

Legislative Assembly,

Thursday, 24th September, 1896.

Message: Appropriation for Judges' Pensions Bill and Metropolitan Waterworks Bill—Granting of Poison Leases in Toodyay District—Question: Delays in dealing with applications under Homesteads Act, &c.—Question: Repairs to Knowle Hospital at Fremantle—Question: Removal of lamps from Midland Railway carriages—Registration of Firms Bill: first reading—Western Australian Bank (private) Bill: third reading—Message: Assent to Bills—Perth Park Streets or Roads Closure Bill: second reading; in committee—Metropolitan Waterworks Bill: second reading; in committee; re-committed—Colonial Passengers Bill: second reading—Adjournment.

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

PRAYERS.

MESSAGE—APPROPRIATION FOR JUDGES' PENSIONS BILL AND METROPOLITAN WATERWORKS BILL.

The following Message was presented to Mr. Speaker by the Premier, and the same was read:—

"GERARD SMITH,

" Governor.

"In accordance with the requirements of Section 67 of 'The Constitution Act,' the Governor recommends to the Legislative Assembly that an appropriation be made out of the Consolidated Revenue Fund for the purposes of the undermentioned Bills, intituled respectively, 'An Act providing for the Pensions of the Judges of the Supreme Court,' and 'An Act for the Purchase, Extension, and Management of the Metropolitan Waterworks.'

"Government House, Perth, 24th September, 1896."

QUESTION—GRANTING OF POISON LEASES IN TOODYAY DISTRICT.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands,—1. Whether any poison leases had been granted in the Toodyay District during the past twelve months, and what was the area of all such leases. 2. Whether settlers in the locality protested against the issue of any such lease. 3.

Whether applications for land for conditional purchase had been made by settlers in same locality and refused, owing to the land having already been disposed of as a poison lease.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) replied:—1. Some 11,000 acres of poison land were applied for in the Toodyay District, and conditionally on 2,000 acres being excised and taken up by applicant under conditional purchase, 9,000 acres were provisionally approved in March last—the land in question being originally portion of the Midland Railway Company's Concession, but which they, rather than pay for some fencing erected on it by the lessee, abandoned without compensation or consideration. 2. I believe, since the date of such approval, some few hundred acres of the best portion of the said area were applied for under conditional purchase, and also a protest made by a few individuals against the land being granted as a poison lease; but it appeared to me that it would not have been treating the original applicant with just consideration to approve such applications; and, moreover, the balance of the land (some 8,000 acres), which were of poor quality, would then have remained unoccupied and unimproved.

QUESTION—DELAYS IN DEALING WITH APPLICATIONS UNDER HOMESTEADS ACT, &c.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands, Whether he was aware of the unreasonable delay said to exist in the Lands Office in dealing with applications for land under the homestead block conditional purchase Act, and whether he would take action to inquire into the matter, and urge greater promptitude on the part of the department.

THE COMMISSIONER OF CROWN LANDS (Hon. A. R. Richardson) replied: I am aware that there is a certain amount of unavoidable delay in dealing with applications, and find that for some little time past the delays have been greater than usual owing to pressure of other business; but special steps have lately been taken to clear off arrears, and the work is now as nearly up to date as its nature will admit of.

QUESTION—REPAIRS TO KNOWLE
HOSPITAL AT FREMANTLE.

MR. SOLOMON, in accordance with notice, asked the Director of Public Works, Whether repairs to the Knowle at Fremantle were near completion, and when the building would be ready for use for hospital purposes.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse) replied—

1. The repairs will be completed the first week in October next, and ward accommodation for 36 beds will be ready for use on that date. 2. Additional ward accommodation for 12 beds will be ready for use the first week in December next.

QUESTION REMOVAL OF LAMPS FROM
MIDLAND RAILWAY CARRIAGES.

MR. LEFROY, in accordance with notice, asked the Commissioner of Railways: 1. Why the lamps were removed from the Midland Railway Company's carriages on the arrival of the night train at the Midland Junction, and the passengers left to travel thence to Perth in total darkness. 2. Whether the Commissioner would be good enough to take immediate steps to remedy this inconvenience.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied:

1. The Midland Railway management insist on removing the lamps from their trains on their arrival at the Midland Junction. Owing to the large number of carriages employed on the opening of the Kalgoorlie line, there was an insufficient supply of lamps at Midland Junction during that week. 2. The inconvenience will not occur again.

REGISTRATION OF FIRMS BILL.

Introduced by MR. RANDELL, and read a first time.

WESTERN AUSTRALIAN BANK
(PRIVATE) BILL.

THIRD READING.

THE ATTORNEY GENERAL (Hon. S. Burt), before moving the third reading, said he had promised to confer with the bank authorities on the subject of re-issuing notes, and especially dirty notes. He had conferred accordingly, and, with

reference to the objection urged by the member for Nannine, that the re-issue and consequent circulation of soiled or dirty notes was a means of disseminating disease or a source of danger, the hon. member had exhibited a note of this bank on the previous day which was in just such a condition as notes sometimes got into through circulating from hand to hand among the public. He did not know whether the particular note had been issued from the bank on the day in question, but it certainly was in a bad condition. He was informed by the bank authorities that every care and precaution were taken to destroy all notes that were unfit for re-issue, and that, as a matter of fact, notes were continually being burnt when unfit for re-issue. If this bank, being a local institution, was to be prohibited by this Bill from re-issuing its notes, and be compelled to destroy every note that was returned to the bank, even notes that were as clean as when first issued, then he was assured that the privilege of issuing notes would become of no value to the bank, because the expense of furnishing new notes would be so large that it would not be worth the while of the bank to exercise the power of issuing its own notes. It was well-known that notes were often returned to the bank within a day or two after issue, and were absolutely as clean as when issued; so that to require notes in such cases to be destroyed would be an unnecessary restriction, as a great number of clean notes would have to be cancelled and destroyed along with the dirty notes, whereas the practice at present was to destroy only the notes that were no longer fit for re-issue. In many cases notes circulated among the public for a considerable time before being paid into the bank at all; and if, in passing through many hands, the notes got dirty, the bank could hardly be blamed for that. He did not think sufficient reason had been shown for asking the House to deprive this local bank of the power of re-issuing its notes, and especially as this would be the only bank in the colony to which the restriction would apply. It would be well if the matter were left as it stood, and this and other banking questions could be considered when the time came, as he believed it would before

long, when a general banking law, not only for this colony but for the whole of Australia, would have to be enacted. That subject had been remitted to the Federal Council of Australia on two occasions by this House, and he had good reason to believe, from correspondence which reached him, that the question was receiving the attention of authorities in Sydney and in one or two other colonies. A banking law should be a federal concern. He had had the matter in his mind for some years, and knowing that it was under consideration also in other colonies, and believing the Federal Council would be a better authority to deal with banking laws, he had advised this Government to abstain from bringing forward a general measure on banking for this colony. Another point he had promised to consider, in connection with this Bill, was whether any exchange was payable on the notes of the bank when presented at a branch of the same bank, other than that at which the note had been originally issued. He was informed that the Western Australian Bank never had charged commission in such a case, nor had exchange been paid by any customer, as far as he could learn; also he was assured it was not the practice of other banks doing business in this colony to charge exchange on their own notes, when the notes had been issued in the colony at another branch of the same bank. If notes came from another colony, and were presented for payment at a branch in this colony, exchange was usually charged, and he believed that was the general practice. He moved that the Bill be now read a third time.

