

ment? I appeal to hon. members to give unanimous support to this motion.

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

Ayes ...	11
Noes ...	17

Majority against ... 6

AYES.
Mr. Ewing
Mr. Higham
Mr. James
Mr. Kenny
Mr. Leake
Mr. Oldham
Mr. Simpson
Mr. Solomon
Mr. Throssell
Mr. Wood
Mr. Vosper (Teller).

NOES.
Mr. Doherty
Sir John Forrest
Mr. A. Forrest
Mr. George
Mr. Hall
Mr. Holmes
Mr. Hubble
Mr. Lefroy
Mr. Locke
Mr. Mougier
Mr. Morun
Mr. Pennefather
Mr. Phillips
Mr. Piesse
Mr. Quinlan
Mr. Venn
Mr. Venn (Teller).

Motion thus negatived.

UNDERGROUND SURVEYORS BILL.

Received from the Legislative Council, and read a first time.

MOTION—MINING ON PRIVATE PROPERTY.

MR. QUINLAN (Toodyay), according to notice, moved:—

That in the opinion of this House it is desirable, in the best interests of this colony, the Government should, as early this session as possible, introduce the necessary legislation for mining on private property.

He said that, although he had come prepared to support the motion with arguments which he did not think could be refuted, he would content himself with submitting the proposal without further comment.

Put and passed.

ADJOURNMENT.

The House adjourned at 11:35 p.m. until the next day.

Legislative Council,

Thursday, 2nd December, 1897.

Question: Consolidation of the Statutes—Bankruptcy Act Amendment Bill: third reading—Mines Regulation Act Amendment Bill: in committee—Supply Bill, £350,000: first reading: Standing Orders Suspension; second and third readings—Imported Labour Registry Bill: third reading—Employment Brokers Bill: in committee—High School Act Amendment Bill: second reading; in committee—Auctioneers Act Amendment Bill: second reading; in committee—Steam Boilers Bill: in committee; division—Paper presented—Adjournment.

THE PRESIDENT took the Chair at 4:30 o'clock p.m.

PRAYERS.

QUESTION—CONSOLIDATION OF THE STATUTES.

HON. R. S. HAYNES asked the Minister of Mines:—(1) Whether, in view of the unsatisfactory state of the statute law of the colony, owing to numerous amendments, it is the intention of the Government to have the statutes consolidated? (2) If so, when?

THE MINISTER OF MINES (Hon. E. H. Wittenoom) replied: The matter is now under consideration.

HON. R. S. HAYNES asked when the information asked for was likely to be given.

THE MINISTER OF MINES said the matter was now engaging the attention of the Crown Law Officers, as to whether they would have time during the present session to do the work.

HON. R. S. HAYNES: Out of session would be a better opportunity.

THE MINISTER OF MINES said he would be glad to let the hon. member know, as soon as the Crown Law Officers arrived at a decision.

BANKRUPTCY ACT AMENDMENT BILL.

Read a third time, on the motion of Hon. A. B. KIDSON, and transmitted to the Legislative Assembly.

MINES REGULATION ACT AMENDMENT BILL.

IN COMMITTEE.

Consideration in committee resumed.

Postponed Clause 8—Plans and copies not to be copied or inspected without Minister's permission:

THE MINISTER OF MINES: In accordance with the understanding arrived at on the previous day, the clause had been postponed to enable him if possible to meet the objection of Mr. Matheson in regard to the Minister giving power to any person to inspect plans. He now moved that the clause be struck out, and the following clause inserted in lieu thereof:—

All plans and other information furnished to the Minister pursuant to this Act shall be used solely for official or statistical purposes, and are to be regarded as secret and confidential, and no officer shall allow any plan, or the copy or tracing thereof required to be delivered to the Minister by this Act, to be inspected except by another officer under the direction of the Minister, and no officer shall furnish any plan, or copy, or tracing thereof, or any information concerning the same, except to another officer, and under the direction of the Minister. Every officer failing to observe and comply with this section shall be guilty of an offence against the principal Act.

That clause, he thought, would meet the objection of Mr. Matheson, because no one but an officer authorised by the Minister would inspect the plans.

HON. R. S. HAYNES: The new clause did not meet the objection raised, which was that the Minister might authorise any person other than an officer of the department to inspect the plans. What was there in the clause to prevent the Minister from giving him (Mr. Haynes) a priority to inspect the plans?

THE MINISTER OF MINES: It did not authorise the Minister to do so.

HON. R. S. HAYNES: But it did not prevent the Minister from doing so.

THE MINISTER OF MINES: The hon. member was not an officer of the department, and therefore the clause would not apply to him.

HON. R. S. HAYNES: The clause only dealt with officers, but not with the Minister. If it were passed, it would be in the power of the Minister to allow persons outside the service to inspect the plans.

HON. A. H. HENNING: The object of the Bill was simply to obtain a statistical return for the use of the department. Unless there was a restriction to prevent him from doing so, the Minister would be able to give information to the public if they required it. There was a special provision in the Industrial Statistics Bill that every return should be

treated as strictly confidential. Why should there be any distinction between the mining and other industries?

HON. A. P. MATHESON quite agreed with Mr. Haynes, who could not have more concisely expressed his own views.

THE MINISTER OF MINES was quite willing to meet hon. members. The object of the information was for statistical purposes entirely. He thought there had been a great deal of straw-splitting about Ministers giving information outside. Hon. members might just as well bring in a Bill providing that the Premier should not give any information about the issue of Treasury bills which would be adverse to the interests of the country, as making these stipulations and restrictions. However, he had no objection to the clause being worded to suit hon. members, and he would withdraw his amendment for that purpose.

HON. R. S. HAYNES: With the addition of a few words at the commencement, the clause might stand as it was. He moved that the following words be inserted at the commencement of the clause:—"All plans and other information furnished to the Minister pursuant to this Act shall be used solely for official or statistical purposes, and are to be regarded as secret and confidential and."

THE MINISTER OF MINES accepted this addition to the clause proposed by Mr. Haynes.

Amendment (by the Minister) by leave withdrawn.

Put and passed, and the substituted clause agreed to.

THE MINISTER OF MINES explained that in Clause 10, on which there had been some discussion on the previous day, the words "the Act," through a clerical error, appeared all through instead of the words "principal Act." The error would be corrected.

New Clause.

HON. A. P. MATHESON moved that the following new clause be added to the Bill:—

Section 20 of the principal Act is hereby amended by the addition of the following words:—"Except in the case of accidents arising from the action of any certificated engine-driver in charge of machinery."

Section 20 of the principal Act provided that any accident at a mine should be *prima facie* evidence of neglect on the

part of the owner or manager. That section he regarded as unreasonable, but he only proposed to amend it to the extent of which he had given notice, seeing that when the recommendations of the Royal Commission on the Mining Act were published, that section would probably be altered. Mine managers were obliged to employ certificated engineers, who were, to a large extent, the result of theoretical and not practical capacity. On the question of responsibility he had taken legal opinion, which was to the effect that although a certificated engine-driver might be employed, the mine-owner was still *prima facie* responsible for any accident, and thus had the onus thrown on him of proving that the accident did not arise from his fault. There were many practical engine-drivers not certificated whom mine managers would be glad to employ, but under the Act they were forced to employ certificated men. The amendment would lay on the complainants the onus of proving negligence on the part of the mine-owner or manager.

THE MINISTER OF MINES: It was obvious that in all cases of accident someone should be held responsible, and it was only reasonable that that person should be the owner or manager who had full control of the mine. The responsibility was purely *prima facie*, and all the manager or the owner had to prove was that the accident arose not from his neglect but from the neglect of someone else. A certificated engine-driver, who was a good man, might take an engagement at a mine where, in consequence of defective appliances or construction, accidents occurred while he had control of the engine. The application of the amendment would, under such circumstances, be unreasonable. The safety of the people employed in mines must be provided for.

