sitting of the court or from the State, exercise all the powers vested in, and shall perform all the duties of such member. Provided that any person appointed deputy chairman must be a police or resident magistrate.

Quorum. See N.S.W. 1898, No. 18, s. 5 (7).—19. Any two members of the licensing court shall form a quorum for the constitution of the court.

Majority to decide. See W.A. 1880, No. 9, s. 22; 1893, No. 25, s. 12.—20. Every application made to a licensing court shall be decided by a majority of the members, and in the case of a disagreement where only two members are present, the proceedings before the court shall be adjourned until three members are present.

Certificates. See N.S.W., 1898, No. 18, s. 9 (10).—21. The chairman or any two members of the court may, on behalf of the court, sign or sign and seal all certificates and other documents issued and recorded.

On motions by the ATTORNEY GENERAL, four new schedules were added to stand as the Second, Third, Fourth, and Seventeenth Schedules (*vide Votes and Proceedings*, pp. 243-4).

Bill reported with further amendments.

Mr. BATH: I beg to give notice that to-morrow, on the motion for the adoption of the Committee's report, I intend to move for the recommittal of the Bill.

ADJOURNMENT OVER SHOW DAY.

The PREMIER (Hon. Frank Wilson): I beg to move—

That the House at its rising adjourn till 4.30 p.m. (Thursday).

Question passed.

House adjourned at 2.10 a.m. (Wednesday).

PAIRS.

After 9 p.m.

Mr. Holman	Mr. Layman

Legislative Assembly,

Thursday, 3rd November, 1910.

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

QUESTION — FACTORIES AND EARLY CLOSING INSPECTION, GOLDFIELDS.

Mr. COLLIER asked the Premier: 1, Is it anybody's duty to see that the Factories Act and the Early Closing Act are observed on the goldfields? 2, How many visits of inspection have been made during the present year? 3, How many prosecutions for breaches of these Acts have taken place during the same period?

The PREMIER replied: 1, Yes; the Chief Inspector of Factories under the Factories Act, and the police under the Early Closing Act. 2, Factories, 162; Early Closing, 211. 3, One, under the Early Closing Act.

QUESTION—DAIRYING LAND.

Mr. BATH (for Mr. Heitmann) asked the Minister for Lands: What is the estimated acreage of Crown lands in the State suitable for dairying purposes?

The MINISTER FOR LANDS replied: I ask that this be postponed for a few days; I am endeavouring to have an estimate made, but it will take some time to have it prepared.

PAPERS PRESENTED.

By the Premier: Papers relating to the engagement of immigrants by Afghans at Quairading (ordered on motion by Mr. Price).

BILL—FREMANTLE FREEMASONS' LODGE No. 2 DISPOSITION.

Second Reading.

Mr. HUDSON (Dundas) in moving the second reading said: This is a private

Bill which is fully explained in the Preamble with which I have no doubt hon. members have made themselves acquainted. I wish briefly to relate the history of this matter to show the necessity for passing the measure. In 1875 the Fremantle Lodge of Freemasons, then carrying on under the English constitution, was recognised as Lodge No. 1033, and the property they acquired was vested in trustees. The trustees made a declaration that they were holding in trust for this particular lodge, and in the same year an Act of Parliament was passed giving the trustees certain powers to deal with the land and other property of the lodge, and was most particularly directed to Fremantle town lot 870. Later on, in the same year, one trustee was substituted for one of the original three, and at a later date two of the original trustees died and others were appointed in their places. The chief point in regard to the Bill arises from the fact that in 1900, when the Western Australian constitution of this lodge of Freemasons was formed, the Fremantle Lodge 1033 joined it and there and then ceased to be acting under the English constitution, but failed to carry the necessary resolutions to transfer the property from one lodge to the other. In using that expression I may point out it was really the one lodge, although they took a new number—No. 2 instead of No. 1033 which they originally held. The reason for the change was that when the new constitution was formed in Western Australia the lodges here that were operating under the English constitution were given numbers under the new constitution according to their age in the State. This lodge at Fremantle, being the second formed in Western Australia, was given the number 2. As I pointed out, however, at the time of the transference from the English constitution to the Western Australian they omitted to deal properly with the property held by the old lodge. Although they hold the property and have held it and enjoyed the use of it since 1900, practically for over ten years, they did not discover that their title was defective through their having failed to take steps with regard to the property until they came to operate and deal with the land and other property of the lodge. They then found that in the Titles Office the lodge was known as No. 1033 and that unless the title was put in order the new lodge, which was practically the old lodge, the old lodge having merged into the new, would be unable to deal with the Titles Office. The object of this Bill, therefore, is really to clear the title and, by Act of Parliament, transfer the property from the lodge which held the one title to practically the same lodge under another title. The Bill has been submitted to the Registrar of Titles and has been approved by the Crown Solicitor; and following the Standing Orders relating to private Bills, it has been submitted to a select committee which has taken evidence and has approved of the Bill without amendment. The clauses referring to the powers to be given to the new trusteess. the new holders of this land and other property, give practically the same powers as were given to the old trustees under the Act to which I have already referred. I do not think it is necessary for me to enlarge on this matter because it is very simple. Notices have been given according to the Standing Orders and published in the *Government Gazette* for three consecutive issues and in the *West Australian* for three weeks, and no objection has been lodged to the Bill. I have much pleasure in moving—

That the Bill be now read a second time.

Question put and passed.

Bill read a second time.

In Committee.

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

BILL—LICENSING.

To Recommit.

Order of the Day for consideration of Committee's further report read.

Mr. BATH moved—

That the Bill be recommitted.

Although the motion was for the recommittal of the whole Bill, he only desired to ask the Committee to consider Clause 10, a new clause passed at the last sitting. That clause dealt with the disqualifications in connection with seats on the licensing court. In order that the Committee might understand why he moved, he would explain that the clause must have been passed late at night at a time when members were not in a fit state to give it that consideration which a matter so important deserved. If members were now given an opportunity to reconsider the clause they would assuredly reverse the decision come to at an early hour last Wednesday morning. It really was in a moment of temporary aberration that the Committee decided to disqualify women from sitting on the licensing court. There were a number of public bodies upon which women had given splendid service; for instance, there were the boards of guardians, education boards, and others, and women had earned splendid praise for their work thereon. There was no public body upon which women could give greater service, and for which they were more fitted, than the licensing court. They had, perhaps, a greater opportunity than that enjoyed by men of realising wherein the evils of drink existed and, in adjudicating on the question of licenses, women would be superior to men. Last Wednesday morning he had complained of the fact that in the series of disqualifications women were bracketed with criminals and lunatics. That was an insult to the women of Western Australia, especially seeing that Parliament had recognised their right to vote and had given them the franchise. Surely it was a logical step to permit them to come forward as candidates for the licensing court, and to leave it to the electors to decide whether the women candidates should be chosen or not. On the one hand we were giving the electors the right to appoint two of their own representatives on the court, while on the other hand we were withholding a portion of that right by saying they would not be permitted to vote for women candidates. This Assembly should not be responsible for the insult to the women of Western Australia as perpetrated by the decision of the Committee last Wednesday morning. Another portion of the clause was objectionable, and that was the subclause which provided that shareholders in companies which sold liquor, or manufactured liquor, should be exempt from the disqualifications. If those beneficially interested in the manufacture or sale of liquor were to be disqualified the provision should also apply to the shareholders of those companies. It was a regular practice now for those operating in various industries, even although there were only two or three of a family, to turn the industry into a company, yet under this provision shareholders in a company of this kind, formed especially for the manufacture of liquor, would be exempt from the provisions although they would be directly interested in the traffic. The adoption of the clause would mean that shareholders in brewery companies, which owned a number of tied houses, would be eligible to sit on the court. Perhaps a shareholder having two or three of the shares, and being a director in a brewery, and, therefore, interested in two-thirds of the licensed houses in a town, would be permitted to sit in court. That would be a scandal. He was willing, if it were possible, to limit the recommittal to Clause 10.

The ATTORNEY GENERAL: While quite prepared to accept the personal assurance of the member for Brown Hill that, so far as he was concerned, he would limit the recommittal to Clause 10, yet even if it were in that member's power to bind other members, and even if there were the right to move merely for the recommittal of Clause 10, he would still oppose the motion. This system of recommitting Bills to secure a reversal of the decision of the Assembly was one that might very easily be carried too far. So far as the Government were concerned, they had recommitted mainly to deal with matters which were the outcome of alterations made to the measure while it was passing through Committee, and there was no idea in doing so of reversing the decision of the Committee on important matters relating to the policy of the Bill.

Mr. Bolton: You reversed a decision of this Committee with regard to hotel licenses.

The ATTORNEY GENERAL: The decision was not reversed on the point. We provided for the extinction of hotel licenses, but when we were dealing with the question of those licenses he had pointed out that it would be necessary to recommit in order to make a saving clause regarding existing hotel licenses. It was in pursuance of that statement that, on recommittal, the hotel licenses were dealt with. The matter the hon. member wished to have reopened was debated very fully, and not at a particularly late hour, as the clause came on for discussion at midnight. At twenty minutes to one o'clock in the morning a member moved to report progress; that motion was defeated, and shortly afterwards, on a very decisive division, it was decided by 27 votes to 13, more than two to one, that women should not be allowed to sit on the licensing court. One could quite understand the decision, as the bench would exercise functions of a judicial character, and it was unknown in the policy of this State, or of any country in the British dominioins, that women should act in a magisterial capacity. It was not to be supposed that an innovation of this far-reaching character would be carried on a side issue such as the Licensing Bill. It might be that women would ultimately have the right to sit in Parliament, and in courts of justice, but an innovation of that kind would not be carried merely after a short debate in the Chamber and without any preliminary discussion outside the Chamber. He could see no reason for recommitting the Bill for the purpose mentioned. The matter was dealt with by a majority and there was no reason to suppose that there would be such a wholesale reversal of opinion as to change that majority into a minority. The Committee had devoted many hours to the Bill, and now it was advisable that it should go to another place so that it might become law as soon as possible. It was to be hoped that members would expedite the passage of the measure so that it might be sent on elsewhere. With regard to the other point, as far as shareholders in breweries and other companies interested in the manufacture or sale of liquor, was concerned, when the Bill was in Committee the question was discussed at length. The proviso was added to Clause 10 in consequence of the undertaking which he (the Attorney General) gave to the Committee; therefore, it could not be said that the provision was in any sense sprung upon the Committee. The undertaking was given by him weeks before, and hon. members knew therefore what was the Government's intention with regard to the qualification respecting the liquor interests. The matter received due consideration and there could, therefore, be no justification for reopening the matter.