MR. ILLINGWORTH said he could assure the House that the banks, including this bank, did not issue clean notes in every instance, for he had received over the counter of banks in this colony notes that had been pasted over with Government paper taken from the edges of postage stamps, and patched together in that way for re-issue. The £10 note he had exhibited to members in that House on the previous day was so tattered that he had to use a considerable amount of Government paper in order to make it presentable at the bank, although he must say the note was duly cashed as a good one. Still, it was hardly in a presentable condition; but he had no doubt

the same note would be re-issued again from that bank, perhaps after some further mending with gummed strips. He could understand that it would be unfair to place the Western Australian Bank, as a local institution, under any restraint that was not imposed on other banks doing business in this colony. In view of the early possibility of a banking law for the whole of Australia being placed before the Federal Council, as suggested, he had pleasure in supporting the motion for the third reading of the Bill.

Question put and passed.

Bill read a third time, and transmitted to the Legislative Council.

MESSAGE—ASSENT TO BILLS.

The following Message from His Excellency the Governor was delivered to and read by Mr. Speaker:—

“GERARD SMITH,

“Governor.

“The Governor has the honour to inform the Legislative Assembly that he has this day assented, in Her Majesty’s name, to the undermentioned “Bills:—

1. “An Act to authorise the raising of “a sum of Two Million Five Hundred “Thousand Pounds by Loan, for the purpose of providing a Permanent Water “Supply for the Coolgardie Goldfields.”

2. “An Act to amend the Companies “Act, 1893.”

3. “An Act to amend the Law with “reference to Powers of Attorney.”

4. “An Act to confirm certain Expenditure for the year ending 30th June, One “thousand eight hundred and ninety-five.”

5. “An Act to amend the Agricultural “Bank Act, 1894.”

6. “An Act to make provision for the “Adoption of Children.”

7. “An Act to refer certain Matters to “the Federal Council.”

8. “An Act to amend the Sixteenth “Section of the Married Women’s Property “Act, 1892.”

9. “An Act for closing portions of “certain Streets or Roads.”

10. “An Act to amend the Law relating “to the Summary Jurisdiction of Magistrates in reference to Married Women.”

11. "*An Act to amend the Law relating to Municipalities.*"

"Government House, Perth,
"23rd September, 1896."

PERTH PARK STREETS OR ROADS
CLOSURE BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest), in moving the second reading, said: The object of this Bill is to improve the Perth Park. The Government have recently resumed some small pieces of land on the summit of Mount Eliza, in order that the citizens of Perth and the people of the colony who visit the park on the mount may not have the view of Perth Water obstructed. As members will notice in the plan placed on the table, the small pieces of land that have been resumed for this purpose front a street called Bellevue Terrace; and it being desired to have this portion of the street inside the park, the new line of street will not go exactly in the same place as the present street. It is thought that it would be convenient, and also be a great advantage, to have this part of the street inside the park for the convenience of the public. The preamble of the Bill merely sets forth that this closure can be effected without any injury to the public. If any hon. member will take the trouble to look at the map, he will see that it is not intended in any way to infringe on the rights of the public, but that this provision is merely in order that this portion of the street may be closed. The second schedule proposes to close a road that was laid out years ago from near Crawley running through the park, and which will no longer be required, as a new road has been substituted for it. I do not know that the road we propose to close has ever been dedicated to the people, but it is just as well, when dealing with a portion of Bellevue Terrace, to take power also for closing this old road, so as to remove any doubt in regard to it. Hon. members who have had an opportunity of visiting the park recently will have seen that the board of management are making some improvements there, and that when the road is completed which is now under contract—and I regret to say the work is taking a long

time to complete—we will then have one of the most beautiful drives in all Australia. I think the resumption of these small pieces of land on the top of the Mount will prevent for ever the view from being obstructed, and will be of the greatest advantage to the citizens of Perth, and to the people of the colony who visit the park. I beg to move the second reading of the Bill.

MR. R. F. SHOLL: On a previous occasion, I expressed the opinion that fair notice should be given to the public whenever the Government intend to bring in a Bill for closing streets. This is the third or fourth Bill introduced into this House during the present session for the purpose of closing streets. I think the Government ought to advertise their intention of bringing in each of these Bills, and advertise freely, particularly in the districts in which the streets are situated. It is only in this way that the people affected can be informed of the intention to resume their land. With regard to this particular road, I do not think any exception can be taken to the proposal to close it, because the closure is not likely to interfere with the value of any one's property. I understood the Premier to say the land which this road served has been resumed, so that no interests are likely to be affected by the closing of the road.

MR. A. FORREST: I object to the closing of Bellevue Terrace, and the reason for my objection is that the Government are resuming a lot of land that is not necessary for the park, and I fail to see what reason they have for resuming so much land in that locality. They have a frontage along the top of the Mount right away to Crawley, and because there are some seven or eight small allotments on that frontage held by private owners, the Government are resuming them, and will probably have to pay £15,000 for them.

THE PREMIER: We won't pay half that for them.

MR. A. FORREST: The Premier may think he will be able to get the land for a low figure; but other land has been sold there for £25 a foot, a price that is perhaps double what it is worth, but a price also that will be put before the arbitrators when they come to decide the price for these eight blocks.

THE PREMIER: There is no building space at all there.

MR. A. FORREST: There is some land, at any rate, and there is a view, and if you want a view you have to pay for it. I fail to see any good reason for resuming this bit of frontage on the Mount; and I think the time has arrived when we should stop this system of buying back land at high prices. It may be desirable to retain the view for the public using the Park; but I may point out that, unless very high houses are built on these blocks, the view will still remain. I think the money of the colony is being wasted in resuming these blocks when we have 1,000 acres of park land on the Mount. It would be much better to spend the £16,000 these eight blocks may cost in making a road connecting the Park with Malcolm Street and other streets running towards the Park. I hope the Government will pause before spending such a large sum of money in buying land that is of no public utility whatever.

MR. SOLOMON: I would like to say a word in support of the remark of the member for the Gascoyne, with regard to the Government advertising their intention of introducing Bills for the resumption of lands and the closing of streets. Publication in the *Gazette* is not a sufficient notice, and other means should be used for giving notice to the parties affected.

MR. LOTON: I am not prepared to say whether this is a good Bill or not, but possibly it might meet the objections made to it if we were to allow it to go to a select committee, and let them report upon it. There is no immediate necessity for pressing this matter through the House, and a select committee may be able to say whether the purchase of these blocks is necessary or not. As the member for West Kimberley has pointed out, it is probable we shall have to spend £16,000 on the purchase of these blocks, and it may be well to take evidence before we do that.

MR. ILLINGWORTH: I think these blocks resumed by the Government are necessary for the completion of the park. As to the value of the blocks being £16,000, I would advise the Government not to buy them if the price is more than £4,000. We have gone to a good deal

of expense in this park, and a good deal of expense which I am sorry to say was not necessary for present requirements. The beautiful fence that is being put round the park might have been deferred for the next twenty years; but it has been constructed, and there is no use now in talking about it. As to this frontage, I think that, for the sake of a small saving, we should not spoil one of the best views to be had from the park. The Government have already spent about £18,000 to £20,000 on a road, and what I want to get at is this: that, having spent a considerable amount of money, it will be a mistake if, for the sake of a small amount, we now oppose the Bill on this particular issue.