HON. A. H. HENNING: Every word of the Minister of Mines as to the responsibility for accidents could be agreed with, if a mine owner or manager was at liberty to engage whom he pleased to drive his engine. If a certificate was of any value, the fact of a certificated man being employed should be the first answer made by an owner to any claim made against him on the ground of negligence. Where the mine owner or manager was

restricted in his choice of engine-drivers, some of the onus of obligation to prove negligence should be thrown on the person making the charge of negligence.

HON. J. W. HACKETT: The amendment was entirely opposed to the principles which were gaining in vogue daily, he hoped, all over the world in the direction of taking every possible power by legislation to protect working men. Men employed in mines were absolutely at the mercy of the men who paid them their wages, and the whole scope of modern legislation was to see that the man who paid the wages and profited by the labour bore to the fullest degree his share of the responsibility. He spoke as an employer of labour with an acquaintance of many years with machinery, and he was convinced that the man who was most to blame when anything went wrong was the employer, who had either not taken proper care in the choice of the men whom he put in charge, or had otherwise considered his own pocket to the possible danger to health, life, and limb of his workmen. If the amendment were carried, the working miner would not know where to look for redress. He hoped the principle of the Bill would be carried still further, and that there would be a general Employers Liability Bill, which would impress upon all employers of labour that their workmen were a charge of more or less a sacred character.

HON. R. S. HAYNES expressed the hope that the amendment would be withdrawn. The principal Act had only been in force a short time, and had not been found to work badly or harshly. At the same time, the amendment did not make the mine owner any more or any less responsible, but merely provided on whom lay the onus of proof of alleged negligence. Miners worked underground, and it was only fair that some extra caution should be taken by the mine owner at the surface. If a mine owner could prove there was no negligence on his part, then he was not liable; and to prove that could surely not be deemed a hardship.

HON. A. P. MATHESON: After the explanation given by Mr. Haynes, the best course would be to withdraw the amendment. As to Mr. Hackett's lofty sentiments in regard to the working man, every hon. member in the House had the interests of the workers at heart, and per-

haps no one more than himself (Mr. Matheson). Mr. Hackett assumed that the amendment would have the effect of shifting the responsibility; but, as had been explained by Mr. Haynes, the amendment simply shifted the onus of proof.

New clause, by leave, withdrawn.

Preamble and title—agreed to.

Bill reported with amendments.

AMENDMENT ON REPORT.

New Clause:

THE MINISTER OF MINES said Clause 5 had been struck out through misadventure, and some clause must be substituted, or the Bill would be incomplete. It would no doubt be expensive to owners of small mines or mines a long way from centres of population to employ surveyors to make plans. He therefore moved the following new clause, to take the place of the rejected Clause 5:—

Within thirty days after the first day of July following the passing of this Act, and henceforth within thirty days after the first day of every January and July, every mining manager shall, in relation to every mine under his charge, furnish to the Minister a complete survey plan on the scale aforesaid, showing all the working of the mine from the date of the last survey to the days above-mentioned respectively; and each survey plan of every mine situate within twenty-five miles of a townsite shall be made by a surveyor and signed by him.

This was so much of a compromise as to be almost a departure from the principle of the Bill, but he submitted the new clause in order to meet the views of hon. members.

HON. A. H. HENNING: Notwithstanding the Minister's request that hon. members should meet him in a compromising spirit, he could not agree to accept the clause as drafted, and he should move that all words after "respectively" be omitted. After the division yesterday he thought he could claim a clear and distinct expression of opinion from hon. members regarding the provision proposed to be incorporated in this Bill. If the plans were to be signed by the mine managers, they would be made responsible for them; but, if the mining manager was forbidden to execute the survey, why should he be compelled to sign and certify that the plan was correct, when he was incapable of executing the survey upon which it was based? He (Mr. Henning)

was entitled to draw an analogy between this Bill, which was a statistical Bill, and the Industrial Statistics Bill. In the latter case it was taken for granted that the returns would be correctly made. No board of examiners was appointed to examine people as to their competency for collecting the returns, and individuals were not compelled to go to any guild to furnish the returns. Why then, should this distinction be made in mining? Why should the mine owner be compelled, not only to furnish a "complete" plan, but a complete plan executed by a licensed surveyor? If the plan was complete, the mere fact of its being executed by a surveyor could not render it more complete. He did not know why the Minister should allow mine managers to execute these surveys at a distance of 25 miles from a townsite and not anywhere else. Why should we hamper and harass—he could use no other term—the mining industry, not for the protection of those who were employed in the mines, not for the safety of the men working underground, but solely for statistical purposes? It would simply mean that the industry, which was now recognised as the mainstay of the prosperity which this colony was experiencing, would be hampered instead of encouraged. Hon. members should bear in mind the deliberate vote they gave a few hours ago on this very point.

HON. G. RANDELL: The analogy drawn by Mr. Henning was rather misleading. In the one case the returns to be furnished were simply as to matters of fact, but in the present case the returns to be furnished were technical. Mr. Henning had been happier in the other point which he had made, namely, that if it was desirable to have these surveys executed by mine managers 25 miles beyond a townsite, why was it not desirable to have the surveys executed by mining managers within that distance?

HON. F. T. CROWDER: If a mine manager was capable of executing a survey outside the 25 mile radius, the Government should accept surveys from him within the 25 mile radius. He could understand the Government attempting to build up an accurate department, but it struck him that they were attempting to build it up at a terrible cost to mine

owners. He hoped the Minister would withdraw his motion, and accept the amendment moved by Mr. Henning.

HON. A. P. MATHESON said he could not accept the Minister's clause. Hon. members had been fighting for a principle for four or five days past, and we could not afford at the last moment to sacrifice that principle, even if we were going to limit its application to within a certain limited area. The principle that we had fought for was that the plans prepared by a mining manager were presumably, as far as anybody could judge, as correct as the plans which would be prepared by a licensed underground surveyor. He considered that the Minister had weakened his own case very considerably by agreeing to accept inaccuracy outside a limit of 25 miles.

THE MINISTER OF MINES: Half a loaf was better than no bread.

HON. A. P. MATHESON said that, under the circumstances, he felt bound to support Mr. Henning's amendment.

THE CHAIRMAN: The hon. member had not formally moved the amendment.

HON. R. S. HAYNES: The Minister had come down in the spirit of compromise, and was prepared to meet hon. members half way. His (Mr. Haynes's) sole objection to the clause lay in the fact that mine owners, who had mines situated a long way from where a surveyor resided, would be compelled every six months to employ a surveyor to make a survey. The expense would be sufficient to ruin them. His objection had been solely on the score of expense. He was therefore prepared to accept the Minister's compromise, but he thought it would be ambiguous to speak of 25 miles from a townsite. He moved that instead of the word "townsite" the words "where a surveyor was resident" should be inserted. The objection made by Mr. Henning, that a mine manager should not be compelled to sign a transfer the correctness of which he was not prepared to guarantee, seemed to be preposterous. If the member's premises were sound, his conclusion would be good, but his premises were unsound. A mining manager was not called upon to sign a plan to certify that it was accurate, any more than a barrister was called upon to sign a pleading to certify that every word contained in it was true. All the barrister

certified was that the pleading was not scandalous, that it was properly drawn up, and that it complied with the rules of the court. In this case the mining manager would be called upon to certify that the plan had been made by a surveyor.

HON. A. H. HENNING rose to make a personal explanation. He had intended to move his amendment, and thought he had done so.

THE CHAIRMAN said he had paid special attention to the hon. member's remarks, and he was sure the hon. member had only expressed his intention of moving the amendment, without having done so.

