

Senate to consider the proposed statute as last proposed in the Senate, and any amendments made therein by Convocation, and any such amendments which are affirmed by two-thirds of the members of the Senate present at such meeting shall be deemed to be carried, and if the proposed statute with the amendments, if any, so carried is affirmed by two-thirds of the members of the Senate present at such meeting, it shall be taken to be duly passed and approved by the governing authority, and shall be sealed with the common seal and transmitted by the Chancellor for the approval of the Governor.

That was to avoid the deadlock that the member for North Fremantle had called attention to.

New clause put and passed.

Preamble, Title—agreed to.

Bill reported with amendments.

BILL—SUPPLY, £377,000.

Returned from the Legislative Council without amendment.

House adjourned at 10.35 p.m.

Legislative Council.

Thursday, 26th January, 1911.

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The PRESIDENT took the Chair at 4.30 p.m., and read papers.

QUESTIONS (2)—WATER SUPPLIES.

Ora Banda.

Hon. F. T. O. BRIMAGE asked the Colonial Secretary: 1, Is it the intention of the Government to lay water (either fresh or salt) to Ora Banda? 2, If so, when?

The COLONIAL SECRETARY replied: A promise has been made that an adequate water supply for milling purposes will be provided for the Ora Banda district as soon as two crushing plants are in course of erection in the vicinity of the Gimlet leases, and a bond is given by the mine-owners binding themselves for a definite period to use no water for milling purposes except from the Government scheme.

Bullfinch, Cost.

Hon. T. F. O. BRIMAGE asked the Colonial Secretary: 1, What was the cost of laying water on to Bullfinch? 2, What is the average daily consumption? 3, What is the charge per 1,000 gallons at Bullfinch stand-pipe to consumers? 4, What amount of water can the Government supply per day at the Bullfinch and Corinthian stand-pipes?

The COLONIAL SECRETARY replied: 1, Estimated cost was £7,100. Accounts have not yet been completely made up, but it is apparent that the actual cost will be somewhat less than the estimate. 2, 2,500 gallons per day at present. 3, Five shillings per 100 gallons. 4, 6,000 gallons daily at each place, or 10,000 gallons daily at Bullfinch if Corinthian is not drawing. This capacity can be increased by local pumping. Some shortage in discharge has been experienced, due to accumulation of air in main. This is now being remedied and the full capacity of main will henceforth be available.

SITTING DAYS AND HOURS, ADDITIONAL.

The COLONIAL SECRETARY (Hon. J. D. Connolly) moved—

That for the remainder of the Session the House shall meet for the despatch of business on Tuesdays, Wednesdays,

Thursdays, and Fridays at the hour of 2.15 in the afternoon.

Hon. M. L. MOSS (West): It was too early to expect members to come away from their businesses and attend the House at 2.15, and there was no need for it. Later on, during the last day or two in the session, if it was found necessary we might meet at this early hour, and members would be willing to do it, but sitting at 4.30 o'clock, with the addition of a Friday sitting, was quite sufficient.

Hon. J. M. DREW (Central): It was all very well for members living in the City and the metropolitan area to argue as the hon. member did, but it was a serious matter for members who had to travel 308 miles in his case, and 350 miles in Mr. Patrick's case, to attend the House. Members came to the House to do business, and the earlier the House met the better for them.

Hon. J. W. KIRWAN (South): The motion should be carried. It was not too much to ask of the City members to meet at 2.15. It might put some of the City members to inconvenience, but country members were put to much greater inconvenience. They would be required to spend several idle hours on the Friday if the House did not meet till 4.30 o'clock.

Question put and passed.

MOTION—TIMBER INDUSTRY.

To inquire by Royal Commission.

Hon. M. L. MOSS (West) moved—

That it is desirable that a Royal Commission of five persons be appointed to inquire into the conditions appertaining to the production, exportation, importation, and distribution of timber in and from Western Australia, and in case members of either House of Parliament be appointed on such Commission their services shall be rendered gratuitously.

He said: Originally when moving for a return to be laid on the Table in this connection, I did so with the intention of moving later for a select committee to make an inquiry into these matters; but it is quite obvious that with the session of Parliament almost

at an end a select committee would be useless for the purpose. It could only act during the session and when the House is not sitting, and if I had secured a select committee it would have been impossible for that committee to make the inquiries necessary. I therefore propose that the Government should appoint a Royal Commission to inquire into the matter during the recess, and if the Government see fit to put members of Parliament upon that Commission I propose they should do so on the distinct understanding that these members should serve gratuitously; because I have all along contended it is an improper thing that members of Parliament should receive additional remuneration for their services on these Commissions. From the return laid on the Table it appears there are something like 300,000 acres of timber areas held by a number of persons; but although the various lessees apparently hold these areas, I think it will be found on inquiry they are not actually the owners of these areas, but that in the great bulk of the cases the chief areas are the property of Millars' Karri and Jarrah Forests, Ltd. In fact, there are so many well-known names on this return that I could say the whole lot of the areas, with the exception of at least 40,000 acres held by the Timber Corporation, Ltd., are possessed by the one company. Now, it is quite obvious from this return that the provisions of Section 118 of the Land Act of 1898 are not complied with. This section prescribes—

A lessee of a timber lease shall, within two years from the date of his lease, or within such longer period as the Minister may decide, erect within the area a substantial and fully equipped saw-mill plant, of sufficient power to cut up at least five loads of sawn timber per month for every square mile comprised in the lease, and shall keep such fully equipped saw-mill plant in good working order during the whole term of the lease.

The granting of leases on improvement conditions is not unfamiliar in connection with the waste lands of the Crown

We grant conditional purchases with and without residence on improvement conditions, and hon. members from the goldfields know that areas of auriferous land may not be taken up and held indefinitely when certain labour conditions remain unperformed. In other words, it is of the utmost importance to the community that areas of land taken up under practically nominal rents should be utilised in the interests of the community, and that all these areas should be worked. It is obvious further from this return that numbers of these leases have been taken up, and the requirements prescribed by the law never complied with. Paragraph 3 of the return shows this statement—

In cases where several leases held by one person, or several are adjoining, or are within working distance of each other, it has always been recognised that the requirements of the Act are fulfilled by the erection and working of one mill of sufficient capacity to represent the total acreage of the combined leases, in the same way as when two or more conditional purchases are adjoining, the improvements may be made on one portion of the combined areas as if it were one lease.

It says, "It has always been recognised."

Hon. J. M. Drew: That is not correct.

Hon. M. L. MOSS: But what I want to know is—recognised by what or whom? The Land Act prescribes certain conditions for the holding of these areas. I do not want to make any complaint against the Under Secretary for Lands, because he is a gentleman entitled to every credit for the way he carries out his duties; and though this return is signed by Mr. Clifton, I can hardly believe he is responsible for putting in this statement of what has been recognised. I attribute it to some subordinate in the office. In this return I asked for I did not want any gratuitous information from the Lands Department as to what they recognise, or what anybody else recognised. I wished to know whether certain conditions of improvement had been complied with. But it is quite obvious from this return

that, as there are huge tracts of timber country supposed to be occupied by various persons, but really, as I have already indicated, held by one company, the conditions of improvement have not been complied with; and, therefore, it is quite certain that many of these large tracts of country at the present time are forfeitable for non-compliance with the provisions of the Land Act. Now these are only preliminary observations. If the Company were holding these large tracts of country and were in any way benefiting the country thereby one could, perhaps, afford to overlook all that has taken place, and the fact that these areas were not being fully developed, and say "They are doing fairly well and we may pass it over." But in my opinion they have the country absolutely gridironed, and large areas are obviously dummed by them instead of being worked as required by law. If, as I say, this was to the advantage of the State, it would not be worth talking about; but here we have a monopoly built up which is working to the detriment and disadvantage of the State. I cannot vouch for the accuracy of some of the statements I am now going to make, because I do not know them of my own knowledge, but they have been communicated to me by persons whose testimony is well worthy of credence. I am told the price of jarrah to-day in Western Australia is greater than it is in London or Sydney, and that the cost of building has increased something like 30 per cent. in Western Australia. This, of course, is not entirely attributable to the high cost of timber, but to some extent this high cost is a contributing factor. This corporation have not only this monopoly in regard to the hardwoods of the State, but they are large importers of softwoods, and I am informed by persons whose word I have every reason to believe that the monopoly in connection with this softwood branch of the trade is so great that in connection with the erection of buildings in Western Australia to-day it pays the contractors better to import their joinery work from Melbourne than to have their softwoods

brought into the State for the purpose of that joinery. Therefore it is not a difficult matter to imagine how detrimental is all this to the industries of the State for while, of course, it is adding to the cost of building it is at the same time taking out of Western Australia a large amount of work which the industrial community have a right to regard as theirs. I am further informed that during the last year or two the Government have been obliged to pay for their railways at least £150 per mile more than in the past in consequence of the excessive increase in the price of timber. I further understand it became such a serious matter that the Working Railways Department were obliged to put up a mill of their own on the flora and fauna reserve, and that it is paying well, that the department is saving a large amount of money by cutting timber on that reserve which I always understood was to be strictly preserved intact. And while I cannot vouch absolutely for the following figures, I believe they are very near the mark. Up to about a year ago sleepers could be purchased at 1s. 3d. apiece, while to-day that company are charging 2s. 9d. apiece. Piles used in jetty work have been delivered at Fremantle as late as two years ago at 2s. a running foot, whereas to-day the price is 4s. 9d. To show you the way this is operating, I have been informed that in some parts of the State, in one of the agricultural districts, this company were charging the public 18s. per 100 superficial feet for timber, when some opposition came into the district with the result that the company I am speaking of immediately dropped the price to 12s. 6d. per 100 feet. This company of course have had their troubles in connection with various industrial disputes in the State from time to time, but so far as I can see they have come out best on every occasion. True, in some instances the men have secured better conditions of labour and even higher rates of pay, but the company have got tens of thousands of pounds from the Government in the way of cheaper railway freights. And not only have the com-

pany got this, but the Government have been obliged to pay through the nose for the supply of timber, and the public of Western Australia also have been obliged to pay through the nose. I may be asked "What do you want a Royal Commission for?" and "How are you going to improve this state of things?" In the first place, if large tracts of timber country are being held by this company and the improvement conditions are not being complied with, then I say by all means throw that country open for people prepared to embark their capital in the industry, so that we may bring about a recurrence of the conditions which prevailed here some years ago, when, instead of having the whole of this industry in the hands of one company we had half a dozen companies in the business. And I make this statement: If this monopoly exists and these heavy prices are being charged to the Government and to the public generally, then it is high time we enacted some law similar in character to that passed by the Federal Parliament for the purpose of dealing with monopolies which are injurious to the best interests of the Commonwealth. I believe there is a strong case for inquiry here, and I submit no harm can be done in asking the Government to give us the facilities for making this inquiry. It may turn out that the allegations I am making are ill-founded, and that the company are doing all that is necessary to properly utilise those areas. The information at my disposal is that they are not doing that, and that the Government and the country are paying through the nose. That these areas are either properly worked or forfeited should be insisted upon, and if the necessity can be shown for the class of legislation passed by the Federal Parliament to deal with monopolies extending over two or more States, it is high time such legislation was introduced here to deal with a monopoly existing exclusively within this State.