MR. RANDELL: The Government are to be commended for having, in the interests of the general public, resumed this piece of land. It is very desirable to give an uninterrupted outlook from the park, and it would be a pity if the view were shut out by buildings being put upon the blocks that have been referred to. I concur in the view of the member for the Swan with regard to referring the matter to a select committee. A committee of five might be appointed to inspect and report as to whether the view would be spoiled by houses being erected upon the blocks. In the interests of the park and of the citizens, unless very grave reasons are put forward against the purchase of the blocks, I shall support the second reading of the Bill.

THE ATTORNEY GENERAL (Hon. S. Burt): The street which this Bill proposes to resume serves the blocks of land which have been resumed, and, consequently, both the blocks and the street will be thrown into the park. Now that the Government have resumed the blocks, the street will be of no use to anyone, and if it is allowed to remain, the park will have a piece of ground a chain wide running into it and splitting it up. The blocks of land resumed are on the crest of the hill, having only a few feet on the level, and I doubt whether it would be possible to build on them at all. At any rate, the Government have resumed them, and having done that, there is no object in leaving the street open.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through committee, without amendment, and reported.

Report adopted.

METROPOLITAN WATERWORKS BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): Before proceeding with this Bill, I would like to say that some delay has arisen in completing the purchase of these waterworks, through the company having its office in Melbourne, and also through there being some complications in regard to the title and other matters surrounding it; but I am told by the Attorney General that everything now is ready, and that on Saturday he will be able to hand over the documents to me, and the Treasury will then pay the money. All that is now required to complete the transfer is the signature of the Mayor of Perth, and that will, no doubt, be obtained to-day or to-morrow. This Bill was prepared with some care, and I have given a good deal of attention to it myself, and it seems to me that it altogether meets the case with which we have to deal. It is not a very long Bill, but hon. members will notice that every clause is important; and I hope that, when they deal with it in committee, they will find it meets the case, and is complete in all particulars. The Government propose to place these waterworks under a board consisting of four persons, three of whom will be appointed by the Governor, and the fourth will be the Mayor of Perth for the time being. We do not desire to make the board too large, but the number is a detail which can be dealt with in committee; but I think that four persons to manage these waterworks will be quite sufficient for the present. Hon. members will notice all through this Bill that provision is made for some Government control; but I think it will not be considered that there is more control given to the Government than is necessary under the circumstances. The Government are finding the money for the purchase, and that money is to be provided out of funds for which the revenues of the colony are responsible. It is necessary, therefore, that the Government should be held responsible for many things which, if the money were raised independently, would

not be of special interest to them. Under Clause 4, the Governor is authorised to appoint three members of the board, and may, from time to time, remove those persons and appoint others. Clause 5 gives the Governor power to appoint a chairman, and also to remove him. This power of removal by the Governor does not apply to the Mayor of Perth, who will hold office on the board by virtue of his position. Clause 6 provides for the payment of salaries to the members of the board, the chairman receiving £250 a year, and the other members £150 a year each.

MR. SIMPSON: What kind of a chairman will you get for that?

MR. ILLINGWORTH: He will not be a good one.

THE PREMIER: Hon. members must recollect that the work connected with the management of these waterworks will not be much greater than the work connected with many of the boards we have in the city of Perth. The chairman will not be required to give all his time to this work, nor would it be necessary to do so. Up to the present time, these waterworks have been managed by a secretary, an engineer, and one or two fitters; and this having been the management in force up to the present time, it seems to me that a board of four persons meeting once a week, as is usual with many boards in the city, will be able to control these works and do all that is necessary, with the aid of a competent staff under them. I hope it will be a competent staff, but there is no reason why it should be a large one at the present time. I can see no reason for any doubt as to our ability to secure members for this board at the salaries set down in the Bill. As time goes on, and the duties become heavier and the receipts largely increase, it will be soon enough to increase the emoluments of these offices. Clause 7 incorporates the Waterworks Act of 1889. That Act, by a convenient form, has been incorporated in this Bill by substituting the word "board" in the Bill for the word "council" in the Waterworks Act of 1889; and by that means we get the whole advantage of the Act of 1889, thus shortening this Bill considerably and incorporating all the provisions of that very complete Act. In Clause 8 the

powers conferred and the duties imposed upon the council by the Waterworks Act of 1889 are transferred to this board, and it is also provided that those powers shall apply to any extension of the waterworks beyond the municipality. The making and levying of a water rate in the outlying districts are to be effected in the same way as those rates are made and levied in the municipality, this being an important provision, which will enable the board to extend their mains anywhere beyond the limits of the city, and I hope the board will be able to extend them to all the suburban areas which are now rising into prominence on the outskirts of the city. The valuation of the property in the outlying districts, for the purposes of this water rate, will be made and the rates be levied in accordance with the Municipal Institutions Act of 1895. In fact, the people in the outlying districts will be treated by the board in exactly the same way as those who may be resident within the municipality. Clause 9, dealing with the powers and duties of the board, reads as follows:—"It shall be the duty of the "Board to manage, maintain, and improve the Metropolitan Waterworks, "and from time to time, with the approval "of the Governor, to extend them as "required, and to exercise for such purposes the powers conferred upon the "council by the Waterworks Act, 1889, "and to discharge the duties imposed "upon the Council by that Act; but the "board shall not lease the said waterworks, or delegate its powers to any "person or corporation, or confer upon "any person or corporation a right to "purchase the said waterworks or any "part thereof." In Clause 12, provision is made for the board to appoint and dismiss officers, clerks, servants, and workmen; and the board will thus have full control over those employed under them. This will be found a convenient arrangement, because otherwise the board's officers might consider themselves to be civil servants. Clause 13 provides, as I said when dealing with this question previously, that the board, "with the "approval in writing of the Governor, "may from time to time issue, not lower "than at par, to the Colonial Treasurer, "and to him only, debentures payable to "bearer in not more than forty years "from issue, and according to the form

"of the schedule to this Act, bearing "interest at 4 per cent. per annum, "payable half-yearly, on the 1st day of "January and the 1st day of July in "each year, to the extent of £350,000." This matter has been given serious attention by myself, with the assistance of the Under Treasurer and other officers; and it seems to me the best plan is to give the board power to issue the debentures to the Colonial Treasurer only; because, as the Government have to provide £220,000 for the purchase money, it seems undesirable that the board should be able to go about here and there selling their debentures. Therefore, the Government propose that the board shall be able to sell their debentures only to the Colonial Treasurer, and to the extent of £350,000 at 4 per cent. The Treasurer is authorised, out of the funds of the Post Office Savings Bank, to buy at par and negotiate the board's debentures. It may be asked, by some hon. members, what good there is in giving the board power to issue debentures at all, seeing that it might be just as well for the Colonial Treasurer to make the advance as a loan to the board, and pay the interest and the sinking fund as these became due. There may, however, come a time when the Colonial Treasurer will feel the want of money, and in these debentures he will have negotiable documents, issued on the strength of the rates, on which he can raise money. I do not suppose it will ever become necessary for the Treasurer to negotiate these debentures; but it seems to me that we had better have negotiable documents, in the event of the Post Office Savings Bank needing money. Clause 14 provides that, out of the money borrowed on the debentures, the board shall pay to the Colonial Treasurer £220,000, the price agreed to be paid to the company, together with interest at the rate of 4 per cent. from the date of purchase. The balance of the moneys borrowed is to be expended by the board, with the approval of the Governor, in extending the waterworks or in any such other way as the Governor, on the recommendation of the board, may authorise and approve. It will be seen, therefore, that the board have power to raise £350,000, out of which they must return to the Government £220,000,

