

## Legislative Council,

Wednesday, 3rd October, 1900.

Paper presented—Return: Fever Cases near Sanitary Site, North Perth—Industrial Conciliation and Arbitration Bill, first reading—Customs Duties (Meat) Repeal Bill, third reading—Federal House of Representatives W.A. Electorates Bill, in Committee, reported—Public Service Bill, in Committee, progress—Adjournment.

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

## PRAYERS.

## PAPER PRESENTED.

By the COLONIAL SECRETARY: Balance Sheet, Karrakatta Cemetery Board, 1900. Ordered to lie on the table.

RETURN — FEVER CASES NEAR  
SANITARY SITE, NORTH PERTH.

HON. F. WHITCOMBE (Central) moved:

That a return be laid on the table of the Council, showing the number of fever cases reported to the Health Department as having occurred within a radius of half-a-mile of the sanitary pumping site (Loc. 884, North Perth), in each of the years 1896, 1897, 1898, and 1899, and during the present year.

The residents of North Perth district had been endeavouring for some years to look after their own affairs. Although there was a Roads Board in the district, there was no local health board, and the affairs within the limits of this district were such that some authority should be given to deal with the manner in which people were allowed to live in a populous district such as North Perth was. Last year a deputation waited on the Minister under whose charge the Health Department was administered, and the deputation were told by the Minister that rather than the Supreme Court should order a mandamus against him, rather than a Board of Health should be instituted for the North Perth district, he would resign his office, but he (Mr. Whitcombe) did not know who the Minister was who said that.

THE COLONIAL SECRETARY: The hon. member was misinformed.

HON. F. WHITCOMBE: If a Minister of the Crown in receipt of public money would proclaim himself as being prepared to resign his office rather than allow the rights of the people to be observed, we must admit he was stiff-backed, and his

opinions were entirely inconsistent with those of popular representation. One understood that some individuals who constituted the Ministry in the past would take that stand; but one could not assimilate to himself the idea that a gentleman who at one time was leader of the Opposition in another place, and held the position as a popular representative, almost a democrat, certainly a Liberal, should have afterwards, in consequence of obtaining a position whereby the country paid him a certain salary, changed his opinion to such an extent as to say he would sooner resign than allow a board to be established whereby people could govern themselves in respect of their own health and the administration of their own affairs.

HON. J. W. HACKETT: Who was the gentleman?

HON. F. WHITCOMBE said one did not know whether he was a Minister of the Crown at the time, nor did one know that he was a Minister of the Crown now; but the surname was "Randell." Where that gentleman came from one did not know, but one knew where he was likely to go, and that was to political oblivion, and probably to oblivion in other respects, if those were the views he was prepared to carry out. The North Perth district had had visited upon it a sanitary pumping station, and the people desired that the matter should be considered as from their own health. They wished to have a voice at any rate in the government of the internal affairs of that particular district. There had been various reports and statements that there was no nuisance up there, and it was said that there was nothing that anybody could object to. Reports had been made, and he believed that reports had been received even from the Central Board. What the people required was that a return should be laid on the table of the House, and subsequently published, showing what fever cases had been reported, so that it might be ascertained what cases of ill-health had occurred there and in the surrounding districts. He was informed that the place was a hot-bed of fever to the Perth and North Perth districts.

THE COLONIAL SECRETARY: The hon. member was misinformed.

HON. F. WHITCOMBE: What had been stated had turned out to be correct.

The district was a suburban one, and it had to suffer, as he was informed. People had to employ doctors, and there was no family in North Perth that had not been decimated, and more than decimated, by the ravages of fever.

HON. J. W. HACKETT: Let not that go forth.

HON. F. WHITCOMBE: As far as we knew, that was due to the existence of this pumping station.

HON. J. W. HACKETT: The hon. member should not say that.

HON. F. WHITCOMBE: What was stated by him was simply what he was informed.

HON. J. W. HACKETT: The charge was too serious.

THE COLONIAL SECRETARY: It was not substantiated.

HON. F. WHITCOMBE: Within the last two days he arranged to drive over the district; he drove into the district, but did not go to the pumping station, for he thought that he might bring some germs and be a danger to the House. He got quite near enough to be satisfied that there was the risk referred to.

HON. H. BRIGGS (West): It was not necessary to second this motion, but he rose to support it. He did not follow the hon. gentleman (Mr. Whitcombe) in what some members might think extravagant remarks, but he had an intimate knowledge of the North Perth district which was bounded by Vincent street on the south and by Wanneroo road on the north, running up to Smith Lake. He had had a good knowledge of that district for ten years. From its position and the slope of the land, the place ought to be one of the healthiest parts of Perth, but it suffered a great deal. He did not know whether it was entirely necessary that the sewage and all the deposits collected by the sanitary department of Perth should be transferred there. There was a great probability that this practice would breed fever and make the place very unhealthy.