Mr. FOULKES: The Attorney General has used the argument that women should not be elected to a licensing bench because their duties would be of a judicial character. While he did not agree with the Attorney General in that interpretation, he would concede for the moment that the Attorney General was right in such an interpretation when he stated that women could not act on the licensing bench because their work would be entirely of a judicial character, and that it would be a new principle to adopt to elect women to carry out these duties. It was a well-known principle at law that no person should act judicially if he was financially interested in the matter brought before him. The Attorney General might be reminded that he was not so consistent as the House desired him to be; he asked that women should not hold a seat on the licensing bench because their work would be of a judicial character, and at the same time he was prepared to elect upon that bench directors or even shareholders of companies.

The Attorney General: Not if I know them to be such.

Mr. FOULKES: The Attorney General would not always know who were shareholders in brewery concerns. It was well known to many that people interested in licensed premises and breweries, in a great number of cases, were very reticent and were careful not to let the general public know that they were so interested. He (Mr. Foulkes) knew of several shareholders in breweries who always refrained from mentioning that they were interested in a brewery, and even if they did acknowledge the fact it was admitted by them

that they had only a very small interest, whereas inquiries would show that their interests were very considerable. We could not object to women holding seats on the licensing bench if the electors of any particular constituency or licensed district desired to have their services. The Attorney General might be reminded that in the coastal district one-half of the electors were made up of women. In the district of Busselton, represented by the Premier, of the 112 of the population in the municipal district the percentage of women was 60 or 65, while the population of the municipal district of Guildford showed that the percentage of women was 60. In fact, throughout the whole State, except in the mining districts, women formed the majority of the electors; therefore we had no justification in preventing women from seeking election. The House might be reminded that in the Federal Parliament it was open to women to represent the electors. It was no new principle to adopt and, therefore, there was no reason why women should be excluded. An assurance had been given by the member for Brown Hill that he would not seek to bring forward any other amendments. The member for Roebourne asked whether he (Mr. Foulkes) intended to move any more amendments, but the House could rest assured that as he had learned from bitter experience it was idle to expect anything in the shape of a genuine measure of reform with regard to the Licensing Bill, there was no intention on his part to move any more. The Minister for Works last year supported all the different amendments which had been brought forward by him (Mr. Foulkes), but this year that Minister had voted against them; that was in itself sufficient to convince him of the futility of bringing forward amendments, and when so many members, like the member for Roebourne, for instance, were in the House one came to the conclusion that it was a matter of impossibility to expect to get amendments through.

Mr. WALKER: It would be a retrograde step for the Chamber to exclude women from holding the qualifications it was desired to give them, especially when we gave them the right to vote for members of the House. The Attorney General had argued that the licensing court would be a judicial court, but he must be aware that women had occupied very distinguished judicial positions in the British possessions.

The Attorney General: I am aware of that.

Mr. WALKER: The Attorney General admitted that and, therefore, there need be no departure from the lessons of experience in allowing them to occupy that distinguished position on the licensing bench, more particularly as the member for Brown Hill had pointed out that if their judgment could be of any service in any avenue of life it would be of service in a licensing court. They were, perhaps, better able to speak of the evils of drink, knowing from practical experience of the danger to society in consequence of over-indulgence in intoxicants, than any other section of the community. It was for the purity of the social life of the community that we should remit matters of this description to them. There could be no harm done, in fact, only good would be done by recommitting the Bill to deal with the clause in question and the points submitted by the member for Brown Hill. If the House allowed the clause to go as it stood we would allow the Bill to go through with a dangerous power. We gave the power to those who could absolutely control the drink traffic in large centres to sit upon the licensing bench, and if that were done, as the hon. member who moved the motion had remarked, it would be nothing short of scandal. Under such circumstances no one would have confidence in the administration of the Bill; there would be no degree of purity, and when he said purity he meant freedom from suspicion of interested avaricious motives. All that was desired was to avoid a scandal of such a description. What was suggested was no innovation, it was the recognition of the return to a principle established in every other land, that no interested persons should be allowed to have the management

or control of matters so undoubtedly affecting the public. That was all that was proposed by the member for Brown Hill. It was to be sincerely hoped the Attorney General would yield to what was a reasonable desire and allow the matter to go into Committee again.

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

Ayes	.. .. ..	21
Noes	.. .. ..	22
Majority against	..	1

AYES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. O'Loghlen
Mr. Bolton	Mr. Price
Mr. Collier	Mr. Scaddan
Mr. Foulkes	Mr. Swan
Mr. Gill	Mr. Taylor
Mr. Holman	Mr. Walker
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Heitmann
Mr. Keenan	*(Teller).*

NOES.

Mr. Brown	Mr. Mitchell
Mr. Butcher	Mr. Monger
Mr. Carson	Mr. S. F. Moore
Mr. Cowcher	Mr. Murphy
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Osborn
Mr. Draper	Mr. Piesse
Mr. Gregory	Mr. Underwood
Mr. Hardwick	Mr. F. Wilson
Mr. Harper	Mr. Gordon
Mr. Layman	*(Teller).*
Mr. Male	

Question thus negatived.

Report stage.

Report of Committee adopted.

BILL—HEALTH.

Resumed from 13th October; Mr. Taylor in the Chair, the Minister for Mines in charge of the Bill.

Clause 8.—Seal of Central Board:

The MINISTER FOR MINES: It would be necessary to strike out the clause.

Clause put and negatived.

Clause 9—Constitution of Central Board:

The MINISTER FOR MINES moved an amendment—

That all the words after "the" in line 1 be struck out, and the following inserted in lieu:—"Minister aforesaid shall be styled the Minister of Public Health. (2) The Colonial Secretary for the time being shall be Minister of Public Health except during such time as the office is held by some other member of the Executive Council whom the Governor has (in exercise of the power so to do which is hereby vested in him) appointed to the office."

This was following upon the decision of the Committee, vesting the control of the Act in the Minister.

Amendment passed; the clause as amended agreed to.

Clause 10—Extraordinary vacancies:

The MINISTER FOR MINES: This also would require to be struck out.

Clause put and negatived.

Clause 11—President:

The MINISTER FOR MINES moved an amendment—

That all the words after "the" in line 1 be struck out, and the following inserted in lieu:—"Principal Medical Officer for the time being shall be Commissioner of Public Health and shall under that style administer this Act subject to the control of the Minister."

Mr. WALKER: The title "Commissioner of Public Health" seemed to him dangerous, like those other titles, "Commissioner of Public Service," "Commissioner of Railways," and "Commissioner of Police." If the country were cursed at all, it was by administration by commissioners. Under the existing state of affairs no one ever knew who was responsible. Without further explanation he would not be satisfied to allow the amendment to pass. It seemed very much like reinstating the old order. The Committee had seen fit to make the Minister responsible, but the amendment would serve to make the Principal Medical Officer the responsible administrator, subject, of course, to the Minister. It would be giving the Act into the hands of the Commissioner of Public Health. This was only a change of diction, and would effect no alteration in the old form. To him the amendment appeared to be nothing more than an expedient for nullifying the resolution of the Committee.

The MINISTER FOR MINES : It mattered little whether the responsible officer was called "Principal Medical Officer," or "Commissioner of Public Health." The latter was a title used in most of the Eastern States. In connection with the administration of public health it was frequently necessary to issue numerous instructions which required to be signed by the responsible head, a task which it would be impracticable for the Minister to fulfil. It was proposed to give the Commissioner of Public Health, or the Principal Medical Officer, by whichever title he might be known, a certain amount of power essential to the administration of health matters. To merely have an Under Secretary for Health without power, and a Minister holding all the power, would be unworkable, and if such a system were resolved upon, he would have no option but to withdraw the measure. He had understood the desire of the Committee was to place the administration under the control of one individual: in other words, to increase the powers and responsibilities of the Minister, while retaining some one person as general head of the department.

Mr. Scaddan: No, the idea was to establish a department of health.

The MINISTER FOR MINES: I do not think they went that far.

Mr. Scaddan: Yes, that was the meaning.

The MINISTER FOR MINES: Probably some members thought there might be a department of health controlled by a Minister having that work only, but the time was hardly ripe for that. The member for Brown Hill thought the time was nearly ripe for it but that it was hardly workable at present. It was clearly understood when the division was taken that the question was whether we should have a central board or a medical officer or commissioner, at the same time modifying the powers that would be given to a board or the officer. Members should agree to this amendment, and as we progressed through Committee we could modify the powers vested in the officer and place greater responsibility on the Minister.

Mr. WALKER : The proposal was more dangerous than the provision already struck out of the Bill. We proposed to give extensive powers, which must be exceedingly irritating to local boards, to one man. When there was a central board there was a chance of matters being discussed from various points of view before the exercise of authority or power, but now everything was centred in one man; in Dr. Hope for the time being. Dr. Hope would be made the dictator in matters of health.

Mr. Heitmann: Who would you make the dictator if there was a department?

Mr. WALKER: The Minister would be responsible, and every day there would be opportunity for placing one's views before the Minister and making one's representations, and there would be the opportunity for dealing with the Minister in Parliament if the Minister ignored the wishes of outside centres.

Mr. Heitmann: The under-secretaries do most of the work in any department now.

Mr. WALKER: Undoubtedly.

Mr. Heitmann: If it is a matter of an under-secretary or a medical man, I say give me a commissioner.

