

Legislative Council,

Thursday, 12th October, 1893.

Suspension of Standing Orders—Distillation Act Amendment Bill: Legislative Assembly's Amendments—Course of Business—Greenbushes Townsite Abolition Bill: first reading; second reading; committee; third reading—Public Health Act Further Amendment Bill: Legislative Assembly's Amendment—Water Supply Bill, 1893: first reading; second reading; committee; third reading—Elementary Education Act Amendment Bill: Legislative Assembly's Amendment—Adjournment.

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

PRAYERS.

SUSPENSION OF STANDING ORDERS.

THE COLONIAL SECRETARY (Hon. S. H. Parker) moved that the Standing Orders be suspended during the present sitting of the Council.

Question put and passed.

DISTILLATION ACT AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

IN COMMITTEE.

THE COLONIAL SECRETARY (Hon. S. H. Parker): When this Bill was before the Council it gave powers to persons who were far removed from settlement, and where water was scarce, to use stills for condensing salt water, and thus make it fit for consumption. Although we gave this power, we did not repeal portion of a previous statute which prohibited the importation and sale of the stills, and the Legislative Assembly has now supplied the omission. According to the amendment which has been made, persons will not be allowed to hawk stills, but may sell them on premises which have been licensed for the purpose. I move that the following amendments be adopted:—
No. 1.—On page 1, Clause 1, strike out the whole clause, and insert the following in lieu thereof:—"Notwithstanding any thing contained in 'The Distillation Act, 1871,' the Collector of Revenue may, by license under his hand, authorise any person to import into the colony and sell or keep for sale on the premises specified in the license, stills, still-heads, worms, or other utensils or apparatus necessary for distilling salt water." No. 2.—On pages 1 and 2, Clause 2, strike out the whole clause, and insert the following in lieu thereof:—"Such license may

"be in the form prescribed in the Schedule to this Act, and may be issued subject to such special or other conditions as the Collector of Revenue may think fit to impose on any licensee, and any license may at any time be revoked by the Collector." No. 3.—On page 2, Clause 3, insert the words "or of this Act," after the word "license," in line 2; strike out the word "Fifty" in line 3, and insert the word "Five" in lieu thereof; strike out the words "Five hundred," in lines 3 and 4, and insert the word "Fifty" in lieu thereof; and strike out all the words after the words "apparatus," in line 5, and insert the words "in his possession" in lieu thereof. No. 4.—New Clause.—Insert the following new clause, to stand as Clause 3 of the Bill:—"A person licensed as aforesaid shall not sell any still, still-head, worm, or other such utensil or apparatus elsewhere than upon the premises mentioned in the license, and shall immediately after any sale give notice in writing to the Resident Magistrate or Warden of the district within which his premises are situate of the article or articles sold, and the name of the purchaser." No. 5.—On page 2 (Schedule), strike out the whole schedule, and insert the following in lieu thereof:—

SCHEDULE.

"I, _____, Collector of Revenue, do hereby authorise _____ of _____ to import into the colony, and to sell or keep for sale in or upon his shop and premises at _____, stills, still-heads, worms, or other utensils or apparatus necessary for distilling salt water.
"Dated _____

"Collector of Revenue."

No. 6.—On page 1 (Title), insert the word "further," between the word "to" and the word "amend," in line 1. Consequent upon the insertion of New Clause 3, re-number Clauses 3 and 4 Clauses 4 and 5 respectively.

THE HON. G. W. LEAKE: Would it not be better to say "stills or portions of stills?"

THE COLONIAL SECRETARY (Hon. S. H. Parker): Perhaps it would have been; but we had better let it go to save sending the Bill back.

Amendments agreed to. Bill reported.

THE COURSE OF BUSINESS.

THE HON. J. W. HACKETT: Can the Colonial Secretary make any statement as to the course of business in this House?

