

## AYES.

Hon. G. Bellingham  
Hon. T. F. O. Brimacombe  
Hon. R. G. Burges  
Hon. F. T. Crowder  
Hon. C. E. Dempster  
Hon. J. T. Glowrey  
Hon. W. Malety  
Hon. E. McLarty  
Hon. J. E. Richardson  
Hon. B. C. O'Brien

(Teller).

## NOES.

Hon. E. M. Clarke  
Hon. J. D. Connolly  
Hon. J. W. Hackett  
Hon. A. Jameson  
Hon. G. Randell  
Hon. C. Somers  
Hon. A. G. Jenkins

(Teller).

Motion thus passed.

Progress reported, and leave given to sit again.

## ADJOURNMENT.

The House adjourned at 10 minutes past 10 o'clock, until the next day.

## Legislative Assembly,

Monday, 17th February, 1902.

Petition, Early Closing Bill—Question: Spirits in Bond—Coolgardie Water Scheme Inquiry, to prepare report—Question: Supreme Court Building, Freestone—Question: Coronation, State Representation—Question: Hospital (Central), Eastern Goldfields, Inquiry—Question: High School, Relation to the State—Conditional Surrenders of Gold-mining Leases, Report—North Perth Tramways Bill, Recommitment, reported—Business Suspension—Early Closing Bill, second reading, in Committee, Recommitment, reported—Coolgardie Water Scheme Inquiry, Select Committee's Report—Coal Mines Regulation Bill, Council's Amendments—Health Act Amendment Bill, Council's Amendment—Friendly Societies Act Amendment Bill, postponed—Food Supply Inquiry, postponed—Council's Resolution: Public Works Inquiry by Commission—Council's Resolution: Redistribution of Seats—Metropolitan Waterworks Act Amendment Bill, Council's Amendment—Discharge of Orders—Adjournment.

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

## PRAYERS.

## PETITION—EARLY CLOSING BILL.

MR. W. F. SAYER presented a petition from a number of hairdressers and assistants, praying for certain amendments in the Early Closing Bill.

Petition received.

## QUESTION—SPIRITS IN BOND.

MR. F. McDONALD asked the Treasurer, without notice: If he had received a reply from the Prime Minister of the Commonwealth in reference to the breaking down of spirits in bond.

THE TREASURER replied: No communication had yet reached him.

## COOLGARDIE WATER SCHEME INQUIRY.

THE PREMIER: Before we proceed with the business of the day, I wish to inform the House that I purpose, at five o'clock, to ask the Speaker to leave the Chair until half-past seven. The reason is that the select committee appointed to inquire into the question of the Coolgardie Water Scheme (pipe laying and caulking) desire to present an interim report this evening; and inasmuch as the committee cannot sit while the House is sitting, and as the committee desire to complete their labours, I intend to ask the House to adjourn in the manner suggested. I may tell hon. members that I make this suggestion at the instance of the member for Beverley (Mr. Harper), chairman of that committee, and with the consent of the leader of the Opposition. I do not think there is any objection to the proposal, and I mention it now so that when five o'clock arrives members may not think I have taken them by surprise.

## QUESTION—SUPREME COURT BUILDING, FREESTONE.

DR. O'CONNOR asked the Minister for Works: Whether the Commission promised to be appointed to inquire into the use of Donnybrook stone will, at the same time, inquire into—1, The suitability of Meckering stone for important public buildings; 2, The whole of the particulars in connection with the contract for building of the Supreme Court, and why the contract was varied after being let.

THE MINISTER FOR WORKS replied: 1, Yes. 2, Yes.

## QUESTION—CORONATION, STATE REPRESENTATION.

MR. HARPER asked the Premier: Whether the Government do not consider that it would be undesirable—in view of the very important reorganisation which

has been urged as necessary in the Public Service—that any of the Ministry should leave the State for the purpose of attending the Coronation of His Majesty the King.

**THE PREMIER** replied: In the absence of an invitation, it would, in the opinion of the Government, be both premature and disrespectful to declare that the attendance of any Minister at the Coronation would be undesirable.

**QUESTION — HOSPITAL (CENTRAL),  
EASTERN GOLDFIELDS INQUIRY.**

**MR. HOPKINS** asked the Premier: Whether he will accede to the proposal of the select committee to appoint a board for the purpose of farther inquiring into the question of establishing a central hospital on the Eastern Goldfields.

**THE PREMIER** replied: The Government approve of the suggestion.

**QUESTION—HIGH SCHOOL, RELATION  
TO THE STATE.**

**MR. JACOBY** asked the Colonial Secretary: 1, Whether the Perth High School is a State school or a State subsidised school. 2, If either of the above, whether the entrance examination should conform with the highest form in the primary State schools instead of merely requiring that "boys shall be eight years of age, and be able to read and write, and do the first two simple rules of arithmetic." 3, If the entrance examination is as above stated, whether this school can be correctly described as a "High School." 4, What amount of public money is annually paid on behalf of the High School. 5, Whether the Government has any control, direct or otherwise, over the expenditure of this money. 6, Whether the time has arrived for the High School to be placed under the direct control of the Education Department. If not, why not?

**THE COLONIAL SECRETARY** replied: 1, By Act of Parliament the High School receives £1,000 per annum. 2, In a High School the study of languages is commenced directly a pupil can read and write his or her mother tongue. There is no connection between the entrance examination of a High School and the highest form in the Primary

State School. 3, Mr. Jacoby appears to be confounding a High School with a University. 4, £1,000 by Act of Parliament. 5, The Board of Governors is appointed by His Excellency the Governor, and consists of six persons, and two Governorships fall vacant every year. The annual report and statement of accounts must be presented annually to both Houses of Parliament, together with any by-laws passed by the Governors. 6, This is a question of opinion.

