Amendments 6 to 9:

THE PREMIER: These were consequential amendments, and he moved that they be agreed to.

MR. THOMAS: Some of the goldfields provinces were among these amendments.

THE PREMIER: The first point of contention would arise on No. 12. If the hon. member desired to re-group the districts in the goldfields provinces, progress would be reported after the consequential amendments were agreed to.

MR. MORAN: There was room for another fight on this matter.

MR. JOHNSON: No; it was agreed by the leader of the Opposition to have the fight on the first amendment.

MR. MORAN was not satisfied they were all formal amendments.

THE PREMIER: They all depended on the last vote.

MR. MORAN regretted that the leader of the Opposition should have made such an arrangement.

THE MINISTER FOR LANDS: The absence of the leader of the Opposition from the Chamber indicated that an arrangement was made.

THE PREMIER: Members were perfectly free to discuss the grouping of the goldfields districts if we agreed to these formal amendments. The vote taken should be decisive.

MR. MORAN: Did these amendments all come within the question of an extra goldfields province?

THE PREMIER: Yes.

Question passed, the consequential amendments agreed to.

Progress reported, and leave given to sit again.

ADJOURNMENT.

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

Legislative Council,

Thursday, 17th December, 1903.

THE PRESIDENT took the Chair at 4·30 o'clock, p.m.

PRAYERS.

RETURN—AGRICULTURAL LANDS PURCHASE ACT, OPERATION.

HON. C. A. PIESSE (South East) moved:—

That a return be laid on the table of the House showing—1, The number of estates offered to the Government under the Lands Purchase Act, giving acreage of same, and price originally asked by vendors. 2, The estates purchased, and prices paid for same.

The figures would doubtless justify the existence of a lands purchase board.

Question put and passed.

ROADS ACT AMENDMENT BILL.

POSTPONEMENT.

Order read for the third reading of the Bill.

HON. M. L. MOSS (Minister) moved that the Bill be read a third time.

HON. J. W. WRIGHT moved as an amendment that the order be postponed till Monday next.

HON. C. A. PIESSE: If the Bill passed in its present form it would disfranchise most of the ratepayers in the country roads boards districts. Owing to the rating system recently adopted, many boards could not collect their rates within the time stipulated in the Bill. In the district he represented some of the rates were not due until December, and according to the measure the rates had to be paid before November to allow ratepayers to vote.

Amendment passed, and the third reading postponed.

MINING BILL.

THIRD READING.

THE COLONIAL SECRETARY moved that the Bill be now read a third time.

HON. Z. LANE moved as an amendment, that the Bill be recommitted to consider Clause 4. He had an amendment to add the following as Subclause 1:—"Nothing in this Act contained shall in any way prejudice or abridge any rights or privileges acquired under any Act or Acts repealed hereunder."

THE COLONIAL SECRETARY: The hon. member was not acting reasonably in asking for a recommittal. He (the Minister) had treated the member with every consideration; had given every adjournment asked for except last night, when the House refused to report progress. The motion for recommittal was on a question which had been decided by the House, and it would be practically a waste of time to recommit the Bill. The measure had been before the House for a long time, and the amendments had been fought out fairly and every consideration shown to the hon. member.

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

Ayes	...	...	7
Noes	...	...	12
Majority against		...	5

AYES.	NOES.
Hon. A. Dempster	Hon. H. Briggs
Hon. J. T. Glowrey	Hon. J. M. Drew
Hon. A. G. Jenkins	Hon. J. W. Hackett
Hon. Z. Lane	Hon. W. Kingsmill
Hon. C. A. Piesse	Hon. W. T. Loton
Hon. J. W. Wright	Hon. W. Maley
Hon. C. E. Dempster *(Teller).*	Hon. M. L. Moss
	Hon. B. C. O'Brien
	Hon. G. Randell
	Hon. J. E. Richardson
	Hon. J. A. Thomson
	Hon. E. M. Clarke *(Teller).*

Amendment thus negatived.

Bill read a third time, and returned to the Assembly with amendments.

ROADS AND STREETS CLOSURE BILL.

IN COMMITTEE.

Resumed from the previous day.

Schedule:

THE COLONIAL SECRETARY moved as an amendment:

That the following be added to the schedule:—"In the City of Perth, all that portion of Ord Street lying between the eastern side of Havelock Street and the western side of Harvest Terrace."

There were running between Havelock Street and Harvest Terrace two streets named Ord Street and Wilson Street. Ord Street came into Harvest Terrace some considerable distance south of the new Houses of Parliament; Wilson Street came into Harvest Terrace directly opposite the centre of the new Houses of Parliament. It was intended to close portion of Ord Street, which was unsuitable for traffic and was absolutely unused, and in lieu to widen to the width of a chain and a-half Wilson Street so as to provide a good and imposing aspect to the new Houses of Parliament. The portion of Ord Street proposed to be closed was absolutely unused. It was nothing but a waste of sand, and lay between two Government reserves, the site reserved for the High School and the present site of the Observatory. Through the widening and making of Wilson Street the city of Perth would exchange, for a useless street which was not made and would never probably be made, a road a chain and a-half wide which would be metalled and properly constructed, and would give access to Harvest Terrace. This proposal had met with the approval of the Committee supervising the construction of the Houses of Parliament. He was informed by the Premier that the Mayor of Perth had said he had no objection to the proceeding. Whether that was said in his capacity as mayor or not one did not know.

HON. W. T. LOTON: Was the mayor the local authority? How would the owners of land running from Hay Street to this particular street be affected?

THE COLONIAL SECRETARY: There was no private land. There was land between Wilson Street and Hay Street.

HON. W. T. LOTON: There was private land on the north side. How would the property owners be affected? Did they know anything about this exchange?

THE COLONIAL SECRETARY said he was not in a position to say, but it appeared that this was a very good exchange indeed. It was giving a useful street for one which was absolutely no use whatever, and only ran between two portions of Government land.

SIR GEORGE SHENTON: The Houses of Parliament Committee, of which he was chairman, considered this

proposed closure at a special meeting last Saturday, and decided in its favour. Ord Street lay between the High School reserve and the Observatory reserve. By the Bill Ord Street would be closed, and Wilson Street widened to 1½ chains. This street faced the centre of the new Houses, where a fine broad thoroughfare was required. The street would be properly graded, so as to make an easy approach from Havelock Street to Harvest Terrace. There was now a steep incline up to the Houses of Parliament from Hay Street, and by having the new street properly graded, one could go up Havelock Street and down Wilson Street to Parliament House.

HON. G. RANDELL: According to the plan, the High School reserve would not be interfered with?