Mr. WALKER: We should not appoint a commissioner. We should appoint a department and make the Minister theoretically the department, making the full responsibility centre upon him.

The Minister for Mines: That was not understood on the division.

Mr. WALKER: It was so regarded by him. What was the object of the vote but to take the controlling power from a board——

Mr. Murphy: That knew nothing and give it to one who did.

Mr. WALKER: Not necessarily.

Mr. Murphy: A doctor should know more about health than a lawyer.

Mr. WALKER: It was not so much a matter of health as a matter of administration and unlimited powers of administration. If there was one man in the world to whom he would not give unlimited powers it was the same Dr. Hope.

Mr. Murphy: That is a matter of opinion: others would.

Mr. WALKER: Others would be foolish. Some would make Dr. Hope a juggernaut. Dr. Hope a little while ago in

presenting a report to the House undertook to go outside his business of administering medical matters to take to task every member who voted in the House in a particular way. Dr. Hope would have more to do in regard to the administration than in regard to medical matters. If it were a matter of the composition of a drug or the effect of a drug one could defer to Dr. Hope, but when it came to administering an important department of this kind Dr. Hope was the last man to whom power should be given.

Mr. Murphy: Again I say that is a matter of opinion.

Mr. WALKER had not come to the House to bandy little pettifogging conversations across the Table with the hon. member. The way in which Dr. Hope showed his incapacity to deal with the hospitals of the State was sufficient to condemn him completely as an administrator of a measure of this description.

Mr. Collier: He has done it under Ministerial instruction.

Mr. WALKER: Dr. Hope showed himself a complacent tool and must take the responsibility in the eyes of the general public for what he published on the matter. There was distrust and fear on the part of the general public towards Dr. Hope's having too much power and control.

The Minister for Mines: You should deal with the principle as to whether we should have the one commissioner.

Mr. WALKER: The point was commisioner or board, but talking of the person who would take the position immediately the Bill passed was merely an illustration to show the evil of having a commisioner, and it was only by illustrations the application of a principle could be shown—as to whether it would be injurious or not.

The Minister for Mines: Dr. Hope's action in the matter of hospitals was under Ministerial instruction.

Mr. WALKER: At the same time it should not be forgotten that Dr. Hope's recommendations arose spontaneously from himself, and they showed he took a biassed or narrow view, and that he did not possess that wise comprehensive sympathy and judgment necessary in a wise administrator.

Mr. Scaddan: He was insulting in his report.

Mr. WALKER: Undoubtedly. It showed want of capacity on the part of the officer to take over a big national concern, the operations of which were so vital that we should never allow any part of the machinery of its administration to become stereotyped. We should have the power of immediate adjustment at any stage. It would be a serious blunder indeed if, having got rid of a central board, we reverted to a single administrator.

The Minister for Mines: Under the Minister.

Mr. WALKER: Nominally under the Minister, just as the Commissioner of Railways was nominally under the Minister.

The Minister for Mines: Powers were specially given to the Minister and by the amendment the responsibility was thrown on the Minister.

Mr. WALKER: All the duties of administering were put on the commissioner. The first, the active duty was put on him. Objection must also be taken to the amendment on a wider principle. By the amendment the Government were whittling away responsible government altogether. Now nothing was done without a commissioner in full charge, Ministerial responsibility disappearing. The Minister could always shelter himself by saying that the Act conferred upon the commissioner the active duty of administering, and that the Minister was simply given a sort of supervising control. We should adhere to the principle that the Minister himself should be made the administrator, especially on a matter so intimately concerned with the life and well-being of the public.

Mr. BATH: We should discuss the clause apart from the personality of the man who for the time being happened to fill a certain office. Candidly his idea in supporting the change from a central board to departmental control was to secure a competent officer under the Minister in charge of a department of health.

and once that officer was secured to give him great powers of initiative and control in view of the fact that the public demanded this. If the officer would have to wait and go through a lot of red-tapeism the public would suffer. We must have a good man and an administrator capable of administering if the officer was to satisfactorily fulfil the duties of the position. That being so, it mattered little whether the officer was called commissioner or principal medical officer, so long as he was competent; and that was an essential the Minister would have to determine. The control by Parliament through the Minister would be safeguarded with the appointment of such an officer under the administration of the Minister. True, there was a certain amount of resentment towards the term "commissioner." People associated someone called commissioner with someone who was given control of some department to a great degree independent of the Minister; but the fact that by this amendment we termed the chief officer of health a commissioner would not give the officer that independent control. That was intended by the Committee; anyhow that was what he had contended for, an appointment of one man instead of the Central Board of Health. With a number of men there was divided responsibility, and it was difficult with such a department to apportion blame if such were deserved; but with one man in charge of the administration under the Minister the blame could be apportioned. For the sake of argument, supposing Dr. Hope were appointed, then if he were found to be unsuitable for the office, and without sufficient initiative and administrative ability, the Minister could remove him and appoint someone who would fulfil all requirements.

The Minister for Mines: It does not affect the principle in any way.

Mr. BATH: That was so. We must get a competent man, and we needed someone with scientific skill and administrative ability capable of taking the direction of this department.

The MINISTER FOR MINES: During the course of the debate the other evening in reply to the interjection, "You will get no more Ministerial control with a chief medical officer than with a board," the member for Cue said, "It is better to have one man to whom the Minister can look and upon whom the Minister can place the responsibilty." That, evidently, was the desire of the majority of members, as shown by the division, and he had endeavoured to carry out that wish. So far as procedure was concerned, the principle under the Queensland Public Health Act was that there was a commissioner under the Minister charged with the administration of the Act. The Bill Mr. Taylor, when Colonial Secretary, had brought down, made a similar provision, except that the officer was to be called the chief medical officer instead of commissioner. It really did not matter what the officer in charge was called. The title of chief medical officer was rather cumbersome, while the term commissioner was used in the Eastern States. That was better than president, and, in fact, the latter title would not apply as there would be no board for him to preside over. If the Committee thought too much power was vested in certain instances in the commissioner the Minister could be made responsible in such matters. In the general administrative work it was necessary to have a medical gentleman to give effect to the provisions of the measure as promptly and as efficiently as possible.

Mr. HUDSON: As to the relative positions of a commissioner and the Public Service Commissioner, would the former be under the control of the latter, or would he be an independent officer, having control of his own staff independently of the Public Service Commissioner.

The MINISTER FOR MINES: The permanent heads of each department did not come under the control of the Public Service Commissioner.

Mr. Hudson: Would the other officers of the department come under the Public Service Commissioner?

The MINISTER FOR MINES: In appointing a commissioner in the first in-

stance it would be the duty of the Government to have a recommendation from the Public Service Commissioner. At the present time the Principal Medical Officer came under the scope of the Public Service Commissioner.

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

Clause 12—Deputy President:

The MINISTER FOR MINES moved an amendment—

That in lines 3 and 6 the word "president" be struck out and "commissioner" inserted in lieu.

Amendment passed; the clause as amended agreed.

The CHAIRMAN: The whole principle of the Bill had been altered owing to the striking out of the words "central board," and, therefore, in the various clauses where the central board was referred to, those words would be struck out and the word "commissioner" would be inserted consequentially.

Clauses 13 to 16—struck out.

Clause 17—Appointment of officers of Central Board:

The MINISTER FOR MINES moved an amendment—

That in line 35 of Subclause 1 all the words after "remove" be struck out, and "such medical officers of health, inspectors and other officers as he may consider necessary for the efficient administration of this Act; and one of such officers shall be clerk to the commissioner" inserted in lieu.

This amendment was necessary owing to the excision of the central board.

Mr. HUDSON: Would it not be well at this stage to clear the atmosphere as to the appointment of the Commissioner?

The MINISTER FOR MINES: The appointment of a commissioner would be with the Governor. The commissioner would recommend the officials to the Minister, who would pass them on to the Executive Council, and the appointments would thus be made.

Mr. Hudson: The clause did not state that the Governor should appoint the commissioner.

The MINISTER FOR MINES: With the amendment the clause would read, "The Governor may from time to time appoint and remove such medical officers of health, inspectors, and other officers as he may consider necessary for the efficient administration of this Act; and one of such officers shall be clerk to the commissioner." The whole power of appointment and removal of officers would be with the Governor. The commissioner would be appointed by the Governor.

Mr. Collier: Did that mean that the officers would not be appointed by the Public Service Commissioner?

The MINISTER FOR MINES: Not necessarily.

Mr. Collier: The Public Service Commissioner would have nothing to do with the appointment under this Bill.

The MINISTER FOR MINES: The Governor-in-Council had power to excise certain officers from the provisions of the Public Service Act, but all appointments under the Health Act in the past had been under the control of the Public Service Commissioner, and that policy would be continued under the Bill. Recommendations for the appointments would be made to the Public Service Commissioner by the commissioner, and would be sent on to the Executive Council, and the appointments would then be made.

Mr. COLLIER: The appointments would be made in the same way as all other public service appointments.

The Minister for Mines: Yes, under the Public Service Act.

Mr. WALKER: Would it be the duty of the Public Service Commissioner to select the commissioner?

The Minister for Mines: The commissioner would be appointed in exactly the same way as the other officers.

Mr. WALKER: There might be a chief medical officer, or a commissioner appointed, who, so far as the public could judge, was absolutely unfitted for his work and should be removed. The commissioner would have to deal with a number of local boards of health in the State, and some of them might be under the impression that he was not doing the best

for certain particular localities. How could that officer be removed if it were thought wise that such a course should be adopted?

The MINISTER FOR MINES: That would have to be done on the recommendation of the Minister to the Executive Council, who would take the responsibility in the matter. If the Executive Council thought the officer was incompetent a report would be sent to the Public Service Commissioner, who would have to inquire and make a recommendation. There would be great difficulty in getting rid of such an officer when once appointed. It certainly was a trouble to get rid of officers, but, at the same time, it was necessary to see that the officers of the service were protected. Certain Ministers might be desirous of injuring a public officer, and it was only right that proper protection should be afforded to the civil service. There might be a Minister who thought that it was in the public interest that a man should be removed from his office, and he would have to show his reasons to the Public Service Commissioner. The same procedure applied to the Engineer-in-Chief, and the heads of all departments.