Hon. T. F. O. BRIMAGE (North-East): I am very glad this motion has been brought forward. There is no doubt in my mind this country is being ruthlessly dealt with in regard to timber,

and in a very short time the forests will be denuded of all useful trees. In a new country such as this, which will require very much timber in the future, there is little doubt the matter of economically working the forests must be carefully looked into, and I can see no better plan than that suggested by the hon. member. I shall have pleasure in supporting the motion.

On motion by the Colonial Secretary debate adjourned.

MOTION—BULLFINCH WATER SUPPLY, PRICE.

Hon. T. F. O. BRIMAGE (North-East): I beg to move—

That the present charge for fresh water at Bullfinch is excessive and detrimental to mining development in that locality.

I regret the necessity for having to move the motion standing in my name. I feel sure hon. members will agree with me the charge at Bullfinch for fresh water is altogether excessive. As shown by the Colonial Secretary in the figures submitted the charge is 5s. per 100 gallons. I have brought this matter before the Chamber with a view of getting an expression of opinion from the agricultural members, and of determining whether they are prepared to give us any sympathy in the matter of the further development of our mines. This water at Bullfinch is being reticulated from the main pipe line of the Goldfields Water Scheme without any expense to the Government. The total expense in connection with this supply has been that of laying the pipe line, which the Colonial Secretary has told us was £7,100. To ask the prospectors and those following mining to pay 5s. per 100 gallons for water reticulated at no cost is outrageous. People out there are complaining, and prospectors are disheartened and cannot see the reason for this unjust impost. Looking at the figures given by the Colonial Secretary, we find the Government are getting from this water scheme a revenue of something like £42 a week. I understand the quantity of water purchased by the people in the vicinity—and they have no

other water—is much higher than what the hon. gentleman would have us believe. I am quite sure were it possible for the Government to supply more, a still greater quantity would be used; but to ask the prospectors and mining companies to pay 5s. per 100 gallons is altogether extortionate. After the railway came to Kalgoorlie we had to buy condensed water, that is to say, water condensed under a costly process, and the highest price then paid was 10s. per 100 gallons; while here water reticulated through a pipe line at no cost whatever to the Government is being sold at 5s. per 100 gallons. The cost of the water to the Government is less than 3s. 6d. per 1,000 gallons, as declared by Sir John Forrest when he initiated the scheme. I am certain it does not cost that much, but I will take that as a basis. Yet we find the Government charging 50s. per 1,000 gallons.

Hon. Sir E. H. Wittenoom: I rise to correct the hon. member; the estimated price was 3s. 6d. per 1,000 gallons provided the goldfields consumed 5,000,000 gallons per day.

Hon. T. F. O. BRIMAGE: Then I suppose, as they consume only 2,500,000 gallons per day, the cost is somewhere in the vicinity of 7s. 6d. per 1,000 gallons. Is there any justification for the Government coming along and charging 50s. per thousand gallons for that water. I think the time has come for members to look into the question whether the industry is rightly or wrongly treated. Under the present Administration we are being despicably treated in more ways than one. The battery charges are outrageous, and every time there is a chance to mulct the industry in heavy expenses, and prevent it flourishing, the Government take the utmost delight in doing so. The engineer of the department has apparently blundered in laying this pipe line, because I notice the Colonial Secretary has given the quantity of water to go through the pipes at something like 10,000 gallons; with a two or three inch pipe the least quantity one would get would be 1,200 gallons an hour by

reticulation, but the department say they can pump more, and if they lowered the charge to anything like a reasonable rate instead of using 2,500 gallons a day, the quantity of water used would be something like ten times that quantity, but at 5s. a hundred gallons one seems to think that water should be bought by the gallon and bottled like beer. After 16 years benefit from the mining industry the department are now asking an exorbitant price for water. I bring this matter forward to allow members in the agricultural districts and on the coast to see the way we are being treated. The industry has been under a cloud, but we should not be allowed to remain under a cloud. I want to let members know how we are treated, and to show them the treatment we receive where expense is not being incurred and the department are not likely to make a loss. I am one of those who would like to see any department run their business on business lines, but here is an article costing something like 7s. 6d.—that is the figure given by the department but I know it is inaccurate—but taking the cost as explained by Sir Edward Wittenoom, they are dealing it out to the consumer at something like 50s. per thousand gallons. If this price is continued it will retard the industry, and we shall have another dull time. I ask the House to give the industry some further consideration, and I think the industry, which has been advertised by the Bullfinch mine, should be given an opportunity of flourishing as it deserves.

Hon. J. W. KIRWAN (South): I second the motion.

Hon. Sir. E. H. WITTENOOM (North): The hon. member has brought my name into the question in connection with the price, therefore I will just say one or two words. I do not propose to address myself to the subject of the motion, because I know nothing about it, but when the hon. member states that the price that Sir John Forrest said he could supply water to the goldfields at was 3s. 6d. per thousand gallons, the hon. member forgot to state what was

one of the great points in Mr. O'Connor's scheme, that the goldfields should consume five million gallons of water per day. That water had to be taken to one particular point, and the cost of reticulation would come on top of that. We all know that that quantity of water has never yet been consumed, and the consequence is the water scheme has never been a success, indeed for a long time it left a large deficit. I mention these matters to put the hon. member right so that he will not make absurd statements as to the price of water, and say anything that is not in accordance with fact.

Hon. E. M. CLARKE (South-West): While the goldfields have my sympathy in every respect, at the same time I would like to add one fact mentioned by the last speaker, Sir Edward Wittenoom, which is absolutely true, that Sir John Forrest based his calculations on the assumption that there were to be five million gallons per diem consumed, and that the cost of that scheme would be something like 1½ millions. What have we found? That the scheme has cost nearer three millions of money, and the five million gallons per diem has never been reached. I want to assist the hon. member all I can, but I cannot help saying this in order that members will have an idea of what this matter is. Sir John Forrest was a long way under the estimate of the cost of working and was a long way over the quantity that would be consumed per diem; that being so, it is hard to say what that water is costing the Government at the present time. While pointing out these facts, if it can be shown that the Government are charging an excessive price, I shall be with the hon. member in asking the Government to reduce the price to a reasonable figure.

The COLONIAL SECRETARY (Hon. J. D. Connolly): When the hon. gentleman, and, indeed, any hon. member, brings forward anything in the nature of a complaint in regard to excessive charges on the goldfields, or in any part of the State, he will always receive the full sympathy and support of the Government,

but in this particular case I do not think there is anything that I need say, but to remind members that in this instance the hon. member has no case at all. In the first place, the goldfield which he speaks of has been in existence only a little over 12 months; it is only just over 12 months since the leases were pegged, and it was a good many months after that before any work was done. Indeed, it is only within the last few months that any real work has been done on the place, and that work has revealed very rich ore deposits. The Government took the matter in hand immediately, and not only laid a pipe line for over 20 miles to supply water, but they obtained the authority of Parliament to construct a railway, and that railway is well under way at the present time.

Hon. T. F. O. Brimage: It was paid for before it was started.

The COLONIAL SECRETARY: Now the hon. member brings forward a motion that the present charge for fresh water at Bullfinch is excessive and detrimental to mining development in that locality. The hon. member knows perfectly well that it is a temporary main that was laid down in the first place for domestic purposes. That is shown by the answers which I have given to-day, that the full capacity is only 6,000 gallons per day, consequently if the hon. member thought for a moment he would readily see that it was not thought for a moment that it was going to supply mining, it was simply put down for domestic purposes. Before the pipe line was put down the people were paying 4d. per gallon for water, which is something like 32s. per 500 gallons, but at the request of the people themselves, so that no delay should occur, they asked the Government to put down a temporary main, and they said they would be quite willing to pay 5s. per 100 gallons. In the answers given this afternoon it was shown that only 2,500 gallons a day are being used, and that the main is capable of pumping 6,000 gallons per day, but there is only a daily average consumption of 2,500 gallons. When members consider there was a special expense incurred of £7,100 to supply 2,500 gallons a day and pump it 20 miles, not to reckon the cost of pump-

ing from Mundaring to that point, the charge is not excessive.

Hon. J. F. Cullen: What did the pipe line cost?

The COLONIAL SECRETARY: It cost £7,100 from Southern Cross to Bullfinch. It is quite understood at present that it is not meeting the interest and working expenses by any means. It was quite understood at the time there would be a loss on it, and the Goldfields Water Supply was not asked to carry that loss. In order to obviate the Water Supply Department carrying the whole of the loss the Mines Department stepped in and said that in the interests of mining they would divide the loss, also the Lands Department, that received a considerable amount of money from the sale of land, accepts some of the loss, so that it would make it fairer to the Goldfields Water Supply Department, which is supposed to be a business concern, and looks at matters in a business way. The Mines Department, in the interests of mining, thought it would be better for them to take the loss rather than that the Goldfields Water Supply should bear the whole of it. As I have said before, the main is only a temporary one, put down purely for domestic purposes, and the Government are quite prepared, immediately machinery is placed on the mines, to put down a large main and the present one will then have to be taken up. Because the Government promised to take action, and spent £7,100 to put down a 3-inch pipe to supply water to relieve people of a charge of 32s., at the request of the people, they are accused of doing something which is detrimental to mining. The hon. member talks very eloquently about the prospector, but the hon. member knows as far as prospecting is concerned, the prospectors would be pleased indeed if they could always get water at 5s. per 100 gallons, for that is not such an enormous price when we consider that the consumption is only 2,500 gallons a day, and the Government had to incur a special cost of £7,100. I think there is no justification for the motion, which Mr. Brimage has moved. It is no deterrent to mining at all, but

on the contrary it is an assistance. I quite recognise that mining cannot be carried on successfully with water at the rate of 5s. per 100 gallons, but as soon as machinery has been placed on the mines and a wholesale consumption is guaranteed so soon will the Government be prepared to put in a large main and supply at an ordinary price, which will pay them better than what they are doing to-day. I ask the House not to carry the motion which has been moved.

Hon. J. F. CULLEN (South-East): I shall not delay the House more than two or three minutes. I have not the honour of being a goldfields member, but I want the Minister to look at the question in this light. Would it not pay the Government to supply that water gratuitously if need be, to keep prospecting and preliminary work going on?

The Colonial Secretary: There is no prospecting there; the mines have been taken up, and there are dams farther out.

Hon. J. F. CULLEN: The Minister is using the term prospecting in a limited sense. The most important part of prospecting has to be done; the preliminary testing of all these leases that have been taken up is the most important part of prospecting. The finding of an appearance of gold is a small matter, but the testing of the ground is the real prospecting. Would it not be a good investment to sell the water at a moderate price in order to encourage the testing of this field? Would the Minister look for a moment at the way he treats districts such as I am now in? The Government build an agricultural railway, and they say, "You selectors have been paying, perhaps £3 per ton, for carrying your produce such a distance. The ordinary railway charge would be only about 5s., will you pay 30s. a ton and I will give you a railway?" That proposition would be on all fours with the proposition the Minister has put forward in opposition to the motion moved by Mr. Brimage.

The Colonial Secretary: Not at all. You put in a standard pipe and you can have water at the same price.