THE COLONIAL SECRETARY (Hon. S. H. Parker): I shall be most happy. I believe the Assembly has concluded all its work in connection with the Bills, except as to one or two third readings, and the second reading of another small Bill. These Bills we shall have presently. One of them is a Bill to abolish the townsite of Greenbushes, which is now no longer required. Another is a Bill to regulate the supply of water on the goldfields. The Government is spending considerable sums of money in obtaining water supplies for diggers and prospectors, and it is necessary to have some legislation in respect to them, to prevent the waste and pollution of the water, and to make a charge for its use. These will not take us long, and we shall be able to prorogue at half-past four to-morrow. Perhaps hon. members will allow me, before I sit down, to say that I trust we shall meet again under still happier circumstances—as the representatives of the people under the new Constitution. We may be put into two classes—one class having the intention to return, and the other having no such intention. I have no doubt that so far as the electors are concerned, they have already determined that many of us shall not return, but probably the majority of us will be back to again take part in the counsels of the country. During the time I have occupied the position of Colonial Secretary I am happy to say that hon. members have worked in the most harmonious manner with me. We do not use strong language such as is indulged in in other places; we adopt a more conciliatory tone, and there is more harmony in our proceedings, but still the members are quite as independent as members of the Lower House; and I feel sure that we, one and all, have been actuated by a desire to do what has seemed to us right in the interests of the country. And it is pleasing to me to find that the majority of the measures introduced by the Government have succeeded in passing this critical and intelligent assembly. I tender my thanks to hon. members for the support they have given me in the past, and I trust that the new House may be actuated by the same in-

dependent motives, and by the same desire to do the best they can for the country, that this House has done. I will not, however, delay the business by proceeding further in this strain.

GREENBUSHES TOWNSITE ABOLITION BILL.

This Bill was received from the Legislative Assembly, and was read a first time.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Hon. members will see by the recital to this Bill that on 12th September, 1889, the Governor declared that certain lands should form the townsite of Greenbushes, and that certain streets and roads were dedicated to the public. There is a further recital that the site is now unsuitable. As a matter of fact, I understand that this townsite is in the wrong position. Only one lot has been sold, and the Government have recently got it back by exchanging other land for it. It is now necessary to declare the streets closed, and that the rights of way over them shall cease. I move the second reading of the Bill.

THE HON. G. RANDELL: In seconding this motion, I may say that this Parliament may fairly go down to posterity as the abolition Parliament, no less than four bodies or objects having been abolished.

THE HON. J. W. HACKETT: Does the Government intend to reserve rights to declare a townsite on Mr. Reid's lease?

THE COLONIAL SECRETARY (Hon. S. H. Parker): The consideration of Mr. Reid's lease has not come before the Government further than before Parliament, and under the Bill which we have passed the Government is not limited as to the conditions it may impose in this or any other lease.

THE HON. J. W. HACKETT: The reason the townsite has turned out to be useless is that the bulk of the people located themselves near the middle of Mr. Reid's concession, and I hope the Government will take care to reserve a portion of that land for a townsite.

THE HON. J. MORRISON: I think it is rather a serious thing to bring in a Bill at the last moment to close up a

townsite. Who requested this townsite to be closed, and who is responsible for having selected it? I can quite understand that only one lot has been sold, because the mismanagement in regard to the sales of land would stop anyone from buying. If the townsite had been put up at an upset of £10 a lot the whole of it would have been sold. I should also like to know what the fortunate purchaser of the one lot got in exchange for it. I was upon the townsite, and I saw that most of the people were located upon what is to be Mr. Reid's lease, and I think the Government should not let these people be dependent upon the lessee.

Bill read a second time.

IN COMMITTEE.

Clause 1 passed.

Clause 2.—“Land of townsite to become waste land.”

THE HON. J. MORRISON: Is the Colonial Secretary aware what the purchaser of the one lot got in exchange for it?

THE COLONIAL SECRETARY (Hon. S. H. Parker): I believe the gentleman who purchased it was a Mr. Walter, and he was given other lands. No money passed.

THE HON. J. MORRISON: How much did he get?

THE COLONIAL SECRETARY (Hon. S. H. Parker): I do not know. In reply to what the hon. member advanced on the second reading, I may say that the present administration is in no way responsible for the selection of the site, but I have no doubt but that it was thought suitable at the time. Notwithstanding the remarks of the hon. member, I may say that the Government have no difficulty in selling town lots where the sites are suitable, such as at Southern Cross and Cue. The desire of the Government, in this case, is to declare another townsite in a more suitable position, and I trust that when that is done purchasers will come forward to buy the land, and that by-and-by we shall see a prosperous community residing there.

Clause passed. Bill reported.

THIRD READING.

The Bill was then read a third time, and passed.