Mr. Collier: But not the Commissioner of Railways, who is appointed for a specific term.

The MINISTER FOR MINES: That officer was altogether outside the Public Service Act.

Mr. Collier: It would be better to adopt that plan here.

The MINISTER FOR MINES: It would not be wise to appoint the commissioner under this Bill for a term; the usual procedure in connection with the officers of the Public Service was the best to follow in this case.

Mr. MURPHY: It was understood that the reason for the change was to bring the department under Ministerial control. If that was desirable it seemed to him that the Principal Medical Officer should be under the direct control of the Minister. If the appointment was to be under the Public Service Commissioner and the Commissioner could say how long he could stay there, the Principal Medical Officer could snap his fingers at the Minister from the beginning of January to the end of December. The object was to bring the department under direct Ministerial control and, therefore, it was advisable that the Principal Medical Officer should be directly under the control of the Minister, so that if in the opinion of the representatives of the people that officer was not doing what he should be doing the Minister could be asked to interfere. That would not be possible if the Principal Medical Officer were under the control of the Public Service Commissioner.

The Minister for Mines: All our Acts are similarly drafted.

Mr. MURPHY: Then some other amendment should be made in order to see that the Principal Medical Officer was kept out of the power of the Public Service Commissioner.

The MINISTER FOR MINES: The appointment of the Principal Medical Officer did not come under the clause in question. The clause the Committee were dealing with only referred to subordinates. Instead of giving the power to the Commissioner to appoint the Principal Medical Officer the power was reserved for the Governor.

Mr. Underwood: What clause, then, provides for the appointment of the Principal Medical Officer?

The Minister for Mines: Clause 12.

Mr. Underwood: That refers to the deputy commissioner.

The Minister for Mines: It is Clause 11.

Mr. COLLIER: Clause 11 did not provide for the appointment; it said nothing at all about the appointment. It was understood that the amendment the Committee were discussing provided for the appointment. The clause itself referred to the appointment of medical officers of health. The Principal Medical Officer, or commissioner as he was called, came under this clause.

Amendment (that the words be struck out) put and passed.

Mr. WALKER: Members were in somewhat of a haze over this matter. We had given Ministerial power to manage the health of the State, and what was being

done now was to give power to the Public Service Commissioner to control health affairs. The chief public health officer should be immediately amenable to Ministerial correction or dismissal, if necessary.

The Minister for Mines: This clause does not include the commissioner of Health.

Mr. WALKER: Then where was the commissioner provided for? The misfortune of the Bill was that it started on the assumption that we had existing a commissioner, and as soon as the Bill became law *ipso facto* the principal medical officer became commissioner.

Mr. Underwood: Insert "commissioner and" before this amendment.

Mr. WALKER: If the clause passed as it was proposed to pass it we would have Mr. Jull commanding the health affairs of the State.

Mr. Heitmann: Mr. Jull's powers are limited.

Mr. WALKER: We were tying our hands all round and giving freedom to act nowhere. Every medical officer would be a civil servant irremovable once the Bill became law.

Mr. Heitmann: Who will have the appointment of the officer?

Mr. WALKER: The Governor-in-Council, but it would be practically on the recommendation of Mr. Jull, and the principal medical officer would be a public servant. Suppose there was a medical officer appointed by the present Government and it was clear to the people that that officer was not fulfilling his duties and not doing justice to all parts of the State, then, suppose the Government refused to act and a new Government came into power and they declared that they would make it their first duty to remove that man, and they proceeded to do so, that medical officer would stand up armed with the Civil Service Act and he would decline to move.

Mr. Johnson: Why should you remove him if you cannot get anything against him?

Mr. WALKER: Because he might not be fitted for the position.

Mr. Johnson: Then you would have something against him.

Mr. WALKER: More than in a technical sense. In the administration of health there were matters of temperament and heart as well as brains.

Mr. Johnson: Then who is to be the judge?

Mr. WALKER: The Ministers were to be the judges as to the general fitness of the officer and the administration of the health affairs of the State.

Mr. ANGWIN: It would be much better if a clause were inserted in the Bill similar to the section regarding appointments which was contained in the Metropolitan Water Supply Act. That section provided that the Governor-in-Council could from time to time appoint such officers and servants as might be necessary for the execution of the Act. That would cover all the officers. It was necessary, if we were to retain the Public Service Act, to maintain the rights of the Public Service Commissioner with regard to the recommendation of officers as required. If it was intended to go back to Ministerial control and give the Minister power to appoint officers, why not repeal the Public Service Act, or that portion of it giving the Public Service Commissioner power to recommend officers for appointment.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. ANGWIN: Some hon. members had suggested that if it were represented to the Minister that the Commissioner of Health was neglecting his duty the Minister would declare himself powerless to act, and would refer the matter to the Public Service Commissioner. This procedure was provided for in the Public Service Act, and there was nothing to prevent Parliament from carrying a resolution if it were found necessary. The Public Service Commissioner had power to suspend an officer, and the Minister also could suspend, pending the report of the Public Service Commissioner. Was it reasonable to suppose that the Public Service Commissioner would refuse to remove an officer if that officer failed to carry out his duties? On the other hand, if the Minister unjustly desired to dispose of an officer, the Public Service Act and

Parliament existed to protect such officer. It would be unwise to exempt those employed in the Health Department from the provisions of the Public Service Act.

The Minister for Mines: We do not propose to do it.

Mr. ANGWIN: Still the point had been raised in the course of debate. To exempt those officers would be to go back to the old position of Ministerial control. The member for Fremantle, who had referred to the inability to dismiss an officer, knew of the dissatisfaction, bordering on revolution, which existed in his own constituency owing to the fact that officers engaged under the very Minister who would control this measure had been removed from the provisions of the Public Service Act. While that Act was on our statute-book, we should abide by its provisions.

Mr. MURPHY: It seemed to him the reason why we desired the central board should be abolished, and the head of the Health Department brought under Ministerial control, was that we would thus remove the friction which had existed between the local boards and the central board owing to the fact that the local boards had not been able to appeal to the Minister. The Minister in charge of the Bill maintained that Clause 17 did not refer to the Principal Medical Officer; but under the interpretation clause it was shown that "medical officer" would include all medical officers which, presumably, embraced the Principal Medical Officer. There was no other interpretation in the Bill under which the Principal Medical Officer could be brought. To abolish the central board and put the Principal Medical Officer under the jurisdiction of the Public Service Commissioner would not remove the evil to which the member for East Fremantle had referred. The dissatisfaction, bordering on revolution, of which the member for East Fremantle had spoken, was unfortunately only too real, and the only way that dissatisfaction could be dispelled would be by bringing the department concerned more directly under Ministerial control. There would not be half the dissatisfaction among the officers of the Fremantle gaol if that institution were under direct Ministerial control.

Mr. Angwin: It is under direct Ministerial control to-day.

Mr. MURPHY: But that control was not being exercised directly. If the Principal Medical Officer were placed under the Public Service Commissioner, how could, any local board hope for an alleviation of its grievances if the Public Service Commissioner were prepared to support the Principal Medical Officer? If, however, that Principal Medical Officer were under the direct control af the Minister each local board, through its representative in Parliament, could rely upon having its grievances fairly considered. There was altogether too much responsibility so far as Government departments were concerned. There was in Fremantle another large department seething with discontent simply because it had been taken from under Ministerial control. If, as he understood, it had been desired to make a change in the administration of health matters merely with the view to bringing that administration directly under some responsible Minister, he failed to see how that purpose would be achieved if the Principal Medical Officer were placed under the Public Service Commissioner. If the Minister would point out to the Committee under what other clause in the Bill members could attain the desired end, he (Mr. Murphy) would be prepared to allow the amendment to pass.

Mr. UNDERWOOD: Although the member for Brown Hill had advocated the appointment of a Commissioner for Health, he (Mr. Underwood) was of opinion that the best system would be direct Ministerial control with a Department of Health. That department would then be managed in somewhat the same style as, and probably better than, the present Department of Mines. He protested against the Principal Medical Officer or the Commissioner of Health being placed under the control of the Public Service Commissioner, and being considered as an ordinary civil servant.

The MINISTER FOR MINES: Perhaps he would be in order in making a

brief explanation. At the present time we were dealing only with the appointment of subordinate officers. It had not been suggested that the commissioner should also come under the operation of this clause. Clause 11 provided for the Principal Medical Officer being Commissioner of Public Health.

Mr. Walker: But how is he to be appointed?

The MINISTER FOR MINES: Owing to the change effected to Clause 7 it would be necessary to recommit the Bill for the purpose of amending those clauses prior to Clause 7, and if it was found that the wording of Clause 11 as just amended was not sufficiently wide to allow for the re-appointment of a commissioner it would be necessary to have the Bill recommitted, but only for that object. However, the clause now under consideration merely dealt with the appointment of subordinate officers, and the good sense of members would lead them to follow the procedure adopted so far, that all appointments should be made by the Public Service Commissioner.

Mr. Heitmann: What was the meaning of the words "and one of such officers shall be clerk to the commissioner"?

The MINISTER FOR MINES: The amendment was approved by the Crown Law Department. These words simply emphasised the fact that there should be a clerk to the commissioner. They could do no harm.

Mr. ANGWIN moved an amendment on the amendment—

That the words "medical officers of health, inspectors and other" be struck out of the proposed amendment.