HON. A. B. KIDSON said the Minister had endeavoured, so far as was practicable without ruining the Bill, to meet the views of hon. members. He could not altogether accept the amendment moved by Mr. Haynes, as surveyors frequently changed their residence, and he suggested that the 25 mile limit should be, not from a townsite, but from a warden's court, where, in nine cases out of ten, a surveyor was located. A warden's court did not shift, whereas a surveyor's residence was continually being changed. The suggestion came from Mr. Hackett, and he thought it was a good one.

THE MINISTER OF MINES was of the opinion that a "townsite" was best.

HON. A. B. KIDSON said there might be lots of townsites without a warden's court.

THE MINISTER OF MINES said he knew of no townsite without a warden's court.

HON. A. B. KIDSON: If that were so, he was quite willing to withdraw his amendment.

Amendment (Mr. Haynes's) to substitute the words "the residence of a surveyor" in lieu of "townsite," by leave, withdrawn.

HON. A. H. HENNING asked if he would be in order in moving an amendment that all the words after "respectively" be omitted.

THE CHAIRMAN: The hon. member would not be in order, because these words came before the word "townsite."

HON. A. H. HENNING drew attention particularly to the concluding portion of the clause. If there was any advantage in the plan being signed by a sur-

veyor, it was because he executed the survey upon which it was based. If a surveyor took figures, whether they were correct or not, and plotted out a plan to scale from them, he complied with the clause as now drawn. And yet at this stage the committee was informed the former part of the clause could not be amended so as to rectify this state of things. The intention of the Bill was that the foundation of the plan should be ascertained as correct by a certificated surveyor.

HON. A. B. KIDSON asked leave to withdraw his amendment.

Amendment, by leave, withdrawn.

HON. A. H. HENNING moved, as an amendment, that all the words after the word "townsite" be struck out.

HON. R. S. HAYNES: The proposed amendment made the clause nonsense.

HON. A. H. HENNING: said it was his intention to make the clause read as nonsense, as a protest against the provision as at present drafted.

HON. A. P. MATHESON: The amendment, it must be admitted, was ludicrous, but under the circumstances he must support it as a protest against the clause as drawn. No doubt hon. members had been labouring under a misapprehension as to their position when they discussed the previous clause.

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

Ayes	5
Noes	9

Majority against ... 4

AYES.

The Hon. F. T. Crowder
The Hon. A. P. Matheson
The Hon. G. Randall
The Hon. J. E. Richardson
The Hon. A. H. Henning
(Teller).

NOES.

The Hon. R. G. Burgess
The Hon. D. K. Congdon
The Hon. C. E. Dempster
The Hon. J. W. Hackett
The Hon. A. B. Kidson
The Hon. D. M. McKay
The Hon. W. Spencer
The Hon. E. H. Wittenoom
The Hon. R. S. Haynes
(Teller).

Amendment thus negatived, and the new clause passed on the voices.

Bill reported with a further amendment, and report adopted.

SUPPLY BILL, £350,000.

Received from the Legislative Assembly, and read a first time.

STANDING ORDERS SUSPENSION.

On the motion of the MINISTER OF MINES, the Standing Orders were sus-

pended to allow of the Bill being passed through all stages at one sitting.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom), in moving the second reading, said it was unnecessary to deal with the measure at any length. The House was asked to appropriate £350,000 out of revenue for the purpose of carrying on the business of the country for the year 1897-8. It was a usual request, and he hoped hon. members would pass the Bill through all its stages that evening.

Put and passed.

Bill read a second time.

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

Bill read a third time and passed.

IMPORTED LABOUR REGISTRY BILL.

Received from the Legislative Assembly, and read a first time.

EMPLOYMENT BROKERS BILL.

IN COMMITTEE.

Clauses 1 to 3—agreed to.

Clause 4—Employment brokers to be licensed:

HON. A. B. KIDSON asked whether a license issued under this clause would apply to the whole colony, or only to the district in which it was granted. He also desired to know whether the license would run for twelve months from the time it was granted, or twelve months from the 1st January in each year. Another difficulty presented was that no provision was made for renewals of licenses without going through all the formalities of applying for fresh licenses. Then, again, there was no provision for any transfer of licenses.

THE MINISTER OF MINES: The licenses would be entirely confined to the districts in which they were granted, and a license could be applied for at any time in the year on giving a certain notice.

HON. A. B. KIDSON: It was provided that applications for licenses should be heard at the licensing meetings, which, under the Wines and Spirits Act, were held four times a year.

THE MINISTER OF MINES said he had brought the Bill on to-night because no notice had been given of any amendments. It was impossible to an-

swer all the questions without some notice.

Clause put and passed.

HON. A. B. KIDSON moved that progress be reported.

Put and passed.

Progress reported, and leave given to sit again.

The PRESIDENT left the Chair at 6.30 p.m.

The PRESIDENT resumed the Chair at 7.40 p.m.

HIGH SCHOOL ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER OF MINES (Hon. E. H. Wittenoom): Hon. members will see that this is a very short Bill. The object is to increase the amount of assistance to the High School from £500 to £1,000. No doubt it has come to the ears of hon. members, probably they have found it out themselves, that the High School is not so absolutely perfect as might be desired. It has been said that the chief reason is that the heads of the institution are unable to pay the salaries required to get really good teachers. It is not necessary for me to point out that the principal way of securing the success of a school or college is to give it good teaching, and, unless we have the money to make good teaching available, nothing but bad results must follow. Under these circumstances the Government propose to increase the grant with a view to improving the position of the High School, and to make the teaching as much as possible come up to modern times, and to enable the principal to secure really good men. I move that the Bill be read a second time.

HON. R. S. HAYNES: I quite approve of the principle that the Minister has laid down that, if you want an efficient staff and efficient teaching in a school, you must pay an adequate salary to the masters. I am sure it is a principle that will commend itself to everyone in the House, but I think we ought to have some further information before we are asked to increase the vote to the High School. The Minister admits that it has not been the success which we all expected it would be. I certainly concur in that

sentiment. I would like to know the exact annual amount paid by the Government towards this institution. [A MEMBER: £500.] There is surely more than that. I understand there is a grant of £2,000 paid to this school. If they only receive £500 a year it is a very small sum, and probably accounts for the ill-results that have been obtained. I would also like to know the object for which this money is to be applied. Is it to be applied towards increasing the salary of the present teachers, because if that is the case I think the money ought not to be voted? If, on the other hand, the money is to be applied for the engagement of more efficient teachers, I think it will be well spent. If the former is the case, it would be simply rewarding the teachers who have not discharged their duties in a manner satisfactory to the House. If the object is to obtain efficient teachers who would make the school a success, then I am sure the House will quickly pass the Bill. I regret to say that this colony is sadly behind in the matter of higher education.

HON. A. B. KIDSON: I agree with the remarks made by Mr. Haynes. There is one point on which I should like to have some information. How is it that this school does not pay? As I understand it, the fees charged are no less than those charged in numbers of private schools. The private schools seem to be quite a success, as far as I know.

HON. R. S. HAYNES: And they have to pay rent.

HON. A. B. KIDSON: I cannot say that the additional payment of this £500 a year is likely to do such a great deal as the Minister seems to think. There seems to be something more behind, which prevents the school from being a success, than the lack of £500. If there is something behind, then this £500 per annum certainly will not get over that difficulty. I would ask the Minister what is the number of scholars in the school, and is it self-supporting? I do not see why this extra money should be paid.