SIR GEORGE SHENTON: No. Land was taken off one of its sides and added to the other.

HON. G. RANDELL: The excavation for Harvest Terrace had made Ord Street impossible as a thoroughfare because of the steep embankment at the end of Harvest Terrace. The course proposed would be a distinct improvement, for there was not in Wilson Street that steep incline found in Ord Street. The City Council would doubtless accept the amendment.

HON. J. W. HACKETT: Wilson Street, which was a level and practicable thoroughfare for traffic purposes and of good appearance, lay to the north; and the only private property to be considered lay between that street and Hay Street. Wilson Street was 75 links wide; and the Government—the High School authorities not objecting—proposed to add to its width another three-quarters of a chain, making it 1½ chains wide, and thus affording from it a fine view of the Houses. Ord Street must be closed, mainly because it was now practically a *cul de sac*, owing to the steep mound, 20 feet high, impracticable for vehicles. He had asked the Premier to have a pathway provided, with steps by which passengers could ascend from Harvest Terrace, and the Premier agreed to have this authorised by resolution of Cabinet. The High School land would be increased rather than diminished by the closure. Careful as he was to maintain reserves and roads, preferring too many roads to too few, he (Dr. Hackett) was satisfied that the amendment would commend itself to Parliament and to the Perth City Council.

HON. W. T. LOTON: While not seriously objecting to the closure, he would be better satisfied if the Minister could state that he had the approval of the City Council. Ord Street was easy of access from Havelock Street, being practically on the same level. Had the owners of land fronting Ord Street been notified of the intended closure?

THE COLONIAL SECRETARY: The land in question was a Government reserve.

Amendment passed, and the schedule as amended agreed to.

Preamble, Title—agreed to.

Bill reported with an amendment, and the report adopted.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Alterations in railway classification and rate book, as to carriage of tin.

Ordered, to lie on the table.

JANDAKOT RAILWAY BILL.

RECOMMITTAL.

On motion of HON. M. L. Moss (Minister), Bill recommitted for amendments.

New Clause—Power to Governor to compulsorily purchase land within eight miles of railway:

HON. M. L. MOSS moved that the following be added as Clause 4:—

> At any time after the passing of this Act, and until the expiration of twelve months from the publication of notice in the *Government Gazette* declaring the railway open for traffic, the Governor may, with the object of encouraging the cultivation and settlement of the land, compulsorily purchase any land not being less than 1,000 acres in extent, and the property of one owner, situated within eight miles on either side of the actual line of railway, or within a radius of eight miles of the terminal point thereof, and which land is certified by the Minister for Lands as suitable for closer agricultural settlement. Provided that no land shall be compulsorily purchased until the Land Purchase Board has favourably reported thereon.

Clauses 4 to 7 were struck out last night by a majority of one; and the Government had since decided to modify Clause 4 by inserting the words "not being less than 1,000 acres in extent, and the property of one owner." This would

provide that land of less than that area could not be compulsorily purchased. He hoped this would meet the views of the Committee.

HON. C. A. PIESSE: The new clause was practically the same as the old; and the Minister had not given any new reasons, but had merely fixed a minimum. Yesterday's division was on a question of principle and not of area; and the new clause would not remove the difficulties then pointed out.

THE COLONIAL SECRETARY: Yesterday many members objected that compulsory purchase would be unjust to small holders. These would be protected by the new clause, which would affect those only who were not putting to the best use large areas suitable for closer settlement. Before resumption, the land must be inspected by the Lands Purchase Board, and certified by the departmental experts as suitable for agricultural settlement; hence the result must be to put to the best possible use agricultural lands fit for that use. The clause was essentially reasonable, and the Government had taken all steps they could to make it clear, plain, and just.

HON. C. E. DEMPSTER opposed anything like compulsion. The Government had power to make arrangements for the purchase of the land, and it was not fair or just to legislate to compel persons to sacrifice their land. The principle was undesirable.

HON. G. RANDELL: The reason for the clause was to make the railway of greater benefit to the community at large. It might be possible that here and there an owner might have land taken from him which he did not want to sell, but that an act of injustice would be done was not apparent to him, because persons received compensation. He had thought during the debate that many persons would be glad to get rid of their land for fair compensation with 10 per cent. added. When the first railway was started in this country it was part and parcel of the law that land could be compulsorily taken, without compensation, up to one-twentieth of the land held. If he (Mr. Randell) was a resident along this line, he would not object to this principle, because it would work out to his advantage. A great many did not like the word "compulsorily," and Mr. Piesse had used "confiscation." It was a misuse of the word to apply it in this case. Looking at the matter from a reasonable point of view—and he was rather conservative in this connection, but he was looking at it as a citizen of the State and in the general interests of the State—this proposal was in the interests of all. We did not want unoccupied areas to exist, and he was satisfied no act of injustice would be perpetrated on any owner of land along this particular line, at any rate. This was a very wise principle to adopt. It indicated that the country were prepared to adopt a policy which in the end would result in public benefit.

HON. J. W. HACKETT: With the farther safeguard introduced, he was prepared to vote with the Government. In the chorus of approbation in regard to this railway, there was one doubter in the Chamber, and that doubter was himself. He did not see how the railway would pay because it would be a shorter cut for the coal and timber; so much traffic would be lost to the State, and all the railway had to depend on to make it pay, besides the earnings robbed from other sections of the railway system, would be the land along the route. If a landowner refused to use his land, he should be compelled to use it. A settler should not be allowed to do nothing with his land. Was this line to be refused because one or two settlers would not consent to this principle?

HON. C. E. DEMPSTER: They should not have the railway then.

HON. J. W. HACKETT: Was he to understand that the member would refuse the railway because a dog in the manger or two would object to this principle; because these men would hold off and not assist the State in the development of the country? The settlers were crying out for the railway, and it was not right that one or two persons should be allowed to traffic on the energies and enterprise of their neighbours. He would support the amendment heartily.

HON. J. M. DREW: If a man had 5,000 acres of land along this line he could cut it up into 500-acre blocks, and give every alternate block to his family or sell it. The Government could not resume any of that land, because it would be in 500-acre blocks.