He intended later to move the deletion of the words "and one of such officers shall be clerk to the commissioner." If these amendments were carried and the Minister's amendment as altered in this way were carried the clause would then read—"The Governor may from time to time appoint and remove such officers as he may consider necessary for the efficient administration of this Act." If the word "Minister" was put in instead of "commissioner" it merely meant that the Minister would delegate his powers to the officer he appointed. By a previous clause the Minister had full control and using the word "commissioner" meant giving a title to the officer who would relieve the Minister of attending to minor matters and a good deal of the work that could be carried out without having to be referred to the Minister: but we should not exempt this officer from the provisions of the Public Service Act. Parliament should always back up the Public Service Commissioner. Any time the Government could not agree with the Public Service Commissioner they had to give their reasons to Parliament why the recommendation of the Public Service Commissioner was not agreed to. The Public Service Act was passed in order to protect the officials, and while the Act was in force the Commissioner of Health should be appointed under its provisions. The Minister pointed out that though there was provision for the appointment of the first commissioner there was no provision for filling a vacancy. If the amendment on the amendment were carried it would provide for the appointment of all officers required for the administration of the Act.

Mr. UNDERWOOD: Did the Minister say that later on a clause would be provided dealing with the appointment of a commissioner?

The MINISTER FOR MINES: Clause 11 provided that the Principal Medical Officer for the time being should be the commissioner under the Act, but it was questionable whether the power existed for re-appointment. Therefore Clause 11 would need to be recommitted, but not in order to re-open the question already settled as to whether we were to have a commissioner. The amendment on the amendment would make no difference and was unnecessary.

Mr. HEITMANN: The clause should be recommitted as well as Clause 11, so that provision could be put in dealing specifically with the appointment and duties of the commissioner. Section 10 of the Queensland Act was very clear and if adopted would get over the difficulty.

Mr. UNDERWOOD: The Minister should postpone the clause.

The Minister for Mines: The clause dealt only with who was to appoint the subordinate officers of the department.

Mr. UNDERWOOD: It should be made clear that the commissioner was not to be under the Public Service Commissioner. Otherwise he must oppose the clause. There should be provision dealing with the appointment of a commissioner of health and putting the department directly under Ministerial control, the Minister having an officer under him with whom he could work and out of whom he could get the best work. It would be impossible for a new Minister to do satisfactory work if it was necessary to retain officers in the department who had previously proved unsatisfactory. We knew the Public Service Commissioner worked on machine principles to a great extent, and a man was retained in his position so long as he did nothing wrong. To avoid doing nothing wrong it was one principle of the service to do nothing. We wanted a man for this position who would do something, absolutely the best man procurable in Australia or out of it; and it would not matter if we had to pay thousands so long as we got a good man to administer the department. The present Principal Medical Officer was totally unsuited. He was a nice gentleman and an able medical man, but he was totally unfitted for administering a department. Although this officer might suit the present Colonial Secretary, he would not perhaps suit the Colonial Secretary who would next assume the office. It should be clearly set out in the Bill that the appointment or removal of the commissioner should be directly in the hands of the Minister.

Mr. WALKER: The Minister should certainly postpone this clause.

The CHAIRMAN: The clause having already been amended, could not be postponed. Members could vote against the clause if they desired and have a new clause inserted at the proper time.

Mr. WALKER: Would the Minister promise to recommit?

The MINISTER FOR MINES: Clause 11, which was the clause dealing with the appointment of the commissioner, would be recommitted.

Mr. WALKER: Would it also provide for the appointment and for the term of office?

The MINISTER FOR MINES: The hon. member would have the opportunity of moving an amendment. Nothing would be promised more than he (the Minister) desired.

Mr. WALKER: Then the only thing to do was to let the clause go as it was.

Amendment on amendment put and negatived.

Amendment (to insert the words) put and passed: the clause as amended agreed to.

Clauses 18 to 20—consequentially amended and agreed to.

Clause 21—Power of board to act in emergency:

The MINISTER FOR MINES moved an amendment—

That in lines 4 and 6 of Subclause 2 the word "health" be struck out and "medical" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clause 22—Central board may act where no local authority:

The MINISTER FOR MINES moved an amendment—

That in line 1 the words "central board and its officers" be struck out and "Commissioner and all persons authorised by him" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clause 23—Expenditure to be paid out of votes:

The MINISTER FOR MINES moved an amendment—

That in line 4 the words "expenses of the central board" be struck out and "purpose" inserted in lieu.

Amendment passed; the clause as amended agreed to.

Clauses 24 and 25—agreed to.

Clause 26—Local boards:

Mr. MURPHY: The clause was contradictory to Clause 24, which provided that all members of municipal councils should act as health boards. In some cases there were 10 or 12 members of a municipal council, whereas the clause under discussion provided that a local board of health

should consist of not more than seven members.

The MINISTER FOR MINES: All municipal councils and roads boards were also local boards of health, and the provision referred to in Clause 26 applied only to local boards of health, which were not embraced in a municipal council or a roads board.

Clause put and passed.

Clause 27—*agreed to.*

Clauses 28 and 29—consequentially amended and agreed to.

Clauses 30 and 31—agreed to.

Clause 32—Officers of local authority:

Mr. BROWN moved an amendment—

That in line 3 of Subclause 1 the word "such" be struck out.

Subsequently he would move to strike out the words "as may be deemed necessary by the commissioner." The reason for the amendment was that under the clause the local authorities could be required by the commissioner to appoint whatever inspectors and analysts he thought fit. He might order a large number of these officers to be appointed, and the local authority would have to pay for them. Surely the local authorities were well able to appoint the necessary number of analysts and inspectors, and were the best judges of what was required in this direction.

Mr. ANGWIN: The member for Perth desired to reserve to the local authorities the right to say what officers were necessary for their district. The clause took the power out of the hands of the authority and put it in the hands of the commissioner. Surely the local boards were the best judges of what officers should be appointed. The amendment should be agreed to and the Committee should realise that local bodies were endeavouring to administer the Act in a fair and reasonable manner. With regard to the appointment of officers, the local authorities should be allowed to judge what officers were required.

Mr. MURPHY: Local authorities would simply have to obey whether they knew the requirements of their district or not. Great friction had been caused in the past by interference with those who knew best what their own requirements were. There should be as little interference as possible with local authorities and the administration of health matters in any district.

Mr. HEITMANN: If the power were given to the commissioner the Minister would interfere as little as possible with the local authority. It should be agreed even by the mover of the amendment, that some power such as that proposed in the clause was necessary for the commissioner or the Minister to have. Only in that day's paper a statement was made by the member for Yilgarn with regard to the sanitary state of Southern Cross and the small camps around. That member pointed out clearly that it was a matter of impossibility to move the local authorities and it was only on the Central Board of Health sending up an officer that things were rectified. The member for Fremantle would admit that these officers who would have charge of the administration of the Act would be well up in their work, and if they were not now it was to be hoped before long that we would have a set of officers who would be well informed in their particular branches of science, and it had to be admitted that sanitary work was a science in itself.

Mr. Murphy: We have the best set of officers in Australia.

Mr. HEITMANN: Then we should congratulate ourselves on that. Men, however, were appointed who had no qualifications beyond the fact that they were well known in a particular district. If health matters were carried out as they should be carried out there would be a band of experts in Perth who would be able to give good information to the local authorities and who would not use any power which would detrimentally affect the local authorities. Right throughout the State, generally speaking, there were health officers who knew very little about that particular class of work, and they had been appointed by men who knew nothing about health matters. Dr. Black, in giving evidence before a select committee some four or five years ago, stated that he came across many cases where conscientious officers were prevented from doing their duty by those employing them, namely, the councillors or

the board of health, simply because the work these officers had to carry out was directed against the premises owned by the councillors. There should be power given to the central authority, and members could rest assured that it would not be used in such a way as to stir up strife.

The MINISTER FOR MINES : The member for Perth should not press his amendment. The desire was that we should have efficient health administration. In a clause such as the one under discussion the Committee were not asked to give a power which the authorities would use every day. It was only when they found administration of the local authorities inefficient that the power would be cised. Everybody was pleading for ent administration, and the Minister never think of interfering with ipalities like Perth and Fremantle the administration was efficient and e every care was taken in connection health matters. There might be ocal boards who might consider that a pounds spent on health administration would be money wasted, and the ower sought was only for the purpose f compelling such boards as these to int an inspector or analyst, or a cal officer, as the case might be.

Mr BROWN: The central board or the ncipal medical officer were not endowed h any more brains than the local authorities. One instance might be given. The largest theatre in Perth was open at the present time in defiance of the Central Board of Health. The proprietor had not obtained a license even up to the present moment for that theatre. The local authorities objected to it being opened until certain necessary alterations had been made, but instead of supporting the objection the central board remained quiescent, and the theatre had been open ever since in defiance of the local authorities.

Mr. Heitmann: We are not dealing with buildings now.

Mr. BROWN: The instance was quoted merely to show that the central authorities were not as closely in touch with the people as the local authorities. The local authorities refused to agree to a certain thing and the central board had remained inactive, with the result that the theatre had been open ever since the building had been completed, without a license. The central board should not be entrusted with greater powers than the local board who were more in touch with the people.

Amendment put and negatived.

Mr. BROWN moved a further amendment—

That in line 4 the words "as may be deemed necessary by the central board" be struck out.

Amendment negatived.

Mr. ANGWIN moved a further amendment—

That all the words after "directs" in line 3 of Subclause 2 be struck out.

What was the use of having a local authority if no trust could be reposed in such authority? It would be unwise to give the central authority power to prescribe the duties of an officer under the local authority. He regretted that some members seemed to think the local authorities were of little use.

Mr. Heitmann: They have done good work, undoubtedly.

Mr. ANGWIN: Why then should they not be given some power? He objected to the proposal that the Minister, or the Commissioner of Health, should give instructions to the inspector of a local board. If the Minister were to find that the local authorities were negligent in carrying out their duties, there was power provided for him to supersede the boards. What more could be required? If the amendment were carried, and the words struck out, it would leave the local officer under the sole direction of the local authority, and, if the Minister found anything wrong, he could call the attention of the local authority to it.

The Minister for Mines: But suppose the local authority does not comply with the request; what is the Minster to do?