PUBLIC HEALTH ACT FURTHER AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Hon. members will observe by the Message which has come to us that the Assembly has agreed to all the amendments made by the Council, with the exception of one. Indeed, even this one is agreed to with certain alterations. The clause to which the amendment has been made was introduced by myself, and this may be my excuse for now taking the matter in hand. The clause as it went to the Legislative Assembly read, “Notwithstanding anything contained in the principal Act, no swine, sheep, cattle, or calves, or lambs shall be slaughtered within the Municipalities of Perth or Fremantle,” and now the Legislative Assembly wish to insert the words “a radius of one mile from the Town Hall,” in lieu of the word “Municipalities.” When I proposed the clause I was astonished to find that the Perth Local Board of Health had permitted the establishment of slaughter houses within 100 yards of the Town Hall, and had allowed these shambles to exist for some time without making a disturbance. It was pointed out by the Hon. Mr. Randell that the Mayor or Chairman of a Municipality had power to grant licenses, and that the Local Board of Health had no right to interfere, and consequently I moved the amendment I refer to. I now find from the amendment of the Legislative Assembly that matters are worse than I contemplated. It will be observed also that the Lower House has inserted an amendment that this clause shall not take effect until the end of November next, and the reason of that is to allow butchers who hold these licenses to make other arrangements and provide other slaughter houses. If the session were not so near an end, I should ask this House to send back this amendment and insist that all shambles shall be immediately closed; but as there is a strong feeling in another place by persons interested on the subject, it will be wiser to accept it as it is than endanger the clause. I move that the amendments be agreed to.

THE HON. J. W. HACKETT: It gives me the greatest pleasure to support my hon. friend in his efforts in this matter, and I agree with him that I do not think

it advisable to jeopardise the Bill by pressing the matter further, bearing in mind the influence of a powerful and numerous character which exists in another place. I wish, however, to reiterate a statement I made in this House a few days ago, and which, it is intended, shall secure for me condign punishment at the hands of certain health authorities. I felt it my duty to say that Perth was the worst scavenged city within my experience. Still I shall reiterate it, and I may add that had this been an earlier stage of the session, I should have asked for the appointment of a select committee or commission to inquire into the matter, and I feel sure that such revelations would then have been made as would horrify this House and the community at large. I know of a yard in the most populous part of Howick Street, from which the remains of dead animals have been dug out. For my part, having put my hand to the plough, I shall not turn back; and I hope, before the House meets again, there will be a vast improvement brought about through the revelations I shall be able to place before the public.

THE HON. H. ANSTEY: I regret that this question has come before us so late. I am afraid even now that the restrictions placed on the slaughtering of animals within a radius of one mile from the Town Hall will not touch other evils which are still more striking. I refer to the waste waters which run away from the butchers' premises, and also to the boiling down of fat. The stench arising from some of these places is simply horrible, and is a source of great danger to the health of the community.

THE HON. J. G. H. AMHERST: I do not think we need oppose this amendment. It seems to have escaped hon. members that there is an ice company, which makes it now unnecessary to bring live meat into the city. We can bring the dead meat in and put it into the refrigerating chambers, and thus do away with the horrible stenches in the city.

THE HON. G. RANDELL: It seems to me better to accept this amendment than to jeopardise what we have got. Of course, if people have enjoyed certain immunities for a considerable time, it is very difficult to take them away from

them. There is no doubt that the late small-pox outbreak did good in its way, for it brought to light the fact that a considerable amount of garbage had accumulated in the city. Although a little disappointed at the way this clause has been received by the Assembly, I think the introduction of the double-pan system will be of considerable advantage and effect an immense improvement on the present system.

THE HON. R. W. HARDEY: I should like to ask the Colonial Secretary whether these slaughtering licenses have been granted, or whether the butchers have been carrying on without them. To my knowledge, they have been slaughtering in the city for years. It is even done in the middle of the day, and I have seen children watching animals wallowing in their own blood.

Amendments agreed to. Bill reported.

WATER SUPPLY BILL, 1893.

This Bill was received from the Legislative Assembly, and was read a first time.

SECOND READING.