**CONDITIONAL SURRENDER OF GOLD-  
MINING LEASES, REPORT.**

**MR. R. HASTIE** presented the report of the select committee appointed to inquire into the conditional surrenders of gold-mining leases.

Report received, and ordered to be printed.

**NORTH PERTH TRAMWAYS BILL.**

Order read, for third reading of the Bill.

**MR. GEORGE** moved that the Bill be recommitted for the purpose of making certain amendments, and that Standing Order 297 be suspended for the purpose.

Motion put and passed.

**RECOMMITTAL.**

New Clause:

**MR. W. J. GEORGE:** A gentleman interested in the Bill had conferred with him that afternoon, and had accepted all the amendments of which he (Mr. George) had given notice. He moved that the following be added as Clause 6:—

The local authority shall have the right, at the end of 21 years from the date fixed for the completion of the works by the Provisional Order, upon giving six calendar months' notice in writing of such its intention, to purchase the whole of the lines, plant, lands, and buildings of the Promoter, situate and being within the North Perth Roads Board and the Perth Roads Board District as now determined, and which have been in use for the purposes of the tramway or tramways comprised within the Provisional Order hereinafore referred to. The price to be paid for all land, whether freehold or leasehold, with right of purchase, shall be the amount paid or to be paid in accordance with the provisions of clause 3 of the Provisional Order, and no more. The price to be paid by

the local authority for the lines, engines, cables, plant, buildings, and necessary appurtenances used in working the tramway or tramways, shall be ascertained by arbitration, in manner provided by "The Arbitration Act, 1895." If the local authority shall not exercise the right of purchase mentioned hereinbefore, at the end of 21 years as aforesaid, then such right shall not be exercisable by them until the end of 28 years from the date fixed for the completion of the works by the Provisional Order, and if exercised then, it shall be on the same terms and conditions as if they had exercised their right at the expiration of 21 years from the date fixed for the completion of the works by the Provisional Order.

Question put and passed.

New Clause:

MR. GEORGE moved that the following be added as Clause 7:—

If the local authority shall not exercise the right of purchase mentioned in the next preceding clause hereof, at the end of either the twenty-one years or the twenty-eight years therein specified, then, at the expiration of thirty-five years from the date fixed for the completion of the works by the Provisional Order, the whole of the lines, cables, engines, cars, plant, and all other appurtenances necessary for the carrying on of the working of the tramway or tramways, together with all extensions thereof, shall revert to the local authority free of all cost, and shall be handed over by the promoter or his assigns in good working order and condition. All land or lands used for the purposes of the said tramway, whether freehold or leasehold, with right of purchase, shall also be conveyed to the local authority, who shall pay for same the price or prices indicated under the provisions of Clause 6, without any addition whatever. All buildings erected on such freehold or leasehold land, with right of purchase, and which are necessary for the carrying on of the tramway or tramways, shall also be taken over by the local authority, and the price to be paid by such local authority shall be ascertained by arbitration in manner provided by the Arbitration Act, 1895.

Question put and passed.

New Clause:

MR. GEORGE moved that the following be added as Clause 12:—

It shall be lawful for the local authority to make use of the poles erected in connection with the tramway or tramways for the purposes of electric lighting, whether such electric lighting be carried on by such local authority or by persons authorised by them to carry on such work.

Question put and passed.

Schedule:

MR. GEORGE moved that in paragraph 3, after "purchase" in line 5, the words

"or acquirement" be inserted; and that between "and" and "leasehold" in line 6, the words "to be paid for such" be inserted.

Amendments put and passed.

MR. F. WALLACE: What was the meaning of paragraph 16? There should be a stipulation that a certain number of cars per day should be run.

THE MINISTER FOR WORKS (Hon. C. H. Rason) moved that the words "and the Commissioner of Railways" be added to the clause.

MR. DOHERTY: Why had the Bill been so loosely drawn, and so defective in vital principles that it had to be amended by a private member sitting in Opposition?

THE MINISTER FOR WORKS: There was no laxity. By introducing the Bill he discharged a formal duty. The Bill had been submitted to the local authorities, and if accepted by them it was not for the Minister to interfere.

MR. GEORGE: The rights of the people should be conserved, and such Bills should not be passed at the command of any local authorities. Let hon. members vote to-morrow night for the motion of which he had given notice.

THE MINISTER FOR RAILWAYS (Hon. W. Kingsmill): The true fault lay in the Tramways Act. It should not be the duty of any Minister to introduce a tramway Bill. This should be the function of a private member, and the Act should be amended accordingly.

DR. MCWILLIAMS: Though he was the member for North Perth, this Bill had never been brought under his notice. If he had been approached on the subject, he would have made inquiries.

MR. HOPKINS: As several Bills of much more importance had already been dropped, it would be as well to have this one submitted to a select committee, as there might be other defects besides those so laudably corrected by the member for the Murray. He moved that the Chairman do leave the Chair.

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

Ayes	...	...	...	5
Noes	...	...	...	28
				—
Majority against	...			23

## AYES.

Mr. Doherty  
Mr. Holmes  
Mr. Reside  
Mr. Wallace  
Mr. Hopkins (Teller).

## NOES.

Mr. Daglish  
Mr. Diamond  
Mr. Gardiner  
Mr. George  
Mr. Gordon  
Mr. Gregory  
Mr. Hastie  
Mr. Hayward  
Mr. Hicks  
Mr. Higham  
Mr. Holman  
Mr. Illingworth  
Mr. Jacoby  
Mr. Johnson  
Mr. Kingsmill  
Mr. Leake  
Mr. McWilliams  
Mr. Monger  
Mr. Nanson  
Mr. Oats  
Mr. O'Connor  
Mr. Parkiss  
Mr. Quinlan  
Mr. Rason  
Mr. Reid  
Mr. Taylor  
Mr. Thomas  
Mr. McDonald (Teller).