in respect of the purchase money, leaving a balance of £130,000 to be spent on extensions. Clause 15 provides that the receipts from the sale of water are to be applied to the payment of interest on the debentures outstanding, and to the redemption of the debentures at the rate of 3 per cent. on the whole of the debentures previously issued. It will be observed that the interest is to be payable only on the debentures outstanding; and this, I consider, is an important point. After having provided for the interest and redemption, the water receipts are to be applied to the cost of management, maintenance, and improvement of the works. Hon. members will notice that the debentures will be reduced every half year, and that therefore the amount of interest due will undergo gradual reduction. The rates and other sums received by the board are to be apportioned, in the first instance, to paying the interest half-yearly, at the rate of 4 per cent. on the debentures outstanding; and, in the next place, to be applied to the redemption of the debentures, at the rate of 3 per cent. per annum, payable half-yearly, on the whole of the debentures previously issued, including any which may have been purchased or redeemed; and, after such payments, to the management, maintenance, and improvement of the Metropolitan Waterworks. We intend to manage, maintain, and improve them out of the moneys received from the sale of water; but it is proposed, also, that the cost of extensions shall come out of the capital funds. It is also provided that "The first payment on account of the redemption of the debentures shall be made on the first day of January, 1899, and thenceforward half-yearly, until the redemption of all the debentures raised under this Act." The reason for deferring the payment of this redemption money until January 1st, 1899, is that probably, in the early days of the board's existence, they may have some difficulty in providing sufficient money to pay interest and redemption; but it is anticipated that by the beginning of 1899 the receipts will have increased to such an extent that there will be no difficulty in doing what is desired and required. Clause 16 provides that, "after making the payments aforesaid, and after the expenses

"of maintenance, management, and improvement have been met, the board may, if it shall think fit, with the approval of the Governor, employ any surplus in its hands in the reduction of the water rate and of the charges for water." Clause 17 sets out that "moneys paid by the board to the Colonial Treasurer on account of the redemption of debentures shall be immediately applied by him to the redemption of the debentures issued by the board." The reason for this is that, by doing so, the capital sum will be at once reduced; the interest for the next half-year will be at a reduced amount. It may be thought by some people that it would be better to invest this money in the way we do with our loans by creating a sinking fund for the reduction of the loans; but, after giving the matter very careful consideration, I have come to the conclusion that, seeing we have the matter altogether in our own hands, there would be no advantage in proceeding in that way. The reason why we have to create a sinking fund for repaying our loans is that we cannot call in a loan at any moment that may suit our convenience. Seeing, then, that the whole matter will, in this instance, be in the hands of the Colonial Treasurer, it will not be in any way disadvantageous, or any trouble whatever, to at once apply the money to the reduction of the capital sum; therefore for that reason I have proposed that all moneys, as we receive them every half-year, shall be applied to the reduction of the debt. Benefit will at once accrue, in that the interest will be reduced for the next half-year.

MR. ILLINGWORTH: You simply invest in your own debentures.

THE PREMIER: Yes; that is so. Clause 18 provides that annual accounts shall be published; and under Clause 20 the Governor may make regulations for carrying out the provisions of the Bill. I think this Bill covers the whole of the ground necessary to put this matter on a clear footing. It gives all the advantage possible to the ratepayers, as, though the percentage may seem high, yet hon. members will recollect that the 4 per cent. will be on a diminishing quantity of capital.

MR. RANDELL: We are paying off our debt at the same time.

THE PREMIER: It will be noticed that the citizens will get every advantage; for so soon as there is more money than is necessary to pay for interest, maintenance, and redemption, then the board may, with the approval of the Governor, commence at once to reduce the water rates, and I hope that very desirable result will soon occur. It will be seen at once that the Government, and those taking an active part in this matter, are not receiving the slightest advantage, and I do not desire that any profit or advantage should go to the Government. All we desire is that these works shall be under the direction and management of the board, subject to the control of Parliament in so far as a statutory board can be said to be subject to Parliament. For my own part, I can see nothing but satisfaction in looking over this arrangement; for not only will the citizens of Perth get water as cheaply as possible, but they will have an adequate supply within a short time, while provision is made in the Bill by which large suburban areas adjoining the city, as far as may be necessary, will also have that supply within their reach. I beg to move the second reading.

MR. RANDELL: I think Perth can congratulate itself on the turn matters have taken with regard to the waterworks; and although the price is very high, yet the position had become so serious that something had to be done, and the best thing that could have been done was for the Government to acquire the waterworks in the interests of the citizens. I believe this course will be a great advantage to all the inhabitants of Perth. Another great advantage in taking over the waterworks is that they can be extended to the outside districts. Some of these new townships springing up around Perth are badly off for water, and they want it at the earliest possible moment; so that I hope the arrangements will be expedited in every possible way, and that, before the heat of summer comes on, an ample supply may be available. I am in accord with that principle in the Bill which provides for the reduction of the debt; I am glad the Government have adopted the principle for reducing the indebtedness on the waterworks. I think we should apply the principle a little more all round, in connection with the sums

we are borrowing, as I never feel very safe when we are heavily in debt. We do not know what may happen; and although some people say, "Why should not the generation that comes afterwards bear their fair share?" yet I think there is no doubt they will have a very fair share to bear. We who are enjoying the benefit of these great public works should be willing to contribute a reasonable amount towards the redemption of the indebtedness of the country. It struck me, on reading through the Bill, that the board is a small one, and I think there ought to be five members on the board, at least, for the quorum fixed is very high for a board of four. Circumstances may arise in which it may be impossible to get a quorum; and I would suggest to the Government that they should make one addition to the board, and fix the number at five. I do not see that there is any provision made in the case of members of the board not fulfilling their duties. If a complaint goes before the Governor, he may remove them; but I think it desirable that some provision should be made to meet a case where one or other member may be indifferent and not turn up to meetings. I am entirely in accord with the principle of the Bill, and am glad we have arrived at this stage with regard to the water supply for the city of Perth. It has been mentioned by the Premier, in speaking on this matter, that the present company carried on their works with a very small staff. I suppose that, in the ordinary course of events, the board will not be able to carry on the works quite so economically as a private company would do; but I think they will require more servants than the hon. member mentioned, and I have no doubt they will have plenty for attending to the supply of the city, so that any difficulties may be overcome and complaints obviated. I again urge the Government to endeavour to take the best steps necessary for ensuring a more adequate supply of water to the city, so that there may not be suffering during the coming summer from lack of water. I have heard that some of the works undertaken by the company to make the service more effective, such as cleaning the pipes, have been stopped, but I do not know whether that is the case or not.

THE PREMIER: They assure me that the work is going on.

MR. RANDELL: I am glad to hear that statement, as reports are about that the work is not going on. I hope the Government will see that everything is fixed up as expeditiously as possible.

MR. VENN: Following the hon. member, I agree with most of what he has said, and I agree with him that the board is too small in number, inasmuch as the quorum will be very high for the number composing the board. It would be desirable to have three or five as the number. [MR. A. FORREST: Three is too small.] No. This board will probably be composed of business men in Perth. It will be composed of the best men, and they may not be able to always spare the time required.

THE COMMISSIONER OF CROWN LANDS: They should not take the position if they cannot attend.

