none in regard to the time occupied in running the trains it is the fault of the hon. member, because he has not mentioned in the motion that there was any complaint in that regard at all. The motion says that the fares are not equitable. They are cheaper than the ordinary fares, though they are higher than the suburban fares. In fact they are on what is known as the outer-suburban scale ; they are on exactly the same scale as that charged from Midland Junction to Chidlow's Well, or from Perth to Armadale. The fares are based on the same scale from Fremantle to Armadale as from Perth to Armadale, that is, on the outer-suburban scale. For the information of hon. members I will give an instance of what these charges are. For 10 miles first class the suburban rate is 1s. 8d., the outer-suburban rate is 2s. 2d., while the ordinary fare is 2s. 6d. Surely members will at once recognise that there is nothing inequitable about these fares.

They are simply the outer-suburban fares; and surely the Fremantle-Armadale Railway is rightly classed on the outer-suburban table just as Perth to Armadale is. So there is no favouritism shown to Perth in that, the fares being on exactly the same scale. Now take the question of goods. The hon. member said that the Railway Department has unduly favoured Perth. I claim that he has failed to establish that point at all. Certain goods are certainly taken round *via* Perth, but those are goods in small lots—the hon. member quoted an instance of several tons, and the reason is that there is not sufficient traffic along the Jandakot route to run as many trains as from Perth, and if the goods did not go *via* Perth the result would be that these goods would have to remain at the despatching station, Perth or Armadale, for a considerable time. When there is a train load, or anything approaching a train load, the goods go by the shorter route. I fail to see the benefit to Perth or the injustice to Fremantle if certain small lots of goods go *via* Perth rather than *via* Jandakot. Let me add that these goods cost no more to the consignee if sent *via* Perth, because they are charged exactly the same rate as if they go *via* Jandakot. It is only for the convenience of customers of the railway that the goods are sent *via* Perth instead of having them lying at Armadale or Fremantle for several days. It does not cost the people any more; and is it likely that the Railway Department would take the trouble and go to the expense of sending these goods 12 miles farther for nothing at all? It is done for the convenience of the people in order that the goods may not be delayed. When there is a full train of goods they are always taken by the shorter route. The other point the hon. member touched on, the matter of the time occupied in the train journeys, I will bring under the attention of the Railway Department and under the notice of the Minister for Railways, and see if it is possible to have it altered. If the hon. member is correct in the information he has received on that point it seems rather long. However, I maintain there is no case made out why the

fares should be reduced, or why all goods should be compelled to go by this particular route. The latter part of the motion is that the Acting Commissioner of Railways be directed that all goods sent by rail from Fremantle to the South-Western Districts be despatched *via* the Jandakot line. I do think it is hardly a motion this House should pass. We should not direct in matters of detail what the Acting Commissioner of Railways is to do. The Acting Commissioner of Railways is asked to work the railways on a business basis. Are we going to direct that, because there are a few tons of goods at Fremantle, instead of sending them the long way which costs the people no more, he is to put on a special train and practically a train or several trains a day, just for the sake of running traffic over that line rather than run it the other way when it costs the people no more? I quite agree it is purely a matter of administration, and I would ask the House not to agree to the motion. I do not suppose the hon. member intends to press it since these things have been brought under his notice. Probably the explanation I have given will satisfy him and the House that there is no intention on the part of the Railway Department to make that railway, as has been said, a white elephant, or to do any injustice to it at all. Of course the hon. member says it will appear later on in the accounts that this railway is a non-paying line; but that is only a matter of bookkeeping, and it can always be explained in this way; but for the sake of having things appear right on paper is the hon. member going to ask the department to spend thousands of pounds so that one railway will appear a better paying line under the other system?

Hon. M. L. MOSS (in reply as mover) : My chief aim in bringing this motion forward was to direct attention to the way in which this railway was being worked. Presently I shall ask permission to withdraw the motion, but I desire to say now that I am not at all satisfied with the answer I have had. In the first place, with regard to these pas-

senger fares, I cannot see yet why one mile difference between Fremantle and Armadale as against Perth and Armadale should be charged 11d. for.

The Colonial Secretary : The fare is charged at the same rate, namely suburban rate.