Hon. J. F. CULLEN: The Minister says "No, I am quite content to carry it at

a loss for one or two, or even five years, because I am developing the country, and then I will have a volume of trade that will give me a profit, and I shall be willing then to consider the matter." I want to add that on the occasion of my first visit to the goldfields I saw a big agricultural proposition, and I went to the Water Department and said "Are you open to a concession for a volume of water?" Their answer was "No, here are our rules; we cannot budge from them." Since then the department has done so considerably. I am satisfied, with the prospectors we have at Bullfinch, the Government will be justified in saying that they would help them, and the mining leases as well, and be content to get their profits later on. Even putting it on the widest basis, is it right to charge 50s. a thousand gallons for the mere supply of water at a standpipe? The Minister says the people were paying 50s. a hundred gallons; does he imagine that they are getting it for 5s. a hundred gallons now? They have to pay for the carting, probably another 10s.; anyhow there is room for improving the position between the present charge and what Mr. Brimage has pointed out should be a reasonable thing. I hope the Government will not take a high and mighty stand and say "We are going to make what charge we like." I hope the Government will say that they will help the prospector in the development of this part of the country.

Hon. J. W. KIRWAN (South): The Colonial Secretary said that Mr. Brimage had no case, but the hon. gentleman gave figures in the course of his speech which I think proved the very excellent nature of the case that he has. The Colonial Secretary said that the present consumption of water is 2,500 gallons a day, and that consumption worked out at the rate of 5s. a hundred gallons will show not only a very substantial rate of interest upon the cost of the pipe line, but it will also show a very big margin of profit.

The Colonial Secretary: Considering the pipe has to be pulled up within 12 months.

Hon. J. W. KIRWAN: Allowing for the possibilities of the future, the Colonial

Secretary must agree that the charge is altogether excessive, and even if the pipes have to be taken up at a later date they will be of some value. I think we should view a matter of this kind as Mr. Cullen has suggested, not altogether from its commercial aspect. We should not regard it as a profit-making concern, we should take into account the great value that fresh water is in the work of prospecting, and the immense gain the work of prospecting means to the whole State when it is attended with successful results. Viewing this purely as a commercial proposition, I have worked out the figures in this way. The consumption is 2,500 gallons and it should be remembered that that is the consumption with which the pipe line has started; I feel perfectly safe in saying that that consumption will increase in the future. It has been the experience of the Water Supply Department on the goldfields that the consumption has almost invariably increased after the commencement of the supply. The more people who go to the district, the greater the facilities for distributing the water, and so on. The Colonial Secretary will agree that that quantity of water must increase considerably in the near future, but taking it at its present figures of 2,500 gallons a day at 5s. a hundred gallons, it works out at £6 5s. a day, and again it amounts to £43 a week, or a revenue of £2,200 a year. The cost of the pipe line was £7,100. I ask whether there is any private individual who would not gladly lay down a pipe line at a cost of £7,100 in order to derive a revenue from it of about £2,200 per annum.

The Colonial Secretary: And take it up within 12 months.

Hon. J. W. KIRWAN: Yes and take it up within 12 months. If the existing pipe line is taken up it will mean there will be a still greater demand for the water and that will represent additional revenue, and it will show that the supply is paying not only directly but indirectly very considerably. The figures I have given, on the face of it, show that the charge for water is excessive and I think it proves that Mr. Brimage has made out

a very excellent case. It looks very much as if this particular matter, the Bullfinch water supply were being used for taxation purposes, and it looks as if the Government were seeking to swell their revenue by this means, even if it be worked on strictly commercial lines, and if the charge would not be as high as it is. I sincerely hope that the same generous view which was taken by Mr. Cullen will be adopted by other hon. members in the House, and that they will realise that in a district like Bullfinch, with very great possibilities, it would pay the Government many times over to do what has been requested by the motion, even though a loss might result. When agricultural railways are proposed none find fault because they are not going to pay in the near future. It is a good policy at times to build agricultural railways and to expect a deficit for perhaps many years to come. The gain is very great indirectly, and that policy which is pursued with regard to agricultural railways, it is not too much to ask, should be followed in the case of mining development, and in the case of a district which has such great possibilities ahead of it as Bullfinch. There are many prospectors there, all poor men, and this is a very important matter to them; it is a question whether or not they will be able to hold on to their claims. I think they have good reason to look to the Government for support rather than for excessive charges.

Hon. C. A. PIESSE (South-East): As this matter is likely to be taken to a division I want to say that it has my strongest sympathy. There is not the slightest doubt that it will pay to supply the people at Bullfinch with water at a loss, considering the good work they are doing in connection with what I might call, not the most important, but the next most important industry in the State. It is pointed out that this line will be taken up within a certain number of years and I think it has been stated that the total cost was some £7,000, which amount includes the cost of pipes. When the line is taken up in three or four years' time—

The Colonial Secretary: In 12 months' time.

Hon. C. A. PIESSE: Even in 12 months' time, those pipes will be of considerable value, if not of the same value as when they were laid. I think the Government have shown very bad taste in opposing this motion in face of what the people in that part of the State have been doing. The Government might have said, "We will look into the matter and endeavour to cut down the price to the lowest possible figure." Then there would have been satisfaction on all sides instead of what we have now, dissatisfaction. I do not want hon. members to lose sight of the fact that that pipe line which costs £7,000 to lay, still represents a considerable amount, in the value of the pipes, and that when the pipes are taken up the Government will have an asset in the shape of the pipes to debit against the cost. I intend to support the motion.

Hon. M. L. MOSS (West): Although I would like to support the motion I am not impressed with the language in which it is couched, and I move an amendment.

That the Government should in the interests of the prospectors, consider the advisability of making a reduction of the present charges for fresh water at Bullfinch.

I do not intend to move that amendment in any spirit of opposition to the Government, because I think the Government have done wonderfully well in connection with this locality. Water has been taken there in the very early stages of its discovery and further than that, considerable expenditure has been undertaken in connection with the construction of a railway, so that those people who have interests at Bullfinch have very little to complain about. The better way of approaching the Government would have been not to pass any vote of want of confidence, and if we agree to this motion it will be calculated to do that. It would be better to ask the Government to reconsider their decision and see whether it is not expedient to make a reduction in the cost of the water. That would be better than saying, with the meagre information at our command, that an excessive charge has been made and that the Government have done something which is detrimental to the

mining industry. I agree with the Colonial Secretary that the Government have not done anything which is detrimental to the mining industry but that they have done a good deal, and I might say more than has ever been done in connection with any similar discovery, not only in this State but in Australia, and the efforts which the Government have put forth should be recognised. The Government first took water to the district, and then without delay proceeded to construct a railway, and it is not a fair thing to blame the Government now. Probably later on the district may peter out; we all hope it will not, but even if it should do that then of course we shall have the Government blamed for having done too much. We cannot view a matter of this description from a commercial standpoint. If it becomes a great field it will be a good thing for the State. But if unfortunately the field petered out, this £7,000 would be lost to the State, and so would the cost of the railway. Surveying all these facts, it is not a fair thing to accuse the Government of having acted in a way detrimental to the field.

Hon. W. Kingsmill: They have got enough out of the sale of the land to pay for the railway and the pipe line too.

Hon. M. L. MOSS: I do not know how much they have got, but assuming that the Government have received sufficient to pay for the pipe line and the railway, then, no doubt, the work which the Government have undertaken in carrying the water there and building the railway was a factor in earning this money. Without a railway and without the water they would not have obtained this money. Bearing in mind these circumstances we have no right to blame the Government and say that they have done something detrimental to the field.

Hon. R. LAURIE (West): I second the amendment.

The PRESIDENT: I wish to draw the attention of hon. members to Standing Order 114—"If all motions shall not have been disposed of one hour after the time fixed for the meeting of the Council, the debate thereon shall be interrupted, unless the Council otherwise order, and the

Orders of the Day shall be taken in rotation." The question is that the debate be continued.

The Colonial Secretary: Mr. President, who moves the motion that the debate be continued?

The President: I do.

The Colonial Secretary: Is it usual for you to do that?

The PRESIDENT: It has never happened before.

On motion by Hon. R. D. McKENZIE (Honorary Minister) debate adjourned.

BILL—UNIVERSITY.

Received from the Legislative Assembly and read a first time.

BILL—FREMANTLE HARBOUR TRUST ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair.

Clauses 1, 2, and 3—agreed to.

Clause 4—Amendment of Section 65:

On motion by the COLONIAL SECRETARY, clause amended by striking out the proviso (52b).

Clause, as amended, agreed to.

Clause 5—agreed to.

Title—agreed to.

Bill reported with an amendment, and the report adopted.

BILL—NARALING-YUNA RAILWAY.

Second Reading.

The COLONIAL SECRETARY, in moving the second reading, said: This is a Bill for the construction of a railway in a north-easterly direction for twelve miles from the terminus of the present Upper Chapman railway to a point beyond the area of Yuna. Honourable members will see before them particulars as to the weight of rails, gauge, and general construction of the line. They will notice that the estimated cost of the construction is £16,500, plus rails and fastenings £7,800, making a total of £24,300 for the twelve miles or an average of £2,025 per mile. In the area to be served by the railway there are at present 57 resident occupiers,

holding 6,816 acres; whilst the Yuna area recently cut up amounts to 26,443 acres, the total area within a fifteen-mile radius of the line being slightly over 100,000 acres. The land under cultivation is 1,500 acres, and the land cleared 2,300 acres. The line is really an extension of the present Upper Chapman railway, and there are no large areas to be served by it. The land that will be affected by the construction of this line is said to be one of the finest cereal-producing areas in the State, and it is estimated that within a short time at least 50,000 acres will be under crop. As is usual with these agricultural lines, the Advisory Board have made a report upon the proposal, and that report, dated 10th of November of last year, states—

The inspection of the Yuna lands has been carefully made by the board and full consideration given to plans, reports, and available data, and we now recommend the building of a line approximately $8\frac{1}{2}$ miles in length, extending from the Upper Chapman line in a north-easterly direction, as shown by a red line on the plan herewith. The engineering survey must, of course, determine the actual position.

That eight and half miles mentioned by the board is explained by the fact that when the residents asked for this line they desire only eight and a half miles built. Instructions were, therefore, given to the Board to inspect the proposed route for $8\frac{1}{2}$ miles, but later on it was found that a very good area existed some distance beyond the head of the line but near enough to be influenced by the railway. Intervening between the terminus of the line and the good land beyond, however, was $3\frac{1}{2}$ miles of sand plain, and this sand plain would practically render the railway useless, unless a macadamised road were made across it. The cheaper way of overcoming the obstacle was to extend the line another $3\frac{1}{2}$ miles in order to take it across the sand plain and bring it to the edge of the good land. The report of the board continues—

The Yuna area is an exceptionally fine piece of wheat-growing land, and will, we venture to say, be put to its

most profitable use very much earlier by the construction of this proposed extension. Mr. Muir's estimated cost of this $5\frac{1}{2}$ miles of line is £14,000. In recommending the route as shown, we have endeavoured to locate a position that will best serve this district, and if the selectors are bona fide and work their land to the best advantage the proposition should be a paying one. When railways are built for the development of the country, and selectors thereon do not, within the statutory term provided by the Lands Act, fulfil the prescribed conditions, we strongly recommend the forfeiture of all lands so served and on which the conditions are not complied with.

I think that that report should be sufficient to induce the House to approve of the building of this line. I have much pleasure in moving—

That the Bill be now read a second time.