HON. F. WHITCOMBE: It was unhealthy now.

HON. H. BRIGGS said he had not been up there for one or two years, but he had taken part in deputations, and members could be assured that notwithstanding some extravagant remarks which had been made, this question was

one which demanded serious attention on the part of the Government. [HON. R. S. HAYNES: Hear, hear.] It was a high-lying suburb with good soil, but on account of these nuisances collected from the whole of the city of Perth and transferred to that particular part, there ought to be great precautions to see that things were so dealt with that they would not be detrimental to the health of the inhabitants.

THE COLONIAL SECRETARY: (HON. G. RANDALL) said he did not know there could be any objection to furnishing the return asked for; though he could not quite understand what the object in getting it was. Five years ago he supposed there was not a house in North Perth, or scarcely a house.

HON. R. S. HAYNES: Yes; plenty.

THE COLONIAL SECRETARY: There had been houses within the municipality of Perth and near the ground where the nightsoil of the city had been deposited for years, but beyond that there were no houses, he thought, excepting one or two situated in gardens.

HON. H. BRIGGS: Thirty or forty.

THE COLONIAL SECRETARY: It might be six years ago then that there were none.

HON. H. BRIGGS: From 1889.

THE COLONIAL SECRETARY: There were very few now. He had been over the place several times, and had driven over it in all directions. It was situated on high rising ground, and the portion stated to be affected had rather a larger population than the more distant parts of the North Perth Roads Board district. That district went up to Beaufort Street, and by no stretch of imagination—not even if it were so energetic as the imagination of Mr. Whitcombe—could it be said that any harm would result to the people living to the east of Fitzgerald street. Circumstances had altered very considerably since 1896. Up to that date, and later on, nightsoil was deposited and trenched into the ground, and covered over with sand; and crops of barley or oats, or some other green fodder, were grown there on the ground. In, he thought, 1899 the City Council decided to erect a pumping station upon the higher part of the site, to pump the liquid matter and so on through pipes to a new sanitary site which had been given

to the City Council some two miles away towards the north. At first this pumping station was not a success. That was admitted by all, and he (the Colonial Secretary) was prepared, as the Minister responsible for carrying out the Act, to take steps to compel the City Council to adopt some other method of disposing of their sewage if improvements were not effected; but the council had succeeded in establishing there a pumping station which could be no menace to health in any part. Probably Mr. Whitcombe went along Wanneroo road to nearly the end of the macadamised road, and he might just as well have gone a little further and have seen how the pumping operations were carried on. He could have done so with safety to himself. The arrangements were now completed, and the pumping business was acting admirably. At one time there was, as would occasionally be possible, a slight leakage from some of the joints. We knew that owing to the contraction and expansion of pipes it might sometimes be necessary to report. The pipes were jointed with lead poured into the socket, and the joints were what were called socket and spicket joints. The whole system was an admirable one, and there could be no objection on the score of health to its continuing for years to come. That was not only his opinion, but the opinion of others competent to judge. A good many people had gone out on account of the highly exaggerated language by a gentleman who was connected with the North Perth Board, and who contributed to the Press from time to time. They discovered that there was nothing offensive, and nothing to be complained of in or about the pumping station or along the pipes, which, as he said, were continued for a distance of two miles. The pipes were carried along Vincent street, and on reaching Fitzgerald street they were taken along that street out to the bush. He did not know that a simpler and better method of disposing of sewage could be established under these circumstances. It was possible that the City Council might collect the sewage and cart it the whole distance, but first of all a macadamised road would have to be made, costing about £2,000.

HON. R. S. HAYNES: Four thousand pounds.

**THE COLONIAL SECRETARY:** That would add an annual expenditure of, he thought, about £2,000 to the expenditure on sanitation.

HON. F. WHITCOMBE: If the road only cost £2,000, that would be 100 per cent.

**THE COLONIAL SECRETARY:** The additional cost to the City Council would, he was informed, be about £2,000 a year. For what purpose? For none that he knew of, except that some persons desired to sell their land, and attributed their non-success to the presence of the sanitary site. We all knew that land could not be sold just at the present moment, and this was not the only place in the country in which syndicates were suffering, but in all parts syndicates had been disappointed in their expectations. The end had come to the land boom, and people could not get rid of their land. In no part of North Perth were there two houses contiguous, the houses were few and far between, and he could say with the exception of the Wanneroo Hotel, there was not a single house of any pretension or consequence in the whole place.

HON. R. S. HAYNES: There would not be either.