Hon. M. L. MOSS : I know that the department can by some arbitrary means fix the suburban rate. The position is this. The fare from Perth to Armadale return is 3s. 6d., and from Fremantle to Armadale, one mile farther, 4s. 5d. There is a general complaint in Fremantle on this question, and I am voicing a legitimate grievance when I complain that the sum of 11d. has to be paid for the additional mile of the journey I have indicated. Why people for all time should be penalised in this manner I am at a loss to understand. I think the Acting Commissioner of Railways should have these rates revised and the question of fares placed on a more equitable basis. With regard to the goods traffic, I am still dissatisfied on that point. We know perfectly well that the largest quantities of bulk goods go from Fremantle, and that the storekeepers in the South-West obtain much larger supplies from Fremantle than from any other railway station in the State. I believe that by so altering the method of dealing with the cargo given to the Commissioner of Railways for carriage to the South-Western Districts, trains could be kept running more regularly and a much better service pertain than has in the past. That is the opinion of a very large section of the people in the province I represent. This is not an imaginary grievance, but is one which I am fully justified in bringing before this House, as this is the only place where I can express the dissent of the people I represent. It has been said that this is a matter of administration, but are not all acts of administration that are inconsistent and might cause injury to the people in any locality to be brought before Parliament for redress simply because it is a matter that should be dealt with by the Commissioner of Railways who had omitted so to deal with them in the past? The fare at present between the places I have mentioned is too high,

and the system of sending the traffic through Perth is wrong. I would like to know whether, before the line was built, goods were sent at the same rates as the present time. We have not had nearly enough information, but I do not propose to ask the House to record their vote on the matter. I admit that the motion is not couched in such language as to form the subject matter of a resolution of the House, and I recognise with other hon. members that it is not becoming for us to give directions in this House, by way of resolution, to the Commissioner of Railways that he should do these things. I am satisfied that I have been able to make a complaint, and I hope that the Railway Department will consider the grievances that the people of Fremantle are subjected to at the present time. Later on in the session, if measures for relief are not supplied, I must again move in the matter, and on that occasion will supply the House with more material than I have on this occasion. I have not moved to-day on my own account, but numerous people have spoken to me with regard to it. I declined to move until they gave me something in black and white which would justify the course I have taken. Having had the opportunity of giving this amount of publicity to the matter and hoping that the Minister will communicate with the Minister for Railways, and at any rate see that the grievances the people have in reference to the excessive passenger fares are redressed, I beg leave to withdraw the motion.

Motion by leave withdrawn.

BILL—MARINE INSURANCE.

In Committee.

The COLONIAL SECRETARY : When the Bill was last before the House, he had moved that progress be reported because he had received a communication desiring that a certain new clause be added to the Bill. Since then, he had consulted with the legal advisers of the Government with the result that it was now deemed unnecessary that such clause should be added.

Schedules, Titles—agreed to.

Bill reported without amendment ; report adopted.

BILL—MARRIAGE ACT AMENDMENT.

In Committee.

Clauses 1 to 5 agreed to.

Clause 6—Amendment of Section 8 :

Hon. J. W. HACKETT : What was the meaning of the alteration ?

The COLONIAL SECRETARY : The clause dealt with the question of witnesses, and the amendment was to decrease the age limit of witnesses from 18 years to 16. The amendment was proposed at the unanimous request of the churches, for it had been found in some instances that it was difficult to obtain witnesses of the age of 18 years. Inconvenience would be prevented by reducing the age to 16.

Question passed.

Clause 7—Amendment of Section 12 :

The COLONIAL SECRETARY moved an amendment—

That in line 15 the words "or districts wherein the parties to such marriages have" be struck out, and "wherein one of the parties to such marriage has" be inserted in lieu thereof.

By this amendment it was provided that the banns for a marriage should be called in the districts in which both the bride and bridegroom resided. Under the existing Act it was only necessary to have the banns proclaimed in one district, and it was hard to explain how that provision had been inserted. It was considered that the banns should be called in more than one district, and the majority of the churches were of that opinion. The amendment simply meant that the banns should be proclaimed in the districts where the parties resided.

Amendment passed.

Clause also amended consequentially, and agreed to.

Clauses 8, 9, 10—agreed to.

Clause 11—Monthly returns :

Hon. J. W. LANGSFORD : This clause provided that where no marriage had taken place, returns had to be sent

in by the minister. There might be scores of ministers who never solemnized marriages, yet according to the clause they would have to send in blank returns to the registrar every month. Was this provision necessary ?

The COLONIAL SECRETARY : The Registrar General considered the provision necessary. Several ministers of religion had waited on him (the Colonial Secretary) in regard to this and other matters, and were quite satisfied after the explanation given. There was no hardship in a minister sending in a return of the marriages marked blank. Having the duty to make out a list of marriages monthly, it was not likely that a minister would overlook the work.