Motion thus negatived.

Bill reported with amendments, and the report adopted.

## BUSINESS SUSPENSION.

On motion by the PREMIER (as previously intimated), the SPEAKER left the Chair until 7.30 o'clock.

At 7.30, Chair resumed.

## EARLY CLOSING BILL.

## SECOND READING.

MR. W. F. SAYER (Claremont): I have to move the second reading of a Bill called the Early Closing Bill (1892). It will be within the remembrance of this House that last November the Early Closing Act of 1898, which only had a duration of three years, expired. It was intended, I believe, to introduce a Factories Bill, a measure for the regulation of factories, which would have included, in one of its parts, a provision for the early closing of shops. Circumstances prevented the introduction of a Factories Bill; and unless we pass the Bill before the House we shall be without an early closing law in the State. The Bill is substantially the original Act recast in form to remedy certain defects in drafting the old measure; and in substance the Bill is the same as the Act that was in existence from 1898 until November of last year. There are a few minor points of departure, and these matters can be discussed when the Bill is in

Committee. I formally move the second reading, the terms of the measure being familiar to hon. members.

Question put and passed.

Bill read a second time.

## IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Interpretation:

MR. H. DAGLISH moved that in the definition of "shop assistants" the words, in line 2, "not being a carter" be struck out. Some assistants divided their time between serving in the shop and delivering goods. Carters worked very late on Saturdays and the days preceding holidays.

MR. F. McDONALD: Very few men who were employed as carters acted as shop assistants. It was impossible to gauge the time when a carter would return from delivering goods.

MR. SAYER: To strike out "carters" would vary it from the late Act, which had no application to carters.

MR. HOPKINS: Let carters set out earlier.

MR. DAGLISH: The late Act had already been altered.

MR. HAYWARD: This amendment would be very unfair to those who had to send goods a considerable distance.

MR. JOHNSON: It was time something was done to protect carters, some of whom on the goldfields worked 12 to 16 hours a day. The employers had taken advantage of carters being excepted in the late Act.

MR. SAYER: There was danger of losing the Bill if the amendment were insisted on. During the recess a Factories Bill would be drafted, in which the carters might be protected.

MR. DIAMOND: Though sympathising with the amendment, he maintained it should be withdrawn, as it might endanger the Bill.

MR. HOPKINS: The time had arrived for helping the carters, who both in Perth and on the goldfields worked inordinately long hours.

MR. HIGHAM: All who understood the retail trade knew that carters could not be classed as "shop assistants." At present few carters worked more than 53 hours per week, and an ample supply of such labour was always available.

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

Ayes	...	...	10
Noes	...	...	21

Majority against ... 11

Ayes.	Noes.
Mr. English	Mr. Diamond
Mr. Ewing	Mr. Doherty
Mr. Hastie	Mr. George
Mr. Holman	Mr. Gordon
Mr. Hopkins	Mr. Gregory
Mr. Johnson	Mr. Hayward
Mr. Reid	Mr. Hicks
Mr. Beside	Mr. Higham
Mr. Taylor	Mr. Holmes
Mr. Wallace (Teller).	Mr. Illingworth
	Mr. Jacoby
	Mr. Kingsmill
	Mr. Leake
	Mr. McDonald
	Mr. Monger
	Mr. Oats
	Mr. Phillips
	Mr. Parkiss
	Mr. Rason
	Mr. Thomas
	Mr. Sayer (Teller).

Amendment thus negatived, and the clause passed.

Clauses 3 to 5, inclusive—agreed to.

Clause 6—Closing time for hairdressers' shops:

MR. SAYER: This evening a petition had been presented by him to the House, signed by almost every hairdresser and assistant in Perth, asking that the closing time of hairdressers' shops be altered to 6.30, there being no meal hour between one o'clock and the closing time. He moved that the word "seven" in line two be struck out and "six" inserted, making the closing hour 6.30.

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

Clauses 7, 8, 9—agreed to.

Clause 10—Half-holidays in exempted shops:

MR. SAYER: This clause provided that where there was usually a half-holiday, on a particular day, the hairdressers should have their half-holiday on the same day.

MR. JOHNSON: Would hairdressers be compelled to close their saloons on the half-holiday?

MR. W. F. SAYER: Hairdressers would have to close at half-past six, but if there was a tobacconist's shop in connection with the hairdressing saloon, the tobacconist portion of the shop might remain open.

MR. W. J. GEORGE: If a hairdresser employed half a dozen assistants, could he not give a half-holiday to his assist-

ants on different days of the week, not all on one day?

MR. SAYER: This clause was to prevent that being done.

MR. HASTIE: There was a feeling amongst tobacconists that they should get a half-holiday, and all close on the same afternoon.

MR. SAYER: Every shop assistant in every kind of shop was entitled to his half-holiday once a week, but it had not been represented that tobacconists wanted a half-holiday on one particular day. The hairdressers had done so, and effect was now given to their representation.

MR. JOHNSON: What about the proprietor of the shop?

MR. SAYER: He could take a holiday when he chose.

MR. HASTIE: The late member for Perth (Mr. Wilson) had presented a petition from the hairdressers of Perth asking that tobacconists' shops should be forced to close on one half-holiday in the week. There was a strong feeling amongst tobacconists on this point, as it was impossible for them to get a half-holiday at present.

MR. SAYER: The hon. member could, if he chose, move to insert after "hairdressers" the words "or tobacconists."

MR. HASTIE: Not only the assistants, but the owners of the shops also wanted a half-holiday.