**THE COLONIAL SECRETARY:** That the people were suffering from the want of a health board was nonsense. The object the North Perth people had in view in trying to obtain a health board was to prevent the Perth Board of Health from carting their nightsoil through the North Perth district to the pumping station. There were 30,000 persons in the city of Perth, and the nightsoil had to be taken somewhere. There was a block in every direction but at North Perth. It was only by an unfortunate mistake that North Perth was granted a roads board: he was sorry to say that the ratable property in North Perth was insignificant. If a health board were appointed for North Perth, the whole of the funds would have to be supplied by the Government. When he put into one scale the vital interests of the city of Perth, and into the other scale the imaginations and desires of the people of North Perth, he thought he had been right in his judgment in deciding in favour of the city of Perth and its interests. The Perth Health Board were precluded from taking their night-

soil in any other direction. The hon. member (Mr. Whitcombe) had said that the Perth Council took their rubbish in this direction, but that was not correct. For twelve months the rubbish has been taken to another place and burnt. No doubt it was a nuisance, not a source of danger, to have rubbish burnt in that locality: it was a nuisance when the wind was blowing in the direction of the houses. To his mind he was perfectly right in the position he had taken up; and when it was asked that a return should be made showing the cases of fever in the locality named, hon. members should bear in mind that not a single individual connected with the sanitary service of Perth had ever had fever. He thought he was correct in saying that; at any rate he had been informed so. As far as sickness was concerned, there was no more sickness in that part of Perth than in any other part at the present time. Though fever was rife here two or three years ago, he was quite sure it had been abated, because there was not now the crowding of eight or ten persons into a room where there ought to be only two or three. Better dwellings had been erected and sanitary measures adopted. They had reduced the cause of fever so that at the present time Perth could well compare with either Adelaide, Melbourne, Sydney, or Brisbane, or any other large town in the Eastern colonies in regard to health. This motion had been brought forward with the object of trying to find fault with the administration of this department. The hon. Mr. Whitcombe had been pleased to make use of a remark which he (Mr. Whitcombe) said he (the Colonial Secretary) had made use of; but one could hardly recognise the statement as put by the hon. member.

HON. F. WHITCOMBE: The hon. member did not remember.

THE COLONIAL SECRETARY: The hon. member (Mr. Whitcombe) had a ready knack of presenting things in a way so as to make them appear different from what they really were.

HON. F. WHITCOMBE: Not intentionally.

THE COLONIAL SECRETARY: A deputation waited on him (the Colonial Secretary) and threatened him with a mandamus from the Supreme Court,

but they could not obtain that mandamus because they had no *locus standi*. He (the Colonial Secretary) felt so strongly about the matter, because it was to the prejudice and injury of the vast population of Perth to grant them their desire; the object of the deputation being to at once endeavour to obtain a mandamus, which they as a board of health could then get, to shut up the pumping station and compel the City Council to remove the pipes from passing through Fitzgerald street. What he (the Colonial Secretary) said was that he felt so strongly in the matter, that if a mandamus was issued from the Supreme Court, which he would be expected to comply with, he would resign his position in the Ministry before he would carry it into execution. He did not think there was any particular harm about that. He would have carried out his intention because he felt so strongly that a great injury would have been inflicted on Perth by a few irresponsible persons in North Perth, who wished to jeopardise the health of the city of Perth. The Perth Health Board had spent four thousand pounds in the erection of a plant, and the sanitary site had been removed out of the sphere of population. Many endeavours had been made to take away the nightsoil by train, but the Railway Department had refused to undertake the service. Efforts were made to obtain a site across the river, but there again the Perth Municipality would have been placed under a difficulty because the nightsoil would have to be carted through a municipality where there was a board of health. He had said more about this matter than he had intended, but he wished to show that if the hon. member who brought forward the motion had endeavoured to substantiate the information he received by personal inquiry and information, he would have found it impossible to do so. There was no objection to the return if it possibly could be furnished, and he would endeavour to obtain the information as fully and explicitly as he could. The area which had been selected was a very large one, because half a mile from the sanitary site would bring one to the West Perth Station.

HON. F. WHITCOMBE: That was a fair radius for fever.

HON. R. S. HAYNES: The West Perth Railway Station was further away than that.

THE COLONIAL SECRETARY: The West Perth Railway Station was not more than half a mile from the pumping station: he was prepared to jeopardise his reputation as to his knowledge of distances upon that assertion.

HON. R. S. HAYNES: As the crow flies?

THE COLONIAL SECRETARY: Of course as the crow flies.

HON. R. S. HAYNES: It was three-quarters of a mile.

THE COLONIAL SECRETARY: If the information could be obtained, he would endeavour to furnish it to the hon. member, and he thought that the hon. member would be very much surprised when he got the return.

HON. F. WHITCOMBE: Agreeably surprised if there were not many cases.

THE COLONIAL SECRETARY: Whatever opinion might have been formed of his action in the matter, he thought he had done his duty to the large population and immense interests of the city of Perth, and was fully convinced members would support him in the position he had taken up.