Hon. Sir E. H. WITTENOOM (North): I suppose that I am the only member in this House who really has a personal knowledge of this portion of the country. It may be within the memory of several members that an exceedingly pleasant outing was given to us by the Government some little time ago in connection with the opening of the Upper Chapman Railway. This proposed extension will bisect the far-famed Bowes Estate, recently acquired by the Government, and will therefore, give every facility for its development. I was exceedingly glad to hear the Leader of the House refer to the fact that there was a sandplain there. There is a sandplain. It is mixed country, and I am hardly prepared to support the enthusiastic description of it as appears in this paper. There is not only sandplain in parts, but there is a certain amount of poison. However, that can be eradicated. The good country is very good indeed; there is a large portion of it; and I think the Government are justified in extending the railway as they propose. The district is very fashionable, and there are many applications for the land. One would infer from the word "sandplain" that it means useless land;

but it is not so, because when properly burned and taken care of it provides excellent feed for sheep in summer time. Land of this description, York and salmon gum country with the sandplain, makes a very good holding indeed. Although the whole of this area is not first-class country, the Government are well justified in extending this railway, if for nothing else than that it takes the place of a good road.

Hon. W. PATRICK (Central): I have much pleasure in supporting the second reading. There is one thing I would draw attention to, and that is a clerical error in the sheet supplying the information for members. This says that the area held by settlers is 6,800 acres, but I think it must be something like 40,000 or 50,000 acres, because I know 10 or 12 persons holding more than the area mentioned. I cannot say I know the country as well as Sir Edward Wittenoom, because he is thoroughly conversant with almost every acre of it, but I have been over several thousand acres of it, including the portion at the end of the existing line passing through the Bowes estate, and I have every confidence in recommending the House to pass the Bill. It was originally intended to build an extension of eight and a half miles, but, for some reason that has been altered. The extension of eight and a half miles would be into the Yuna townsite, but the reason given by the leader of the House explains why they have added another three and a half miles. It is to get over a bit of sandplain country. I do not think it is necessary to say more. There is a good rainfall there, and there is some good land; it is York gum country that can easily be cleared. I do not think that the House can do better than pass this Bill.

Question put and passed.

Bill read a second time.

BILL—PUBLIC LIBRARY, MUSEUM,
AND ART GALLERY OF WESTERN
AUSTRALIA.

Second Reading.

Hon. R. D. McKENZIE (Honorary Minister) in moving the second reading

said: The object of the Bill primarily is to vest in trustees the property and effects of the Public Library, Museum, and Art Gallery of Western Australia. These institutions are absolutely necessary in any civilised community, and perhaps it is a pity that in a large State like ours where the population is so scattered we cannot duplicate or triplicate them, and have large public libraries, museums, and art galleries in two or three parts of the State. But the finances of the State of Western Australia at the present time will not admit of this, so that it is necessary that we should give our attention for the time being to those institutions we have established in the capital. Although we have had many men who have made immense fortunes on the goldfields and in the pastoral industry, there are very few of them who have done anything in Western Australia to aid towards the upkeep of institutions such as those to which the Bill refers. If we had gentlemen with large means who would give grants as they do in some of the other States of Australia, the call would not be so great on the Government as it is at the present time. It is quite right the Government should assist in the building up of these institutions; but the present Bill does not deal with the financial part of the question; it is a machinery measure with the object of changing the present committee into a board of trustees and giving them powers the present committee do not possess. I am sure that every member agrees with me when I say that the benefits to be derived from these institutions are almost incalculable. We have a magnificent library in Perth, and we have our museum and art gallery. The arts and crafts exhibits are very extensively availed of by artisans in the State, and by those who are seeking to advance themselves as art workers. We have thousands of exhibits in the museum which are made use of by school children, and also largely by private students. Our library is largely a reference library, and is of the utmost service to a very large section of the community, more especially to young people who are leaving our State and secondary schools and are able to get the advantage

of going to the library to obtain access to books of reference that otherwise perhaps would be beyond their reach. During the last few years certain lectures have been delivered in connection with these institutions, and they have been largely attended. No doubt a great deal of benefit has been derived from these institutions by the population of the metropolis, if not by a good many people from our country and mining districts. I would like at this juncture to say that during last year 70,000 people visited the museum and art gallery, this being an average attendance on week days of 167, and on Sundays of 315; and during the same period 65,000 people visited the library. In that library we have 93,756 volumes, including a travelling library of 7,500 volumes. The total value of the books in the library is something like £33,000. There is an average of 6,000 volumes added each year. In connection with the lending library, 73 institutions scattered over the length and breadth of Western Australia take advantage of their privilege to borrow books from the central library, and there were 177 cases of books sent out last year containing 7,000 volumes. I understand the Public Library of Western Australia started in Perth before Responsible Government. It was then called the Victoria Library, and if I remember rightly when I came to this State in 1892 it was a very small institution indeed. The Government put up a new building in 1898, and in this building the museum and art gallery are now housed. I remember in 1892 we had a very small museum. It was housed in the old gaol on the site of the present buildings. In the same year, 1898, Sir John Forrest, who was then Premier of Western Australia, promised that a Bill similar to the one brought forward by the present Government should be brought before Parliament to vest the whole of the property in trustees. At present the public library is managed by a committee consisting of eight members, and the individual members of that committee ably manage the affairs of the museum and art gallery. They find that they have no legal power whatever. They cannot sue, nor can they be sued. If they lend any of their

books or valuable pictures, they do so entirely at the risk of not getting them back again, because they have no legal redress. The committee were kind enough a year or two ago to lend quite a number of pictures to the goldfields, and these were exhibited in the buildings occupied by the School of Mines at Kalgoorlie, and were a source of great pleasure to hundreds of people in Kalgoorlie. Indeed, I think if more publicity had been given to the fact that the pictures were there there would have been far more people attending to view them than there were; but if these pictures had been damaged, or if they had not been returned, the committee would have had no power to recover the loss or the damage, nor would they have been able to enforce the return of the pictures to their proper place in the buildings in Perth. All these difficulties are to be got over by the present Bill if it becomes law. It proposes to create a certain number of trustees into a corporate body, giving them all the powers necessary to deal effectively with the property and effects the committee have in their possession at the present time. The Bill before us is drafted on the lines of the South Australian Act recently passed, which I am told is the latest and most up to date of its kind in Australasia. Our measure provides for 12 trustees to be appointed by the Governor in Council for a term of six years. A third of them are to retire every two years, so that every two years there will be four new trustees to be appointed. It is proposed that the 12 trustees shall have the power to appoint by co-optation two other trustees, the term for these two to be fixed by the 12 trustees, but not to exceed six years. I believe it is the intention that these two co-opted trustees are to be experts; they will be specialists who will be able to advise with the other trustees to the great advantage of these institutions. The president is to be appointed by the Governor on the recommendation of the trustees. There is also provision made for the appointment of an acting president should the president be absent for three months. Clause 14 vests the land

and buildings in the trustees giving them power to sell, lease, or mortgage, but only with the consent of the Governor in Council. Clause 15 vests the personal property in the trustees, and gives them power to lend. As I have mentioned before they will be able to lend their pictures and books under sufficient guarantee for their return, and that they will not be damaged. Clause 18 gives the usual powers for making regulations for the proper working of the Act. Now, at the present time, as I have mentioned before, there is a committee of eight who rule and conduct the affairs of these three institutions. It may not be out of place to read the names of the present committee, because I understand all eight will find a place on the list of trustees to be appointed by the Governor in Council. Those gentlemen are Sir Winthrop Hackett, Hon. H. Briggs, Mr. T. H. Bath, Mr. Canning, Dr. Harvey, Dr. Kelsall, Mr. Justice McMillan, and the Rev. Dr. Riley, Anglican Bishop of Perth. With a body of men such as these, and with the selection the Government will make to augment the number, I think we can safely leave the whole of these institutions in their hands. Now, I would like to say a word or two in connection with the interest Sir Winthrop Hackett and yourself have taken in these institutions. I think this House should feel proud of the fact that two of its most prominent members have taken such an interest in these institutions. There is no question in regard to Sir Winthrop Hackett, although we on the goldfields sometimes look on him as being not altogether a friend of ours.

Hon. J. W. Kirwan: This is the first time I have heard that said.

Hon. R. D. McKENZIE (Honorary Minister): When I say not altogether a friend of ours I mean it is often mentioned on the goldfields that with the power he has in the metropolis and the control he exercises over the Press of the metropolis, Sir Winthrop Hackett might perhaps have done more for the goldfields than he has done. However, it is a fact about which there is no

question that Sir Winthrop Hackett has shown a very great amount of disinterestedness in supporting the institutions referred to in the measure. I think everybody must recognise the great work he has done for the Library, Museum, Art Gallery, Zoo, the King's Park, and many other works and places now well established in favour in Western Australia. We can only hope he will be a prominent member of the trustees to be appointed under the Bill, and will be spared to go on with the good work he has already done. He has helped to lay the foundations of these several institutions, and we hope that in conjunction with yourself he will live to render many years of useful service for the benefit of the State of Western Australia. I feel this Bill must appeal to members of the Chamber, and that there is no necessity for me to say anything further in the matter. I move —

That the Bill be now read a second time.

Hon. Sir E. H. WITTENOOM: Will the Minister explain Clause 4, and what is meant by "co-optation?"

Hon. R. D. McKENZIE (Honorary Minister): It means, I understand, the election by themselves of two others to join the body.

Hon. Sir J. W. HACKETT (South-West): I want to congratulate the members of the Government on having taken up this matter. It is not a very important one from my point of view, but it is necessary that these powers should be entirely revised. I say it is not important, because it is a curious thing how very smoothly and, I trust, with what efficiency, the body called the committee have been able to work. Absolutely that committee were without a vestige of right. They certainly made contracts, kept the place clean, added specimens and books, looked after the pictures and so on, but I would defy any hon. member to discover on what legal basis they rested. If there was ever any appointment all official record of it has been lost in the public departments. It was 23 years ago, a long period in the life of this State, when the first committee

were appointed. They had a shred of power. Ten years afterwards their number was added to by three or four new members, but nothing whatever authorising them to act in the high-handed way they have done has yet been discovered. The main purpose of the Bill is to create these trustees, and if the House in its wisdom can point out any changes which might be made with advantage to the Bill I hope members will not be slow in bringing those changes forward. As a matter of fact, when we consider the value of the property, the importance of the work in hand, and the extent to which the public have made use of these institutions, we find that not a moment's delay should occur before the gentlemen who have to control such a state of affairs are vested with full and ample power from a constitutional point of view. Perhaps I may add a few figures to those given by my hon. friend, Mr. McKenzie. It would hardly be credited that the number of visitors to the Public Library since its initiation in the year of the first Jubilee of Queen Victoria totals two million readers. It may be supposed I am drawing the long bow, but as far as I can discover over two million readers have taken advantage of that institution since first it was located in the premises of the old Western Australian Bank until now, when it is housed in the present comfortable and spacious quarters. Last year about 230,000 people passed the turnstiles of all these institutions. If I cared to delay the House I could give startling figures with regard to the specimens, exhibits, and collections generally, figures which the House would scarcely be ready to credit unless they had the assurance of gentlemen of the unimpeachable probity of my two hon. friends representing the Government in this Chamber. When all these matters are taken into view they constitute a case which I am sure the House will not refuse to grant. I desire to assure the House there is no principle whatever involved in the Bill except the taking pains to put our institutions on a proper basis, and taking care to protect their contents, and to give adequate powers to those entrusted with their management. That is the

whole object of the Bill. There is no question of a library or no library, additions to art gallery or no additions. The one matter we asked you to attend to is the clothing of these trustees with proper legal powers to enable them to carry out their work. I earnestly trust that will commend itself to the House, and if any question of a highly contentious character, such as "co-opt" and "co-optation" should arise, I have no doubt sufficient answer can be given by the members of the Government. I have much pleasure in supporting the second reading of the Bill.