MR. DOHERTY: If the tobacconists' shops were closed, men would be robbed of their "smoke" on the half-holiday.

MR. DIAMOND: The tobacconists did not wish to be forced to close on Wednesday afternoon.

MR. WALLACE: Those members who advocated that tobacconists' shops should remain open should also support the proposal in reference to shops in the suburbs remaining open after 6 o'clock. He was opposed to tobacconists' shops remaining open. He had been asked to strike the word "tobacconists" out of the schedule, as the owners of the shops were desirous of closing at 6 o'clock like other business places.

MR. HOLMAN: A half-holiday should be provided for the owners of tobacconists' shops as well as the employees.

MR. SAYER: In another place the word "tobacconist" was struck out of the schedule, but so strong was the rep-

representations made that the word "tobacconist" was reinserted.

MR. JOHNSON: Could hairdressing saloons remain open, because employers on the goldfields gave the employees a half-holiday, but kept their shops open and worked themselves?

Clause put and passed.

Clause 11—Meal hours:

MR. SAYER moved that in line 5 before "six o'clock" the word "half-past" be inserted.

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

Clauses 12 to 18, inclusive—agreed to.

Clause 19—Offences and penalties:

MR. SAYER: Though it was suggested that the penalty for the second or any subsequent offence (£50) was heavy, it must be remembered it was a maximum penalty, and there might be very bad cases.

Clause put and passed.

Clauses 20 to 23, inclusive—agreed to.

New Clause:

MR. W. M. PURKISS: A new clause, somewhat in the terms of Clause 8 of the Bill introduced in the Upper House, was desirable in the interests of small shopkeepers. He moved that the following be added:—

A shopkeeper of European extraction, or the wife or husband of such shopkeeper, may keep his or her shop open and sell goods therein until 9 o'clock on any week night on which the closing time shall be fixed or appointed not earlier than 6 o'clock, provided that not more than one person shall be deemed to be a shopkeeper in connection with the same shop for the purpose of this section; provided also that for the purpose of this section "shopkeeper" shall not include "manager of a shop."

The principle of the Bill was to limit the hours of employees, and it was merely a clumsy expedient for accomplishing what had been done in other countries by Factories Acts. The new clause would not infringe the principle, but would merely enable an employer to buy and sell after the ordinary closing hour. Railways and mines were worked all night: why not shops, so long as owners did not sweat their employees?

MR. THOMAS: In mines there were three shifts.

MR. PURKISS: By the clause, only the shopkeeper and his wife could sell after hours. Poor people could not

always buy when they chose; and if the clause were negatived, many small suburban shops would be closed.

MR. HOPKINS supported the new clause. In the past legislators evidently had the idea that early closing was all right, so long as it did not apply to their own districts. It was absurd that the Act should apply to a limited number of municipalities, and not to the whole State.

MR. DOWERTY: Other places might petition for an extension of the Act.

MR. HOPKINS: Yes; and there had been petitions and counter-petitions, and no decision arrived at.

MR. SAYER: Clause 3, as introduced in another place, gave power to the Governor by proclamation to declare any place a district for the purposes of the Act, and it had been deemed unnecessary to put the Governor to the trouble of re-gazetting places which had come under the late Act, hence the insertion of Schedule 1. If other districts or municipalities desired to come under the Act, it could be extended by proclamation from time to time.

MR. HOPKINS: One section of the people in a town would apply to have the Act extended to that town, and another section would oppose it, the result being that the Act would not be extended. If the Act were good, it ought to be applied to all towns without exception.

MR. SAYER: The object of the Bill was to re-enact the statute which had lately expired; and seeing that a number of municipalities had got that statute extended to them, this Bill was made to include those municipalities. Power was also being given to the Governor-in-Council to extend the Act by proclamation to any other municipality or district which applied for the purpose. There should be some elasticity in applying an Act of this description, the circumstances of one place differing from another, and the Act should be adapted to the varying requirements of localities as far as practicable.

MR. McDONALD opposed the new clause, because the effect would be to do away with the early closing principle. Experience showed that where a shopkeeper kept open later than his neighbours he thereby compelled his neighbours, sooner or later, to keep open also.

**MR. HASTIE:** The question of uniformity, suggested by the member for Boulder, could be considered under the Schedule. The object of members generally was to re-enact the measure which lately expired; so, to discuss an amendment contrary to that was unnecessary. Next year in dealing with a Shops and Factories Act, that and other questions could be considered. To adopt the amendment would revolutionise the system of early closing, by permitting persons of European extraction, and those only, to keep shops open to a late hour. Every foreigner, and in fact every Chinaman, would do his best to show that he was a person of European extraction. For instance, a Chinaman, who had married a European woman would claim that he was of European extraction. (General laughter.) This way of dealing with the alien difficulty was not straightforward. The Early Closing Act while in operation had caused much hardship on certain small shopkeepers, but the amendment now proposed would cause much more hardship on the other side.

**MR. A. J. DIAMOND:** One's first impulse had been to support the view that small shopkeepers should be allowed to keep open to a late hour; but after conferring with shopkeepers and others concerned in the question in Fremantle, he was satisfied that the principle would not work. The Early Closing Act had wiped out four-fifths of the Chinese shopkeepers in Fremantle. If shopkeepers wanted the liberty of keeping open to a late hour, let them work their business in shifts, as was done in other occupations where work was carried on continuously. He must oppose the new clause.

Question put and negatived.

Schedule 1:

**MR. HOPKINS:** The names of the municipalities to which the former Act applied, and to which this was to apply, showed how unfair was the principle of applying it to some and not to all. He moved as an amendment that every municipality and roads board district be included in the Schedule; or he would be satisfied if the member in charge of the Bill would consent to apply the measure to every municipality.