HON. C A. PIESSE: If this amendment were carried it would apply with equal force to the Collie-Narrogin railway. This proposal was a piece of smart practice. If the principle was to be adopted, it should be made to apply generally. Members lost sight of the fact that once Clause 4 was passed the subsequent clauses must be agreed to also, and one of those clauses stated that "no regard should be had to any increased value occasioned by the railway, and the purchase money should be assessed at the probable and reasonable price at which the land, with any improvements theron, or the estate or interest of the claimant therein might have been expected to realise if offered for sale at the date the land was taken, and if the railway had not been constructed or authorised." He maintained it was a very unfair position to be placed in. As soon as advantages were given to people then the Government would not allow them to reap the benefit. Then again, before the purchase money was paid for any land, "the Government might require the claimant to execute a surrender, conveyance or transfer of the land to the Crown as the Governor might direct, free from all encumbrances." The encumbrances might be of more value than the land itself; unless the advantages which the railway gave to the land were considered it would be unjust.

HON. W. MALEY appealed to members to vote against the amendment. Was it fair that immediately upon the declaration that the railway was opened for traffic, and before the owner of a 1,000-acre block had a chance to improve his property, the Government stepped in and said, "We intend on behalf of the State to annex your rights to the profits that will result from the working of the railway." The isolation of Jandakot at the present time was a preventive to any economic dealing with the soil. If the railway were constructed, and within four or five years after construction there were certain lands remaining undeveloped, there would be reason for the public to complain; but no sooner was the railway to be declared open than the Government could step in and say that a person should not reap the advantages which the railway gave. One man would be asked to give up his 1,000 acres, and another man would be allowed to keep his land. The proposal was unreasonable and childish.

MR. THOMSON said he had great respect for anybody who owned land, no matter what area, so long as the owner put it to good advantage; but he could not understand members sympathising with persons or corporations holding land in this State, or in any part of the world, if the land was not used for the common weal. This railway was intended for the benefit not only of the settlers in one part of the State but for the benefit of people as a whole. One member pointed out that the line was not likely to be a payable one in the near future. Therefore let us have this clause so that owners along the route may be compelled either to use it or give it up. Let us assist the Government to give this line a chance of paying.

SIR E. H. WITTENOOM: Last evening there was not the slightest opposition to a proposal to tamper with land titles granted years ago; yet members opposed a trivial clause like this, which the Government maintained was in the interests of the people, though the same members allowed the Government to override last night Crown grants given for valuable consideration. Why "strain at a gnat and swallow a camel"? He would await with interest the result of the debate.

HON. C. E. DEMPSTER objected to the principle of compulsory purchase. The same clause would, if it passed now, be inserted in future railway Bills. This line would pass through poor land, the owners of which would be glad to sell. Settlers in the Jandakot area were much to be pitied; for their land could never be productive unless in the neighbourhood of swamps. The compulsory power sought was here an absurdity; but if the clause were made of universal application it would work gross injustice. That landowners were not averse to selling at reasonable prices was proved by the fact that the Government made large profits on the sale of resumed lands. In the Williams district they resumed 10,000 acres of land for 10s. per acre, none of which could now be purchased for less than £3 per acre. There was a foolish cry that owners of unused land were public enemies; but had it not been for such men the country would not be

in its present prosperous condition. Landowners were not so foolish as to leave idle land which it would pay to use; and to compel them to sell would be most unjust. In many resumptions for railway purposes owners had been cut off from their improvements, and seriously injured, without compensation. That the Government should have power to take the land actually needed for the railway was sufficient. He objected to the compulsory taking of land for less than its value.

HON. M. L. MOSS: It was not fair of the last speaker to say this was an attempt to take land for less than its actual value. Land compulsorily taken under the clause would be treated precisely similarly to land taken for a public work, compensation being assessed under the Public Works Act, 1902, such compensation being the full price which the land would realise if submitted for public sale, *plus* an amount not exceeding 10 per cent. for the compulsory taking; so the owner would get more than the full value. That railways should be taken through people's land, without compensation, was no hardship; because all rural land had been granted with the express proviso that the Government could, without compensation, resume certain portions for public works. True, there might be individual cases of hardship. The Committee were asked to affirm the principle that before the country was pledged to expenditure for constructing a railway which might go through country capable of cultivation and closer settlement, the Government, with the safeguards provided in the clause, should have power to resume land along the line. No grazing land would be taken; or if it were, the tip-top market price, with 10 per cent. for compulsory taking, would be paid. It was surely in the interests of the country that if land was capable of closer agricultural settlement Parliament should see that settlers were put on such land.

Amendment put and passed.

On motions by HON. M. L. MOSS, Clauses 5, 6, and 7 struck out, and new clauses [on Notice Paper] inserted in lieu as consequential amendments.

Bill reported with farther amendments and the report adopted.

EARLY CLOSING ACT AMENDMENT BILL.

AMENDMENT BY REQUEST.

Message from the Governor considered, recommending clause 4 to be amended and inserted as the 2nd part of clause 3, as follows:—

The municipalities of Claremont, East Fremantle, Fremantle, Guildford, Leederville, Midland Junction, North Fremantle, North Perth, Perth, South Perth, Subiaco and Victoria Park, and the roads districts of Bayswater, Belmont, Buckland Hill, Claremont, Cottesloe, Fremantle, Peppermint Grove, and Perth shall be deemed to have been proclaimed districts for the purposes of this Act.

THE COLONIAL SECRETARY: The amendment would have the effect of putting the clause into uniformity with the rest of the Bill. If members looked up the clause they would see that the first words were "this Act and the main Act." For the purposes of the Bill there was only one Act, because in the last clause it was asserted that in all future copies of the Act printed, the amendments were to be inserted. The amendment did not alter the sense of the clause which had already been adopted. He moved that the message be agreed to.

HON. J. E. RICHARDSON: Had the municipality of Claremont agreed to come in under the Bill?

THE COLONIAL SECRETARY: That was not the question at this stage; the message simply dealt with the form of the amendment, and not the substance.

HON. J. W. HACKETT: This was a formal amendment, and as such might be agreed to, but members should be exceedingly jealous about the occasion and the terms of amendments recommended by the Governor. He had often heard it spoken of as if the Governor was practically a third House, and could make any amendment of any character. Members should carefully take note of the character of the amendments before agreeing to them. This amendment, however, did not interfere with the substance.

THE COLONIAL SECRETARY: The power alluded to by Dr. Hackett was seldom put into operation, and in most cases it was only for the purpose of altering the form and not the substance of a Bill.

HON. J. W. HACKETT: Previously one serious case came under the notice of members; it was a point of finance which was introduced into a Bill. The alteration could not be made in the Council, but it was contended that the Governor could make such an alteration. The matter was not pressed; if it had been, he would have contested it.

Question put and passed.

Resolution reported, the report adopted, and a message accordingly transmitted to the Legislative Assembly.

COLLIE-NARROGIN RAILWAY BILL.

IN COMMITTEE.