HON. G. RANDELL: As I had something to do with the inception of this school, and have always taken a deep interest in its success, and as I believe it to be desirable in the best interests of the colony that we should be able to give

a higher education than we were able to give previous to the establishment of this institution, I think it incumbent on me to make a few remarks in supporting the second reading of this Bill. When the High School was established there was really no school in the sense of a high school, no superior school in the colony; at any rate, not for boys. The school has had to contend with a great many difficulties from the very first, and has gone on contending with them up to this time. There was first of all the scarcity of material on which to work; then the boys went there frequently with little grounding in the rudiments of education, sometimes from distant parts of the colony, and from pressure of circumstances on the part of the parents they were often taken away before they had time to receive the benefits which the school, even in those early days, was prepared to give. Other circumstances have occurred which have prevented the school from giving the entire satisfaction which was anticipated. There have been changes of masters. The head master has to be a university man.

HON. R. S. HAYNES: They ought all to be university men.

HON. G. RANDELL: I am not going to quarrel with that statement. It makes the application for a higher sum of money stronger, because I find from the debate which took place elsewhere that the junior teachers are not receiving more than £120 to £130 a year. As a natural result these gentlemen, so soon as the value of their services became known, received better offers from outside, and their services were lost to the school, and in many cases the head master had to commence, so to speak, all over again. I am quite sure the hon. member will agree with me when I say that it is impossible to obtain the services of good men in that school longer than perhaps for twelve months, for the salaries that are given. You cannot get efficient junior teachers unless you pay them something like an adequate salary. £120 a year is not the wages of a mechanic, and is utterly insufficient to retain the services of men such as we want in that High School. The idea that I originally had, and which I laid before Sir Malcolm Fraser and afterwards before the late Sir William Robinson, was that with the increase of

population in this colony the institution would develop, and would be the nucleus of a university. I think the additions that we have had to the population lately, including a number of people of intellect and culture from other countries, have been such that we may reasonably look to the establishment of a university in our midst. Therefore I would ask hon. members to give this Bill their most careful consideration, with a view to granting the amount now asked. It may be desirable that there should be some alteration in the staff of the school. I am not able to speak of that, as I have not been on the board for many years, and I am not so much in touch with the school as I was. There is some dissatisfaction among parents as to the inefficiency of the school, but I believe none of them attribute it to the efforts of the head master. There is a considerable debt upon the institution. I believe it is intended by the Government to place a sum of money on the Estimates to wipe that out. It is intended that this £1,000 should be given by statute for the purpose of raising the High School to a proper position, and I do trust that members will see that it is desirable, so far as we possibly can, to promote the efficiency of that school. Mr. Hackett, who is the chairman of the board of the High School, will be able to speak as to the exact method in which it is proposed to spend the £500, but it is quite certain that we have arrived at a point in the history of the school when it is necessary that something should be done. The Bill has been introduced by the Government, in the other House. The Premier expressed surprise that the staff of the school had been starved, and hoped that the efficiency of the school would be promoted by the proposed additional expenditure.

HON. R. S. HAYNES: There is room for it.

HON. G. RANDELL: There may be. I have always deplored that boys should be sent out of the colony in order to get a higher education. I believe the school has given satisfaction in many respects. It has turned out some boys who have been a credit to the colony, and so, too, did the old Bishop's School, which preceded it. Boys were educated there who have risen to the highest positions in this colony, and such has also been the case with

regard to the High School. I understand that the Government also proposes to give the school a recreation ground.

HON. R. G. BURGESS: The Government robbed them of it.

HON. G. RANDELL: The Government were induced to resume the playground, on the recommendation of Sir Charles Todd, the Astronomer General of South Australia, for the purposes of the Observatory. I am glad that the Government propose to give the High School another playground, as that will be a very great inducement to parents to send their boys to the school. I see Mr. Hackett is now here, and he can speak with much greater effect than I can on this Bill.

HON. F. T. CROWDER: I intend to oppose this Bill on the broad principle that this colony should not subsidise any school. In 1895 this House passed a Bill doing away with State assistance to schools, and the country paid £15,000 in order to carry out that measure. The Government have no right to grant money to help one school to compete against another. State subsidies should not be given to any educational establishment unless it be a college for higher education. Nobody, not even those who send their children to the High School, are satisfied with it.

HON. A. B. KIDSON: I understand that one of the governors of the school sends his children elsewhere to be educated. I do not see why the High School cannot be made to pay the same as other schools in the colony. I am confident that the paltry sum of £500 will make no difference in the management of the school, which is not conducted in such a way as to deserve any support from this House.

HON. A. P. MATHESON: While entirely in accord with the principle of the Bill, I also agree with the remarks which have dropped from Mr. Haynes. The amount of information that is before us is totally inadequate. I have read the report of the governors of the High School, and the introduction of this Bill affords me an opportunity I wanted to point out that every report coming from subsidised bodies ought to be accompanied by a full statement of accounts, certified to by an auditor. Hon. members would then be in a position to see

exactly how the Government money is spent, and form their own conclusion as to whether any money is wasted. This report is a most extraordinary document. It simply informs us that the accounts have been submitted to the Auditor General.

HON. F. T. CROWDER: By whom is the report signed?

HON. A. P. MATHESON: I regret to say it is signed by Mr. Hackett. The accounts, apparently, have been audited, and it would have been a simple matter for the printer to attach them to the report.

HON. J. W. HACKETT: You can have the accounts, if you like.

HON. A. P. MATHESON: It is all very well for the hon. member to say I can have the accounts if I like. But there is another set of accounts I want, and to get them I have to give a notice of motion in order to get the accounts laid on the table, and I have to prepare what I want to say. Possibly some hon. member of this House objects to the motion; the whole thing is debated; and then it is said that new members waste the time of the House. All this might be obviated by a general understanding that accounts should be furnished with reports of this nature. I am absolutely astounded to hear that £120 a year is given to people who are supposed to be competent teachers. That is a salary one gives to the lowest rank of clerk. How can efficient teaching be expected from men who receive such salaries?

HON. R. S. HAYNES: You do not get efficient teaching, but you get the worth of your money.

HON. A. P. MATHESON: There seems to be general dissatisfaction with the educational system of the school. As a result of this parsimonious style of carrying on business, the money that is granted to the school is absolutely wasted for the want of a little extra to enable proper salaries to be paid. I was very much surprised to hear Mr. Crowder objecting to any State assistance being given to this educational institution. As a resident in the colony for many years, Mr. Crowder must be aware, or ought to be aware, that this school is specially provided for by statute.

HON. F. T. CROWDER: I know that.

HON. A. P. MATHESON: If Mr. Crowder refers to the Estimates he

will see that this school is specially provided for by statute. When Mr. Crowder talks in that strain he is wasting the time of the House, unless he is prepared to follow his remarks up with a motion to abolish the school. I certainly feel obliged, under the circumstances, to support the Bill, but I think the least the Minister of Mines could do is to lay further information before us as to the financial position of the institution, and as to the manner in which this extra sum of money is intended to be applied.

HON. R. S. HAYNES: And also give us the number of boys who left the school last year.

A MEMBER: That is mentioned in the report.

HON. R. S. HAYNES: No; it is not, and the number must have been very large.

THE MINISTER OF MINES: All the information I can give in regard to the financial position is that, by statute, it is distinctly laid down that the total amount available for the school from the Government in any one year is £500, which amount only has been paid. It is found that £500 per annum is insufficient for the requirements of the school; and I am given to understand that if the additional sum asked for meets with the approval of hon. members, a thorough revision of the teaching staff will take place, with the object of getting really first-class men. The amount asked for is not a large one, but still it would do a great deal of good. If nothing else, it means £100 a year more for five teachers. I agree with hon. members who say that the High School should be supported and made as efficient as possible, for the simple reason that it represents the only attempt in the colony at secondary education. We have an abundance of elementary education, and this High School should supply secondary education of such a class as to prevent people sending their children out of the colony. Under these circumstances I feel confident that hon. members will see that it would be to the advantage of this colony to make this school a first-class educational establishment. A sum of £2,000 is on the Estimates this year for the purpose of paying off a debt that has accumulated, and also for the

enlargement of the school buildings. If Mr Matheson had given me notice of what he required in reference to the accounts of the school, I should have been very glad to obtain the information he asks for.