MR. VENN: I think this remuneration for a Metropolitan Board of Works, with large duties and responsibilities thrown upon them, is too small. The members of the board must be men of very considerable business capacity, and practical men, or otherwise they will not be able to carry out their duties to the satisfaction of the public generally. They will be constantly before the public, and will be assailed from all quarters when anything goes wrong with the water-works. Therefore, the remuneration is altogether too small for the responsibilities of the members and the position they will have to undertake. Many mining companies are paying more than this, at present, to directors who have hardly any duties to perform. There is no doubt that the men accepting positions on this board will have very considerable duties to perform, and the remuneration will be too small for the duties that devolve on them. I have to congratulate the Government on this Bill, as it carries out my own ideas as to what should take place with regard to works of this sort—that is to throw the responsibility on an independent board, and relieve it from that political pressure which is often disastrous to works of this description. As far as I am concerned, I shall be happy to support the Bill as it stands; but I would strongly recommend the Government to consider the question of

increasing the board by one member and also increasing the fees.

MR. HASSELL: My experience has been that, with a small board, better work is done. I agree with the member for Perth that there is a clause wanted for compelling the members to do their duty. I happen to know, from experience, that in the Education Act there is power to elect a board, but no power to make the persons, when once elected, do their duty. In the district of Albany, one man who was elected has attended only once this year, giving as his reason that he has no time to attend; and there is no means of compelling him to quit his position. There should be some means, in connection with this board, to make a member quit, if he does not do his work.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1 and 2—agreed to.

Clause 3—Waterworks to be vested in board of four; 3 to be a quorum:

MR. RANDELL asked if the Government would consider the question of increasing the number to five.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Government proposed to leave the number as it was. A small board was more workable, and personally he thought three would be sufficient.

MR. RANDELL: What about the quorum?

THE ATTORNEY GENERAL said there would be little to do, and the chairman would be the chief man on the board, which would not require to meet except to recommend or pronounce upon some proposed extension. The practical management of the concern would devolve upon the officers and workmen of the board, and there would be little occasion for the board to meet often. If they met once a month or once a quarter, it would be ample; so he thought they could always get a quorum.

MR. RANDELL said the board would have a great deal to do, and would have just as much business to do as the directors of insurance companies, who met twice a week. If they did not meet more often than the Attorney General suggested, there would be no need to appoint them at all.

MR. A. FORREST said that if what the Attorney General said was correct, two members would be plenty. They did not want an ornamental board. The members should attend weekly, and if they did not attend they should not be paid.

MR. SOLOMON said the board would be one of the most important in the colony, and it would be necessary to make some provision for the attendance of members, as the work would need the constant attention of the board.

THE ATTORNEY GENERAL said one reason for having a small board was that the Government were restricted in their choice, as no member of Parliament could legally sit on the board; so that hon. members could see there would have to be some hunting about to get suitable persons on the board.

MR. VENN said the board should consist of either 3 or 5 members. The board would be invested with great responsibilities, and if they attended to their duties only in a perfunctory way, it would be better to keep things in the hands of the Government.

MR. RANDELL said proper regulations should be laid down for the guidance of the board, which ought not to be permitted to allow its work to devolve upon the secretary, engineer, or manager. The board would have important duties in determining upon extensions and other matters of policy, and that body should meet at least once a week. He hoped that, during the progress of the Bill through committee, attention would be given to the important matter of requiring the board to meet regularly and at short intervals.

MR. WOOD pointed out that if the Mayor of Perth held a seat in Parliament, he could not, as the Bill stood, be eligible as a paid member of the board. How did the Attorney General intend to deal with this point?

THE ATTORNEY GENERAL said the Mayor of Perth would not be able to take his salary as a member of the board, if he were a member of Parliament. It might be as well to provide that the Mayor of Perth should, in all cases, be an honorary member of the board.

MR. ILLINGWORTH, referring to the suggestion of the Attorney General to have only three members on the board,

said that to make the Mayor of Perth an *ex officio* member would practically reduce the number to three, which would be few enough to get a quorum at every meeting. He hoped the board would not, as had been indicated by the Attorney General, simply be an ornamental figurehead, because there would be plenty for them to do in the active direction of the water supply department, and in deciding upon general questions of administration in regard to it. The board would have a considerable responsibility, and the number proposed in the Bill was none too large.

Clause put and passed.

Clauses 4 and 5—agreed to.

Clause 6—members to receive salaries:

MR. ILLINGWORTH said such a large proportion of the work of direction and control would fall upon the chairman of the board, that he would not be adequately nor proportionately remunerated, according to the division of the emoluments as proposed in the clause. The chairman would have to keep so closely in touch with the staff of the waterworks, and with all the operations of the department, that it would not be equitable to give him only £250 per annum, while his colleagues received £150 each. The chairman should be paid £300 a year, and his fellow members £100 each. With a view to making this alteration in the salaries, he moved, as an amendment in the second line, that the words "two hundred and fifty" be struck out.

THE PREMIER said the figures inserted in the clause had not been arrived at without a deal of consideration, although he was willing to admit that, as a rule, the chairman of any public body had a great deal more to do than the other members. At the same time, the members usually brought considerable experience to bear on the affairs under their control, although they did not do as much detail work as the chairman. He feared that, if the amendment was agreed to, the Government would have very great difficulty in getting good men to accept places on the board at £100 a year. The salaries were not high, as the Government did not wish to be extravagant at the inception of the board; but as the waterworks became more lucrative in course of time, the emoluments would no doubt be increased. If the clause was

allowed to stand as printed, he was sure the Government would be able to get good men to accept the appointments, because those who were chosen would know that the amount would be raised in course of time, when there would be a larger revenue from the waterworks than there was now, and greater responsibility in managing them. When that came about, the statute could be altered. He thought the clause made a reasonable difference in the salaries, giving the chairman £250 a year, and his colleagues £150 each; therefore he asked the member for Nannine not to press the amendment.

MR. RANDELL said all the members of the board would, he hoped, insist on taking their share of the work, and not be content to play such a subordinate part as that indicated by the member for Nannine. He (Mr. Randell) knew of a board on which the members obtained the same fee as the chairman. In his opinion, the difference in the emoluments, as set out in the clause, was quite sufficient.

MR. ILLINGWORTH maintained that practically the chairman of the board would be the manager of the waterworks; that the officers would all look to him for instructions; and that no step could be taken unless he was consulted. The chairman would stand in much the same position as the manager of a bank, who received counsel from the board of directors. In the management of so important an undertaking as the waterworks, it would never do for the administration to depend merely upon a weekly meeting of the board. There must be daily and close supervision by the chairman of all that was going on, or there would soon be a state of disorganisation. The chairmanship should be held by a first-class man, who would give careful attention to the interests of the public, £350,000 of whose money was to be invested in the undertaking.

MR. A. FORREST said that the House might rest assured that the chairman of the board, the same as every other head of a department, would soon apply for an increase of salary, and that means would be found of giving it to him, if it were only in the form of an extra £100 a year for allowances. The chairman of the board, like the chairman of every corporate body, would have to bear the brunt of the work, and, on the other

hand, £100 a year would be an ample honorarium for the other members of the board.

THE ATTORNEY GENERAL said the Government were willing to add another £50 to the salary of the chairman, who should be an engineer, if it would be possible to get such a man at the price. The chairman would have much more to do than his colleagues, who would hardly have enough business to do if they were called together so often as once a week. The chairman would act largely in a managerial capacity.

MR. R. F. SHOLL said he would be sorry to see the chairman given £100 a year more than his colleagues. The remuneration of the chairman, as named in the Bill, was a reasonable sum. Rather than increase the amount, it would be better to appoint a consulting engineer to the board. The Bill should require the board to meet at least once a week, so that close attention might be given to the important interests under the control of that body. He hoped the Government would not add £50 to the salary of the chairman, and he trusted that the other members of the board would not be content to leave too much to the chairman.