Clause agreed to.

Clauses 12 to 15—agreed to.

New Clause—Amendment of Section 28 :

The COLONIAL SECRETARY moved that the following be inserted as Clause 10 :—

Section 28 of the principal Act is hereby amended by inserting after the word "declaration" the words "or in any notice or certificate required before solemnization, or in the registration of the marriage when solemnized."

Hon. J. W. HACKETT : What was the difference between "solemnized" and "celebrated." A Judge might ask what was the distinction.

The COLONIAL SECRETARY : These were the words used in the principal Act.

Hon. J. W. HACKETT : Would it not be well to stick to one term ?

Clause passed.

Schedule, Title—agreed to.

Bill reported with amendments ; report adopted.

BILL—EDUCATION ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) : In moving the second reading of this Bill, I do not think it needs many words of explanation, for it is chiefly to correct a few errors in the

present Act which have caused some trouble. Clause 2 is an amendment of 63 Victoria, No. 3, Section 6. The subsections (a) and (b) of that section are unchanged, but to subsection (c) an addition was made in 1905, but was badly drafted. It insisted on attendance if a school was within 12 miles of the house and 10 miles at least of that distance might be travelled by rail; thus a parent whose children had only one mile to walk and six to travel by rail could claim that he was not covered by the Act. The present amendment simply expresses what was intended in 1905. The last three lines of the subclause are new, and are a proviso fixing the minimum time which shall count as a minimum attendance. A parent who had been fined for not sending his child to school saw that under the clause he could demand that if he sent the child at nine o'clock it should be let out at 11 o'clock. He made the demand, and the Crown Law officers stated that we could not refuse. The proviso is to obviate this difficulty. The Bill is really constituted of one clause; but Clause 3 repeals certain sections of the existing Elementary Education Act. The amendment of the Act of 1871, Section 21, is repealed. This section allots a sum from the public grant, if any, for books, etcetera, not exceeding 5s. per head for children in Government schools. This is a relic of old days before representative Government, and is meaningless now that provision is made in the Estimates submitted to Parliament.

Hon. G. Randell: They are practically repealed now, all of them.

The COLONIAL SECRETARY: Yes; they are not in use. We are repealing out-of-date sections and removing them from the statute-book. The clause also repeals Section 3 of the Elementary Education Act of 1871, which sets apart £3 10s. per head on the average attendance for the support of Government schools to be appropriated from the educational grant; and the same remark applies.

Hon. W. Kingsmill: That does not alter the allowance to teachers in sparsely populated districts?

The COLONIAL SECRETARY: It is provided under the old Act that Par-

liament shall grant £3 10s. for attendance, and under the other section £4 10s.; this is not done now. The Public Education Act of 1899, Section 6, which is really Clause 2 of the Bill, repeals that section; it is out of date and not used. The same thing applies to the last portion of the schedule, which repeals other sections of Acts now in existence. I do not think farther explanation is necessary. These amendments are intended for the better working of the Education Act.

Question put and passed.

Bill read a second time.

BILL—INDUSTRIAL CONCILIATION AND ARBITRATION.

In Committee.

Clauses 1, 2, 3—agreed to.

Clause 4—What societies may be registered:

Hon. J. W. HACKETT: Was it necessary to go farther with the Bill tonight? He was in the unfortunate position of having seen only the outside of the Bill this afternoon, and while dealing with other measures he had been reading up *Hansard* to see what progress had been made with the Bill. There was no necessity for hot haste with this great measure. He had not had an opportunity of studying the provisions. From a casual glance at the Bill, very important changes were made in the industrial conciliation and arbitration law of the State. He had not had the pleasure of hearing the Colonial Secretary's speech in moving the second reading, but he had been trying to read the remarks in *Hansard*. This Bill was of first-rate magnitude, and should not be hurried through.

The Colonial Secretary did not admit it had been hurried.

Hon. J. W. Hackett: So far as he was concerned.

The COLONIAL SECRETARY: It was now over a month since the Bill had been introduced, and a considerable time had been permitted to elapse after the second reading in order that members might have an opportunity of inquiring into the Bill. Some members had been

away during the early part of the session—[*Hon. Dr. Hackett* : Some were still absent]—but the business of the country could not wait the return of other members now away. However, he had no desire to hurry the business, and to meet the desire of members he now moved :—

That progress be reported and leave asked to sit again on Tuesday next.

Motion passed ; progress reported.