**MR. SAYER:** Power was given to the Governor-in-Council to proclaim any municipality or district to be a district

for the purposes of this Act. The object of applying the Act upon application made before the proclamation was to be issued was to permit some form of local option, to determine whether the application should be made for applying the measure to a particular place. It was competent for this House to add to the schedule all municipalities. The reason why some municipalities were included and not others was that it was considered a simple and fair method to include in the Bill those places to which the former Act had been applied by proclamation. Other municipalities or districts could make application, and no doubt the proclamation would issue accordingly. In adopting this method, the Bill was following the legislation of New South Wales and South Australia.

**MR. HOPKINS:** The provision of the New Zealand Act should be made to apply to Western Australia. There should be no discrimination by Parliament, as Parliament did not know the requirements of districts. He moved that the first paragraph be struck out, and the following inserted in lieu: "All municipalities within the State of Western Australia."

**MR. SAYER:** In that case power must be reserved to extend the Act to all new municipalities which might be proclaimed.

**MR. HOPKINS:** An amendment to that effect could be moved later on.

**MR. HAYWARD:** The original law referred to Perth, Fremantle, and one or two other places; it was not right to force the law on those shopkeepers who did not wish for it.

**MR. HASTIE:** There were 13 towns to which the law previously in existence applied, and in each of these cases the townspeople asked for the application of the Act to the town. If this measure be passed, a large number of townspeople in various parts of the State would apply to be brought under the provisions of the Bill, but if all towns were made to come under the Bill there would be considerable friction.

**MR. THOMAS:** It was surprising to find the leader of the Labour party advocating the carrying out of the law in some localities, and not in others, where the assistants could be ground down and employed for longer hours. The people of

Kalgoorlie had applied for the conditions of the Early Closing Act to be applied to them, so had Boulder; but in the town of Fimiston, between Kalgoorlie and Boulder, the shops were allowed to keep open. The amendment of the member for Boulder did not go far enough; and later on he would support a proposal to include all roads board districts.

**MR. JOHNSON:** The Committee had to legislate for the whole of the people, and not for a portion; therefore he would vote to include all municipalities, and later on he would support an amendment to include roads board districts.

**MR. QUINLAN:** It was time enough when people applied, to bring them under the provisions of the Bill.

**MR. DAGLISH** supported the schedule as it stood. It was unwise to apply the law unless the circumstances of a place warranted it. He would like to see a law to deal with different trades individually, so as to cause the grocers to be dealt with as a class, and the drapers as a class, and so on. As the Bill stood, it was impossible to support the proposal to apply it all round. There were a number of shops in the suburbs which could not compete with the Perth shops if they were limited to the same hours; and no one could say that there should be no businesses in the suburbs. It was understood that Parliament would re-enact the early closing law, which expired in November last.

**MR. GEORGE:** It had always been contended by him that the action of the early closing law would bring a loss to the small shopkeepers in the suburbs and in the outskirts of Perth. Many of the shops in the outskirts supplied a want that was felt. He would vote for all the State to come under the Bill, so as to make the measure as drastic as possible; then there would be an agitation to have it repealed. The little stores in the outskirts and suburbs were a great convenience.

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

Ayes	..	...	...	18
Noes	...	...	...	18
—				
A tie	...	...	...	0

## AYES.

Mr. Doherty  
Mr. George  
Mr. Hicks  
Mr. Higham  
Mr. Holman  
Mr. Holmes  
Mr. Hopkins  
Mr. Jacoby  
Mr. Johnson  
Mr. McDonald  
Mr. McWilliams  
Mr. Monger  
Mr. Oats  
Mr. Purkiss  
Mr. Reid  
Mr. Taylor  
Mr. Thomas  
Mr. Wallace (Teller).

## NOES.

Mr. Daglish  
Mr. Ewing  
Mr. Gordon  
Mr. Gregory  
Mr. Hastie  
Mr. Hayward  
Mr. Illingworth  
Mr. Kingsmill  
Mr. Leake  
Mr. Nanson  
Mr. O'Connor  
Mr. Quinlan  
Mr. Rason  
Mr. Reside  
Mr. Sayer  
Sir J. G. Lee Steere  
Mr. Yelverton  
Mr. Diamond (Teller).

The CHAIRMAN gave his casting vote against the amendment.

Amendment thus negatived.

**MR. MONGER** moved that the words "Subiaco" and "Leederville" be inserted after "Perth," in line 1.

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

Ayes	...	...	...	18
Noes	...	...	...	19

Majority against ... 1

## AYES.

Mr. Diamond  
Mr. Doherty  
Mr. George  
Mr. Hicks  
Mr. Higham  
Mr. Holmes  
Mr. Hopkins  
Mr. Jacoby  
Mr. Johnson  
Mr. McDonald  
Mr. McWilliams  
Mr. Monger  
Mr. Oats  
Mr. Phillips  
Mr. Purkiss  
Mr. Taylor  
Mr. Thomas  
Mr. Wallace (Teller).

## NOES.

Mr. Daglish  
Mr. Ewing  
Mr. Gordon  
Mr. Gregory  
Mr. Hastie  
Mr. Hayward  
Mr. Holman  
Mr. Illingworth  
Mr. Kingsmill  
Mr. Leake  
Mr. O'Connor  
Mr. Quinlan  
Mr. Rason  
Mr. Reid  
Mr. Reside  
Mr. Sayer  
Sir J. G. Lee Steere  
Mr. Yelverton  
Mr. Nanson (Teller).

Amendment thus negatived.

**MR. McDONALD** moved that "East Fremantle" be inserted after "Fremantle." This he did in accordance with a requisition.