Mr. ANGWIN: Full powers for meeting such a case were vested in the Minister. As a matter of fact under the Bill no confidence whatever was reposed in the local governing bodies. It would be better almost if the Minister were to carry out the suggestion that the Government

should take full control of the Health Department of the State. At the very least it would serve to relieve the local authorities of a great deal of worry and expense.

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

Ayes	.. .. ..	10
Noes	.. .. ..	27
Majority against	..	17

AYES.

Mr. Angwin	Mr. O'Loghlen
Mr. Bolton	Mr. Osborn
Mr. Brown	Mr. Swan
Mr. Gordon	Mr. Layman
Mr. Hardwick	*(Teller).*
Mr. Murphy	

NOES.

Mr. Bath	Mr. McDowall
Mr. Butcher	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Collier	Mr. Monger
Mr. Cowcher	Mr. S. F. Moore
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Piesse
Mr. Gourley	Mr. Scaddan
Mr. Gregory	Mr. Walker
Mr. Harper	Mr. Ware
Mr. Heitmann	Mr. A. A. Wilson
Mr. Holman	Mr. F. Wilson
Mr. Horan	Mr. Underwood
Mr. Hudson	*(Teller).*

Amendment thus negatived.

Mr. ANGWIN: The next subclause, providing for the examination of school children by the local medical officer of health, was an innovation so far as this State was concerned. Where was the money to be obtained for the remuneration of the officer carrying out the duties prescribed in the clause? He had no objection to the examination of school children, but medical officers could not be expected to carry out these duties for nothing. Up to the present these duties had been carried out by a specially appointed officer. Did the Minister intend to subsidise the local authority to the extent of the remuneration to be paid to the medical officer for making these examinations? Today the local boards had not only to provide for the general health of their districts, but they had also to subsidise the hospitals which the Government had refused to support. It was to be hoped the Minister intended to pay for these examinations through the department.

The MINISTER FOR MINES: Although at the present time the Health Department was carrying out a system of examination of school children, as a matter of fact there was technically no power to make such examination. Provision was being made in the Bill which would give the necessary authority. Some 5,000 children had been examined by officers specially appointed by the Department of Health, and it was not intended to depart from that principle so far as the big centres were concerned. It was proposed that the Health Department should carry on these examinations in the future; but in remote places where it would, perhaps be difficult for the specially appointed officer to attend, the local medical officer might reasonably be asked to carry out these examinations. The power given by the clause was desirable in order that the department, if necessary, might [illegible] the local medical officer should act as medical officer for the schools. At the same time occasion might arise when the local medical officer might be asked to make the inspections. The duties of the local medical officers as a rule were not very great in remote districts. The good work already done in the direction of these examinations should be continued.

Mr. ANGWIN: The clause provided that the appointment of these local medical officers should be made by the local authorities. The matter could be better dealt with in Clause 270 where the examination of school children was provided for. The work should be no part of the duties of the local medical officer of health, because the local authorities would not give them sufficient remuneration to induce these officers to carry out the examinations in an efficient manner. It seemed this was an attempt to shift the expense of the examination on to the local authorities. He moved a further amendment—

That Subclause 3 be struck out.

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

Ayes	.. .. ..	11
Noes	.. .. ..	28
Majority against	..	17

AYES.	
Mr. Angwin	Mr. Horan
Mr. Bolton	Mr. O'Loghlen
Mr. Brown	Mr. Osborn
Mr. Davies	Mr. Swan
Mr. Gill	Mr. Murphy
Mr. Hardwick	*(Teller).*

NOES.	
Mr. Bath	Mr. Mitchell
Mr. Butcher	Mr. Monger
Mr. Carson	Mr. S. F. Moore
Mr. Collier	Mr. Nanson
Mr. Cowcher	Mr. Piesse
Mr. Daglish	Mr. Price
Mr. Gordon	Mr. Scaddan
Mr. Gourley	Mr. Underwood
Mr. Gregory	Mr. Walker
Mr. Harper	Mr. Ware
Mr. Heitmann	Mr. A. A. Wilson
Mr. Holman	Mr. F. Wilson
Mr. Hudson	Mr. Layman
Mr. Male	*(Teller).*
Mr. McDowall	

the amendment thus negatived.

wa[s] Mr. ANGWIN: Without any reflection exer[cise] where the majority he intended to fight for effic[iency] with notice to the local authority. He moved woul[d] a further amendment—

munic[ipal] *That the words "local authority" in* where *Subclause 4 be struck out.*

whe[re] This subclause provided that every medi- with[out] cal officer of health should be paid by the appo[inted] authority as a remuneration for his medical fees a salary of not less than £15 per annum; and seeing that the Committee pri[or] had decided that the duties of these medi- wi[th] cal officers should be those prescribed by the Commissioner of Health, and that the [con]trolling of the duties of these medical [off]icers was entirely with the commissioner, we could reasonably ask the commissioner to pay their remuneration.

The CHAIRMAN: The hon. member was in order in moving to make a charge on the Treasury.

Mr. ANGWIN: Those who employed medical officers should certainly pay for them. It appeared the local authorities were to be nonentities except to raise money for others to spend. As the amendment was out of order it was to be hoped the Minister would realise the additional expense to be put on local authorities, more particularly small bodies in country districts.

The CHAIRMAN: The amendment could be accepted to strike out the words "local authority," but an amendment to insert the word "commissioner" could not be accepted.

Mr. ANGWIN: As the amendment would otherwise be useless, he asked leave to withdraw.

Amendment by leave withdrawn.

Mr. GILL: Those who had the ordering of these medical officers should pay for them. In order to get an expression of opinion on this point he moved a further amendment—

That the words "by the local authority" in Subclause 4 be struck out.

If the Committee adopted the amendment it would be a direction to the Government to see that medical officers were paid through some other channel.

Mr. OSBORN: Although there might not be a very large number of children to inspect in outlying districts, the expense of medical examination, owing to the districts being scattered, would be very great. The local boards would be compelled to employ medical officers and would have to pay them sufficient to command their services. The travelling expenses of the doctors would be very high, and the duties would not be undertaken unless they were well paid for. The expense in the metropolitan area would be nothing like so great. The Government should make some provision for the outlying districts as well as for the metropolitan area.

Mr. BATH: The member for Roebourne lost sight of the fact that the medical officers would have to deal with all health matters under the jurisdiction of the local authority, as well as the examination of the school children, and the payment provided applied to all their duties. Objection had been taken to the proposal to place the duty on the shoulders of the local board officers of health, but in a number of cases extra payment for the work of inspection would not be necessary. In the United Kingdom there were a large number of medical officers who undertook that duty in an honorary capacity, and, surely, if we found such to be the case in England, there would be many doctors in Western Australia also who would do the work without expecting to be paid for it. In most of the scattered districts there were Government

medical officers who should be charged with the duty of this inspection. It was also complained that Parliament, by this measure, proposed to interfere unduly with the local authorities in the appointment of their officers. Where the local authorities were carrying out their work satisfactorily no commissioner would interfere with them; but if the reverse were the case there must be a central authority with an efficient staff to see that the work was done properly. There were local authorities in the State who probably found it difficult to pay their officers, but that was through faulty Acts of Parliament dealing with local government. There were now constituted many small bodies with such limited powers of raising revenue that they were always at their wits' end to find money to make both ends meet. That must be remedied by giving them a sufficient area and powers to raise revenue.

The MINISTER FOR MINES: It had been pointed out that many cases arose where the local authorities, who had small areas only to deal with, found it difficult to obtain sufficient money to carry out their work. The department had always been desirous of giving assistance where it was warranted, and members would find by the Estimates that last year the Government spent £337 in giving assistance to those bodies. For this year a sum of £1,000 had been put on the Estimates for that purpose. Where a special occasion arose, or where special or unexpected expenditure had to be incurred, the Minister had power to help the boards from this particular vote on the Estimates.

Mr. O'Loghlen: The Treasurer ties the Minister's hands every time.

The MINISTER FOR MINES: While he had no knowledge of the methods of distribution, the fact remained that the sum of £1,000 was on the Estimates for this year for assisting the smaller boards. On every occasion the poor communities would receive what help was warranted. The amendment should be negatived.

Mr. ANGWIN: Later on in the Bill it was provided that where the boards neglected their duties their powers should be vested in the commissioner. No one objected to that. Members should put a certain amount of trust in the local authorities. We might take all the precautions to see that the provisions were carried out, and show that we were willing to trust the local people to govern themselves. If they failed to do so then pressure might be applied. There were certain additional duties placed on medical officers in the various departments under the clause just passed that they never had previously, and for which the Government had been paying out of funds voted by Parliament. These extra services had been placed there without any necessity and were put in for the express purpose of covering over the real matter. It was only fair that when the cost to the people was increased that some increased consideration should be given to them. He had been informed that in a number of cases the district examination of school children had been paid for by special fee to the medical officer who had conducted the examination. There might be some, however, who did that work in an honorary capacity.

Amendment put, and a division called for.

Mr. Horan: Was the member for Guildford in order in standing behind the Speaker's dais and not voting.

The Chairman: If the member for Guildford was in the Chamber he would have to vote. He must pass either to the right or the left and remain there.

Mr. Murphy: The question might be settled once and for all. There was no use making a laughing stock of the whole of the Committee. There was a member of the Committee within the Chamber who had not voted and he should be compelled to take his seat on one side or the other without crossing the floor of the House as he was doing behind the Speaker's dais.

The Chairman: If the hon. member remained in the Chamber after the appointment of tellers it was his duty to vote one way or the other. He would order the hon. member, whoever he might be, to take a seat either to the right or the left.

Mr. Angwin: The hon. member had paired with Sir Newton Moore.

Mr. Walker: The member for Guildford was in the strangers' portion of the Chamber.

The Chairman: There was no strangers' portion, and no cognisance could be taken of pairs. He could not see the member for Guildford, but if that member was in the Chamber he must take a seat either to the right or to the left of the Chair.

Mr. Horan: He is appearing first on one side and then on the other.

The Chairman: The member for Guildford would be ordered to take a seat either to the right or left of the Chair.