HON. A. P. MATHESON: That information ought to be in the report.

THE MINISTER OF MINES: I have only just seen the report myself.

HON. W. ALEXANDER: I have taken a warm interest in education since I came into this colony. I am afraid, however, I cannot conscientiously vote for this Bill. In the first instance we are told that £500 per annum was voted to the school on account of the scarcity of scholars. During the last few years scholars have been in abundance in the colony, but the number attending the school has decreased instead of increased. That emphatically shows a want of proper management. We have evidence before us that residents of the colony have been compelled to send their children abroad for education. That would never have happened had the High School been properly conducted.

HON. J. W. HACKETT: The governors want to learn in what they lack.

HON. W. ALEXANDER: If money be granted to the school to the extent of £2,000, it would be better to bring the establishment under State control.

HON. R. G. BURGESS: It is an extraordinary thing that one of the governors of this school should send his children elsewhere for education, and still hold his seat on the board. Any governor who feels compelled to send his children to other schools should resign his seat, and in that opinion I am supported by the feeling of the general public. How can the school be expected to succeed when one of its governors acts in such a manner? If the subsidy to the school were increased to £1,500 or £2,000 a year, the House ought not to begrudge the amount. It has been said the High School is coming down, but it ought to be remembered that a number of new schools have been established in the colony.

HON. A. B. KIDSON: Those other schools are doing all right.

HON. R. G. BURGESS: We have no proof of that, and it is possible those new schools may die out.

HON. R. S. HAYNES: At any rate, their existence is not complimentary to the High School.

HON. R. G. BURGESS: One hon. member who assisted in founding the High School has asked what the colony would have done but for the assistance of men who were educated there and are now controlling public affairs. It is for the benefit of the country generally that our children should be educated within the colony. We all hope in time to see this High School develop into a university. The revenue of the country is now about three millions a year, and out of that hon. members should not begrudge the small increased subsidy asked for this institution.

HON. A. B. KIDSON: This flourishing institution!

HON. R. G. BURGESS: This institution which we hope to see a flourishing and successful university. Members should not run down this High School.

HON. F. T. CROWDER: I have heard you express your regret at the position of the school.

HON. R. G. BURGESS: Yes, you have; and my idea is to improve it. I only wish I had time and money to help in that direction. The Minister of Mines, when he was Minister of Education, despised this school.

THE MINISTER OF MINES: Oh, no.

HON. R. G. BURGESS: What did the hon. gentleman do, when Minister of Education, to make the school any better? My idea is that the Minister of Education ought to be one of the governors of the school, and before this Bill leaves this House I hope to see a provision inserted to that effect. It is only a little while ago since the hon. gentleman, when Minister of Education, sneered at the school.

THE MINISTER OF MINES: I never sneered at the school.

HON. R. G. BURGESS: Such gentlemen as the Minister of Mines can send their children away for education, but an efficient school for secondary education ought to be provided in the colony. The present head of the colony, who is worthy of all the titles he possesses, was educated at the school.

HON. R. S. HAYNES: Sir John Forrest was not educated at the High School.

HON. R. G. BURGESS: The school Sir John Forrest was educated at was the Bishop's College, and it was under the same foundation as the High School. Perhaps Mr. Hackett will be able to explain why the High School is not the success it ought to have been. I hope the Bill will be passed, and that the governors will try to bring the school to such a high standard that it will be a credit to the country. I further hope that in a few years Parliament may be asked to increase the subsidy to £2,000 per annum if necessary. The present Engineer-in-Chief of the colony has stated publicly that the boys in Western Australia have not the same educational advantages, and cannot attain the same positions in life, as boys educated elsewhere. It is a nice thing to be told that our children are not well enough educated here to take up public positions in our midst. Let members see that the money voted to the school is judiciously spent by the Government.

THE MINISTER OF MINES: I rise to explain that I never had any idea of sneering at the High School.

HON. R. G. BURGESS: I will give you your own words, if you like.

THE MINISTER OF MINES: I sent my boy to the school up to the time he went to England. I could not send him any longer, when he was not here. That does not look like sneering at the school. If you ask me to say that this school is more perfect than any school in the world, I do not suppose I could go that far.

HON. R. S. HAYNES: Is that why you took your boy away?

HON. J. W. HACKETT: On the whole, the governors of the High School, and the Government in introducing this Bill, have some reason to be satisfied at the tone which has been adopted in this debate. With the exception of my destructive friend opposite (Mr. Crowder), all hon. members have deplored that the school is not so satisfactory as we could wish, and have expressed the best hopes for its future.

HON. F. T. CROWDER: Better wipe it out.

HON. J. W. HACKETT: The hon. member has it in his power to move a motion to that effect, and then the advantages of sweeping away the single institution we have to promote the higher

education of the boys of this country could be fully discussed. May I ask where Mr. Haynes sends his boys to be educated.

HON. R. S. HAYNES: New South Wales.

HON. J. W. HACKETT: That is a very patriotic proceeding.

HON. R. S. HAYNES: I am compelled to send my boys to New South Wales in order to get them a proper education.

HON. J. W. HACKETT: There has been to some extent a feeling of dissatisfaction at the progress of the High School. None have been more aware of that feeling than the governors, and to no persons in the community has it caused more anxiety. After several years' experience of this school, and what has been done with it under varying conditions, and after an amount of work which was not grudged, but which was not small, I have come to a conclusion similar to that of my friend Mr. Burges, that the real difficulty lies in the want of endowment for the school. No school, so far as I am aware, has prospered or obtained a world-wide name, such as the public schools of England have obtained over and beyond those of any country, without a sufficient amount of funds at their back to prevent sordid considerations coming in whenever it was desired to increase or, as in this case, to improve the teaching staff. It is a melancholy fact that parents cannot be induced to pay a sufficient sum for their sons' education, to enable proprietors or governors to launch out to the extent required to provide satisfactory tuition. Parents pay fees which will at best provide the scholars with the bare rudiments, not to speak of secondary education. At this very moment the highest of all schools in the old country, which are the universities, have not thousands of pounds, but tens, twenties, and hundreds of thousands behind them. Are these institutions freer than any other institutions of the kind from slur or calumny. The difference between the High School and the University is only one of degree. As to elementary schools, I appeal to my friend opposite, the late Minister of Education, who has had larger experience in this matter than any one in the House, as to whether it would be possible to carry on those schools for a

single week without the aid afforded by the State. The hon. member has had experience of these schools in the stage in which they were fee-producing, and the stage in which they were practically non-fee-producing. If the education is to be such as is alone worthy of a place rapidly rising to the foremost position among the Australian colonies, then we cannot any longer carry on with the miserable endowment which we have had so far, and which is equivalent to nothing at all. The head-master is compelled to subsist on £400 a year. That is all we can give him, a salary which we often give a first-rate clerk. The masters who serve under him, in some cases, do not receive the wages of an incompetent bricklayer. When I tell hon. members that gentlemen who have gone through a university course at home, and who must have had large sums of money spent on their education, are asked to undertake a position in a school such as this, for a salary of £10 per month, I think I have said all that is requisite to express the true cause of what I must confess to be the failure of the High School. We desire the Government to give the school an endowment, which will enable us to pay masters properly, and to provide such an education as will take away the ground for people in this colony to say that they are obliged to send their boys to other colonies in order to give them an education worthy of the position which they are expected to fill in after life. We were under exceedingly unfortunate circumstances when I first came to this colony. The struggle in Western Australia was for a bare subsistence. Parents could not afford to pay much for the education of their children, and they could not afford to keep them sufficiently long at school to enable them to attain even the rudiments of what is provided in second-rate schools elsewhere. They had to take them away just when their minds were developing, and when they were beginning to take an interest in their work. The High School, therefore, got a reputation for turning out boys badly equipped for the battle of this world. Then came the great rush from the other colonies, and gentlemen came here whose means enabled them to give their children the best education the colony provided. But these men—I do not say it against them—nearly always