Hon. A. G. JENKINS (Metropolitan): I feel sure the Bill will commend itself to every hon. member. My only reason for rising is that I find Clause 16 provides that the trustees may appoint such officers and servants as may be necessary. I understand the officers in those institutions are appointed by the Public Service Commissioner, but I am not sure on this point.

Hon. Sir J. W. Hackett: No; that is not so.

Hon. A. G. JENKINS: I only rose because I thought it was so, and that consequently there should be some saving clause put in the Bill.

Hon. W. KINGSMILL (Metropolitan): It is, of course, my intention to support the second reading of the Bill which is so vitally essential to the very existence, or might in time prove vitally essential to the very existence, of these institutions, which I venture to say are very highly appreciated by the public of Perth. Indeed, it is a matter of wonder and surprise to me that these institutions, and the committee which have existed absolutely without any *locus standi* from the legal point of view, have got through the years which have elapsed without getting into some serious legal trouble. It argues well for the tact displayed by the committee. I may be allowed to say a few words in connection with these various institutions covered by the Bill. In the first place, it should be a matter of congratulation to anybody who visits the Public Library to see the young people to whom Mr. McKenzie alluded enjoying the use of the library to the great extent they do,

and if it lies in the power of the trustees to make that library even more attractive to the young people who flock there in numbers which are surprising, I hope those efforts will not be wanting on the part of the trustees. With regard to the Museum I am afraid I cannot be quite so enthusiastic. I understand—I speak subject to correction—that the natural history part of the Museum is to a great extent being, if not neglected, at all events not attended to with that diligence which is imperative at the present juncture. Our fauna in Western Australia are a fast decreasing asset. On the outlying islands along our coast there exist forms of life which are known only in those special localities, forms which are disappearing day by day as those islands are occupied and brought under settlement. It is, I think, essential that of the money given to the trustees a larger proportion should be spent in securing those specimens, which are of such immense scientific value, before they pass out of existence.

Hon. Sir J. W. Hackett: We are doing a good deal of it now.

Hon. W. KINGSMILL: I know a good deal is being done, but not so much now as in the past. A few years ago a collector was employed by the committee, one of the best collectors who has ever undertaken the work in Australia, and he did admirable work while he was employed. But one of the first expenses to be cut down when hard times fell upon the committee was this section. It is a great pity and I hope under the government of the new trustees efforts will be made to set this collecting system going again.

Sitting suspended from 6.15 to 7.30 p.m.

Hon. W. KINGSMILL: I was dealing with what I consider the urgent necessity, if this museum of arts is to occupy the position we hope it will occupy and which it has occupied in the past of being a scientific success, that the trustees when appointed should pay the utmost attention to the natural history part of the Museum, more especially in view of the fact that day by day rare specimens only known in this part of the world are disappearing from the remote parts of Aus-

tralia. There is one peculiar omission from the Bill for which I should like some explanation. As you know, and as anybody who has taken an interest in the Museum and Art Gallery must be aware, a fair proportion of the specimens in the Museum and the works of art in the Art Gallery are there not as the property of the trustees, but are on loan. It appears to me this Bill recognises only one form of holding and if we turn to Clause 15 we find—

All books, maps, manuscripts, documents, and papers, all pictures, engravings, and works of art, all coins and medals, all objects of natural history, mineral specimens, and exhibits, and all other goods and chattels now contained in the Public Library of Western Australia, and the Western Australian Museum and Art Gallery, situated on the land described in the schedule to this Act, are hereby vested in the trustees.

I suppose I am right in saying that if this Bill becomes an Act and Clause 15 remains as it is, then the specimens, pictures, works of art, or whatever they are, that are there on loan, thereby become absolutely the property of the trustees.

Hon. Sir J. W. Hackett: There has been an arrangement.

Hon. W. KINGSMILL: Would it not be well to express that arrangement in the Bill? I think it would be well to recognise that the trustees in addition to owning property have the ability to hold property on loan. I think that could be added very easily, and I think that an amendment could be devised. If this step is taken it will be a courtesy and graceful act to those people who have been kind enough—not so kind as people like my friend Sir Winthrop Hackett who has given so many donations to the institution—to give their works of art on loan to the gallery.

Hon. R. D. McKenzie (Honorary Minister): You cannot confiscate these people's property.

Hon. W. KINGSMILL: No, but if they went to law they could not get them back. However, it is not likely to occur and I think it would be well to express

that there are other ways of holding property, and I think that provision could be made in the Bill in that way. There is another matter to which I wish to call the attention of the Council and that is with regard to Clause 14. The land is vested in trustees and it is alluded to in the schedule; also the buildings are vested in trustees with certain exceptions. In Clause 14 there is a provision which reads—

Provided that the Governor may, after notification to the trustees of his intention, permit the Geological Survey Branch of the Department of Mines to occupy the offices in that portion of the said buildings situated at the corner of Beaufort-street and Francis-street, and used at the commencement of this Act by the said branch for such time and subject to such conditions as to the Governor may seem fit.

That is very good, those are the offices of the Government Geologist. But there is an omission, I presume it is an omission by design and not by accident. All those buildings occupied by the Government Assayer are situated, not at the corner of Beaufort and Francis-streets, but in a street known as Museum-street, I presume it is the intention of the Government to provide better quarters for that officer in the future or this building will go into the hands of the trustees, and the hands of the trustees seem to be very willing to take all that they can get. That those hands are not unwilling to acquire property, lawfully it is true, is evidenced by another instance which I will give to the Council and I am sure Sir Winthrop Hackett is well aware of the circumstances of this case. There is at present in the Museum what is undoubtedly a rich and good collection of mineral specimens. They comprise 22,000 specimens altogether consisting of about 13,000 original and permanent specimens and 9,000 duplicates. The actual specimens belonging to the Museum properly and legally only number 1,000, they consist of a little collection which is known as the Woodwardian specimens of a type of minerals acquired from various parts of the earth

and of no very great local significance, and they do not claim to be representative of the State of Western Australia. In addition to that there is the old geological collection of minerals numbering 1,700 specimens. It is stated by a gentleman who had a great deal to do with the collection of specimens. Mr. Hardman, who was at one time Government Geologist in the eighties, that they were handed over to the Museum authorities, and when the Geological Department wanted these specimens it was found necessary to have the collection of minerals by Order-in-Council, and the date and number of that order can be obtained from the executive council minute—

Hon. Sir J. W. Hackett: Nothing of the kind.

Hon. W. KINGSMILL: Sir Winthrop Hackett will find, if he looks up file 4887-06, that they were transferred formally to the Government Geologist; this alludes to the 1,700 specimens out of the 20,000 in the collection. There is another collection, a geological collection of fossils numbering 1,000, but the principal bulk of the mineral collection consists of 18,000 mineral specimens collected by the Government Geologist's Department, or purchased, and they are undoubtedly of very great value in carrying out the work of this department. I hope some amicable arrangement will be arrived at between the Geologist's Department and the trustees to be created by this Bill.

Hon. Sir J. W. Hackett: It has been arrived at with the Minister for Mines.

Hon. W. KINGSMILL: I understand from information supplied to me that the Minister promised to place an amendment in the Bill restoring the care and possession of the collection of specimens to the Government Geologist's Department, but so far I cannot find in the Bill any provision to that intent.

Hon. Sir J. W. Hackett: The Government Geologist can take his own specimens away any time he likes.

Hon. W. KINGSMILL: If that is so would it not be well to amend Clause 15 of the Bill, because Clause 15 of the Bill vests everything found in the building in the hands of the trustees. If this arrangement has been made I venture to

say it would be just as well to express it in the measure. There would not be the slightest difficulty in expressing it, it simply requires a very small amendment, and if Sir Winthrop Hackett will move it in Committee I have already taken the trouble to have it drafted. In Clause 15, Subclause 1, after "Schedule of this Act" the words might be inserted, "other than those specimens, books, maps, and documents now the property of the Geological Survey Branch of the Department of Mines."

Hon. Sir J. W. Hackett: That will not do.

Hon. W. KINGSMILL: I have not the slightest objection to the hon. member moving an amendment on my proposed amendment and striking out all the words after "property" with the view of inserting "of the Minister for Mines." I do not want to see any hampering restrictions placed on the Geological Survey Department by these specimens being handed over to the Museum by this Bill. If they are vested in the trustees at any time a good deal of friction may arise between the two departments and a good deal of inconvenience caused to the Department of Geological Survey, because it must be remembered that a geological collection is one of the tools of trade of any geological department. I do not know that I would not be accused of trenching, perhaps, on the ground of another hon. member. Mr. Cullen, if I were to make one or two remarks about the verbiage of this Bill, because I have come to the conclusion that Mr. Cullen has largely assumed and rightly assumed the position of formalist in this House. In Clause 3 there is an expression which is somewhat unusual in the legislation of Western Australia, where the trustees are alluded to as "a body politic." A body corporate occurs wherever an operation of the kind proposed in this Bill is carried out, but a body politic is new to me. This may be due, however, to my inexperience. I have been accustomed to hear these words in connection with the community as a whole.

Hon. J. F. Cullen: It is a little exaltation.

Hon. W. KINGSMILL: Then the word "exaltation" should be printed in brackets at the end of the sentence, not necessarily as part of the clause. Then, again, there is the word "co-optation"; it is a legal expression which has a rather terrifying effect on the ordinary layman. I am assured it is a usual expression, a modern expression, and I am glad to hear that.

Hon. J. F. Cullen: It is somewhat ecclesiastic.

Hon. R. D. McKenzie (Honorary Minister): What is wrong with it?

Hon. W. KINGSMILL: There is nothing wrong with it; I congratulate the Minister on having discovered it; my remarks are made more in admiration than in anger. The expression appears to me to be a very fine one, and as some expressions are valued for their rarity, this must indeed be a gem of the first water.

Hon. R. D. McKenzie (Honorary Minister): It came out of the Museum.

Hon. W. KINGSMILL: I suspected it was a very rare specimen. With the exception of the matters which I have called attention to and to which I hope consideration will be given in Committee, I do not think there is anything further that I can say. When the Bill is in Committee I shall not be in my place on the floor of the House, but I think I can with safety entrust the second amendment, at all events, that relating to the property of the Geological Survey Department, to the able hands of my friend Sir Winthrop Hackett. I have much pleasure in supporting the second reading of this Bill which I recognise is a most essential measure if the work of the Committee is to be carried out with that due dignity and safety which its importance demands.

Question put and passed.

Bill read a second time.

BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

In Committee.