The COLONIAL SECRETARY in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Deviation:

HON. C. A. PIESSE: It was necessary to draw attention to the manner in which the residents on the Lower Williams had been treated by the Government in adopting No. 2 route instead of No. 3. The Government had thrown aside the claims of the people along the Lower Williams to as far as possible carry the line through Crown lands. After years of agitation for a railway, these people were as far away to-day as they ever had been, and he protested against the action of the Government in treating the Lower Williams settlers as they had been treated. Once the Government made up their minds that Narrogin was to be the terminus, the Government should have surveyed the best route up the Williams to Narrogin. It was a good district, which had been languishing for years for the want of railway communication. The Narrogin people had been so lost in their efforts to get Narrogin made the terminus of the line that they had become unintentionally disloyal to the back country; they should have given more attention to the direction in which the line should go. He hoped the Government would still let the line pass through the Lower Williams district so as to serve the settlers there; it was a fine old district, and was languishing for communication. The line at present would only serve unselected Government land.

HON. W. MALEY: In assisting to pass the second reading of the Bill, he understood that there was power to deviate for 10 miles on either side of route No. 2, and that being so, the 10 miles would take the line on to route No. 3. The Government had power to deviate from No. 2 route as far as No. 3 route, and from the advertisements which he had read offering for sale the Marjidin estate, the Government must go through that district, or the people who took up this land would have a grievance. The line must be made to serve Marjidin and the Williams.

HON. J. W. WRIGHT: People who had resided in this district for years should have some consideration at the hands of the Government. We were told that the Government could deviate a certain distance, but the Government might deviate in the opposite direction to where these settlers lived.

HON. C. A. PIESSE: The line would not serve Narrogin then.

HON. J. W. WRIGHT: The residents who had taken up land and borne the heat and burden of the day should be considered.

Clause put and passed.

Clause 4—Power to Governor to compulsorily purchase land within 12 miles of the railway:

HON. W. MALEY: It was to be hoped that what applied to Jandakot would not be taken to apply to land along the Great Southern Railway or land along the proposed railway from Narrogin to Collie. He hardly thought the Government in opening up so remote a part of the State would expect, immediately on the passing of the Bill, that wheatfields could spring up like magic. According to the clause, at any time after the passing of the Bill, the Government could resume what land they thought fit. If a man bought 10,000 acres of land yesterday, the Government could demand that land at the price which the purchaser bought it at, with 10 per cent. added. If the Government insisted on this provision, they should not bring it into force for five years, so as to give the settlers some chance of making use of their land. To test the feeling of the Committee he moved that the clause be struck out.

THE CHAIRMAN: The hon. member could vote against the clause.

HON. W. MALEY moved that the words "from any owner, not being a resident of Western Australia," be inserted after "purchaser," in line 5.

Amendment negatived.

HON. M. L. MOSS moved that the words "not being less than one thousand acres in extent and the property of one owner," be inserted after "land," in line 5; and that the word "favourably" be inserted after "has" and before "reported" in the last line.

HON. C. A. PIESSE: This clause would seriously affect the owners of land abutting the Great Southern Railway for 12 miles on either side of its junction with the new line. They would benefit little by the new railway, being already served by the Great Southern; so how could the taking of their land be justified? The clause should not apply within 10 miles of Narrogin. Why was the distance 12 miles in this case, and only eight in the Jandakot Railway Bill?

HON. W. T. LOTON: Surely the hon. member recognised that the Government were getting in the thin end of the wedge, and would drive it home, making a similar provision apply generally to settlers who did not use their lands. But the hon. member need not fear about the settlers around Narrogin, who were doing their utmost to cultivate. The clause would apply only to owners doing practically nothing with large areas.

THE COLONIAL SECRETARY: Another point. At a junction of a new line was an old line, settlers whose land was compulsorily resumed must be paid the added value given to their land by the existence of the old line. The second paragraph of Clause 5 stipulated that no regard should be had to any increased value occasioned by the railways; but "railway" meant the new railway, and not that already existing. To take any land beyond the terminus was not proposed; but in the case of the Jandakot line, which might be carried farther than was now proposed, there was need for power to purchase compulsorily in advance of the railway. The hon. member's (Mr. Piesse's) idea that landowners for 24 miles along the Great Southern Railway would suffer injustice was purely imaginary.

HON. C. A. PIESSE thanked the Minister for his clear and courteous explanation, which was so far satisfactory; but the fact remained that these clauses ought to be of general application to all land adjoining railways.

HON. C. E. DEMPSTER: The Minister had taken a fair view of the case; but the Government should not, in their desire to benefit two pieces of country, deviate in such a way as to benefit neither. The route should go through the best country available; for a middle course would mean an unprofitable railway. As to resuming 12 miles on each side of the line, the good country did not exist for that distance on either side, save in the neighbourhood of rivers.

HON. C. A. PIESSE: Not so. On No. 2 route the country was good for even 40 miles on either side once it passed the 35-Mile and entered the cereal country. The limit might well be 15 miles. He hoped his remarks as to the old Williams River would be borne in mind, and that locality served by this line, leaving another locality to be tapped by a farther undertaking.

Amendment passed, and the clause as amended agreed to.

Clauses 5, 6, 7—agreed to.

Schedule, Preamble, Title—agreed to.

Bill reported with amendments, and the report adopted.

FACTORIES BILL.

IN COMMITTEE.

Resumed from 11th December.

Clause 26—Restriction of employment of boys or girls under 16:

HON. G. RANDELL: Having altered the age at which boys could be employed from 16 to 14 years, this clause should be struck out as a consequential amendment. In the preceding clause there was provision that a boy or girl under 14 years of age should not be employed except in special cases authorised in writing by the inspector, and that no authority under the provision should be granted contrary to the provisions of any Act relating to public elementary education. We had protected girls and boys from being employed in dangerous occupations which might be more injurious to persons of immature age than to adults. There was no necessity for this or the next clause now.

THE COLONIAL SECRETARY: A certain amount of reason having been taken from the clause by the unfortunate amendment as to the age he would not oppose the amendment strongly. He expressed regret that the age had been altered from 16 to 14 years.

Amendment passed, and the clause struck out.

Clause 27—struck out.

Clause 28—Penalty on parent of child employed in breach of Act:

HON. G. RANDELL moved that in line 1 the word "sixteen" be struck out and "fourteen" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clause 29—Sanitation rules:

HON. G. RANDELL moved that Subclause 3 be struck out and the following inserted in lieu: "Reasonable measures shall be taken to guard against extreme heat."

THE COLONIAL SECRETARY: There was no necessity for the amendment. The subclause should be passed as it stood.