had associations and recollections connected with schools of a similar character in the other colonies, and we found it was only by a piece of singular good fortune that we could catch the boys, and prevent them from being sent to institutions in Adelaide or elsewhere. The result has been that the number of boys attending the High School has not been what we anticipated. Something was also attributable to the melancholy necessity which compelled our head master to go to England for a short trip to undergo a very serious operation, which I am happy to say has been successfully performed. There have also been open in our midst several schools of a tentative character, whose advent I welcome, for I can conceive nothing worse in the interests of the High School than to allow it a monopoly of the higher education. We want other schools with which to compare it. We want other masters, and other boys, and we want other forms of teaching, so that we can compare them and see which is the most successful. The Minister of Mines, who was the late Minister of Education, will bear me out when I say that I pressed for a considerable time on the Government a scheme for providing bursaries or scholarships, not exactly of the kind now in existence, but somewhat similar, which would be available to the boys of all secondary schools as well as primary or elementary ones, and by this means we would be able to judge, not alone of the progress of the boys, but of the fitness of the masters. A large step has been made and, when that scheme has been fully worked out, this colony will have no reason not to be proud of its High School. My hon. friend opposite has referred to an Act which has obviously no connection with this subject, the Act withdrawing assistance from the denominational schools a few years ago.

HON. R. G. BURGESS: I referred only to elementary schools.

HON. J. W. HACKETT: The school we are speaking of is a secondary school, but there is this essential distinction between the schools from which the assistance was withdrawn and the High School, namely, that the former were denominational, whereas the High School is an undenominational or, to use a shorter phrase, a national school for the colony of

Western Australia. We have asked for an increase of £500 to our annual subsidy. At present we have only got £500. We have been compelled out of that meagre allowance of £500 to find the means for additional buildings, for fencing, for repairs to the old building, for building a gymnasium; in fact for doing everything that is done in schools in England of a similar kind out of an abundant revenue. We have gone into debt, and we have asked the Government to give us £2,000 to pay the expenses of the building.

HON. A. B. KIDSON: I asked how much money was spent out of the income.

HON. J. W. HACKETT: Nothing was spent out of the income. What was spent was obtained from the bank on the personal guarantee of the governors of the High School. The expenditure on this new building will amount to about £2,000.

HON. A. B. KIDSON: Was it all spent last year.

HON. J. W. HACKETT: Yes. £1,500 is the amount we have guaranteed the bank. That amount has been actually spent.

HON. R. S. HAYNES: How did the private schools manage to do this at their own expense?

HON. J. W. HACKETT: There are two other secondary schools in Perth, and neither was raised at the expense of those who were responsible for the instruction.

HON. R. S. HAYNES: What about the Christian Brothers College?

HON. J. W. HACKETT: Did the teachers in that college, which is admirably conducted, and which I congratulate on the success it has achieved, raise the building out of the fees?

HON. R. S. HAYNES: Did the Government do it?

HON. J. W. HACKETT: The church, to its credit and honour, defrayed the cost of the building.

HON. R. G. BURGESS: Out of private subscriptions.

HON. J. W. HACKETT: Partly out of private subscriptions, and partly, I believe, from other sources. I understood it cost £8,000. If hon. members will give us that amount towards the High School we will not ask for any more. Those who

have read the report, and I suppose all hon. members have, will be aware that in Sydney the grant to the High School amounted at one time to over £3,000. It has since been reduced to £1,500. That school was erected in the midst of a huge population, and almost possessing a monopoly of the higher education, and has such a large number of pupils—between 300 and 400, I believe—that it is able to support a staff of masters, and pay them well.

HON. R. S. HAYNES: The lowest sum paid to a master is £300 a year.

HON. J. W. HACKETT: I entirely indorse what Mr. Burges has said about the status of education in this colony. One of the very first acts I was called upon to perform when I came here was to examine the High School, and I remember reporting that the education seemed to me of a very fair quality, but, unquestionably, the school was a full form lower than similar schools in the Eastern colonies. It has recovered somewhat since, but until we get masters who are worthy of their pay, and who are paid in proportion to their education, we cannot give the education which we should undoubtedly be able to offer in Western Australia. My hon. friend opposite (the Minister of Mines) will be remembered, I believe, in this country as the first Minister who took up this question of education with a will, and I can assure him that among the many causes of the admiration I feel for him, the most prominent arises from the fact that he undertook the task of lifting up the educational system of this country from the degradation into which it had fallen, and which within my experience has never been equalled. To compare the education in Western Australia at that time with even the worst education given in the sister colonies would be like comparing moonlight to daylight. The boys turned out here were found to be almost unfit for acquiring the ordinary arts of a tradesman, and when better days came to the colony, I remember the preference was shown in all directions to those who had received their education in other colonies. If you go to Victoria or New South Wales now, you hear it as a term of reproach that a man was educated in Western Australia. Those who have employed the two species—the one

educated in Western Australia and the other educated elsewhere—will tell you that the amount of work done and the degree of intelligence put into his work by the latter rendered him many times more efficient than the one who had been educated in this colony. The Minister did his utmost to improve the educational system of the colony when he was at the head of the department, and I hope that this good example will be followed by those who succeed him; but this colony is still a name of contempt to the other colonies, so far as secondary education is concerned. At present there are only three schools which give this higher education—the High School, the Christian Brothers School, and a denominational school—and I wish them every success in their efforts to provide a superior education for our population; but they are not enough. We want more, and nothing would give me greater pleasure than to hear that the Government had undertaken, not only to establish a first-class High School in Perth, but others all over the country, so as to leave the parents in this colony no excuse for sending their children away to other colonies, where they learn not to be proud of what may yet be the greatest colony of the group, but to share the contempt that is freely lavished from the other side on the educational institutions of Western Australia. I know what the feeling is over there with regard to the education given in this colony. We ask to be allowed to take a step forward. If you grant us this increased subsidy and it turns out to be badly spent, and the education given by the High School is not such as this House could approve of, then deal harshly with us; but in the meantime give us one chance before you consign us to destruction.

HON. A. B. KIDSON: How do you intend to spend the £500—in increasing the salaries of the present staff or in engaging others?

HON. J. W. HACKETT: It is intended for the general expenses of the school, but I can assure the hon. member that by the time the additional salaries to masters are paid there will be very little left. It will be spent as far as it will go on additional salaries.

HON. D. M. MCKAY: I cannot agree with Mr. Hackett with reference to the first charge.

HON. J. W. HACKETT: We don't charge for boarders, but only for day fees.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

AUCTIONEERS ACT AMENDMENT BILL.

SECOND READING.

HON. A. H. HENNING: The reason which induced me to introduce this Bill is that, for four or five years, the auctioneers on the goldfields have been accustomed to sell scrip after hours for the convenience of those who are employed during the day. The police have now commenced to take proceedings and have secured convictions against certain auctioneers, and have absolutely prohibited the holding of auction sales after sunset. The original Act which it is proposed by this Bill to amend provides in clause 7 that no person shall act as an auctioneer after sunset on any day throughout the year, or he shall be liable to a penalty. That was provided by the Act of 1873. In 1881 that section was amended so as not to apply to the sale of freehold or leasehold land, and the only object I can see for maintaining the original prohibition was to prevent people being taken in by auctioneers holding sales of goods and merchandise in a bad light, so that people could not see the quality or even the quantity of the goods sold, and could be easily gulled by the auctioneer. This Bill simply widens and extends the section of the principal Act, No. 7, so that it shall not apply to persons selling shares in any incorporated company. I can assure hon. members that this is an absolute want. At the present moment it is a great burden and hardship on certain individuals, numbering hundreds on the goldfields, who have been for so long doing this business, and now at one fell swoop they are prohibited from carrying on the traffic. I beg to move the second reading.