THE COLONIAL SECRETARY (Hon. S. H. Parker): This is a Bill to enable the Government to conserve and preserve water for the ultimate use of persons on areas set apart for goldfields, and for the use of persons travelling to and from such fields. Hon. members are aware that public funds to a considerable amount have been used to obtain water on the fields, especially at Coolgardie and Yilgarn. Wells have been sunk, bores put down, and dams and tanks made. At the present time we have a gentleman specially engaged, whose duty it is to find water, and he is known as the Superintendent of Water Supply. He has represented to the Commissioner of Crown Lands, and his representations have been confirmed by the Warden, that the supplies have been contaminated by camels and stock, and by persons washing their clothes and bathing in them, and that there appears, at the present time, to be no proper authority to prevent either the waste or the pollution of the water. The consequence is that this Bill has been introduced. I am sorry that it has been introduced so late, but hon. members must bear in mind that the Government

have been placed at a considerable disadvantage owing to the illness of the Attorney General, who has for the past few years drafted the various Bills and guarded their passage through Parliament. If some protection is not provided to preserve the water, many persons, I am afraid, may meet with their deaths while endeavouring to develop our gold-fields. The Bill is not lengthy. It empowers the Governor to reserve Crown lands upon which there is water, and it provides that the Minister may, by himself or his agents authorised in that behalf, prescribe a limit to the quantity of water for each person, animal, or for any purpose whatsoever which may be taken or supplied from any lake, reservoir, tank, dam, stream, creek, well, spring, or other place containing water, situate or being in or upon any reservation made by the Governor as aforesaid or in or upon any other waste lands of the Crown, or any road, track, or route in the colony, and also may fix a scale of charges for the supply of any such water by measure or otherwise. Then there is power to recover the charges made, and Clause 5 enables the Warden to prohibit the use of water except for human consumption. The Governor can also make regulations, and there is a general power to enable the Warden or a justice to summarily punish any person for any offence against this Act. These are generally the provisions of the Bill, which I now move be read a second time.

THE HON. G. W. LEAKE: I may call attention to the enormous quantity of water wasted by evaporation. If the Warden were empowered to plant date palms, a considerable service might be conferred on the public.

Question put and passed.

IN COMMITTEE.

Clause 1 passed.

Clause 2. — "Governor may reserve lands."

THE HON. J. MORRISON: This clause may work an injustice. A settler may have spent enormous sums of money in sinking in various places for water, and may only have obtained it in one place, and there is nothing to prevent the Government taking this and paying only the actual cost for it. I think, also, that when a well is taken which the settler is

using for watering his stock, he should be allowed to continue its use free until he can make other arrangements.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I am afraid the hon. member would find it difficult to frame a clause giving the effect he desires. The hon. member must remember that although pastoral lessees have rights, the public have also rights, and our laws must be made to do the greatest good to the greatest number, and if the individual suffers hardships, it cannot be helped, if the result is a benefit to the many. There is a duty cast upon the Government to save life, and if, in carrying this out, some individual suffers in regard to his stock, it cannot be helped. But I firmly believe that if he did so suffer, and proper representations were made to the Government, he would be properly compensated.

Clause agreed to.

The remaining clauses were agreed to. Bill reported.

THIRD READING.

The Bill was then read a third time, and passed.

ELEMENTARY EDUCATION ACT AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

THE COLONIAL SECRETARY (Hon. S. H. Parker): Hon. members will observe that the Assembly proposes to insert the words "or assisted," in Clauses 18 and 21. The effect of these amendments is that every Assisted school in which there are children belonging to denominations other than those to which the school belongs, will be open to the religious teachers of the children who do not belong to the particular denomination in charge of the school. I do not think there will be any objection to this, and therefore I propose to move that these amendments be agreed to. I take it that Assisted schools are, as a rule, only attended by children belonging to a particular denomination, but if there do happen to be other children, it is only just and fair that their own teachers should be allowed to instruct them.

THE HON. J. W. HACKETT: Clause 25, which was inserted at the wish of the Council, to provide that no new Assisted

schools should be established, has gone by the board, members of the Assembly not having seen their way to accept it. I regret the decision, because it leaves the present system, which is unsatisfactory and must continue unsatisfactory until the Assisted schools are abolished. I am not, however, prepared to quarrel with that House at this stage of the session, considering the greatness of the question. If, however, we are going to allow new Assisted schools, it is essential that power should be given to clergymen of all denominations to enter them, as in the Government schools. There is only one Government boys' school in Perth, whereas there ought to be at least three.