**THE PREMIER:** It was inadvisable farther to attempt the amendment of this schedule. The fact that the last speaker had a requisition from his constituency showed that Clause 3 could be used with fairness to all sections of the community. If such a petition were presented to the Minister controlling the Act, the Governor could immediately bring the district under its operation; whereas if the Committee persisted in the present course, the schedule would be full of small municipalities and roads board districts. If members wished to block the Bill, move that the Chairman leave the Chair.



MR. JOHNSON: Could it be moved that the Bill should apply to the whole of the State?

THE CHAIRMAN: No. The Committee had negatived that by refusing to strike out the first paragraph of the schedule.

MR. JOHNSON: Then there was no alternative but to move to include municipalities and road board districts.

MR. HOPKINS: "Boulder" appeared in the schedule. Was it reasonable that he should see the interests of his constituents jeopardised, while shops in Fimiston, Kamballie, and Trafalgar were exempt from early closing? Why should the people of Boulder be compelled to close at 6:30, while shops on the Boulder Block, 50 chains away, could be open all night?

MR. SAYER: Rather than continue these amendments, strike out the schedule and the words referring to it in Clause 3, after "district." These had been added in another place, and in view of their contentious nature they might well be omitted.

MR. McDONALD withdrew his amendment.

MR. THOMAS: It was unreasonable that the Boulder shops should be closed while shops in the Boulder Block were open. Norseman was included in the schedule, whilst Princess Royal, only a short distance away, was not included. He supported the suggestion that the schedule be struck out.

MR. SAYER moved (in accordance with previous suggestion) that the schedule be struck out.

Amendment put and passed, and the schedule struck out.

Schedules 2, 3, 4—agreed to.

MR. HOPKINS asked if he might move to add a new schedule for applying the measure to the whole State.

THE PREMIER: That would be a new clause, not a schedule.

MR. HOPKINS: Each town could now apply on its own account to have the measure put in operation there; but unless Parliament made it apply to the State as a whole, the Bill had better not be passed.

MR. JOHNSON: The opinion generally was in favour of applying the Bill to the whole State.

MR. SAYER explained that, after the Bill had been reported, he intended to move its recommittal for amendment of Clause 3, by striking out words at the end of the clause which included certain municipalities, leaving the application of the Bill entirely open, and to be put in operation by proclamation upon application made.

Title—agreed to.

Bill reported with amendments.

#### RECOMMITTAL.

On motion by Mr. SAYER, Bill recommitted for amendment of Clause 3.

MR. SAYER moved, as a consequential amendment on the striking out of Schedule 1, that the following words at the end of Clause 3 be struck out:—"Municipalities and districts mentioned in Schedule 1 shall be declared districts forthwith on the passing of this Act."

MR. A. E. THOMAS: What would be the effect of that? His desire was to make the measure apply to the whole State.

MR. SAYER: It was competent to strike out the whole of Clause 3, now before the Committee, and say that the Bill should apply to the whole State; but the effect of doing so would be to destroy the Bill, because it was not conceivable that in this form the Bill would be accepted in another place.

MR. THOMAS: Then destroy it.

MR. SAYER: That no doubt was the object of the hon. member, although the member for Boulder could not see it. Striking out Schedule 1 and amending Clause 3 in the way he now proposed, would make this clause consistent with what the Committee had done in amending the Bill, and the measure would then be workable.

MR. HOPKINS: That course would be satisfactory.

MR. THOMAS objected to the Bill being passed in a form which would make it apply to some places and not to others. It should apply to the whole State or not be passed. He moved that Clause 3 be struck out.

Motion put and negatived.

Amendment (Mr. Sayer's) put and passed.

Bill reported with a farther amendment, and the report adopted.

# COOLGARDIE WATER SCHEME INQUIRY.

## SELECT COMMITTEE'S REPORT.

MR. C. HARPER brought up the report of the select committee which had inquired into the laying and caulking of pipes for the Coolgardie Goldfields Water Scheme.

Report received and read, and ordered to be printed.

# COAL MINES REGUALTION BILL.

## LEGISLATIVE COUNCIL'S AMENDMENTS.

Schedule of seven amendments made by the Council now considered, in Committee.

MR. J. EWING (in charge of the Bill) moved that the amendments made by the Council be agreed to.

Question put and passed.

Resolution reported, and the report adopted.

# HEALTH ACT AMENDMENT BILL.

## LEGISLATIVE COUNCIL'S AMENDMENT.

Amendment made by the Legislative Council now considered in Committee.

Clause 8—Strike out, in Section 26, the words "one shilling" and substitute "sixpence."

MR. HOPKINS opposed the Council's amendment. Formerly, local boards of health were allowed to spend certain amounts from the general revenue of the municipality, particularly for removing nightsoil; but at present the combined Kalgoorlie and Boulder board could for this purpose strike a rate of sixpence only—little more than sufficient to pay the cost of supervision, whereas power was required to purchase sanitary plant and appliances without borrowing money, and to do the work municipally, instead of by contract.

MR. GEORGE regretted that Part II. of the Bill had been struck out. The want of it caused great hardship, particularly in districts with old-established health boards, of which the members were practically irremovable.

MR. HOPKINS called attention to the state of the House.

[Bells rung, and quorum formed.]

THE COLONIAL SECRETARY: The Government had already promised to bring in a Bill next session constituting health boards on the elective system. He

now moved that the Council's amendment be not agreed to. An attempt had been made in the Upper House to insert the elective clauses, but it had failed, and any farther attempt now made by this House to insert those clauses would kill the Bill.

Question put and passed, and the Council's amendment not agreed to.