Question put and passed.

Bill read a second time.

IN COMMITTEE:

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

STANDING ORDERS SUSPENSION.

The Standing Orders having been suspended, the Bill was read a third time and transmitted to the Legislative Assembly.

STEAM BOILERS BILL.

IN COMMITTEE:

Clause 1—Short title:

HON. C. E. DEMPSTER moved "that the Bill be considered this day six months." There was no reason why the Bill should be passed at the present time. He was sure that it would be a very vexatious and obstructive Bill, and not at all necessary, and that it would entail considerable cost on the colony, as supervisors and inspectors would have to be appointed to see that its provisions were carried out.

HON. G. RANDELL asked if the hon. member was in order.

THE CHAIRMAN said the hon. member could only attain his object by moving that the Chairman leave the chair.

HON. C. E. DEMPSTER moved that the Chairman leave the chair.

HON. R. G. BURGESS seconded the motion.

THE MINISTER OF MINES said he hoped that the House would not take such a step, as the Bill was a most important one. It was a matter of the very greatest importance.

HON. C. E. DEMPSTER: There was nothing to show it.

THE MINISTER OF MINES: For a year or more there had been a demand throughout the goldfields that there should be an inspector of boilers. The Mines Regulation Act provided that inspectors could be appointed.

THE CHAIRMAN said the motion must be put without discussion.

Motion—that the Chairman do leave the chair—put, and division taken with the following result:—

Ayes 2

Noes 11

Majority against ... 9

AYES.

Hon. R. G. Burges
Hon. C. E. Dempster
(Teller).

NOES.

Hon. W. Alexander
Hon. J. W. Hackett
Hon. R. S. Haynes
Hon. A. B. Kidson
Hon. A. P. Matheson
Hon. D. M. McKay
Hon. G. Randell
Hon. J. E. Richardson
Hon. E. H. Wittenoom
Hon. W. Spencer
Hon. A. H. Henning
(Teller).

Motion therefore negatived.

Clause put and passed.

Clause 2—Interpretation :

HON. G. RANDELL moved, as an amendment, that in the definition of owner, the words "or of any premises" be struck out.

Put and passed, and the clause as amended agreed to.

Clause 3—Governor may proclaim districts in which this Act is to be in force :

HON. G. RANDELL moved, as an amendment, that the following proviso be added to the clause :—

Provided, however, that nothing in this Act, except where expressly stated, shall apply to any part of the colony not situated within a proclaimed district.

This amendment was in different words, but to the same effect as that given notice of by the Minister of Mines.

THE MINISTER OF MINES: The objections previously raised by Mr. Dempster were perhaps met by this amendment, which provided that a district where there were only one or two boilers might not be proclaimed, and thus the Bill would not apply in such case.

HON. C. E. DEMPSTER: There was another clause which, he believed, would counteract the amendment.

THE MINISTER OF MINES: The other clause referred to, only provided for the reporting on the possession of a boiler. This reporting was necessary to enable the Government to find out whether a district ought to be proclaimed.

Put and passed, and the clause as amended agreed to.

Clause 4—Governor may appoint inspectors and Chief Inspector :

HON. G. RANDELL moved, as an amendment, that the words "or from one district to another" be added to the first paragraph. The select committee on the Bill considered that, in the interests of proper inspection, power should be given to remove an inspector from one district to another.

Put and passed, and the clause as amended agreed to.

Clause 5—agreed to.

Clause 6—Minister to supply Inspector with steam gauges, &c. :

HON. G. RANDELL moved, as an amendment, that the words "hydraulic pumps" be inserted between the words "gauges" and "and" in the second line.

Put and passed, and the clause as amended agreed to.

Clause 7—Rules and forms :

HON. G. RANDELL moved, as an amendment, that the words "and not inconsistent with this Act" be inserted between the words "published" and "shall" in line 21. He moved this amendment to obviate the necessity of Mr. Henning moving to that effect, as had been done in every similar case.

THE MINISTER OF MINES: While there was no objection to the amendment, the proposed words appeared superfluous.

HON. G. RANDELL: Possibly the words were superfluous.

Put and passed, and the clause as amended agreed to.

Clause 8—Owner to give particulars of boiler to Inspector :

HON. G. RANDELL moved, as an amendment, that the words "one month" in the fourth line be struck out, and "fourteen days" inserted in lieu thereof.

Put and passed.

HON. G. RANDELL moved as a further amendment, that the words "by registered letter where practicable" be inserted between the words "posted" and "as" in the ninth line. It was considered there should be some certainty about the delivery of the particulars.

Put and passed, and the clause, as amended, agreed to.

Clause 9—Notice to inspector of sale or letting to hire of boiler :

HON. G. RANDELL moved, as an amendment, that the words "one month," in the second line, be struck out, and "fourteen days" inserted in lieu thereof.

Put and passed, and the clause as amended agreed to.

Clause 10—Boilers to be fitted with certain fittings and mountings :

HON. G. RANDELL moved that the clause be struck out, and the following clause, embodying amendments made by

the select committee on the Bill, be inserted in lieu thereof:—

Within six months after the commencement of this Act, every boiler shall be fitted with the following fittings and mountings of suitable dimensions:—Two glass water gauges, fitted with cocks complete; one steam pressure gauge, capable of registering up to one-and-a-half the certified working pressure; one gun-metal feed check valve, flange-jointed; one stop valve, flange-jointed; one gun-metal blow-off cock, flange-jointed; one gauge cock, three-quarter inch Whitworth thread, for connecting inspector's standard gauge; a suitable connection not less than three-quarter inch gas thread, flanged on boiler to enable force pump or feed pump to be applied in testing boiler by hydraulic pressure; a suitable pump or injector for feeding the boiler; a fusible plug on the crown of the fire-box or other suitable position.

THE MINISTER OF MINES: There was no objection to the amendments made by the select committee in this clause.

HON. A. P. MATHESON said he did not know much about steam boilers, but this clause seemed to him most stringent. Did the select committee on this Bill receive any expert advice?

HON. G. RANDELL: Expert evidence was received by the committee from Messrs. Clarke and Martin, who were eminent consulting engineers in the colony.

HON. A. P. MATHESON: If the fittings enumerated were the ordinary fittings of boilers then, of course, there could be no objection to the clause.

HON. G. RANDELL: The fittings mentioned were the ordinary and necessary fittings for every boiler.

Clause struck out, and the substituted clause agreed to.

Clause 11—Further accessories required for new boilers:

HON. G. RANDELL moved as an amendment, that the word "each" be inserted between the words "and" and "of" in the third line; and further that in the sixth line the word "safe" be struck out and "certified" inserted in lieu thereof.

Put and passed, and clause as amended agreed to.

Clause 12—Further requirement for existing boilers having only one safety valve:

HON. G. RANDELL moved, as an amendment in the first line, that the word "only" be inserted after the word "and;" further that the words, "and no

other safety valve" in the second line be struck out; and further that the words "small signal valve" be struck out in the third line, and "second safety valve of the same area and" inserted in lieu thereof.

Put and passed, and the clause as amended agreed to.