MR. VENN disagreed with the view expressed by the Attorney General, that the chairman should rule the waterworks, and that his colleagues were merely to be figureheads. All the members of the board should be placed as much on an equality as possible. If there were too great a disparity between the salaries, the ordinary members of the board would probably leave everything to the chairman, as they would say he was paid for doing the work. He (Mr. Venn) was decidedly opposed to this one-man business. The chairman should have to consult his colleagues, and be responsible to them. The clause made quite enough difference between the salaries of the chairman and his colleagues. In fact, he would be inclined to make the chairman's proportion somewhat less than in the clause.

MR. RANDELL asked if it was intended that the chairman should be the beginning and the end of the board? If so, why should three other members be appointed?

THE ATTORNEY GENERAL: They have to advise him.

MR. RANDELL: If the chairman was to have so much power, he might just as well be made manager of the waterworks at once, at £700 or £800 a year. It would be a matter for regret if the amendment were carried. He did not consider it necessary for the chairman to be an engineer. It would be better that he should be a first-class business man, accustomed to large dealings with his fellow men.

THE ATTORNEY GENERAL said the members of the board would not have a great deal of detailed work to do. Their chief duty would be to determine upon proposed extensions of the mains, to indent material, attend to the financial administration, and deal with all questions of general policy. They would not have to do routine and detail work, which would properly belong to the staff, under the direction of the chairman. Consequently frequent meetings of the board would not be necessary.

MR. SIMPSON said the board was being proposed in response to the wish of the ratepayers, and was largely a sop to public opinion; but if the chairman was to be a business man as well as an engineer, he (Mr. Simpson) considered there would be very little for the other members of the board to do. This was one man's job, and the post should be filled by a strong man and a good administrator. The colleagues who were to advise him would be very well paid at £100 a year. He supported the amendment.

MR. LOTON said he could not see the necessity of having a board, if the chairman was to be the manager of the waterworks. How was it to be expected that the Government could get a good board, if the members were to be in such a subordinate position as some hon. members had represented to the committee? If the large financial trust committed to the keeping of the board was to be efficiently discharged, there would have to be a strong board, with a strong chairman. As in all new organisations, there would be a great deal to do in the first year, if the waterworks were to be carried on satisfactorily and efficiently, in the interests of the public. It would never do for the board to meet only once a quarter, as the Attorney General had suggested. The allocation of the salaries

allowed quite enough difference in favour of the chairman, and the amendment was not desirable.

At 6.30 p.m. the CHAIRMAN left the chair.

At 7.30 p.m. the CHAIRMAN resumed the chair.

Amendment (MR. ILLINGWORTH'S) put and negatived.

MR. ILLINGWORTH further moved, as an amendment in line 3 of Clause 6, that the words "and 50" be struck out. He said he had already stated his reasons, to the effect that £100 a year would be a sufficient salary for each of the co-directors, having regard to the work they would have to do, as the principal portion of the work would necessarily fall on the chairman of the board. Mr. Fitzgibbon, chairman of the Metropolitan Board of Works in Victoria, was paid £1,500 a year, and the other members of the board received only nominal salaries for attending meetings.

THE PREMIER said this board would have the power of rating, and the Melbourne board had not that power, he believed.

Amendment put and negatived.

SIR JAMES G. LEE STEERE said it seemed to him that, under the Bill as drafted, it was impossible that the Mayor of Perth, if he was also a member of Parliament, could be a member of this board, because he would be occupying a position of profit under the Crown, and would lose his seat in Parliament as a consequence, and be liable to a fine of £500 as well. He thought the Mayor of Perth should be a member of the board *ex officio*, and without salary. It was necessary, at any rate, that some provision should be made in the Bill, so that the Mayor of Perth, if also a member of Parliament, might be a member of the board without losing his seat in Parliament; for whether he took the salary or not, the position he would occupy as a member of the board would be an office of profit, and he would consequently lose his seat in Parliament.

MR. ILLINGWORTH, in supporting this objection, said the board would be dealing with Government funds, so that the Mayor of Perth, if a member

of Parliament and also a member of this board, would be disqualified as a member of Parliament by holding an office of profit under the Crown. He would like, however, to ask the Attorney General this question: Assuming that the Mayor of Perth was to be appointed a member of the board by statute, he would not, in that case, be appointed by the Crown, like the other members of the board; so that there was a distinction in the fact of his being appointed by statute; therefore, being appointed by statute, and not by the Crown, as a member of the board, would the Mayor of Perth, in a strict sense, be accepting an office of profit under the Crown, seeing that the ratepayers of the city, and not the Crown, would pay him?

THE PREMIER: Supposing there was not enough money out of rates to pay him?

MR. RANDELL suggested that this question might be dealt with on the recommittal of the Bill, and that they might proceed with the clauses.

THE ATTORNEY GENERAL said that, at first, he had been inclined to think this would be an office of profit under the Crown, assuming that the Crown would pay the salary, and that it would be voted on the annual Estimates; but, remembering that there was in the Bill a special provision for paying the salaries and remuneration of officers out of the rates of the city, he did not see that this would be an office of profit under the Crown, if held by the Mayor of Perth when he was also a member of Parliament. If the salary had to appear on the annual Estimates, and be voted out of the Consolidated Revenue, then this would be an office of profit under the Crown, notwithstanding that the Crown would not appoint to the office.

MR. ILLINGWORTH asked how the other members of the board would be affected?

THE ATTORNEY GENERAL said he did not think it would matter who made the appointment, for the question was whether it was an office of profit under the Crown, if held by a member of Parliament, no matter how he was appointed a member of the board. Of course the Crown could not dismiss the Mayor of Perth from the board, if appointed under statute; and that was another criterion, whereas the other mem-

bers of the board could be dismissed. He was inclined to think that, in the case of the Mayor of Perth being also a member of Parliament, a seat on this board would not be an office of profit under the Crown; but as to whether the Mayor of Perth, being the head of the corporation, should accept a salary for performing these duties as a member of the board, that would be a matter between him and the City Council, or between him and the ratepayers.

MR. ILLINGWORTH asked: What about his seat in Parliament, if the Mayor was a member of the Legislature?

THE ATTORNEY GENERAL said that, unless it was an office of profit under the Crown, the Mayor would not forfeit his seat in Parliament by accepting the office, if he were also a member of Parliament. The fact of the Mayor being appointed by the Government did not make this an office of profit under the Crown, and he thought that must also be the view taken elsewhere, for he did not know that any difficulty of the kind had arisen in Sydney or other cities of Australia.

MR. A. FORREST said that if the contention of the Attorney General was correct—

THE ATTORNEY GENERAL said he was not contending, but was merely expressing an opinion.

MR. A. FORREST said there could be no objection to the Mayor of Perth being appointed, according to the opinion stated by the Attorney General; and if that opinion was correct, there would be 70 members of Parliament available as members of this board. If that was so, there was no reason why a member of Parliament should not sit on an arbitration board, or contract for Government supplies.

THE PREMIER said the Government would not pay the salary in this case.

MR. ILLINGWORTH said the Government had to pay an arbitrator.

MR. A. FORREST said the Government should explain who would be eligible on the board, and whether any member of Parliament might expect to sit on the board without forfeiting his seat in this House, and without incurring a fine of £500.

THE ATTORNEY GENERAL said that when he had stated before that

members of Parliament could not be appointed, he was under the impression that the salary to be paid to members of this board would have to be voted in the annual Estimates. He ought not, however, to have fallen into that mistake, for he found now that the salary was to be paid out of the rates of the city, and that made a difference.