HON. G. RANDELL withdrew his amendment, and moved that all the words after "air," in line 2 of Sub-clause 4, be struck out. There was no necessity to provide that all gases, fumes, and dust, and other impurities should be carried away from a factory and the air rendered harmless.

THE COLONIAL SECRETARY: There was no objection to the amendment, because if asked to define fresh air he would say "air that was not contaminated by gas, fumes, dust, or other impurities."

Amendment passed.

HON. G. RANDELL moved that Subclause 5 be struck out.

THE COLONIAL SECRETARY: This provision found a place in pretty well all legislation of this character. It was absolutely necessary that appliances for carrying off and rendering harmless all gasses, fumes, dust, and other impurities should be provided where necessity existed. The subclause would not have a harassing effect. In noxious trades necessity existed for such a provision. The lives of those persons working at noxious trades should be protected.

HON. G. RANDELL: How could such a provision be carried out? It provided that the occupier should provide fans or other efficient appliances to carry off and render harmless all gases, fumes, dust, and other impurities. It would be impracticable to carry out such a provision.

THE COLONIAL SECRETARY: It had been found possible to carry out such a provision in the other States of Australia.

HON. G. RANDELL: The law might exist, but he did not think it was carried out.

HON. J. W. WRIGHT: In factories in other States the gases, fumes, and dust were removed by means of centrifugal fans being connected with tubes which carried away the harmful matter.

THE COLONIAL SECRETARY: Electric motors were used.

HON. R. LAURIE: Had Mr. Randell moved to strike out the words "fans or other" he could have understood the amendment. The Colonial Secretary had stated that electric motors were used in factories, but in how many towns in Western Australia was there electricity? The inspector might insist on a fan being provided but it would be impossible to work that fan unless there was power to do so. The clause might stand if the words "fans or other" were struck out, leaving the words "efficient appliances."

HON. G. RANDELL withdrew his amendment.

THE COLONIAL SECRETARY moved that the words "fans or other," in line 3 of Subclause 5, be struck out and that in lines 5 and 6 the words "and to maintain a reasonable temperature" be struck out.

Amendments passed.

HON. G. RANDELL move that in line 1 of Subclause 6, after "inspector," the words "subject to the approval of the Minister" be inserted.

At 6·30, the CHAIRMAN left the Chair.
At 7·30, Chair resumed.

HON. J. W. WRIGHT: The amendment, instead of affecting the Minister, affected the Central Board of Health, as air space was provided for in the Health Act.

THE COLONIAL SECRETARY: To the amendment there was no objection. Probably one Minister would control the Health Act and the Factories Act.

Amendment passed.

HON. G. RANDELL moved that the following be added: "Provided however that such reserve space shall not exceed that in force for schools under the Education Act." The space allowed in schools was larger than that prescribed anywhere else in the world.

THE COLONIAL SECRETARY: Yes. It was not 11 cubic feet, but 11 square feet of floor space; and there was a standard height for the buildings.

Amendment passed, and the clause as amended agreed to.

Clause 30—Assistant's health likely to contaminate articles of food:

HON. G. RANDELL: The inspector had to report to the local board, though the local board was not to take action. The inspector should be compelled to act.

THE COLONIAL SECRETARY moved that the word "local," in line 6, be struck out, and "central" inserted in lieu. The provision for reporting to the local board seemed to be an oversight.

HON. R. LAURIE: Was the amendment necessary? Farther on it was provided that the inspector should take action. The report to the local board was evidently for the purpose of record; and the central board would not interfere without notifying the local board. He (Captain Laurie) had no faith in local inspectors. Inspectors in every district should be shifted every six months. If a local board was appointed the inspector knew what would happen if he did not please the board—he would be "sacked." It would be better to leave the clause as it stood.

THE COLONIAL SECRETARY: The report was required for the purposes of record. By reference to Clause 58 it would be seen that the administration of the law so far as the sanitary provisions were concerned was left in the hands of the Central Board of Health. There were certain classes of industries that should come directly under the Central Board of Health without any reference to the local board. No object would be gained by reporting to the local board. The offences should be reported to the Central Board, and if necessary that board should report to the local authority. The local boards were not mentioned in the Bill, and apparently had no statutory standing.

HON. G. RANDELL: The object in moving the amendment was to make it imperative on the inspector of a local board reporting these offences. There was another point that the local boards of health were being ignored. The central board could invite the local board to carry out the orders. Whether they did so or not he could not say.

HON. J. W. WRIGHT: If a report was made to the central board a copy of the report was always sent to the local authority, who were asked to report; generally they had to be asked several times. If the local board did not act, the central board could take the matter into their own hands.

Amendment passed.

HON. G. RANDELL: In reference to Subclause 3, in case the inspector of factories should be defeated in an action, who would pay the costs?

THE COLONIAL SECRETARY: The Central Board of Health.

Clause as amended agreed to.

Clause 31—Nuisances adjoining factory to be removed:

HON. G. RANDELL moved that in line 7 the words "a time" be struck out, and "such reasonable time as may be" inserted in lieu.

Amendment passed, and the clause as amended agreed to.

Clauses 32, 33—agreed to.

Clause 34—Rules to be observed to prevent accidents from machinery:

HON. G. RANDELL moved as an amendment, that the clause be struck out. He had been in communication with persons who had machinery at work, and these persons said it was a positive source of danger to have these provisions. It would be unwise in many cases to have belts cased in. If anything happened to one of the belts it might probably not be observed. A belt might get loose and shatter the casing, thus damaging the machinery, which would be a source of danger to life. With regard to pulleys and the throwing off of belts, he understood the provisions proposed was observed in all factories. One occupier of a factory to whom he was speaking, and in whose factory there was a blower, said it would be exceedingly expensive to affix the necessary means to attach the

belt by hand. The practice in all well-regulated factories was that the machinery was stopped whenever the belts had to be put on by hand. It was only right to put up a notice that under no circumstances were belts to be put on by hand while the machinery was in motion.

THE COLONIAL SECRETARY: It was to be hoped that Clauses 34 to 38 would not be struck out. Members had gone far enough in this direction by throwing out the Inspection of Machinery Bill. There was nothing hard and fast about the provisions. There was a discretion given to the inspectors, and it would be almost iniquitous to throw the clauses out, for they were absolutely necessary for the safety of employees in factories. As a reparation for throwing out the Inspection of Machinery Bill members should allow these clauses to remain.