Committee consisting of Mr. Sayer, Mr. Hopkins, and Hon. F. Illingworth drew up reasons for disagreeing with the Council's amendment, as follow:—  
"Because a one-shilling rate is absolutely necessary in many of the smaller boards of health, and in particular in the Kalgoorlie-Boulder combined district, and need not be availed of where not deemed necessary."

Reasons adopted, and a Message accordingly transmitted to the Council.

# FRIENDLY SOCIETIES ACT AMENDMENT BILL.

Order read, for consideration in Committee.

DR. HICKS (Roebourne) moved that the order be postponed until the next sitting of the House.

MR. HOPKINS objected to farther delay. It would be better to tackle the question at once.

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

Ayes	...	...	20
Noes	...	...	8
<hr/>			
Majority	...	...	12

AYES.  
Mr. Ewing  
Mr. Gordon  
Mr. Gregory  
Mr. Hicks  
Mr. Illingworth  
Mr. Jacoby  
Mr. Kingsmill  
Mr. Leake  
Mr. McWilliams  
Mr. Monger  
Mr. Nanson  
Mr. O'Connor  
Mr. Phillips  
Mr. Purkiss  
Mr. Quinlan  
Mr. Rason  
Mr. Sayer  
Mr. Thomas  
Mr. Yelverton  
Mr. Wallace (Teller).

NOES.  
Mr. Daglish  
Mr. Hastie  
Mr. Holman  
Mr. Hopkins  
Mr. Johnson  
Mr. Reside  
Mr. Taylor  
Mr. Hayward (Teller).

Motion thus passed, and the order postponed.

# FOOD SUPPLY INQUIRY.

Order read, for consideration of select committee's report.

MR. J. L. NANSON (Murchison) moved that the order be postponed to the next day.

MR. J. M. HOPKINS protested against farther postponement. The committee which inquired into the food supply was one of the earliest committees appointed in the session; it took a large amount of evidence, did a great deal of good work, and the notice for the consideration of the report had been on the paper for some weeks, yet now that it came up for consideration some members desired to postpone it for the purpose of getting the report put into the waste-paper basket. The question should be an important one in this State, in view of the high cost of living as compared with other States. Among the latest examples he had noticed was that of the charge for supplying certain articles of food to the Fremantle Gaol under contract, the scale of prices showing that what would cost 16s. in South Australia cost in this State about 30s., as the result of competition by public tender. This was another indication of the excessive cost of living in this country, and he must solemnly protest against this question being shelved again.

THE PREMIER: The hon. member should not think the report would have no effect if not dealt with by this House, because he could assure the hon. member there was very much in the report which met with the approval of the Government, although there were one or two things in it which the Government could not agree to, particularly as the adoption of the report would pledge the House to the abolition of the food duties. This would put the Ministry in a difficult position, while it was hoped the question of the food duties would be discussed on another motion now on the Notice Paper. The Government did not intend to move in this direction, although the House might force that course on the Government. Many reports that were tabled, whether dealt with afterwards by Parliament or not, might lead to legislation recommended in those reports. The recommendations made by the committee on this subject would be considered by the Government in the recess; but he (the Premier) could not promise to alter the views expressed by the Government with regard to the question of abolishing

the food duties at the present time. As to cold storage, which was dealt with in the report, the Government were entirely in favour of that, and intended to carry it out. The Government appreciated the efforts of the hon. member (Mr. Hopkins), as chairman of the committee, and also the efforts of his colleagues in conducting the inquiry and presenting the result of their labours in a report.

Motion (postponement) put and passed.

#### COUNCIL'S RESOLUTION: PUBLIC WORKS INQUIRY BY COMMISSION.

Resolution passed by the Legislative Council now considered, as follows:—

That a Royal Commission be appointed to inquire into the system adopted in connection with the carrying out of public works in Western Australia; also as to the control, cost, and supervision of such works, and generally to inquire fully into the Public Works Department, with a view to the more economical and efficient working of same.

#### IN COMMITTEE.

MR. A. E. THOMAS (Dundas) moved that the House do agree with the resolution of the Legislative Council. The Coolgardie Water Scheme had been inquired into to some extent by a select committee, and during the debate which led to the appointment of it, several statements were made by members reflecting on the system of carrying out public works in various parts of the country. He understood there would be no objection by the Government to the carrying of the motion.

Question put and passed.

Resolution reported, report adopted, and a Message accordingly returned to the Council.

#### COUNCIL'S RESOLUTION: ELECTORAL REPRESENTATION.

Resolution passed by the Legislative Council now considered, as follows:—

That, in the opinion of this House, it is desirable that a Bill providing for more equitable electoral representation in Parliament than at present exists should be introduced during the present session of Parliament.

#### IN COMMITTEE.

THE PREMIER (Hon. G. Leake) moved that the Council's resolution be not agreed to. It would be impossible to bring in such a Bill for the purpose

at this late hour of the session or at the time the Message was received. It was always the professed intention of the Government to consider a Redistribution of Seats Bill, so that it should be on the table of the House next session. In fact, instructions had already been given for the drafting of such a measure; and without disrespect to the other branch of the Legislature, he ventured to express the opinion that, constitutionally, there was something of an interference with the rights of this Chamber in directing us as to what steps we should take, really towards our own dissolution—it came to that. He merely mentioned this circumstance, in case hon. members in another place might think there was some sinister motive or lack of respect to them, in not having discussed the matter at greater length. He was happy to say there had been no difference of opinion between this and the other branch of the Legislature. He was sure members would understand that we were bound in certain circumstances to maintain our constitutional position, and to insist that we should exercise our own discretion as to the time when measures of this kind should be initiated. Members would agree with him that this House should initiate such a measure.

MR. J. L. NANSON (Murchison) said he had much pleasure in concurring in the remarks of the Premier in regard to the Message. Apart from the constitutional question involved, it was an utter impossibility at this stage to consider a Redistribution of Seats Bill with satisfaction to the country and ourselves. Regarding the constitutional aspect of the question, he could only say ditto to everything the Premier had said.