Clause 13—Inspector may, in his discretion, grant limited certificate for boilers with imperfect fittings, etc.:

HON. G. RANDELL moved, as an amendment in the third line, that the words "after inspection" be inserted between the words "may" and "grant;" further, in the same line that the word "each" be struck out between the words "for" and "boiler," and "such" inserted in lieu thereof; further, that the word "ending" in the fourth and fifth lines be struck out, and "not exceeding" inserted in lieu thereof; and further, that the words "the commencement of this act" be struck out and "such inspection" inserted in lieu thereof.

Put and passed, and the clause as amended agreed to.

Clause 14—agreed to.

Clause 15—Aid to be given by the owner for purpose of inspection:

HON. G. RANDELL moved, as an amendment, that the word "chief" be inserted between "the" and "inspector" in the fifth line, and further, that the word "sufficiency" in the tenth line be struck out and "efficiency" inserted in lieu thereof. Large powers were given to inspectors in regard to examining boilers built in with brick work, and the select committee on the Bill came to the conclusion, after hearing expert evidence, that it was not desirable for the ordinary inspector to exercise all those powers without the authority of the chief inspector.

Put and passed, and the clause as amended agreed to.

Clauses 16 to 20, inclusive—agreed to.

Clause 21—When boilers to be inspected:

HON. G. RANDELL moved, as an amendment, that the word "once" in the first line be struck out and "twice" inserted in lieu thereof. The select committee on the Bill thought it desirable that an inspection of the boilers should take place twice a year. It was provided in the Bill that the second inspection should not be charged for.

Put and passed.

HON. G. RANDELL moved as a further amendment that the words: "Any inspector found guilty of needlessly harassing an owner shall be liable to pay all expenses," be added to the clause.

THE MINISTER OF MINES: The amendment contained a threat which might be held over an inspector's head, and lead to his not carrying out his duties quite as well as he otherwise would. The inspectors would not have very high salaries, and would consequently not run the slightest risk of having to pay expenses. The Bill already provided that an inspector should not hamper or impede the owner of a boiler.

HON. G. RANDELL said he did not insist on the amendment.

HON. A. P. MATHESON: The amendment was a very good one, but the question always remained whether an inspector would have any assets. Needless to say, inspectors often harassed the public. Only the other day an instance occurred at Cue in which, he was informed, an inspector harassed one individual to such an extent that the warden had to go out with a special court, investigate the matter, and report to the Minister.

THE MINISTER OF MINES: There might be exceptional conduct of the kind amongst inspectors.

HON. A. P. MATHESON: The insinuation was not for a moment made that such conduct was general; but, if possible, a penalty should be provided for inspectors who unduly harassed the public.

THE MINISTER OF MINES: The amendment would do more harm than good.

HON. A. P. MATHESON: If Mr. Randell did not press the amendment, nothing further need be said.

HON. G. RANDELL: The amendment was open to objection, and instances such as that described by Mr. Matheson had come under his notice. Another way might be found of dealing with inspectors who harassed the proprietor of a boiler. There would be a chief inspector, who would be a man of standing and would prevent conduct of that sort.

THE MINISTER OF MINES thanked Mr. Matheson and Mr. Randell for bringing this matter under his notice. There was the case of a mine manager, who thought he had not received justice,

and who took the precaution of representing the matter to the Minister. The matter had been gone into, and now there was no further trouble.

HON. A. P. MATHESON: The complaint of the mine manager was found to be justifiable?

THE MINISTER OF MINES said he was not in a position to say any more, as his memory was not good on these matters.

Put and negatived.

Clause, as previously amended, agreed to.

Clause 22—Hydraulic test of boilers:

HON. G. RANDELL moved that the clause be struck out as unnecessary.

Clause struck out.

Clause 23—agreed to.

Clause 24—Certificate to be exhibited and metal plate affixed on boiler:

HON. G. RANDELL moved as an amendment that the words "or a copy" be inserted between the words "it" and "to" in the first line.

Put and passed, and clause as amended agreed to.

Clause 25—agreed to.

Clause 26—Inspector may give notice reducing the pressure allowed by the certificate:

HON. G. RANDELL moved as an amendment in the ninth line that the words "to be approved by the inspector" be inserted after "place," and further that all the words after "boiler" in the eleventh line be struck out.

Put and passed, and clause as amended agreed to.

Clause 27—Inspector may withhold certificate or cancel, or suspend existing certificate:

HON. G. RANDELL moved as an amendment, that the words "nor any metal plate to remain affixed on or near the boiler," at the end of the clause, be struck out.

Put and passed.

HON. G. RANDELL moved the following amendments to this clause:—In line 2 strike out "is of opinion," and insert "finds" in lieu thereof. Strike out all words after "exhibited," in the eighth line.

Amendments put and passed, and the clause as amended, agreed to.

Clause 28—*re* penalties:

HON. G. RANDELL moved that this clause be struck out, and the following inserted in lieu thereof :—

An owner who works or uses or permits or allows to be worked or used any boiler in respect of which a certificate has not been granted, or is not in force, shall be liable to a fine not exceeding fifty pounds. An owner who works or permits or allows to be worked or used a boiler at a higher pressure than is authorised by this Act; or does not cause a certificate notice, as required by this Act, to be exhibited, and continue exhibited as required by this Act; or allows such certificate or notice to continue exhibited contrary to this Act, shall be liable, for each offence, to a fine not exceeding Twenty pounds. But if, during the contravention of this section by the owner in respect of any boiler, there shall be an explosion of such boiler causing injury to person or property, the owner shall be deemed guilty of a misdemeanour, punishable by fine, not exceeding One hundred pounds, and by imprisonment with or without hard labour for not exceeding two years: Provided that nothing in this section contained shall exempt any other person from any punishment or fine or the owner from any action or suit to which either may be liable.

Clause (as printed) struck out.

THE MINISTER OF MINES moved, as an amendment to the new clause, that all the words after "owner," in the last line, be struck out, and the following words be inserted in lieu thereof: "or any other person from any action or suit to which he may be liable."

Amendment put and passed.

New clause as amended agreed to.

Clauses 29 and 30—agreed to.

Clause 31—Owner to report boiler explosion to inspector:

HON. G. RANDELL moved, as an amendment, that the words "or remove the dead" be inserted between "injured" and "until," in the ninth line.

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

Clauses 32 to 36—agreed to.

Clause 37—Fees for inspection:

HON. G. RANDELL moved, as an amendment, that the words after "certificate," in the seventh line, be struck out, and that the words "one set of fees only shall be payable for one or more inspections in any one year," be inserted in lieu thereof.

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

Clauses 38 to 44—agreed to.

Clause 45—Act not to affect boilers used on Government railways:

HON. G. RANDELL moved, as an amendment, that the words "and used for travelling with any locomotive engine," in the first and second lines, be struck out and that the following be inserted in lieu thereof: "any locomotive engine, and used on the Government railways."

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

Clause 46—agreed to.

Schedules 1 to 5—agreed to.

Schedule 6:

HON. G. RANDELL moved the following amendments to this schedule:—In line 7, strike out "under," and insert "up to," and in line 10 strike out "under 8 horse-power," and insert "8 horse-power and under."

Amendments put and passed, and the schedule as amended agreed to.

Preamble and title—agreed to.

Bill reported with further amendments, and report adopted.

PAPER PRESENTED.

By the MINISTER OF MINES: Report of Government Storekeeper for 1896-7.

ADJOURNMENT.

The Council adjourned at 9.45 p.m. till the next Tuesday.

Legislative Assembly,

Thursday, 2nd December, 1897.

Question: Fremantle - Rottnest Cable—Imported Labour Registry Bill: third reading—Annual Estimates: Debate on Financial Policy (conclusion); in Committee of Supply—Bankruptcy Act Amendment Bill: first reading—Auctioneers Act Further Amendment Bill: first reading—Adjournment.

THE SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.