HON. J. W. WRIGHT: How was it proposed to fence off a vat that a man had to work at? If there was a fence, the man would have to lean over the fence, which would be more dangerous. What was the use of passing provisions that could not be carried out. How would it be possible to fence a circular saw? A man could not work at the saw through a fence. There was a Workers' Compensation Act in existence. He could not see how a factory could be worked if machinery had to be fenced, and the cost of fencing would be very great.

HON. R. LAURIE: Mr. Randell had stated that the machinery in a certain factory was protected. If such was the case, then why should not the machinery in every well regulated factory be fenced? Every factory should be brought up to the same state of efficiency. He had seen men killed by attempting to shift a belt by hand while the machinery was in motion. If proper appliances for shifting belts were provided, then all danger would be removed. The fencing prescribed would be reasonable in extent. If a man were working at a vat, he would not be compelled to work over a fence; but a vat at which no one was working ought to be safeguarded. It was nonsense to say that the Workmen's Compensation Act could compensate a man for losing a limb or his life. Let us approach this Bill in a fair spirit, and do not knock out these clauses so that, while Harry protected his workers and Tom did not, Tom could continue his course. Some factory owners, who competed even with Chinamen, told him (Mr. Laurie) that they did not fear any factory inspector. Do not strike out the clauses wholesale, but amend them if objectionable.

THE COLONIAL SECRETARY: As safeguards were called for around dangerous machinery, so were these clauses safeguarded. Mr. Wright presupposed a lack of knowledge and of discretion on the part of inspectors—a supposition which one would not expect from him, a member of the Central Board of Health. The duties of these inspectors would be much the same as those of the board.

HON. J. W. WRIGHT: The latter were appointed by the board, and not through Ministerial influence. The licensing bench was recently dictated to; but dictation to the central board was not attempted.

THE COLONIAL SECRETARY: Section 25 of the Health Act gave the Minister power to absolutely annul any action of the board. He protested against the striking out of these clauses. We must presume that inspectors and factory-owners would be reasonable men, capable of deciding whether safeguards were needed. There must be some control over owners who were lax in providing for their workmen's safety. What was the use to a man of the Workmen's Compensation Act if his wife was a widow? Striking out these clauses would practically invite employers to be careless in protecting their workmen.

HON. G. RANDELL: We might dismiss the Workmen's Compensation Act from consideration. He had heard an amusing history of how it affected employers. The rates of insurance were fairly heavy; and after employers ceased to insure the men, accidents practically ceased. Previously most of the injuries suffered were not loss of limb, but internal injuries, which could not be detected. The rejection of the Inspection of Machinery Bill, containing a clause similar to this, showed that the House did not favour such restrictions on employers. It was possible to safeguard factories out of existence. Certain machinery-users were now so situated that they could not stand much more

stress, in view of high wages, and the fact that a fair day's work was not given therefor. It was our duty to build up factories till they were in a paying position. He knew of no serious accident in Perth and Fremantle factories. Workmen on the goldfields were already provided for. Here, if a man met with an accident, it was generally the result of his own carelessness. We must not assume that employers were so careless of the lives and limbs of their men. For their own sakes, and from motives of humanity, employers would be sure that machinery was properly guarded and worked; but no Act could guard against the recklessness and stupidity of the employee. He (Mr. Randell) had already instanced the danger of encasing driving belts. Let us take care that these provisions did not entirely ruin the employer.

Amendment negatived, and the clause passed.

Clause 35—agreed to.

Clause 36—Restriction of employment under certain age:

HON. G. RANDELL: This provided against something which no employer would ever think of allowing—cleaning machinery in motion. The clause would be entirely inoperative.

THE COLONIAL SECRETARY had seen such work being done.

Clause put and passed.

Clauses 37, 38—agreed to.

Clause 39—Rules to prevent accidents from fire:

HON. G. RANDELL moved the following to stand as Subclause 6:—"Reasonably efficient means for extinguishing fires shall be provided by the occupier." Later on he would move to strike out Clause 47, which seemed to be out of its place.

THE COLONIAL SECRETARY: What about escape from fires?

HON. G. RANDELL: That was provided for in the Bill.

Amendment passed, and the clause as amended agreed to.

Clause 40—Provisions to be observed when work given out to be done elsewhere than in factory:

HON. G. RANDELL moved that the clause be struck out. So far as he could gather there was no sweating in this country, although a letter had appeared in a newspaper recently stating that it did exist; but only half the truth was given. The work was offered, and the price paid for such work in Melbourne was 4d., whilst here the price was 8½d. It was the lowest class of slop work, and the smallest amount a woman could earn in a week was 30s. That was the explanation given, but he believed no sweating did take place, or was likely to take place, because the working man and working women were masters or mistresses of the situation.

THE COLONIAL SECRETARY: While willing to accept the explanation that sweating did not exist, he wished to ensure that it would not exist in the future. He was not altogether with the hon. member in his statement that the employees were masters of the situation; he did not know if they were, and he did not know that they would continue so. If sweating did not exist, then no hardship would be worked by the clause, and the provision would be a deterrent to sweating taking place.

HON. G. RANDELL: There were certain provisions in this Bill which were oppressive, and which would increase the cost of the work.

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

Ayes	...	...	8
Noes	...	...	9
Majority against	...		1

AYES.	NOES.
Hon. A. Dempster	Hon. J. M. Drew
Hon. C. E. Dempster	Hon. J. W. Hackett
Hon. E. McLarty	Hon. W. Kingsmill
Hon. C. A. Piesse	Hon. R. Laurie
Hon. G. Randell	Hon. M. L. Moss
Hon. J. E. Richardson	Hon. B. C. O'Brien
Hon. J. W. Wright	Hon. C. Sommers
Hon. E. M. Clarke (*Teller*).	Hon. J. A. Thomson
	Hon. J. D. Connolly (*Teller*).

Amendment thus negatived, and the clause passed.

Clause 41.—Certain persons giving out work deemed occupiers of factories:

HON. G. RANDELL: There was an amendment in his name to strike out the clause.

THE COLONIAL SECRETARY: If the clause were struck out there would be an easy outlet for the sweater when he did come, for he could carry on his business in his own house, and let the work out to persons; he need not have a factory at all.

HON. C. A. PIESSE moved as an amendment, that in line 3, after material,

the words "to more than six persons" be inserted. Storekeepers might be included under these provisions, for cases occurred where people begged for something to do, and if a storekeeper gave out work, the place was at once constituted a factory. He knew of cases in which it had been found necessary to assist persons by giving them sewing to do.

THE COLONIAL SECRETARY: It was not a habit in that case, and it all depended on the remuneration.

HON. C. A. PIESSE: There must be some reason for the clause; at present anyone could give work to one person without making his business place a factory.