Hon. W. Kingsmill in the Chair; the Colonial Secretary in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Amendment of Section 45:

Hon. A. G. JENKINS: This clause had received his support on the second

reading, but he desired at that stage to make a few remarks in order to call attention to an error which appeared in that morning's newspaper in connection with the report of the proceedings on this particular Bill at the previous sitting. According to the newspaper he (Mr. Jenkins) made certain remarks to the effect that he knew of a case where a local authority had water but had no hose to carry it through. If his remarks conveyed that meaning to the House he was sorry indeed. It would be remembered that on the second reading an hon. member spoke and rather severely criticised the working of the present board. He (Mr. Jenkins) rose to defend the members of the board, and his remarks were in answer to some comments made by Mr. Stubbs when that hon. member said he knew of instances where a fire brigades board had put a hose and a machine in a district where there was no water. He (Mr. Jenkins) said that he knew that previously to the Fire Brigades Board taking control that in nearly every fire brigades area throughout the State there was water but they had no hose. As he was reported that morning it would appear that he stated that under the present Fire Brigades Board we were in the same position that there was water but that there was no supply of hose. He would not like the Fire Brigades Board to think that he was casting such a reflection on them.

Hon. J. F. CULLEN: The clause dealt with the position in which the board could, so to speak, gently bring the local authorities up to the proper mark. Wherever there was a nucleus of a town there should be the nucleus of fire preventative machinery. In some States they did it cheaply by volunteer fire brigades, and with only a certain amount of expense for apparatus. He hoped this board would not be so intent on a cut and dried and complete scheme. If they helped small boards to avoid unnecessary expenditure, before many years were over every local authority would have its brigade.

The COLONIAL SECRETARY: The board encouraged volunteer fire brigades

wherever possible. It would be quite impossible to have fire brigades in small towns if all the members had to be paid. When the House passed the Act it specially provided to give every encouragement to volunteer firemen and it gave them a representative on the board.

Clause put and passed.

New clause:

Hon. M. L. MOSS moved—

That the following be added to stand as Clause 4:—"If either House of Parliament, within 30 days next after any regulations or by-laws have been so laid before it, resolves that such regulations or by-laws ought to be annulled, the same shall after the date of such resolution be of no effect without prejudice to the validity of anything done in the meantime under the same."

There was no need to explain the reasons; they had been given already a dozen times.

New clause passed.

New clause:

Hon. M. L. MOSS moved—

That the following be added to stand as Clause 5:—"Any proclamation made by the Governor under the principal Act or this Amendment Act shall be laid before both Houses of Parliament within 14 days after such publication if Parliament is then sitting, and if Parliament is not then sitting, within 14 days after its next sitting, and if either House of Parliament, within 30 days after such proclamation has been so laid before it, resolves that such proclamation ought to be annulled, the same shall, after the date of such resolution, be of no effect without prejudice to the validity of anything done in the meantime under the same."

It was rather surprising to hear the Minister state the other night that it had not been usual to lay these proclamations on the Table of the House.

The Colonial Secretary: They are gazetted.

Hon. M. L. MOSS: Under the Interpretation Act of 1898 it was perfectly clear to his mind that these proclamations had to be laid on the Table of the House. The new clause would clear up the matter.

The COLONIAL SECRETARY: The hon. member had gone a great deal further than we had ever gone before. The Bill was a very small one; it was for a particular purpose and it was not wise to insert in it an amendment of the description proposed. The same reason did not apply in this instance as to the Health Bill, under which wide powers for making regulations were required. Under the Fire Brigades Act the regulations were only the ordinary regulations required for the working of any Act. Proclamations were never laid on the Table, and the only proclamations dealt with in this Bill were those for the alterations of boundaries. It would be almost impossible to work the Act if either House could disallow proclamations as well as by-laws and regulations. Regulations, or Orders in Council, could be annulled by a vote of either House, and surely that power was sufficient.

Hon. M. L. MOSS: Section 11 of the Interpretation Act of 1898 made it clear that every proclamation made by the Governor should be laid on the Table of the House, and it was certainly news to him that important proclamations were published under these statutes and never saw the light of day so far as Parliament was concerned. By these proclamations the Governor could take out of a particular municipality or roads board an area liable to be taken into account in making the estimate of the proportion that the local authority should have to pay under the Act, and it was just as necessary that Parliament should maintain a supervision over proclamations as over ordinary regulations or by-laws. It was desirable that Parliament should retain power to either Houses to disallow those proclamations; it was a power that would not be used except when some Government made regulations or proclamations without just grounds.

The COLONIAL SECRETARY: The Interpretation Act never intended that proclamations should be laid before Parliament. Thousands of proclamations were made each year, and did Mr. Moss mean to say that every proclamation of a bank holiday should be laid on the Table?

Hon. M. L. Moss: I do.

The COLONIAL SECRETARY: The Table would be littered with nothing but proclamations. A proclamation was only a notification that a certain thing had been done, and was in that respect vastly different from a regulation which contained a governing power. The amendment would mean that proclamations under the Fire Brigades Act should be laid on the Table although proclamations under all other Acts had not to be tabled; it would further mean that either House could disallow a proclamation, whereas it could not be disallowed by both Houses at the present time. The amendment, therefore, went too far.

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

Aves	10
Noes	8

Majority for 2

AYES.

Hon. J. F. Cullen	Hon. W. Patrick
Hon. J. W. Kirwan	Hon. S. Stubbs
Hon. J. W. Langsford	Hon. T. H. Wilding
Hon. C. McKenzie	Hon. R. Laurie
Hon. M. L. Moss	(Teller).
Hon. B. C. O'Brien	

NOES.

Hon. E. M. Clarke	Hon. E. McLarty
Hon. J. D. Connolly	Hon. C. A. Plesse
Hon. D. G. Gawler	Hon. J. T. Glowrey
Hon. J. W. Hackett	(Teller).
Hon. R. D. McKenzie	

New clause thus passed.

Title—agreed to.

Bill reported with amendments; and the report adopted.

BILL—HEALTH.

In Committee.

Resumed from the previous day; Hon. W. Kingsmill in the Chair.

Postponed clause 264—Reports to be furnished:

The CHAIRMAN: Progress was reported on the consideration of postponed Clause 264.

Hon. J. F. CULLEN: It has been pointed out to the Minister that it was impossible to comply with Subsection 2.

which provided that a report should be furnished to the medical officer within 48 hours of a birth. He had asked the Minister to work out some amendment, and if that had not been done he would suggest that the clause should be amended to read that the report should be furnished "by the first mail."

The Colonial Secretary: It is only a report to the district medical officer.

Hon. J. F. CULLEN: A birth might happen at a place which would be two weeks distance from the medical officer by even the first mail. He moved an amendment—

That the words at the end of Sub-clause 2, "within 48 hours of the event," be struck out and "by the first mail" inserted in lieu.

The COLONIAL SECRETARY: The amendment would defeat the whole object of the clause which was to prevent certain malpractices. The clause only applied to midwifery nurses registered under the Act. Persons other than registered midwifery nurses more than five miles from a medical practitioner could attend cases, and there was no obligation on them to report. So people in the country would not be affected. The clause would merely affect those in towns; and in the places where there were several mails during the day the amendment would provide that a report would have to be furnished perhaps within 10 minutes of the event. So the hon. member's amendment would work harshly in the other direction. Members need have no fear that the department would take proceedings, for instance, against a person at Kojonup not notifying within 48 hours, through its being necessary to wait three days for a mail. No Minister would allow a department to be conducted in that way. Subclause 4 provided that the occupiers of a house had to give notice forthwith.

Hon. J. F. Cullen: Make this "forthwith."

The COLONIAL SECRETARY: There would be no great objection to that.

Hon. C. A. PIESSE: It would be impossible in outback places to notify the medical officer within 48 hours. When this clause was postponed it was under-

stood the Minister was sympathetic towards an amendment and was going to make some alteration.

Hon. J. F. CULLEN: The Minister has been too busy.

Amendment put and negatived.

Hon. J. F. CULLEN: Very well, I leave it to the Minister.

Hon. C. A. PIESSE: There was no time fixed for a notification required from the occupier under Subclause 4.

The Colonial Secretary: Were such cases likely to occur in the country?

Hon. C. A. PIESSE: Yes.

The Colonial Secretary: Then it would be at a lying-in home.

Hon. J. F. CULLEN: The Minister must have been too busy to attend to the matter and said "let it go." That was how a great deal of legislation was bungled.

The COLONIAL SECRETARY: I rise to a point of order.

Hon. J. F. CULLEN: I have not finished my sentence yet.

The COLONIAL SECRETARY: I object to an uncalled for statement going on record that I did not look into the clause, and that it is being treated haphazard. I have given the clause a great deal of consideration and the hon. member has no right to make that statement.

The CHAIRMAN: The hon. member must withdraw the statement, having received the assurance of the Minister that he has looked into the clause.

Hon. J. F. CULLEN: I am ready to withdraw the words that have offended the Minister, but what is the House to conclude?

The Colonial Secretary: Because the amendment is not brought in to suit yourself.

Hon. J. F. CULLEN: The utter futility of the clause was pointed out to the Minister.

The Colonial Secretary: Which I do not admit.

Hon. J. F. CULLEN: The Chairman might ask the Minister not to interrupt so persistently. The futility of the clause was pointed out on two grounds. It only covered midwifery nurses, and did not cover the illicit practitioners who travelled

the country to pursue their calling. The people the Minister endeavoured to get at the clause left out.

The Colonial Secretary: They are touched in other Acts.

Hon. J. F. CULLEN: The Criminal Code?

The Colonial Secretary: Yes.

Hon. J. F. CULLEN: The Criminal Code also covered midwives. Why have legislation for registered midwives and not for illicit practitioners? That was the first evidence of the futility of the clause. The second evidence was that it provided a heavy penalty for something that could not be carried out. A large percentage of the births in this State would take place where it was impossible to inform the medical officer within 48 hours. If the Minister had looked into the clause was he going to allow it to go as his clause?

The Colonial Secretary: Yes.

Hon. J. F. CULLEN had done his utmost to support the Minister, but in future he would need to very carefully watch the Minister's work.

Hon. C. A. PIESSE: Would the Minister amend Subclause 4 so that the occupier could send intimation in writing? According to the subclause the unfortunate occupier would need to leave his work and personally report a certain event. Surely it could be provided that the notice might be in writing.

Hon. M. L. MOSS: It seemed that hon. members desired to alter Subclause 2 in such a manner that if a doctor were at such a distance as would constitute more than a 48 hours' journey further time might be allowed for the giving of notice. Surely it was only a reasonable request.

The COLONIAL SECRETARY: The clause applied only to registered midwives and it was necessary that it should be left to the department to administer it with commonsense. Subclause 4 was designed with the object of completing the record of births. He hoped the Committee would allow the clause to stand.

Hon. C. A. PIESSE: In his own district he had known cases in which a daughter had returned to her mother's home at a critical time. That home in many instances was 20, 30, or even 50

miles from the nearest town, yet all the penalties attached to the clause at once applied to that household.

Clause put and passed.

Postponed Clause 268: Model By-laws:

The COLONIAL SECRETARY: In accordance with the suggestion made on the preceding evening, he moved an amendment—

That the following be added to stand as Subclause 1:—"Whenever a local authority adopts the whole or any portion of such by-laws the by-laws so adopted shall in all courts be deemed to be within the powers conferred upon the local authority to make by-laws under the Act."

Amendment passed; the clause as amended agreed to.

Postponed Clause 272 (as previously amended) put and passed.

Postponed Clause 293—Liability of owner and occupier under requisition or order:

Hon. D. G. GAWLER: This clause provided that in cases where the owner and occupier were jointly liable to do certain work under the Act the one who paid for the work was to be entitled to recover from the other. The objectionable part of the clause was contained in Subclause 5 and its proviso, the meaning of which was that the rights and obligations of the parties could not be taken into consideration if the lease was for a less period than three years. Subclause 6 served to make the matter even worse. Briefly, the effect of the whole clause was that the owner and occupier could do nothing between themselves privately. He moved an amendment—

That all words after "premises" in line 4 of Subclause 5 down to the end of Subclause 6 be struck out.