THE HON. G. RANDELL: One would be sufficient if it were more centrally situate.

THE HON. J. W. HACKETT: I think there should be at least two more, but it is impossible to have them while there is a ring of Assisted schools round the town. However, with a strict conscience clause and the right of clergymen of other denominations to enter, I cannot see anything very unfair; still the whole question will have to be reconsidered later on.

Amendments to Clauses 18 and 21 agreed to.

THE COLONIAL SECRETARY (Hon. S. H. Parker): I now move that this House agrees with the amendment of the Legislative Assembly to strike out Clause 25. This clause provides that no new Assisted schools should be established. If the clause is insisted upon the other House will not give way, there will then be a permanent disagreement, and the Bill will be laid aside. As the Hon. Mr. Hackett has said, the question will have to be fought out at the hustings very shortly, and therefore it is of very little importance our postponing until then the question of the extension or otherwise of the Assisted schools.

THE HON. J. W. HACKETT: I have already intimated that I am not prepared to insist on the retention of this clause. It is clear that the question is in a transitional stage, and within the next ten months, at most, we shall obtain a decisive verdict from the country, and I am sure that the verdict will be in favour of a purely Government system. If the majority of members in the other House have decided in favour of the multiplica-

tion of the Assisted schools, I am not prepared to pit my opinion against theirs just at the present time. I am sorry they should have adopted the course they have, because a fight on the question of the continuation of assistance to these schools must take place, and the clause I moved would, in the meantime, have prevented the increase of vested interests. As I have said, another place has taken a different view, and I do not desire to insist.

THE HON. G. RANDELL: I am quite in accord with the Hon. Mr. Hackett in regretting that this clause, which was a very moderate one, has not been retained in the Bill, and I feel certain that had the Government supported it, it would have been carried. As the Bill now stands, I am not prepared to say what the effect of the amendments will be. I know that in Perth children of other denominations attend the Roman Catholic schools to a very large extent. We know that from the diminution of the attendance at the Government schools when the Assisted schools are established, and when the diminution cannot be accounted for by the number of the Roman Catholic children who formerly attended. I do not know whether the ministers of other denominations will screw up their courage to enter the Assisted schools for the purpose of instructing some of the children there in tenets different to those held by those chiefly connected with the school. It would be, for instance, a delicate thing to enter a Roman Catholic school and instruct some of the children in the tenets of the Protestant religion. When the present system was introduced, Bishop Hale stated that the Roman Catholics would be the only denomination which would take advantage of the system, and it was only through the Governor at the time being a Roman Catholic that the system was carried. I do not wish to jeopardise the Bill by insisting on the clause, because it still contains several valuable provisions, and the question will come before the country at the next election for members of both Houses. But there can be no new Assisted schools without money being provided for them, and therefore the key of the position is really in the hands of the Government, and I do not think, in view of the strong expression of opinion there has been in this

House, that the Government will permit the establishment of any further Assisted schools before obtaining the decision of the country on the subject. Under the circumstances, as no further harm can result, I do not insist upon the clause. I think that the time has come when the system should be altered, and that we should have sufficient and efficient Government schools throughout the length and breadth of the land. We want to train up children in their duties as citizens. Facilities should be given for religious instruction, but we should not have the two systems side by side. There are other reasons I might mention, but I will not now allude to them, as they might lead to discussion, and lay us open to be misapprehended. I object to the clause being struck out, but, as I have said, I do not feel inclined, under the circumstances, to insist on its retention.

THE HON. H. ANSTEY: This is a very important matter, and I wish to record my entire approval of the attitude assumed by the Hons. Mr. Hackett and Mr. Randell. With regard to the insertion of the words "or assisted," I think that the effect will be to cause dissension and strife, and it will, perhaps, make such a grave scandal that sooner or later the Legislature will have to bring in the 25th clause again.

THE HON. G. RANDELL: Something more than that.

Amendment agreed to.

Bill reported.

ADJOURNMENT.