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

Ayes	...	...	7
Noes	...	...	10
Majority against		...	3

AYES.	NOES.
Hon. A. Dempster	Hon. E. M. Clarke
Hon. C. E. Dempster	Hon. J. D. Connolly
Hon. C. A. Piesse	Hon. J. M. Drew
Hon. G. Randell	Hon. J. W. Hackett
Hon. J. E. Richardson	Hon. W. Kingsmill
Hon. J. W. Wright	Hon. R. Laurie
Hon. E. McLarty (*Teller*).	Hon. M. L. Moss
	Hon. B. C. O'Brien
	Hon. J. A. Thomson
	Hon. C. Sommers (*Teller*).

Amendment thus negatived.

HON. G. RANDELL: The clause would seriously injure merchants, storekeepers, and others, who would be put under greater disabilities than factory owners by being prohibited from letting out work. He moved that the clause be struck out.

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

Ayes	...	...	8
Noes	...	...	7
Majority for		...	1

AYES.	NOES.
Hon. A. Dempster	Hon. E. M. Clarke
Hon. E. McLarty	Hon. J. M. Drew
Hon. C. A. Piesse	Hon. J. W. Hackett
Hon. G. Randell	Hon. W. Kingsmill
Hon. J. E. Richardson	Hon. R. Laurie
Hon. C. Sommers	Hon. M. L. Moss
Hon. J. W. Wright	Hon. J. A. Thomson (*Teller*).
Hon. C. E. Dempster (*Teller*).	

Amendment thus passed, and the clause struck out.

Clauses 42 to 45—agreed to.

Clause 46—Iron buildings to be lined if required:

HON. G. RANDELL moved that the word "inspector," in lines 1 and 4, be struck out, and "Minister" inserted in lieu; that the words "or any building," in line 1 of Subclause 2, be struck out; and that the following be added as Subclause 3: "Provided, however, that the occupier shall be heard."

Amendments passed.

HON J. W. WRIGHT moved that the words "by the Minister" be inserted after "heard," in Subclause 3.

Amendment passed, and the clause as amended agreed to.

Clause 47—Escape from fire:

On motion by HON. G. RANDELL clause struck out.

Clause 48—agreed to.

Clause 49—Bakehouses:

On motion by HON. G. RANDELL, the word "Minister," in line 1 of the last paragraph struck out, and "Governor" inserted in lieu.

Clause as amended agreed to.

Clause 50—Registratian of Asiatics:

HON. C. E. DEMPSTER: Subclause (*b*) seemed to be rather arbitrary. Why should not a Chinaman be employed in out-door work or at cooking? He moved that Subclause (*b*) be struck out.

Amendment negatived, and the clause passed.

Clause 51—Goods made by Asiatics to be stamped:

HON. G. RANDELL: This clause contained a serious charge against merchants, storekeepers, and importers.

HON. M. L. MOSS: All Chinese-manufactured furniture in Victoria was stamped.

THE COLONIAL SECRETARY: This clause was not in the Bill as introduced, but was brought forward by a private member in another place.

HON. G. RANDELL moved, as an amendment, that in line 1 after "every" the word "Asiatic" be inserted.

HON. R. LAURIE: The amendment was scarcely fair. Why should a man who sold Chinese furnitnre be allowed to sell it as English or colonial manufactured furniture?

HON. G. RANDELL: By inserting "Asiatic" it took the trade from the Asiatic dealer.

HON. R. LAURIE: All a Chinaman would have to do would be to sell to the English shopkeeper and the public would

then be buying Chinese-made furniture thinking it was manufactured on the premises of the storekeeper from whom it was bought. There was no reason why the furniture should not be stamped. On nearly every package landed in England from Germany or other parts, the name of the country in which the goods were made was legibly marked. If the amendment were passed this country might be flooded with Chinese-manufactured furniture, for no more Chinese manufactories could be started in this country, but Chinese furniture from Melbourne or Sydney could be landed here. It would be a good thing if Australian-made furniture was stamped with the words "made in the Australian States."

HON. G. RANDELL: From information conveyed to him which he believed was correct, this would be the means of advertising the Chinese free of expense. The clause would play entirely into the hands of the Chinese. At the present time in Victoria the Chinese manufacturer sent his circulars and trade cards all round the State, and if furniture was stamped with the name of the Chinese maker that would enable the purchaser of Chinese goods to trade with the maker direct. The labour people were the greatest sinners in purchasing from Chinese. They dealt from Chinese more largely than any other class of the population This clause contained a provision which was an insult to the respectable trader. and he was surprised that such an amendment should be accepted in another place. He did not like to discriminate between Chinese and Europeans. We were treating the respectable Chinese who were part of our population in an unchristian-like and unjust manner. In justice to our respectable merchants and storekeepers the clause should be struck out.

THE COLONIAL SECRETARY: If Mr. Randell withdrew his amendment there would be no objection to striking out Subclause (2). It was a fair thing that goods should be stamped, but he was not so much in sympathy with Subclause (2).

HON. G. RANDELL: How was it proposed to stamp cane couches and cane furniture?

THE COLONIAL SECRETARY: Caneware was stamped under the frame on the wooden bars. It was not seen on the face of the article, but a customer could, if he so desired, see the stamp.

HON. G. RANDELL said he would withdraw his amendment.

HON. C. E. DEMPSTER objected to the withdrawal. He would sooner see the clause struck out.

Amendment negatived.

HON. G. RANDELL moved that Subclause (2) be struck out.

Amendment passed, the subclause struck out, and the clause as amended agreed to.

Clause 52—Evidence as to person employed in breach of Act:

HON. G. RANDELL moved, as an amendment, that the clause be struck out. It was exceedingly hard on the occupier that the onus of proof should be laid upon him. Justices who heard the cases would be able to judge. The provision was unnecessary; it was harsh and stringent.

THE COLONIAL SECRETARY: If a charge was made against a person surely the onus of proof should lie upon that person.

HON. M. L. MOSS: The onus of proof in criminal proceedings was cast upon the prosecution, but it was a common thing in Statutes on matters of this kind that the onus of proof should be thrown on the defendant. Take subclause (1.), providing that a person's being found in a factory should be *primâ facie* evidence that he was an employee. It was much easier for the owner to prove that a visitor was not an employee than for the prosecution to prove that a workman was employed. Throwing the onus on the prosecution would tend to make the Act a dead letter.

HON. J. W. HACKETT: If conviction was obtainable before one honorary justice, too large a power was placed in his hands.