MR. ILLINGWORTH said that, in his opinion, it was the intention of Parliament, in passing this Bill, that members of Parliament should not sit on these boards. The city of Perth was free to elect a member of Parliament as its Mayor, and having elected him, he was to be required, by appointment under this statute, to perform the duties of a member of this board. If it was the intention of the House that membership of this board should be an office of profit under the Crown, then clearly that would apply to the Mayor of Perth, who might for the time being be a member of Parliament.

MR. A. FORREST suggested that the Mayor of Perth should be appointed a member of this board, without salary.

THE PREMIER supported the suggestion.

MR. ILLINGWORTH said the House would be compelling the citizens of Perth to make their selection of Mayor outside the members of Parliament. He supported the suggestion of the member for Perth, that the clause should stand over until the Bill was recommitted, and the point could be further considered in the meantime. It was clearly the intention of the House that no member of Parliament should be appointed to this board.

THE ATTORNEY GENERAL said the proper place for putting in a proviso, for excluding members of Parliament from being appointed to this board, would be in Clause 4, which had been passed. He would move, on the recommittal of the Bill, that there be added to the end of Clause 4 the words "and no member of Parliament shall be appointed a member of the board." He might explain that the Mayor of Perth would not be appointed, as he would take his seat *ex officio*.

THE PREMIER moved, as an amendment in the third line of Clause 6, to insert after the word "member" the words "except the Mayor of Perth, who

shall receive no salary." When a person was elected Mayor of Perth, which was an honorary position of high dignity and carried great responsibilities, it seemed inconsistent that he should accept a salary for acting as a member of this board, and the Mayor ought to perform these duties *ex officio*. He would probably not attend the meetings frequently, but could be there whenever there was anything important, or anything particularly affecting the citizens or the Municipal Council. A person holding the office of Mayor would not, as a rule, desire a salary for performing the duties of a member of this board, because he would take up the office and all its responsibilities in the interests of the city, and his position on the board would enable him to represent the interests of the ratepayers.

MR. A. FORREST said the remarks of the Premier would meet the wishes of most members of the House. It was absolutely necessary that the Mayor of Perth should be a member of this board, as representing the city; and if the words which had been suggested by the Premier could be added to the clause, he felt sure the gentleman who might occupy the position of Mayor would not require a salary, nor would he be likely to attend the meetings unless questions cropped up which were of particular interest to the citizens, or which directly affected the city.

THE CHAIRMAN said the committee had already got beyond the part of the clause where it would be most proper to insert the proposed words; and, according to the Standing Orders, he could not go back.

THE ATTORNEY GENERAL said the Bill would have to be recommitted, in any case, and when that was done they could insert these words in the proper place, so that the amendment might be withdrawn for the present.

Amendment, by leave, withdrawn.

MR. WOOD said he did not see any provision in this clause, nor in the Bill, for compelling the attendance of members of the board. Such a provision ought to be in the Bill.

Clause put and passed.

Clauses 7 to 14, inclusive—agreed to.

Clause 15—Receipts for water to be applied to payment of interest, redemp-

tion of debentures, management, maintenance, and improvement of works:

MR. LOTON said that, in regard to the date at which the amount of redemption money should commence to be repaid, it was desirable to extend the time for one year longer, in order to give the board of management more time for getting into a sound financial position, and the extension might avoid a hardship.

THE PREMIER said there was no objection to the suggestion. The only question was whether the board would have the money available on the 1st January, 1899, for if they had it at that time they could pay it, and if they were not in a position to pay it they might use some of the capital, though he admitted that would not be a good plan. His own opinion was that the board would be in a position to pay the money when it became due; but if the hon. member thought the delay of another year would make the position of the board safer, financially, there was no objection to the extension of time for one year. At first it had occurred to him that a loan might be made to the board from the Consolidated Revenue, but afterwards he had thought it would be just as well that the board should have power to expend money out of its capital for that purpose. Sub-section (b) gave the board power to get money, and made it depend upon itself for money, instead of having to run to the Government and the public revenue on every occasion. It seemed to him the board would have enough money before 1899 to begin the redemption of debentures; and if they had not, they would have to take a little capital for the purpose. He was, however, quite willing to extend the time for the payments in respect of redemption to commence for another year. Hon. members would notice that the debentures ran for a term not exceeding 40 years, and 3 per cent. would cancel them in 33½ years.

MR. LOTON said he did not see how the board were to acquire authority to expend capital on the payment of interest; for if they could not expend capital, and if they had not the funds to pay this 3 per cent. in 1899, they would be in default.

MR. A. FORREST said it must appear to members that the waterworks would

not pay their way in the first year, as the new valuation for the city of Perth would not come into force before next March. The waterworks were to be run at much greater expense than in the past. The company had managed the works for £600 a year, and the Government were going to pay more than that in salaries to members of the board. He was certain the board would be in default the first year, and the question was how the loss was to be made up. The only way to meet the deficit would be to use capital and refund it at a later period, when the company got into a better position.

MR. HASSELL said the Bill provided that interest should be paid before anything else, so that in the event of the company being in default after the payment of interest, the officers of the board could not get their salaries.

MR. LOTON moved, as an amendment in the first line, that the words "eight hundred and ninety-nine" be struck out, and the words "nineteen hundred" be inserted in lieu thereof, the effect of the amendment being to defer the beginning of the redemption payments from 1899 1900.

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

Clauses 16 to 18, inclusive—agreed to.

Clause 19—Governor may make regulations:

MR. RANDELL said there should be something in the clause as to the times at which the board should meet. He proposed, as an amendment in line 3, that after the word "regulations" there be inserted the words "including, *inter alia*, the times at which the board shall meet."

MR. R. F. SHOLL said the regulations of the board should provide for a meeting once a week, and that any member absent from his seat for more than three meetings, without the consent of the Governor, should forfeit his seat. If a member were absent from a number of the meetings, he would be unable to keep in touch with the work of the board.

THE ATTORNEY GENERAL said the same rule was not applied in the case of municipal councillors or members of roads boards, and he did not see why it should be applied to members of the waterworks board.

MR. A. FORREST said the difference was that members of town councils and roads boards were not paid.

THE ATTORNEY GENERAL said if the House was going to adopt that rule, it should apply all round, to justices of the peace as well as to others. It might not be necessary for this board to meet every week, yet the suggested regulation would require a meeting to be held every week, whereas he did not see the use of the board meeting if there was nothing to do. There would be some difficulty in securing members for a board which had to work under such a regulation.

MR. HASSELL said the Roads Boards Act provided that if a member failed to attend three consecutive meetings, the board had power to turn him out.

THE PREMIER: They do not turn him out.

MR. HASSELL: The boards did put that provision in force occasionally, and in this case the members of the waterworks board should be made to attend to their duties.

MR. R. F. SHOLL said if the members of this board did not attend to their duties, he would like to know who was going to "bell the cat" and complain to the Government or to Parliament. It was necessary that the members of the board should attend to their duties: otherwise the appointment of the board would prove a mistake, and in that case it would have been better for the Government to look after the waterworks themselves.

MR. RANDELL said that, having called the attention of the Government to the matter, he desired to withdraw the amendment.

Amendment, by leave, withdrawn, and the clause put and passed.

Schedule—agreed to.

Preamble and title—agreed to.

Bill reported, with amendments.

RECOMMITTED.

On the motion of the Premier, the Bill was recommitted for amendment of the earlier portion.