THE COLONIAL SECRETARY (Hon. S. H. Parker): In moving that the House, at its rising, adjourn until 4-15 o'clock to-morrow, I may take the opportunity of saying a few words somewhat in the strain of the remarks I made a short time ago. I was stating that hon. members of this House were animated by an independent spirit, and a spirit of inquiry, and that I trusted that the new Council would exhibit a similar desire to further the best interests of the country. We have had no special provinces or districts to specially represent, but I think our actions have been determined and influenced by what we thought good for the colony as a whole. Since the introduction of Responsible Government, many Bills of importance have been brought before Par-

liament, and I can safely say that they have been subjected to more criticism in this House than in the Assembly. We have taken an intelligent interest in the legislation of this colony, and, on behalf of the Government and the people, I thank hon. members for it. I may be permitted to remind hon. members that since the 21st of October, 1890, now nearly three years ago, many important measures have been passed, which have done a great deal to promote the prosperity of the people. There was the Loan Act of 1891, by which the Government were authorised to raise £1,336,000. A good deal of the money has been obtained and many of the public works then contemplated have been already completed. The railway to Yilgarn is being proceeded with; the railway to Bunbury is constructed, the harbour works are progressing in a most satisfactory manner, and I hope, in the course of a few years, to see the breakwater completed, and the bar at the mouth of the river opened up, and ships lying alongside the wharves. When this is done, I venture to think it will not be many years before we shall find steamers of a moderate size making their way up the river to Perth. We have also passed a number of Bills of length, and which must exercise considerable influence on the population. There is the Bankruptcy Act, the Customs Act, the Companies Act, the Defence Forces Act, the Consolidated Land Transfer Act, the Legal Practitioners Act, the Post and Telegraph Act, and the Savings Bank Act. The law of descent in regard to lands has been virtually revolutionised by the abolition of the custom of primogeniture. We have dealt with the question of Chinese immigration, and have brought our law into accord with that of the other colonies. We have passed the Wines, Beer, and Spirit Sales Act, which I hope will do away with bogus clubs and sly-grog selling. We have passed the Constitution Act, which, I hope, will infuse new political life into the public generally, and especially new life into this House. We have passed the Tariff Act and the Homesteads Bill, the latter of which is an honest attempt to induce further settlement of the soil and to promote the establishment of a happy and prosperous population. Last, but not least, it was reserved for the first Parliament

under Responsible Government to give married women common justice and their rights to their property. That measure was introduced under the old Constitution, and rejected time after time. The powers that then ruled this country did not see any necessity for any such measure, and it was left for us to pass it, and I hope it will have a beneficial effect. I mention these matters to remind hon. members that we have done a vast amount of work. I do not suppose that in any of Her Majesty's colonies, in so short a period as three years, any Parliament has passed so many important measures, and we may, therefore, in time to come, look back with pride to the result of the labours of the first Parliament under our new Constitution. In conclusion, I may say that I hope, on a future occasion, to see hon. members forming part of that larger and thus more important body which will sit here in the future, so that they may devote further time and more of their energies to the advancement of the interests of Western Australia.

THE HON. J. W. HACKETT: I beg to second the motion of my hon. friend, and in doing so, perhaps the House will permit me also to make a few remarks. We are standing in a peculiar position. It is just three years since a former Legislative Council came to an end, and we sprang into existence, and within a few months we, too, shall have passed away. In the space of another year, or only a period of four years since the introduction of Responsible Government, another Council will have taken our place, but it is not to dwell on these strange changes that I rise to say a few words. My object is to express publicly (and I am sure that every member of this House will agree with what I say) our regard for and appreciation of the manner in which my hon. friend the Colonial Secretary has conducted the business of this House, and of the care and consistency he has displayed, and of the courtesy he has meted out, on all occasions, to hon. members on both sides of the House. I believe that it is not only the feeling of this House, but of the Parliament and of the colony generally, that we are indebted to him largely for the important legislation which has taken place during the last couple of years. I am sure members of this House will allow

me, in their name, to express their sense of gratitude, not only for his personal treatment of them, but also for the way in which he has exercised his position as a member of the Government. You will, sir, also allow me, on behalf of the House, to express our recognition of the way you have filled the high office to which you were elected some two years ago, and I am sorry to say that your right to occupy it must expire within a few months, as the rights which we ourselves enjoy must also pass away. I can assure you, sir, in the name of this House, that we recognise with the deepest gratitude the impartial and kind manner in which you have performed your duties. Hon. members who are familiar with early history will recollect that, on the occasions of public games, when the gladiators filed into the arena, knowing, most of them, that they would never see another sun, they used to turn to the Prince of the Senate, and bowing before him, say, as I do now, "Those who are about to die salute you."