BILL—PERMANENT RESERVES REDEDICATION.

Second Reading.

The COLONIAL SECRETARY (*Hon. J. D. Connolly*) in moving the second reading said : This is a purely formal measure. A certain reserve at Kalgoorlie, No. 6895, was some years ago vested in a body known as the Kalgoorlie and District Gala Trades Association. They made considerable improvements on the ground ; fenced it, and altogether expended considerably over £1,000 on it. Later on they got into financial difficulties and owed to various creditors some £1,600 ; among others the Western Australian Bank being a creditor to the amount of £1,200 odd. The bank foreclosed, and in order that the land might not be sacrificed the Government agreed to re-purchase it by paying off the liabilities ; and for that purpose there was provided on last year's Estimates a sum of £1,600. The improvements on the land are worth the greater part of that amount. It is now proposed to subdivide portion of the land and offer it for sale as town lots. By this means it is believed that the amount paid for the land will be recouped. Five acres are to be a municipal reserve, and handed over to the Kalgoorlie Municipal Council.

Hon. M. L. Moss : What is the area of the land ?

The COLONIAL SECRETARY : Some 25 or 30 acres—I am not certain as to the area ; but five acres are to be reserved and the remainder cut up into town lots. I move :—

That the Bill be now read a second time.

Hon. M. L. MOSS (West) : This is a far from satisfactory explanation of the

matter the Bill proposes to deal with ; and I should be pleased if I could get a little more information with regard to it.

The Colonial Secretary : What farther information do you wish ?

Hon. M. L. MOSS : In a nutshell, it appears that a society at Kalgoorlie had 20 or 25 acres of land vested in them ; they became incorporated, apparently taking advantage of the Act of 1895, and ran up £1,600 or £1,700 liability to the bank and other creditors. In respect of this liability, the Act provides that there shall be no personal obligation on the managing committee of the incorporated society. The society apparently held this ground from the Government for recreation and show purposes ; and in order to prevent the ground being seized, the Government evidently came to the rescue, found £1,600 to pay off the liabilities ; and now, as I understand from the Minister, portion of this land is being cut off and sold as town lots in Kalgoorlie, and the balance practically handed back for recreation purposes, not to the same body it is true, but to the municipal authority of Kalgoorlie. The money was voted last session, although it is information to me that Parliament passed a vote of this description ; but it seems to me eminently unsatisfactory that a body charged with the administration of a piece of land of this character should have incurred responsibility to the tune of £1,600, and that the Government should have found the money to pay off that liability. I think the whole thing is unsatisfactory indeed. By this Bill the land is to be re-vested in the Crown, and I do not know that the passing of the Bill will do any great injury ; but it seems to me that the whole transaction in connection with this land and the paying off the £1,600 is unsatisfactory indeed. We are absolutely in the dark.

The COLONIAL SECRETARY (in reply as mover) : I deny that the explanation given is unsatisfactory, or that we are totally in the dark. I was not able from memory to give the full details. The other Bill that I thought would have occupied some time having been suddenly

adjourned, I was not able for the moment to place my hand on the particulars ; but having since been able to do so, I will now give those particulars to the House. The land contains 27 acres—that is the only information the want of which the hon. member complained of—and was in 1903 vested in the Kalgoorlie and Boulder Trades Gala Society for the purposes of a show ground. The society afterwards obtained permission to borrow £100 on the land. In 1904 they applied to the Government for financial assistance to the amount of £250. This they were refused, but were given an annual grant of £50 in aid of their show. A couple of years ago the gala shows ceased, and by that time debts had accumulated to the amount of £1,600. The Government took over the mortgage from the bank ; and now this Bill proposes simply to re-vest the land in the Crown. Five acres are to be reserved ; but they will not be handed over to the same people—[*Hon. M. L. Moss* : I did not say to the same people]—but to the municipality of Kalgoorlie, as a municipal reserve. Members who know Kalgoorlie will know this piece of land, lying near the racecourse, towards the south-west corner of the townsite.

Hon. G. Randell : What is to become of the remainder ?

The COLONIAL SECRETARY : I have already explained that the remaining 22 acres, less streets and rights-of-way, are to be cut up and sold as town lots.

Hon. J. W. Hackett : What is the value of it ; £10 per acre ?

The COLONIAL SECRETARY : Much more than that, I think. There would be no difficulty in getting £20 for a quarter-acre block there. Though the value of land has declined since I lived in Kalgoorlie, at that time one could not get a quarter-acre for anything like £20. I may add that there has been a considerable demand for land so cut up during the last two years. I apologise if I did not supply sufficient information at the outset ; but I deny that the explanation was unsatisfactory.