[Mr. Johnson took a seat to the left of the Chairman.]

Mr. Johnson: Would the Chairman explain whether the back of the dais was within the precincts of the House?

The Chairman: Yes; it was so ruled by the Speaker.

Mr. Scaddan: In view of the ruling given by the Speaker and by the Chairman, the Chairman had no power to order an hon. member to take his seat. It was ruled that a member could sit wherever he liked.

The Chairman: When a division was called those in favour of the Ayes had to pass to the right and those who were of a contrary opinion passed to the left. If an hon. member was within the precincts of the House when the doors were locked he must record his vote either one way or the other in accordance with the order of the Chairman that he should pass either to the right or to the left.

Mr. Walker: You can be in the precincts of the Chamber and yet not be in the Chamber.

Division resulted as follows:—

Ayes	.. .. ..	15
Noes	.. .. ..	25
Majority against	..	10

Ayes.

Mr. Angwin	Mr. Murphy
Mr Bolton	Mr. O'Loghlen
Mr. Brown	Mr. Osborn
Mr. Cowcher	Mr. Swan
Mr. Gill	Mr. Walker
Mr. Hardwick	Mr. Davies
Mr. Harper	Mr. Layman
Mr. Johnson	(*Teller*).

Noes.

Mr. Bath	Mr. Mitchell
Mr. Butcher	Mr. Monger
Mr. Carson	Mr. S. F. Moore
Mr. Collier	Mr. Nanson
Mr. Daglish	Mr. Piesse
Mr. Gourley	Mr. Price
Mr. Gregory	Mr. Scaddan
Mr. Heitmann	Mr. Underwood
Mr. Holman	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. F. Wilson
Mr. McDowall	Mr. Gordon
Mr. Male	(*Teller*).

Amendment thus negatived.

Clause, as consequentially amended, put and passed.

Clause 33—Appointments to be approved:

Mr. O'LOGHLEN: It was useless to move amendments but we could exercise some little caution on the clause which gave such immense power to the Commissioner. It stated that every appointment of a medical officer of health, inspector, or analyst, shall be subject to the approval of the Commissioner, who may require satisfactory proof of competency. It might happen that the commissioner or the central board might approve of the qualification that a medical officer would produce, but the qualification might not be sufficient. Although of excellent professional qualifications, an officer might develop drinking habits, or be guilty of neglect, when the local board would be the best judges of the situation.

The Minister for Mines: The local authority will have the power to dismiss.

Mr. O'LOGHLEN: But after the dismissal would come the question of the appointment of another officer, and in this the local authority should have a free hand. While realising the necessity of giving the central board certain prerogatives, he would be sorry to see the local authorities shorn of what little power they had at the present time.

The Minister for Mines: This is not new; it is in the old Act.

Mr. O'LOGHLEN: There were many powers in the old Act under which it would be possible to work an injustice. Seeing that the local authorities gave their services in an honorary capacity they ought to be allowed to judge of the quali-

fications of their officers. Some vestige of power should be left with those who in distant parts of the State were using their best endeavours to preserve the public health.

Mr. MURPHY: In making an appointment the local authority would unquestionably try to obtain the best services possible, and equally unquestionably the local authorities would be the best judges of the qualifications of the various applicants for the position. He could not understand why their selection should be submitted to the final approval of the central board, or the commissioner. It really seemed that the clause represented another attempt to take away what little power remained with the local authority.

Mr. O'LOGHLEN: The remark made by the Minister for Mines a few minutes earlier when the Minister interjected that the local authority had power to dismiss, was scarcely correct, seeing that Subclause 4 of Clause 37 provided that in making such dismissal the local authority would require the approval of the central authority. He hoped some amendment would be made in this. To give the commissioner power to prevent a local authority from dismissing an officer who was not doing his duty was going too far altogether.

Mr. HORAN: The local authority generally consisted of the municipal council, or, failing that, of hayseeds and countrymen who were altogether unacquainted with the principles of hygiene. He was entirely in accord with the belief that scientific men should administer scientific law. During the last few weeks he had seen in his own electorate an illustration of a municipal council duly authorised, yet totally incapable of administering their functions as a health board. Because of this he had appealed to the Colonial Secretary and the central board to send up somebody who could do the work the local authorities had neglected to do. It did not follow that persons acquainted with public health and the principles of hygienic sanitation were necessarily qualified to be councillors or members of a local board of health. He would support the provision which, in this case, endeavoured to centralise the administration of health matters in the hands of scientific, thoughtful, and proficient men.

Mr. ANGWIN: It might be that the failure referred to by the hon. member had been due, not to the local authority, but to the present system under which the local authority would have on money to comply with the extraordinary requirements suddenly thrust upon them, and no power to borrow the money. However good the intention, very little could be done without the money. He agreed with the member for Forrest that no local board would appoint an officer unless he possessed the necessary qualifications.

Mr. Horan: What are the necessary qualifications?

Mr. Collier: He requires to be brother to the chairman of the board.

Mr. Horan: Or to have a want of knowledge.

Mr. ANGWIN: There would be no want of knowledge in the chairman who appointed his brother to a position. It was to be hoped the Minister would realise that the local boards had done really good work in the past. There were but few instances of local boards appointing officers unfit to carry out their duties.

Mr. OSBORN: The clause was absolutely necessary, and so also was the clause referred to by the member for Forrest, which provided that an inspector should not be discharged or dismissed without the sanction of the Commissioner of Health. He (Mr. Osborn) knew that the officers who had to carry out the duties of inspectors frequently came into conflict with the councillors whom in a sense they served, and who had the disposal of their offices. When these councillors were called upon by the inspector to carry out something they had neglected to do, the councillors found fault with the inspector, and in some cases did not scruple to display their antipathy to him. If an officer of a board neglected his duty the local authority could report the officer and the cause for his suspension and no doubt the officer would be discharged, but where the local authority could not show there was cause for suspending the officer except personal feeling

the officer should be retained. The appointments would not be under the control of the local authority so much, and it would be good for the inspectors. They could do their duty freely, as in doing their duty they naturally must come into conflict with the members of the board.

Mr. HUDSON: The clause should read "every appointment by a local authority," because there was apparent conflict with Clause 17.

The MINISTER FOR MINES moved an amendment—

That after "appointment" in line 1 the words "by a local authority" be inserted.

The Commissioner of Health would be the best judge as to the qualifications of medical officers and would have better knowledge of their past history than local powers. Clause 36 made provision for examinations to be held for certificates which the inspectors of health must hold. The old Act provided that appointments were subject to the approval of the central board. There seemed to be no objection to this.

Amendment put and passed; the clause also consequentially amended and agreed to.

Clause 34 consequentially amended and agreed to.

Clause 35—Local authorities may join in appointing officers:

Mr. ANGWIN moved an amendment—

That the words "and when required by the central board shall" be struck out.

Amendment negatived.

Clause as consequentially amended put and passed.

Clause 36—Qualifications of inspectors:

Mr. ANGWIN: This clause provided that all inspectors within twelve months after the commencement of the Act must obtain such qualifying certificate of competency as might be provided by the commissioner, and that after this period of 12 months no person could be appointed or continue to be an inspector without holding his certificate. There was a proviso that the commissioner might exempt from the operation of this provision the office of inspector in any district. It was, however, necessary to protect the inspectors now holding positions. It would be very difficult for a man advanced in years to pass the examination required and qualify within twelve months. In most cases these inspectors carried out their duties under the instructions of the medical officers so that it was not altogether necessary for them to hold these certificates. Certainly no objection could be offered to persons to be appointed having to hold certificates, but the existing inspectors should be protected. In other Acts provision was made to give certificates to those already carrying out the class of work affected by these Acts.

The MINISTER FOR MINES: If the Committee favoured any alteration in the direction suggested it might be brought about by striking out the words "or continue to be." Then the provision would not apply to those already holding appointments.

Mr. BATH: In 1904 when a Health Bill was under consideration, attention was drawn by him to this question of appointing inspectors and to the need for making provision for a course of instruction that would enable inspectors to qualify for their positions. Since then facilities had been provided and a number of officers had qualified. However, there might be cases in which hardship would be inflicted on inspectors at present in employment if we were to compel them to secure certificates within 12 months or forego their positions. If we gave the commissioner power, not only to exempt officers or inspectors of any district, but also any inspector at present holding office under a local authority, we would safeguard the position, and probably at the same time save some present employees from hardship. If an inspector could satisfy the authorities that he was reasonably competent to carry out his duties he should be exempt.

Mr. GILL: It would be wise to provide a safeguard in connection with the clause. Those men who had acted as inspectors for numbers of years and who had shown fitness for the position should be protected.

The MINISTER FOR MINES moved an amendment—

That the following words be added to the clause:—"Or an inspector appointed prior to the passing of this Act, who, in the opinion of the commissioner, is efficient to carry out the duties of his office."

Mr. UNDERWOOD: We should have competent men filling these positions. The custom of inserting provisoes to clauses, which had the effect of breaking the spirit of those clauses, was bad and should be stopped. The clause should be passed as printed. The suggested proviso went too far.

The Minister for Mines: It is needed in the back country.

Mr. UNDERWOOD: The back country required men who knew their business just the same as the towns. The clause went quite far enough to prevent cases of hardship.

Mr. COLLIER: Nothing more explicit could be provided than the clause as it stood, and it would be a mistake to adopt the amendment.

The MINISTER FOR MINES: After further consideration it seemed apparent that the amendment was unnecessary, as full power was given in the clause to exempt any inspector. He would ask leave to withdraw the amendment.

Amendment by leave withdrawn.

Mr. ANGWIN: The decision as to exempting officers who were carrying out their duties satisfactorily should not be left to the commissioner. There were many cases where inspectors who thoroughly knew their work would be unable to pass the examination.

The MINISTER FOR MINES: No inspector should find it difficult to pass the examination. What was needed was an assurance that the inspectors were efficient.