Amendment passed; the clause as amended agreed to.

Postponed Clause 295—Provisions as to charges on land or premises:

Hon. D. G. GAWLER: This clause dealt with the making of expenditure and charge on land. It seemed to him it might operate very harshly against an

owner, especially if that owner were at a distance. He moved an amendment—

That the following be added to stand as Subclause 1:—"Provided that such regulations shall not authorise any land to be sold except pursuant to an order of a magistrate which shall not be made unless three months before the making thereof notice of intention to apply for such order has been published in the Government Gazette and given to every person who upon search in the Office of Titles or Registry of Deeds, as the case may require, appears to be entitled to any estate or interest or mortgage or other security in or over the land."

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

First Schedule—agreed to.

Second Schedule—Offensive trades:

On motion by the COLONIAL SECRETARY, the schedule was amended by inserting after "bone-mills or bone manure depots" the words "chemical mills"; also after "fish-curing establishments, fish shops" the words "flock factories," and the schedule as amended was agreed to.

Third Schedule:

The COLONIAL SECRETARY: This should be struck out as consequential on the striking out of the vaccination clause.

Schedule put and negatived.

Bill reported with amendments.

Recommittal.

On motion by the COLONIAL SECRETARY, Bill recommitted for the purpose of reconsidering certain clauses.

Clause 3—Interpretation:

The COLONIAL SECRETARY: The first two amendments which he would move had the same effect. There were certain amendments made in another place which threw a great deal of responsibility on the owner, and in order to relieve the owner, to a certain extent, the amendments were moved. He moved an amendment—

That the definition of "owner" be struck out and the following inserted in lieu:—"Strike out the definition of 'owner' and insert 'Owner means the person for the time being receiving the rack-rent of the lands or premises in

connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive the same if such premises were let at a rack-rent."

Amendment passed.

On motion by the COLONIAL SECRETARY, after the definition of "public vehicle" the following definition was inserted:—"Rack-rent means rent which is not less than two-thirds of the full net annual value of the property out of which the rent arises; and the full net value shall be taken to be the rent at which the property might reasonably be expected to let from year to year from rates and taxes, and deducting therefrom the probable average annual cost of the repairs, insurance, and other expenses (if any) necessary to maintain the same in a state to command such rent."

Clause as amended agreed to.

Clause 27—Appointments to be approved:

The COLONIAL SECRETARY moved—

That the following be inserted as a new subclause:—"No officer entrusted with moneys under this Act shall be appointed by a local authority until he shall have given such security (if any) for the faithful discharge of his duties as the Commissioner may direct, nor shall any such officer be continued in his office except whilst such security (if any) is subsisting and in force."

This was an omission made in the Bill. It was usual that officers handling money should give security.

Amendment passed; the clause as amended agreed to.

Clause 39—Power to levy general health rate:

On motion by the COLONIAL SECRETARY, Subclause 3 was amended by inserting after "on" in line 4 the words "the annual ratable value or;" also in line 5 by inserting after "value" the words "as the case may be"; and the clause as amended was agreed to.

Clause 61—Buildings without drains:

On motion by the COLONIAL SECRETARY, the clause was amended by striking out of Subclause 1 the words

"except with the permission of the local authority, and subject to and in accordance with such by-laws, as the local authority may from time to time prescribe," and inserting in lieu "unless or until such drains (if any) as the local authority deems necessary for the effectual drainage of the house or provided to the satisfaction of the local authority," and the clause as amended was agreed to.

Clause 87—Sanitary charge in respect of non-ratable property:

On motion by the COLONIAL SECRETARY, the clause was amended by striking out of line 2 the words "and other" and inserting "urine or" in lieu, and the clause as amended was agreed to.

Clause 145—Removal of offensive matter:

On motion by COLONIAL SECRETARY, the words "owner and occupier shall be severally," in lines 12 and 13, were struck out and "owner or occupier as the case may be, shall be" were inserted; also in line twenty-six the words "owner and occupier" were struck out and "occupier or owner as the case may be" inserted, and the clause as amended was agreed to.

Clause 158—Slaughter houses to be kept in accordance with Act:

On motion by COLONIAL SECRETARY, the words "the owner and occupier shall be severally," in line three of Subclause 2 was struck out and "he shall be" inserted in lieu, and the clause as amended was agreed to.

Clause 165—Officers acting under reasonable belief immune:

On motion by COLONIAL SECRETARY, the words "officer of the Commissioner" in line 7 were struck out and "public health official or officer" inserted in lieu, and the clause as amended was agreed to.

Clause 182—Labelled description:

On motion by the COLONIAL SECRETARY, the word "part," in line 5, was struck out and "fact" inserted in lieu, and the clause as amended was agreed to.

Clause 183—Frozen or chilled meat to be labelled:

On motion by COLONIAL SECRETARY, after the word "affix," in line 2, the words "and keep affixed" were in-

sented, and the clause as amended was agreed to.

Clause 253—The Midwives' Registration Board:

The COLONIAL SECRETARY moved an amendment—

That the following be added to stand as Subclause 5:—"Matron" means a nurse holding a general nursing and midwifery qualification.

Hon. M. L. MOSS: Who was going to issue this certificate of qualification? He could understand it being issued after the Bill had been in force some time. It would then be a sensible definition.

The Colonial Secretary: It is well known that there is a general nurses' certificate.

Hon. M. L. MOSS: There is nothing of that sort in existence in this State.

Hon. J. F. CULLEN: The simplest way would be to make the clause read "matron in charge of a public hospital or who has had charge of a public hospital."

The COLONIAL SECRETARY: This was simply a direction to the Minister or the Commissioner that a matron was a nurse holding a general nursing and midwifery qualification. A "matron" was hard to define, but this definition should be quite clear.

Hon. M. L. MOSS: "Matron" was an unfortunate word in the clause. It would be better to make the clause provide for "two persons practising the profession of a nurse."

Amendment, by leave, withdrawn.

On motion by the COLONIAL SECRETARY, clause amended by striking out of the third line of Subclause 3 the word "matrons" and inserting the word "nurses" in lieu.

Clause as amended agreed to.

Bill again reported with further amendments, and a message transmitted to the Assembly requesting that the amendments be made, leave being given to sit again on receipt of a message from the Assembly.

BILL—ROADS.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second

reading said: In introducing this Bill I do not think it is necessary for me to deal with the measure at any great length as I am sure that members are fairly well aware of its contents, inasmuch as it has been before the country for several years. Nevertheless, the necessity for this measure is very urgent. Every possible care has been taken in drafting this Bill, every source of information was exhausted before the Bill was prepared, and full consideration has been given to the varying requirements of the State. The Bill may be briefly summed up as providing for suburban or country roads boards, goldfields roads boards, and pastoral roads boards. Prior to the passing of the Roads Act of 1902, which this measure repeals, rating by roads boards was optional. They were very little better than advisory boards, because they did not, when it was not compulsory, impose any rates on themselves, or at the most to only a very limited extent. The proof of that is that the whole of the boards in existence prior to that time collected a total of £9,000 per annum, while for the financial year ended 30th June last the rating revenue for the present roads boards totalled £62,000 throughout the whole State. By the Act of 1902 rating was first made compulsory, and if I remember rightly the 1902 Bill was introduced by a member of this House, the Hon. Mr. Sommers. Experience gained during the working of the 1902 Act made it necessary to pass from time to time four amending Acts. This Bill repeals these Acts, consolidates the laws, and makes the necessary provision for the requirements of the boards owing to the change in their duties consequent on the growth of their importance and responsibility. The present Act empowers boards to levy rates, and recover by process of law and sell the land if the rates are not paid. But this provision is somewhat defective; and boards have had in consequence to carry a large amount of rates over from year to year because they could not sell the land for the recovery of the rates. The Bill improves the law in that respect. The existing Act was the first measure in this State which introduced rating on unimproved values, and

that is continued in this Bill with certain exceptions which I will mention when I come to that portion of the measure. My one time colleague, the late Mr. Price, was the first to take this Bill in hand, some three or four years ago, and after all possible informaton had been collected by the department from various roads board confereuces, members of Parliament, et-cetera, he called together an informal conference with Mr. Graham (Chairman) and Mr. Proctor (Secretary) of the Roads Board Association, Mr. Davidson (Chairman) and Mr. Richardson (Secretary) of the Kalgoorlie roads board, Mr. Brown, M.L.A., who for many years was secretary of the Perth roads board, and Mr. Dixon, perhaps one of the oldest roads board secretaries in the State. After that conference with these gentlemen the Bill was first drafted. I particularly emphasise the fact of this conference being held, because it may be argued that the Bill has been brought down at a late hour of the session, and that it is a very large Bill, but it has had very careful consideration at the hands of the people whom it more particularly affects and who give special attention to this form of local government. The Bill was introduced to the Legislative Assembly by the late Mr. Price two years ago, and upon the second reading was adjourned in order to refer it to a conference of roads boards. That conference was held in Perth in April of last year. The conference consisted of members of roads boards throughout the State, and I have here the minutes and proceedings which I will lay before the House so that they may be at the disposal of members if they wish to consider them. Amongst others who took part in the conference was Mr. McLarty, a member of this House, and I feel certain that he will be able to give members a good deal of information on the Bill and the amendments which the conference proposed. The conference consisted of Messrs. W. T. Moran (Kalgoorlie), Hon. E. McLarty (Murray), Mr. K. Edwards (York), Mr. T. Wilkins (Greenmount), Mr. W. G. Grey (Cue), Mr. W. L. Graham (Narrogin), Mr. W. G. Johnson (Swan), Mr. C. H. Brooks (Darling

Range), Mr. C. M. Purdie (Melville), Dr. E. J. A. Haynes (Wanneroo), and Mr. M. A. McCabe (Kanoona). Those gentlemen were representative of the different portions of the State and were in a position to say what class of Bill would really suit the roads boards. After full consideration, all the suggestions of the conference were embodied in this Bill, which at the early part of this session was introduced in another place by the then Minister for Works, the present Premier. After some discussion the Bill was referred to a select committee consisting of Messrs. Brown, Angwin, Male, Layman, and Ware. The committee dealt very exhaustively with the Bill and had a great many sittings, and their report also is available to hon. members. That report was adopted by another place and its recommendations are embodied in the Bill.

Hon. J. F. Cullen: Not all their recommendations.

The COLONIAL SECRETARY: Yes, I think all of them. I do not know of any that we missed out; if there are any they must be very slight.

Hon. J. F. Cullen: On was that people should not lose votes for non-payment of rates, but that remains in the Bill.

The COLONIAL SECRETARY: At any rate, hon. members can see the report of the select committee and the evidence taken. The Bill was delayed from one cause and another, and so that it might receive further consideration and in order to facilitate its passage through another place, it was further referred to an unofficial committee, composed of Messrs. Piesse, Jacoby, Angwin, Brown and Underwood, which committee or conference went into the Bill and recommended some slight amendments. With these slight amendments the Bill went through another place with very little discussion. There was very little discussion for the reason that it had had ample consideration, and more particularly because the Government gave the assurance that it would be brought up again next year so that, if necessary, it might have further consideration.