Hon. J. W. HACKETT : When the Minister first moved the second reading,

one name was read out as that of the society which held the land ; in his second speech another name was quoted, and there is a third name in the Bill. Do these all refer to the same land ?

The COLONIAL SECRETARY : I may not, in speaking, have given the correct title of the society, which is "Kalgoorlie and Boulder Trades Gala Society, Incorporated." The hon. member may be satisfied that the name printed in the Bill is the proper title.

Hon. J. T. GLOWREY rose to speak.

The PRESIDENT : It is usual always for the Minister to wind up a debate. Is it the wish of the House that the hon. member be heard ?

Assent given.

Hon. J. T. GLOWREY : I rise merely to say I remember the circumstances that led up to the Government making this advance and taking over this land. I know the property well, and I think the Government will make a very good deal and probably make a profit out of the sale of the land. I know that what is concerning some hon. members is a fear of a possible loss. I do not fear there will be any loss ; on the contrary, I think there will be a profit.

Question passed ; Bill read a second time.

BILL—POLICE FORCE (CONSOLIDATION).

In Committee.

Clauses 1 to end—agreed to.

Title :

On motion by the *Colonial Secretary*, progress reported and leave given to sit again.

BILL—POLICE OFFENCES (CONSOLIDATION).

In Committee.

Clauses 1 to 15—agreed to.

Clause 16—Penalty when drunk in charge of a child :

Hon. C. A. PIESSE moved an amendment—

That the word "seven," in line 2, be struck out, and "twelve" inserted in lieu.

A child of eleven years, when in an hotel, needed as much protection as a child of seven. The words "having charge" were too vague.

The COLONIAL SECRETARY: There was no objection to the amendment, if it was not going too far.

Hon. J. T. GLOWREY: There was a danger that if a grown-up child was sent to bring its parent home and the parent was drunk, a mistake might be made and the parent might be liable to a month's imprisonment.

Amendment passed.

Subclause 2 amended consequentially: clause as amended agreed to.

Clauses 17, 18, 19—agreed to.

Clause 20—Prohibition of sale of liquor to persons declared to be habitual drunkards:

Hon. J. W. HACKETT: Where was this provision taken from?

The COLONIAL SECRETARY: There was a similar provision in the Licensing Act. This was a redrafting.

Hon. J. W. HACKETT: The provision in the Licensing Act would still exist?

The Colonial Secretary: Yes. It was not repealed.

Hon. J. W. HACKETT: In the Licensing Act it did not make the habitual drunkard subject to farther punishment, as this clause would do.

The Colonial Secretary: The latter part of the clause was the same as the law in England.

Clause passed.

Clauses 21 to 34—agreed to.

Clause 35—Male persons connected with prostitution:

Hon. C. A. PIESSE: This clause provided that any male person who persistently solicited should be liable to imprisonment. There was no need for the word "persistently"; the one offence should be sufficient to bring such persons within the four corners of the law.

The COLONIAL SECRETARY: It was the existing law. It would be rather severe to inflict imprisonment for 12 months for the first offence.

Hon. C. A. PIESSE moved an amendment—

That the word "persistently" be struck out.

Hon. J. W. HACKETT: It would be too dangerous.

Amendment withdrawn; clause passed.
Clauses 36 and 37—agreed to.

Progress reported, and leave given to sit again.

ADJOURNMENT.

The House adjourned at 6.15 o'clock, until the next day.

Legislative Assembly,

Tuesday, 13th August, 1907.

	PAGE
Electoral: West Perth, Resignation	758
Questions: Camels Importation, Regulations	758
Companies and Dividend Duty	759
State Battery, Boiler Test	759
Golden Pole, Boiler Test	759
Standing Orders Revision, debate resumed, Council's Requests when Insisted on	759
Bill: Port Hedland-Marble Bar Railway, 2a. resumed	768
Adjournment: Governor General's Visit, division	773

The SPEAKER took the Chair at 4.30 o'clock.

Prayers.

ELECTORAL—WEST PERTH, RESIGNATION.

Mr. SPEAKER intimated that he had received the resignation of Mr. F. Illingworth, member for West Perth.

On motion by the Premier, seat declared vacant.

QUESTION—CAMELS IMPORTATION, REGULATIONS.

Mr. MALE asked the Minister for Agriculture: 1, Has his attention been drawn to the fact that the newspapers in