Question put and passed, and the Council's resolution not agreed to.

Resolution reported, report adopted, and the Message accordingly returned to the Legislative Council.

#### METROPOLITAN WATERWORKS ACT AMENDMENT BILL.

#### LEGISLATIVE COUNCIL'S AMENDMENT.

Amendment made by the Council now considered, in Committee.

THE COLONIAL SECRETARY: It was quite unnecessary for the Council to make an amendment of this kind, because

money could not be expended without the approval of the Governor. He moved that the amendment made by the Legislative Council be agreed to.

Question put and passed.

Resolution reported, report adopted, and a Message accordingly returned to the Council.

#### DISCHARGE OF ORDERS.

THE PREMIER: There was very little probability of getting through any other Orders of the Day before the close of the session, as the prorogation would take place on Wednesday, at 3 o'clock. He was disposed, however, to enable the member for Kanowna and the member for Mt. Burges to discuss the motions which those members had on the Notice Paper. If the House sat to-morrow it would give those members an opportunity of doing so, but if any attempt were made to get through, in addition to the Messages from the Legislative Council which would be received to-morrow, all the Orders of the Day, those hon. members would not get an opportunity of discussing their motions. In the circumstances he moved that the Orders of the Day Nos. 7 to 33, inclusive, be discharged.

MR. JACOBY: The order, "Agricultural Bank Extension, report of select committee," might be debated. A good deal of work had been expended on this report, and it would not give rise to a lengthy debate. The reports of select committees might be briefly moved and adopted, particularly as they did not tie the Government to any course of action. This report would be of assistance to the Government in initiating legislation in regard to the amendment of the Agricultural Bank Act. If the Government would consent to this matter being taken, he would move that the report be adopted without debate.

MR. DAGLISH: Would the Premier consider whether any steps could be taken to settle the question of the Perth Commonage scheme, not by the House but by the Government, during recess, especially in regard to the ownership of the land lying within the Subiaco municipality? Some permanent settlement should be arrived at, especially in regard to land for recreation purposes.

MR. THOMAS: There was a Message from the Legislative Council dealing

with refreshment rooms at Kalgoorlie and Northam railway stations.

**THE PREMIER:** That was a departmental matter.

**MR. THOMAS:** The Legislative Council had passed a resolution and asked the Assembly to concur in the opinion expressed, that it was necessary to have refreshment rooms at Kalgoorlie and Northam.

**THE MINISTER FOR RAILWAYS:** This matter depended entirely upon the decision of the Government as to whether they would have dining-cars introduced into Western Australia, which he thought preferable, if proper arrangements could be made, or whether refreshment rooms should be erected. This seemed to be absolutely and entirely a departmental matter, and not one that should occupy the attention of that august Chamber in another place. Not much could be done by introducing minor matters into the arena of politics.

**MR. HASTIE:** It would be well if the House could discuss the Order of the Day dealing with the treatment of aborigines. Certain members representing Northern constituencies desired that the Ministry should ask the Federal Government to appoint an independent commission of inquiry. That proposal should be adopted, to show that the Government were not afraid of investigation.

Question put and passed, and the orders discharged.

**THE PREMIER:** This motion was not intended to prevent discussion to-morrow of the report of the Coolgardie Water Scheme Select Committee, which had been ordered to be printed.

**THE SPEAKER:** Though notice had not been given, the report might be discussed by leave of the House.

#### ADJOURNMENT.

The House adjourned at 10.30 o'clock, until the next day.

## Legislative Council,

Tuesday, 18th February, 1902.

Papers presented—Questions: Dredge at Albany, Damage to Vessel—Question: Mail Steamer, Albany to Esperance—Motion: Remounts for Army, Breeding Depot—Land Act Amendment Bill, Assembly's Amendments (resumed)—Industrial Conciliation and Arbitration Bill, Amendments reconsidered—Wines, Beer, and Spirit Sale Amendment Bill, Council's Amendment reconsidered—Royal Commissioners' Powers Bill, second reading, etc.—North Perth Tramways Bill, first reading; Standing Orders Suspension—Brands Bill, second reading (negative)—Roads Act Amendment Bill (arrested)—Health Act Amendment Bill, Council's Amendment reconsidered—Early Closing Bill, Assembly's Amendments—North Perth Tramways Bill, second reading, etc.—Adjournment.

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

#### PRAYERS.

#### PAPERS PRESENTED.

By the **MINISTER FOR LANDS**: 1, (on motion by Hon. J. T. Glowsky), Fire Brigades Board, Report for year ending 31st December, 1901. 2, Public Works Department, Return showing names, remuneration, etc., of all assistants engaged at present in the Department.

Ordered: To lie on the table.

#### QUESTION—DREDGE AT ALBANY, DAMAGE TO VESSEL.

**HON. W. MALEY** asked the Minister for Lands: 1, The estimated cost of repairing the vessel recently damaged by the dredge at Albany; 2, The estimated cost of demurrage of vessel owing to accident and for repairs; 3, If attention has been drawn to the slowness of the progress in repairing the vessel.

**THE MINISTER FOR LANDS** replied: 1, £800. 2, Demurrage £500, and repairs £800; total, £1,300. 3, No.

#### QUESTION—MAIL STEAMER, ALBANY TO ESPERANCE.

**HON. W. MALEY** asked the Minister for Lands: If the Government will take steps to secure the continuation of the mail service by steamer from Albany to Phillips River and Esperance, which lapses early next month.

**THE MINISTER FOR LANDS** replied: The Government is in communication with the Federal authorities in regard to this matter.