Clause 3—Three to be a quorum:

THE PREMIER, referring to Clause 3, said it might not be convenient for the Mayor of Perth, who was to be a member of the board, to be present at every meet-

ing; therefore it was probable the quorum named in the Bill would be found unworkable. If they altered the quorum from three members to two, it might meet the case. If it were made necessary for all the three members appointed by the Governor to be present at each meeting, it might often be difficult to get a quorum. He therefore moved, as an amendment in the third line, that the word "three" be struck out, and the word "two" inserted in lieu thereof.

MR. R. F. SHOLL said the House should take time to consider whether the business of the board should be done by two members.

MR. A. FORREST said the Executive Council itself required a quorum of only two.

MR. RANDELL said these members of the Board were paid, and should be required to attend to the duties. As the Mayor of Perth would be paid, he also should be expected to attend meetings.

MR. LOTON pointed out that, with two members forming a quorum, the chairman could always give his casting vote, and in that way he would really conduct the business.

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

Clause 4—Constitution and incorporation of board:

MR. ILLINGWORTH said the point they had been discussing could be better dealt with by amending Clause 4. He asked whether the Attorney General would agree to the exclusion of members of Parliament from the board, and how that exclusion could be managed without interfering with the Mayor of Perth if he were a member of Parliament.

THE ATTORNEY GENERAL said three members would be appointed by the Governor, and the Mayor would be a member *ex officio*. The Government proposed to state, in Clause 6, that the Mayor was not to receive a salary.

MR. VENN said he would like to know why there was any trouble about a member of Parliament being appointed a member of the board. Was there any reason to be feared from paying this paltry salary of £150 to a member of Parliament? He would like the member for Nannine to show why a member of Parliament should not be a member of the board.

MR. ILLINGWORTH said he would explain why he moved in this matter. The Assembly in the future would have 44 members, and six of them would be Ministers of the Crown, so that if four more were to be appointed members of the waterworks board, and others to be appointed members of other boards, and all receiving salaries, the Government might soon have the whole House under its control and in its pay. That was the reason why members of that House should resist any proposal to make members of Parliament members of public boards. In Bills of that character, it was always desirable that members of the House should be placed in a position in which they could not accept emoluments.

THE ATTORNEY GENERAL moved, as an amendment, that the following words be added to Clause 4:—"No member of Parliament shall be appointed by the Governor to be a member of the board."

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

Clause 6:

THE ATTORNEY GENERAL moved, as an amendment in line 3 of Clause 6, that after the word "member" there be inserted the words, "except the Mayor of Perth, who shall not receive a salary."

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

Bill reported, with further amendments.

COLONIAL PASSENGERS BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading, said: This Bill is to regulate the carriage of passengers by coasting vessels; but it is nothing new, being a consolidation measure. This Bill will be found very useful indeed, because it contains in one Act all the present law on the subject; the existing provisions being scattered through eight different enactments, which will be found named and repealed in the first schedule of the Bill. Members will see, in the margin of each clause, where the particular section is taken from, while they will also see under distinct headings, following consecutively, all the enactments referring to this subject

which we propose to repeal. The only portions of the Bill which are at all new are the sections taken from the English Merchant Shipping Act of 1854; and although the principal clauses in that Act apply to this colony at the present time, we thought it better to bring them prominently into our statute book, instead of having to refer constantly to the English Merchant Shipping Act. This portion of the Bill commences with section 18, under the heading of "Suspension and cancellation of certificates; Board of Marine Inquiry." This board is provided for by section 17, which is a consolidation of the old law. Section 20 is new, taken from the Merchant Shipping Act; while in section 21 a number of powers are given to the board which they can exercise, and these are powers similar to those given to boards of this kind in England, which will be found in section 729 of the Merchant Shipping Act, 1894. With the exception of these two clauses, the rest of the Bill is mere consolidation. The Bill substitutes, in lieu of our superintendent of water police, the "port authority," who is interpreted to be the Collector of Customs or any of his officers authorised to act for him in any port. It is found impossible to work these Acts now, owing to there being no officers holding the position named in the old statutes; and it is well we should put the regulation of these passenger-carrying vessels under a live authority, and take away the power from the dead ones. Thus, the Collector of Customs will be armed, under this Bill, with the powers which the English Merchant Shipping Act intended that someone should be armed with. If hon. members think there is any other new feature in the Bill, by referring to the margin they will find the statute referred to, and will find it has been the law for years. The Bill will be a useful measure, if for no other reason than that it repeals 8 Acts on the subject, and consolidates them into this one Act. It also appoints the Collector of Customs as the port authority in lieu of the old Superintendent of Water Police. I move that this Bill be read a second time.

MR. RANDELL: I notice, in Section 7, that vessels are allowed to carry one person to every two tons of registered tonnage. This would mean that some

vessels would be allowed to carry 2,000 passengers; but I do not think any vessel can accommodate that number. The clause says the passengers are to be accommodated below the deck, but it does not say how they are to be accommodated.

THE ATTORNEY GENERAL: That is a copy of the present section. We can deal with it in committee.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 8:40, p.m., till the next Tuesday.

Legislative Council,

Tuesday, 29th September, 1896.

Hansard Reports: publication of—Telegraph Line to Nullagine—Jetties on Swan River—Formation of Independent Party: motion for adjournment—Customs Duties Repeal Bill: third reading—Tobacco (Unmanufactured) Duty Bill: third reading—Bankruptcy Act Amendment Bill: second reading—Perth Park Streets or Roads Closure Bill: first reading—Transfer of Land Act, 1893, Amendment Bill: Legislative Assembly's Amendments—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4:30 o'clock, p.m.

HANSARD REPORTS: PUBLICATION OF.

THE HON. F. T. CROWDER: I desire to ask the Hon. the Minister for Mines, without notice, whether any steps have been taken to carry out the resolution which was passed at the last sitting of this House in reference to the publication of the debates.

THE PRESIDENT (Hon. Sir G. Shenton): The hon. member must give notice of the question.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I am quite prepared to answer the question without notice. I am pleased to be able to say that arrangements have been made whereby the debates will be published for the remainder of the session as they were last year. As far as practicable, a report will be published on the day following the sitting of the House, and I hope this will be satisfactory to hon. members.

TELEGRAPH LINE TO NULLAGINE.

THE HON. D. M'KAY asked the Minister of Mines: 1. Whether it is the intention of the Government to extend the telegraph line to the Nullagine Gold-fields at once. 2. And if not, when do the Government propose to do so.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I would like to make one or two remarks on this question. I have looked into the papers connected with it, and I find that this line was promised to the people of Nullagine. When once the present Government have given their word in regard to anything it is always adhered to. My answer to the hon. member's question is "Yes, and that instructions have been given to have the work put in hand at once."

JETTIES ON THE SWAN RIVER.

THE HON. F. M. STONE: I move—"That, in the opinion of this House—1. No rights or leases should be granted by the Government to any company or person to construct jetties in the Swan River, without providing that the public have free access to such jetties and the right to use the same at all times. 2. That any rights already granted not providing for such free access and rights be at once determined." With the permission of the House I would ask leave to strike out the word "already" in the second part of the motion, and substitute the words "after the first day of January, 1896."

THE HON. D. K. CONGDON: I should like to know why the hon. member desires this alteration.

THE HON. F. M. STONE: I will explain it presently.

THE PRESIDENT (Hon. Sir G. Shenton): If there is any objection the hon. member can amend his motion and bring it on to-morrow.