THE PRESIDENT (Hon. Sir G. Shenton): Before putting the question, I wish to convey my thanks to the hon. member who has just spoken for his kind reference to myself. This is the fourth session of Parliament held under Responsible Government, and during two of them I had the honour to represent the Government. I came to the House fresh to political life, as far as the position I occupied was concerned, and the kind treatment I received enabled me to get through the work in a satisfactory manner. When I was Colonial Secretary, I often used to labour under the disadvantage of not having had any legal training, and it has consequently been a gain to this House to have my hon. friend, Mr. Parker, in my position. I must also thank hon. members for the courtesy they have extended to me since I have been President. At times my actions may not have appeared to have been in accord with the views of all hon. members; but I can only say that I have always been actuated by one feeling, namely, to see the work proceed smoothly and in the best interests of the colony. We may not all meet again; but among those of us who will be here, I hope that the same harmony will exist in the future as has been in the past. Question put and passed.

ADJOURNMENT.

The Council, at 6:45 o'clock p.m., adjourned until Friday, 13th October, at 4:15 o'clock p.m.

Legislative Assembly,

Thursday, 12th October, 1893.

Employment of Mr. Byron Mather in the Government Service—Motion for Adjournment: Excessive Price paid by the Government for Railway Sleepers—Introduction of an Employers Liability Act—Elementary Education Act; third reading—Extension of Time for Bonus for Deep Sinking on Goldfields—Early Publication of Hansard and Votes and Proceedings—Messages from the Legislative Council: Distillation Bill; Greenbushes Townsite Abolition Bill; Public Health Act Amendment Bill; Elementary Education Bill; Water Supply (Crown Lands) Bill—Adjournment.

THE SPEAKER took the chair at 4:30 p.m.

PRAYERS.

EMPLOYMENT OF MR. BYRON MATHER IN THE PUBLIC SERVICE.

MR. MOLLOY: I desire to ask the Commissioner of Railways, without notice, whether he has any further information to furnish the House with regard to the question I asked him yesterday, as to the employment of Mr. Byron Mather, who, we were told, was no longer employed in the Government Service? I have authentic information that he has been so employed, since Tuesday last.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn): I was not aware of it. Members know fairly well the history of this unfortunate young man. He is the son of the Locomotive Superintendent, and, I believe, an erring son, as many other sons are; and I can sympathise with the Locomotive Superintendent if—probably on the pleadings of the mother—he occasionally employs this young fellow, temporarily. But the in-

structions from the head office have been very precise, that Mr. Byron Mather should not be employed in the locomotive workshops, unless he can show a certificate of good behaviour for at least twelve months previously. It may be a fact—I have not ascertained it—that this young man has been employed within the last day or two, but I know as a fact that his name did not appear on last month's pay sheet, nor had it appeared for the previous nine months; and someone must have been exceedingly alert and active to have reported his employment within two or three days. However, I have sent down to say that, if he is employed in the railway workshops at the present moment, it is contrary to the instructions sent from the head office, and that those instructions must be obeyed.

EXCESSIVE COST OF RAILWAY SLEEPERS FOR EASTERN RAILWAY.

MOTION FOR ADJOURNMENT.

MR. A. FORREST moved the adjournment of the House, in order to call attention to the return which had just been laid on the table, showing the number, prices, etc., of sleepers used upon Government Railways during this year—a return which he called for on the 10th October. In December, 1892, tenders were called by the Government for the supply of timber for the Eastern Railway. It was not stated what number of sleepers would be required, and the lowest tender was accepted at per load. Some time afterwards it was found that the Government would require an enormous quantity of sleepers, for re-railing the line between Fremantle and Beverley; and he was surprised that they did not call for fresh tenders for this special work, which was to come out of Loan funds. Instead of that, they allowed the contractor for the ordinary annual supply of timber to take advantage of the prices he had quoted for ordinary supplies—prices which were out of all proportion with the price that sleepers could be got for at the present time, or when the sleepers were cut. He found from the return that no less than 46,000 sleepers had been used, the price paid being 1s. 11½d. delivered at the mills. These same sleepers could be obtained now at not more than 1s. 6d.; so that the Government had paid about 6d. each for their sleepers more than they need have