HON. M. L. MOSS: Section 29 of the Justices Act made it clear that such cases must be heard before two justices.

Amendment withdrawn, and the clause passed.

Clauses 53 to 56—agreed to.

Clause 57—Provisions as to requisitions by inspector to occupiers:

HON. G. RANDELL moved that the word "ten," in line 2 of subclause (4.), be struck out, and "five" inserted in lieu. It was inadvisable so seriously to limit the right of appeal against requisitions.

Amendment passed.

HON. G. RANDELL farther moved that all the words after "appeal," in line 1 of subclause (6.), be struck out. There should not be a presumption that the inspector's requisition was reasonable.

Amendment passed, and the clause as amended agreed to.

Clauses 58, 59—agreed to.

Clause 60—Penalties:

THE COLONIAL SECRETARY moved that the words "or the factory closed and the registration cancelled," be inserted after "with," in line 18. The closing of the factory need not be by order of the court, but was an alternative to letting the case go to trial.

Amendment passed, and the clause as amended agreed to.

Clauses 61, 62, 63—agreed to.

Clause 64—Regulations:

HON. G. RANDELL moved that the following words be inserted after "may" in line 1, "subject to the provisions of this Act."

HON. M. L. MOSS: The amendment was not necessary as the Governor could not make any regulations which were repugnant to the Act.

HON. G. RANDELL withdrew his amendment.

Clause put and passed.

Schedule:

HON. G. RANDELL: The fees for all classes of factories should be equal and fixed at 10s. As far as he knew the Industrial Arbitration and Conciliation Act of 1900 contained no provision for fees being charged for registration. Why should an occupier who employed 50 or 100 men have to pay more for registration than the employer who only had 10 employees; there was no more work attached to the registration.

THE COLONIAL SECRETARY moved that in line 2 the word "five" be struck out and "seven" inserted; also in line 3 the word "five" be struck out and "seven" inserted.

Amendments passed.

HON. G. RANDELL moved "That it be a suggestion to the Legislative Assembly that the first five lines of the schedule be struck out and that after 'fees on registration of factory,' the words 'shall be ten shillings' be inserted."

THE COLONIAL SECRETARY: If the fee was an annual one there might be some objection, but once a factory was registered there was no farther fee to be paid; it was not an oppressive amount.

Amendment negatived.

HON. C. E. DEMPSTER: Why should an Asiatic have to pay more than a European for the registration of a factory? The schedule provided that an Asiatic should pay £5 annually for registration; why should unfortunate Chinamen pay more?

HON. J. W. HACKETT: To get them out of the country.

HON. C. E. DEMPSTER: Our Saviour was an Asiatic, and if he were on earth he would be precluded from working in Western Australia.

HON. J. W. HACKETT: So was Adam an Asiatic.

HON. C. E. DEMPSTER moved "That it be a suggestion to the Legislative Assembly that the words 'five pounds' be struck out, and 'two pounds ten shillings' inserted in lieu."

HON. G. RANDELL protested against this kind of legislation. The schedule was not inserted in the Bill by the Government; but at the instance of a member of the Labour party. Such legislation seemed calculated to expose the country to contempt. Why discriminate between any class of persons who were allowed in the country? It was to be hoped, if the matter was brought to the attention of the Imperial Government, they would exercise their powers in the matter.

HON. J. A. THOMSON: While not wishing to legislate against any individual in Australia, be he black or white, Chinamen were a very undesirable class, as they herded together in towns. We should discourage them from entering into competition with Australians; they were an unhealthy and diseased class of people.

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

Ayes	...	...	6
Noes	...	...	7
Majority against	...		1

AYES.	NOES.
Hon. A. Dempster	Hon. J. W. Hackett
Hon. C. E. Dempster	Hon. W. Kingsmill
Hon. E. McLarty	Hon. R. Laurie
Hon. G. Randell	Hon. M. L. Moss
Hon. J. W. Wright	Hon. Sir G. Shenton
Hon. J. E. Richardson (*Teller*).	Hon. J. A. Thomson
	Hon. J. M. Drew (*Teller.*)

Amendment thus negatived, and the schedule as amended agreed to.

New Clause—Annual registration where Asiatics employed:

On motion by the COLONIAL SECRETARY, the following was inserted as Clause 15:—

Where the occupier or intended occupier of a factory, or any person engaged in or about a factory, is a person of the Chinese or other Asiatic race, the registration shall continue in force for one year only, but such registration shall be renewable from time to time.

Preamble, Title—agreed to.

Bill reported with amendments, and the report adopted.

METROPOLITAN WATER SUPPLY AND SEWERAGE BILL.

Received from the Legislative Assembly, and read a first time.

ADJOURNMENT.

THE COLONIAL SECRETARY: In order to receive messages from another place which were now ready for transmission to us, he must ask members to be good enough to sit to-morrow, from 4·30 to 6·30. This was necessary to secure an early prorogation.

The House adjourned at 9·37 o'clock, until the next day.

Legislative Assembly,

Thursday, 17th December, 1903.

THE SPEAKER took the Chair at 2·30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR RAILWAYS: Alterations to railway classification and rate book.

Ordered, to lie on the table.

QUESTION—COLLIE-BOULDER RAILWAY, EXPENDITURE.

MR. JACOBY asked the Minister for Works: What amount, if any, of the vote passed last year for the construction of the Collie-Boulder railway has been expended.

THE MINISTER FOR WORKS replied: The whole amount has been expended.

REDISTRIBUTION OF SEATS BILL.

COUNCIL'S AMENDMENTS.

Consideration resumed from the previous sitting. MR. FOULKES in the Chair; the PREMIER in charge of the Bill.

Amendment No. 10—First Schedule, South-West Province, strike out all the words in both columns, and insert "East Province—Beverley, Northam, Toodyay, York, Swan":

THE PREMIER: This amendment being consequential on the decision recently arrived at, he moved that it be agreed to.

MR. THOMAS: This was a matter for compromise. This House agreed to nine Council provinces with 27 members. The Council desired 10 provinces, but their schedule would not give fair representation. He was prepared to abide by yesterday's decision to abandon the extra goldfields province; but by way of compromise between parties in this House we should combine the East and the South-East Provinces, thus giving the Upper House nine provinces and 27 members; Albany, Katanning, Williams, Beverley, Northam, Toodyay, York, and Swan being embraced in one province, all these electorates save Katanning having been combined in one province by the original proposal of the Government. To have 10 provinces was suggested by the leader of the Opposition as a compromise to save protracted sittings when the Bill was first considered in Committee, and was accepted as such by the Premier, who said he favoured the original nine provinces. Now we