Hon. J. F. Cullen: That would be in a new Parliament, of course.

The COLONIAL SECRETARY: Yes, and that will be still better. The Bill will be considered by this Parliament, and after 12 months' experience of the working of the measure, it will have further consideration by a new Parliament. So that will be an advantage. It will necessarily have to be brought up next year, because there are a number of slight amendments consequential on the report of the select committee that will have to be attended to. Apart from that, it has been promised by the Government that both Houses will have the opportunity of further considering the measure at the first session of the next Parliament. The department are naturally anxious to have the measure passed, and not only the department but all those interested in roads board matters throughout the State are anxious that the Bill should be passed, as it is badly needed. There are a number of anomalies in the present Act which have rendered it almost unworkable. For that reason, and also because the Bill has had the consideration I have mentioned, we will run no risk in passing it, inasmuch as members have the assurance that the measure will be brought up again next session, and there will then be the 12 months' experience of the working of the Act.

Hon. J. F. Cullen: Does the hon. member propose to go on with the debate to-night?

The COLONIAL SECRETARY: No; but I thought it wise to introduce the Bill to-night so that members might have all the more time for considering the measure. I do not wish the debate to go on to-night, or even to-morrow, if members are not ready to go on with it. There is no hurry for a few days; there is no need for the House to adjourn next week, though we hope to do so; but if the members are not satisfied the matter is entirely in their own hands as to whether they want further consideration of the measure. The present Act provides among other things for an inquiry to be held into the cases of new districts, alterations to boundaries, and such like; but this is found very cumbersome, and the Bill provides a much easier method,

so that the alterations may be published for one month in the *Government Gazette*. This will give objectors time to lodge complaints with the Minister. After that the boundaries will be amended accordingly. The Act provides for a board to consist of seven members, or the number may be increased to nine with the approval of the Governor. The Bill goes a little further and provides for the approval of the Governor for an increase to 11 members. This will allow greater representation, which I understand is desirable in country towns and a number of outlying districts. The Act provides that any board ceasing to have an income of £200 per annum shall be merged into an adjoining district. The amount is found to be somewhat high, and in the Bill it is reduced to £150, and the power is made discretionary, whereas at present it is mandatory to abolish the board. An income of £200 does not seem a large sum, but there are some parts of the country where the settlement is very scattered in which the boards find it hard to raise £200 or £150.

Hon. J. W. Kirwan: They cannot do much with that.

The COLONIAL SECRETARY: But they can do a little, and to include those areas in another territory would make the district too huge to be managed by one board. At present if a district is divided into wards, or new wards are created, the members are simply allotted to the different wards. Thus a man may be allotted to a ward and the people of the ward do not want him. The Bill now provides that when a district is divided into wards the members shall cease to hold office and must seek re-election in whatever wards they choose to stand for. The Act provides that the Minister may supersede a board and exercise all its functions. There is an instance of that in connection with the Wyndham roads board. When the board was superseded the Minister had to act as the board, and he appointed the resident magistrate to look after the matter, but it is an extremely cumbersome process because everything has to

be done by the Minister. The Bill provides that the Minister may appoint a commissioner to carry out the functions of the board. In that case he would appoint the resident magistrate a commissioner to have the powers of the board. It will be necessary to do this because any boards likely to be superseded will probably be in outlying districts at a great distance from the seat of Government. The date of the annual election is altered to the third Thursday in March instead of the second Wednesday in April. The number of votes allotted on the unimproved basis is liberalised as follows:—The Act provides for one vote for not exceeding £200, the Bill one vote for not exceeding £150; the Act provides for two votes for £200 and not exceeding £500, the Bill two votes for £150 and not exceeding £300; the Act provides for three votes for £500 and not exceeding £1,000, the Bill three votes for £300, and not exceeding £600; the Act provides for four votes for exceeding £1,000, the Bill four votes for £600 and over. Thus the Bill gives greater voting strength in proportion to capital value than under the Act. Electoral offences are not provided in the Act, but are provided in the Electoral Act. An offence committed at an election, for instance, is dealt with in the Electoral Act, and people are not always aware they are committing offences against that Act. Now all offences are put in the Bill instead of being dealt with in another Act. Provision, which does not exist in the Act, is made for electing an acting-chairman where the chairman is going up for re-election and until he is re-appointed. The Act provides that where property is intersected by a road and that property is enclosed, the road has to be fenced; and though there may be a very indifferent fence, perhaps simply a one-wire fence around the whole block, the board are obliged to fence the road with a six-wire fence on either side. That is unfair to the roads boards, and throws an unnecessary expense upon them. The Bill provides that the fence shall be in accordance with the ring fence including the whole property. That is in

Clause 165. The board's power to take material for road-making purposes is restricted, but they have more direct power as to the impounding of cattle. Their powers in this respect are rather inferential in the Act, and now they are made clear in the Bill. The method of valuation is altered and improved. It is made general throughout the State that the board may adopt the annual value in town sites and the unimproved value in other parts. The maximum rate on the unimproved value is raised from 2½d. to 3d., and the minimum is fixed at 1d. in the pound. This provision does not exist in the Act. The boards will be forced to adopt a minimum rate of 1d. in the pound, and in the case of rating on the annual values not less than 9d., the maximum in this case being 2s. as against 1s. 6d. in the Act. Some boards have rated at three-eighths of a penny in the pound, and some at ½d., and in one instance at ¼d. It is in order to make these boards rate in a legitimate manner that the minimum has been fixed in the Bill at 1d. and 9d. as the case may be. The time for making up the rate book is extended from the second Saturday in June until the 31st July. This will give better opportunity for making up the rate book from the commencement of the financial year. There are many other alterations too numerous to mention, but they do not alter the principle of the measure in any way, being merely minor amendments for the better working of the Act. There are, however, a number of amendments, in addition to alterations to the Act, and the most important feature in that respect is in regard to the additional rating powers, enabling roads boards to improve various towns under their control, and putting them somewhat on the lines of municipalities. I think it is a very excellent provision, as it allows them to strike higher rates in townships. Take Katanning, for instance. The roads district takes in a great deal of country round Katanning as well as the township. Towns like Katanning are forced to apply for charters as municipalities and thus we have two local governing bodies in the district with two costs of administration, when the whole could be just as well dealt with by one

body. The Bill gives these districts power to cause special rates to be levied so far as these townships are concerned. These special districts will be defined by proclamation, and the money raised in them can be spent in them. That is to say, the boards can rate on unimproved values for a certain portion of the district and on the annual value for the business portion; and the money raised specially in the township must be spent in the township on footpaths, etcetera. By the way, this is to be done with the approval of the Minister. That will I think be a very great improvement and will be the means of a number of small towns giving up their charters as municipalities and falling in with the roads boards. They will have all the powers they have under the Municipal Institutions Act and at the same time one administration will administer the roads board area and the municipality. Additional powers are also given in the Bill in the matter of raising a loan. In the existing Act there is power to raise loans, but these powers are so restricted and so cumbersome that it is almost impossible for a board to avail themselves of them. I have noticed in the newspapers from time to time that roads boards in the metropolitan area have found it impossible to raise a loan. They have been required to secure a majority of the owners, which is very difficult to obtain, because many of them may be non-resident, and consequently while the board may secure a majority of the votes polled, it is not sufficient if they have not a majority of the owners in the district. The provisions in the Bill are almost entirely on the lines of those in the Municipal Institutions Act, providing for a poll of ratepayers. It is laid down in the Bill that the money raised by loan is to be spent on roads, footpaths and other purposes. There is a further small addition in the Bill which provides that a board may grant a gratuity in the case of any officer who dies in the service. At the present time the roads are not vested in the roads boards as is the case with municipalities. They simply have control of the roads; but under the Bill the streets

or roads will be vested in the roads board. The boards are given extended powers to control bridges, jetties and ferries outside their boundaries. This power is inserted in cases where it is necessary to subsidise or control ferries. They are also given power to subsidise hospitals and medical officers, and with the consent of the Minister power to authorise the construction of tramways over or across certain roads. This provision is necessary principally for the roads boards of the goldfields, where there are certain woodlines crossing the roads. At the present time there is no power vested in the boards to allow of this. Under the present Act the power to make by-laws is somewhat restricted. In the Bill this power is extended in conformity with the Municipal Institutions Act and power is given to the Governor to make uniform by-laws for the whole of the roads boards. Another provision is that the building regulations are extended to roads boards. In accordance with a request from the goldfields roads boards power is given to instruct mining companies to protect by fences poisonous water discharged from cyanide vats, etcetera. A curious omission in the existing Act is that when a board strikes a rate they are not compelled to make an estimate. Under the Municipal Institutions Act the council have first of all to go through all the roads they wish to make, and then form an estimate and strike a rate accordingly. The system is precisely the same as that adopted by Parliament. It is now put in the Bill and I think it is a very good provision indeed. These are the main features of the Bill. There are no very drastic alterations contained in the Bill, nor any fancy legislation. It is simply a Bill compiled from the existing Acts, with certain new matter copied from the Acts in force in other States. As I have stated before, it has been carefully considered, first by my late colleague, who took a deep interest in roads board matters. It was then considered by the roads boards conference, after which it was introduced in the Legislative Assembly two years ago. Subsequently it was referred to the roads boards conference which sat in 1909. There it

had full consideration again, and was once more introduced into another place in the early part of this session, when it was referred to a select committee. The reports both of the conference and of the select committee are available for members. These, then, are the main provisions of the Bill. They have had careful consideration and at least one member in the House has taken part in the conference I have referred to. If any further information is required I shall be glad to afford it when in Committee. I move—

That the Bill be now read a second time.

On motion by Hon. J. F. Cullen, debate adjourned.

ADJOURNMENT—FRIDAY'S SITTING.

The COLONIAL SECRETARY: Before we adjourn I would like to remind members that we meet at 2.15 p.m. to-morrow.

Hon. E. M. McLARTY: Before the House adjourns I would ask the Minister to postpone the second reading of the Bunbury Municipal Electric Lighting Bill. I have to go away to-morrow, and I shall not get back before Tuesday. I hope the Minister will accede to this request.

House adjourned at 10.55 p.m.

Legislative Assembly,

Thursday, 26th January, 1911.

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

QUESTION—POLICE DISTRICT, NORTHERN.

Mr. HEITMANN asked the Premier: 1, On what date did Inspector Sellenger arrive at Broome on transfer to take charge of the Northern Police District? 2, How many days has he been absent from his head-quarters station there, since his arrival, to present date? 3, What is the total amount of travelling allowance paid Inspector Sellenger while serving in the North? 4, What rank does the member of the force hold who is at present acting for the inspector in charge of the Roebourne and Kimberley districts? 5, Is it a fact that a corporal of police took charge at head-quarters station and dealt generally with district correspondence, etc., during inspector's prolonged absence? If not, who did? 6, Is there a sergeant of police at Wyndham? 7, Is it in accordance with the rules of the force that a corporal should give instructions to, or be placed in charge of a sergeant? 8, Is it the intention of the Government to keep an experienced senior commissioned officer in charge of the Northern Police District? If not, why not?

The PREMIER replied: 1, 18th August, 1909. 2 and 3, The information required in these questions cannot be obtained, owing to reference to Broome being necessary, and the telegraph line being broken down. 4 and 5, The Corporal in charge at Broome is at present acting for the Inspector, who was or-