Mr. MURPHY: Only those men who could pass the examinations should be appointed to fill the position of inspector. It must be expected that some slight hardship would be inflicted, but this always occurred in carrying out Acts of Parliament. It was necessary that the inspectors should be thoroughly qualified. Plenty of men were able to drive engines, or to sail ships, but they must have certificates before they were deemed to be qualified to do so. He moved an amendment—

That the proviso be struck out.

The effect of the amendment would be to make it compulsory that after 12 months an examination should be passed and a certificate obtained.

The MINISTER FOR MINES: The Committee should remember the enormous area of Western Australia, and that there were health boards in places like Wiluna, Broome, and Nullagine, and that in such districts, which were in remote parts, it might be quite impossible to obtain the services of a person with a certificate, and then there would be no provision for the appointment of an inspector. It would be wiser to leave the provision in the clause.

Mr. HEITMANN: In some parts of the State, particularly in those places where inspectors were only occupied a portion of their time, and where their salary was very small, it would be hard to force them to come, perhaps to Perth, in order to pass an examination; at the same time, he protested against the idea that appeared to prevail that anyone would do for the office of inspector under the Health Act. The plea was put up for officers referred to by the member for East Fremantle—officers in the metropolitan district—that they would not or might not be able to pass an examination; but public health demanded that these men should pass an examination or else pass out. There was no such thing as "cannot"; if an officer failed to pass an examination he showed a lack of interest in sanitary work.

Mr. Gill: Do you know what an examination means?

Mr. HEITMANN: The examination of the London Sanitary Institute. During the last two or three years quite a large number of men had passed this examination.

Mr. Gill: Passed the theoretical part.

Mr. HEITMANN: While the proviso might be necessary in outback districts the Committe could provide for examinations. In public health matters we should not

employ incompetent persons and the man who had been engaged in the work for years should be able to pass an examination, say, within two years, and that would be the period which he would advocate.

Mr. GILL: The member for Cue was running away with the idea that any man who was competent to pass an examination in theory was competent to act as an inspector, but a great proportion of them knew nothing of the practical side. The men that the Committee should protect were those who were competent in practice. He was never keen on the theoretical man. There were many practical men who were thoroughly competent with regard to their work, and it was the duty of the Committee to protect them.

Mr. Scaddan: As long as you keep them on one class of work they are competent.

Mr. GILL: These men were conversant with the whole of the sanitary arrangements in the localities they administered. To say that these men should pass an examination, and that if they did not get a certificate they should be passed out would be inflicting a great hardship. In dealing with the Machinery Act we recognised we would be inflicting a hardship and provision was made that these men should have service certificates.

Amendment put and negatived.

Clauses, as consequentially amended, put and passed.

Clause 37 (Removal of officers) consequentially amended and agreed to.

Clause 38—Medical officer may direct and exercise powers of inspector:

Mr. HEITMANN: This clause gave the opportunity of pointing out what appeared to him to be a want of knowledge on the part of the head office in connection with the appointment of some of the officers. There was in the district he represented a medical officer who was appointed as a matter of necessity to the position of local health officer, and some time ago in Day Dawn, when the inspector prosecuted a certain party in the town who appeared to be a particular favourite of the medical officer, there was the spectacle of the medical officer giving evidence to the effect that the inspector was wrong. Here was a medical officer who was supposed to raise the standard of public health going out of his way to prevent the local authorities from doing their duty. It was to be hoped that every precaution would be taken in the future with regard to the appointment of medical officers in districts.

The Minister for Mines: I will draw the attention of the Minister to the matter.

Clause put and passed.

Clauses 39 and 40—consequentially amended and agreed to.

Clause 41—agreed to.

Clauses 42 and 43—consequentially amended and agreed to.

Division 3—The Minister:

The MINISTER FOR MINES moved an amendment—

That the word "Minister" in the heading be struck out, and "exercise of Ministerial control" be inserted in lieu.

Mr. Walker: I do not understand the meaning of it.

The MINISTER FOR MINES: The present heading did not define all the powers that were embraced; it was merely the heading to Part 3.

Amendment put and passed.

Clause 44—Powers of the Minister:

The MINISTER FOR MINES: It would be necessary as a consequential amendment to strike out "central board" wherever it occurred, and insert "Minister." In addition to that he moved an amendment—

That the words in line 5 "and every officer, whether a member of the central board or a local authority or not, and every servant of the central board or local authority" be struck out, and the following inserted in lieu:—"and every officer and servant of the local authority (whether a member thereof or not) and the commissioner and every other public officer and servant assisting in the administration of this Act."

Amendment passed; the clause also consequentially amended and agreed to.

Clause 45—Power to levy general health rates:

Mr. COLLIER: Why should the central authorities be limited in their powers of rating, as they were in this clause? They should be allowed to strike as high

a rate as was necessary for the carrying out of their work.

The MINISTER FOR MINES: In the past the rating had been sixpence in the pound. That power was maintained in the clause, which provided also that in exceptional circumstances the local authority could rate up to ninepence in the pound; and the alternative was given of rating either on the annual assessment or the unimproved value. Further than that, authority was provided for the imposing of a sanitary rate, and also of a loan rate. Altogether the powers of rating provided in the clause were larger than ever before.

Mr. BATH: In regard to this question of rating he failed to see the utility of imposing a limitation upon the powers of the local authorities. It could very well be left to the local authorities to decide, for they were not likely to exercise undue rating powers to the detriment of the ratepayers. The time had arrived to take a definite stand on the question of the method of rating. He moved an amendment—

That in line 1 of Subclause 1 after the word "rate" the words "upon the capital unimproved value of the land in fee simple" be inserted.

If this amendment were carried, the remaining subclauses could be struck out. As the result of some experience with the method of rating upon the capital unimproved value in Western Australia, it was found that the roads boards were adopting it, and that the municipal councils whenever they assembled together in conference always expressed their approval of the method in preference to that of rating an the annual value. It was only because another place had taken up the attitude of favouring the annual value method that the municipal councils had been foiled in their desire to have the unimproved value method introduced.

The Minister for Mines: How can they be foiled in regard to this?

Mr. BATH: It was not to this Bill he was referring, but to other measures dealing with rating. Seeing that we had from both classes of local government expressions of opinion in favour of rating on unimproved value, he thought we should embody that system of rating in the Bill. In New South Wales this system of rating was adopted and it seemed to be the general opinion of those engaged in local governing work that it should be adopted in this State.

The MINISTER FOR MINES: The proper place for us to endeavour to get this alteration made was in the Municipalities Act and in the Roads Act. Municipalities under the present Act were compelled to rate on the annual rental value, and if the amendment were passed they would need to keep separate books to deal with the health rating. Recognising this difficulty the hon. member should not press the amendment, and should leave it as the clause provided, that the local authority could adopt for health rating the system it adopted in regard to ordinary rating.

Mr. ANGWIN: There would be no great difficulty in taking the unimproved values. It meant very little extra work to the valuers. It merely meant having another column in the rate book. Ninety per cent. of the roads boards rated on unimproved values, and many municipalities would adopt that system if they were permitted to do so.

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

Ayes	19
Noes	17
Majority for	2

Ayes.	
Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. O'Loghlen
Mr. Collier	Mr. Price
Mr. Gill	Mr. Scaddan
Mr. Gourley	Mr. Walker
Mr. Hardwick	Mr. Ware
Mr. Heitmann	Mr. A. A. Wilson
Mr. Holman	Mr. Underwood
Mr. Horan	*(Teller).*

Noes.	
Mr. Brown	Mr. Monger
Mr. Cowcher	Mr. S. F. Moore
Mr. Daglish	Mr. Murphy
Mr. Davies	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Harper	Mr. Piesse
Mr. Layman	Mr. F. Wilson
Mr. Male	Mr. Gordon
Mr. Mitchell	*(Teller).*

Amendment thus passed; the clause also consequentially amended, by striking out Subclause 2, and agreed to.

Progress reported.

House adjourned at 10.58 p.m.

Legislative Council,

Tuesday, 8th November, 1910.

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

DEMISE OF KING EDWARD VII.: ACCESSION OF KING GEORGE V.

Despatches in Reply.

The PRESIDENT: I have received a memorandum from His Excellency the Governor transmitting copies of the following despatches, which he has received from the Right Honourable the Secretary of State for the Colonies for communication to the members of the Legislative Council of Western Australia:—

Downing Street, 30th September, 1910.

Sir,—I have the honour to acknowledge the receipt of your despatch No. 64 of the 29th August, and to request that you will convey to the members of the Legislative Council the thanks of His Majesty the King for their message of their sympathy with him in the death of King Edward VII.

I have the honour to be, sir, your most obedient humble servant (signed) Crewe.

Governor, Sir Gerald Strickland, K.C.M.G., etc.

Downing Street, 30th September, 1910.

Sir,—I have the honour to acknowledge the receipt of your despatch No. 65 of the 29th of August transmitting an address to His Majesty the King from the Legislative Council of the Parliament of the State of Western Australia.

In reply, I have to request that you will convey to the Legislative Council an expression of His Majesty's thanks for their assurances of loyalty and devotion and for their wishes for the length and prosperity of his reign.

I have the honour to be, sir, your most obedient humble servant (signed) Crewe.

Governor, Sir Gerald Strickland, K.C.M.G., etc.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Report of the Inspector General of the Insane for 1909. 2, Report of the Under Secretary for Lands for 1909-10. 3, W.A. Government Railways—Rates and General Regulations for conveyance of passengers, parcels, etc. 4, Roads Act, 1902—By-laws of (a) Serpentine Road Board; (b) West Arthur Road Board. 5, By-laws of the following Municipalities:—(a) Menzies; (b) Boulder; (c) Norseman; (d) South Perth; (e) Perth.

BILLS (2)—THIRD READING.

1. Game Act Amendment, transmitted to the Legislative Assembly.

2. General Loan and Inscribed Stock, *passed.*

BILL—FISHERIES ACT AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: As the title of the Bill indicates, this is a small amendment of the Fisheries Act of 1905. A similar Bill was introduced in a former session but did not pass another place before the close of that session. Section 30