HON. R. S. HAYNES (Central): While sympathising with the Colonial Secretary in his desire to do what was best in the interests of the citizens of Perth in preventing any steps being taken to remove the sanitary site, which would have been a calamity to the city of Perth, still he must deny some of the conclusions at which the Colonial Secretary had arrived. The history of the sanitary site was not far to seek. It was the first made by Mr., then Councillor, Traylen to take the refuse through the old Perth Creek and Williams' gardens, through Victoria street, and into the main drain. He (Mr. Haynes) had protested against the proposal at the time, and it was stated by persons who went out to the sanitary site that there was no reason to complain. He (Mr. Haynes) had erected three houses there thirteen years ago, and he protested against the site as being an improper one for a sanitary depôt. He had proclaimed the site as a standing disgrace to any place in the world. When the wind blew, the smoke was sent over the city, and it was an absolute disgrace: he could not find any words bad enough

to apply to it. The Colonial Secretary had stated that persons in North Perth had not erected good houses. How could they when a nuisance such as that existed at their very doors? It was stated that the residents of North Perth desired to have the pumping station removed at once. It was agreed thirteen months ago that a health board should be proclaimed for North Perth, and six months were given to the city of Perth to enable them to look round to find a place to remove the depôt to. Thirteen months had gone by, the board had not been appointed, and the residents of North Perth now said they were prepared to wait twelve months if a board of health was appointed then. That was fair enough. The Colonial Secretary was in error if he thought the City Council, however high and mighty a body it might be, could commit a nuisance to the detriment of a single individual. If the City Council did commit a nuisance, the Council could be brought to the Court, and that would be the position the council would be placed in if the nuisance was not abated. A little oil might be poured on the troubled water.

THE COLONIAL SECRETARY: That was what he had endeavoured to do.

HON. R. S. HAYNES: It was surprising the amount of warmth that the Colonial Secretary threw into his remarks. The people of North Perth were suffering from a grievance. Directly the pumping started at 12 o'clock midnight until 3 o'clock in the morning the stench in the locality was absolutely unbearable. The Colonial Secretary had said that he had been out to the site and that there was no smell. So had he (Mr. Haynes) been to the site, and it was quite true there was no smell in the day time, but between midnight and three in the morning when the nightsoil was being deposited and the pumping going on, the nuisance was very great and the stench intolerable. If that was so, something must be done. The Colonial Secretary would be amused to read the report of the inspector of the Central Board of Health on that locality. It appeared that no rules could be made as to the removal of nightsoil. This was from the report he was referring to:—

The deposit of refuse in the locality and on the margin of the lake has received a check, owing to the vigilance of P.C. Hickey, but

there is a considerable amount of discarded clothing and rubbish from old camping places that requires attention throughout the district. Some of the herds of dairy cattle still continue to drink the water from the lake owing to 14 chains of the fence being demolished on the Wanneroo Road. The reconstruction is urgently required to prevent cattle having access to the water. There are several stables, the principal one, occupied by the omnibus proprietor, having no less than 23 horses in the stalls. Generally speaking this community has suffered considerably from the ravages of preventible diseases in the past, and at the present time one-half of the inhabitants are rendering inoperative the efforts of those assisting to carry out sanitary measures.

That was the report of the inspector of the Central Board of Health, on the 6th September last.

THE COLONIAL SECRETARY: Yes; he had read it.

HON. R. S. HAYNES: In the face of that, how could the Colonial Secretary say the people were not suffering? The people had been unwise enough to attack the Colonial Secretary for doing what the hon. gentleman conceived to be his duty, and perhaps he (Mr. Haynes) would be the first to resent any attack made upon himself. He asked the Colonial Secretary to reconsider the position. The people had no intention whatever of interfering with the present pumping station, and they would be willing to let it stay there for twelve months; all they asked for being a board of health.

THE COLONIAL SECRETARY said that he offered to consider the question of granting a board.

HON. F. WHITCOMBE: To consider it, yes.

THE COLONIAL SECRETARY said that he was willing to grant a health board, if the people were willing to exempt from the control of that board the pumping station and the road through which the pipe track went. That was going a good way. He further made the suggestion that they should try and meet the City Council and see if they could not come to some arrangement. He had done everything short of recommending a health board.

HON. R. S. HAYNES: The City Council refused.

THE COLONIAL SECRETARY: No; they met.

HON. R. S. HAYNES: The North Perth people referred the matter again for discussion, and the City Council

refused to meet them. The parties came to loggerheads. Subiaco, Leederville, Claremont, Cottesloe, and South Perth each had a health board, and North Perth had not, but North Perth had the same right as others. Fortunately he owned no land in North Perth: if he did, he should certainly make it his duty to abate any nuisance which would reduce the value of his land. Twelve months would be a fair time to allow the City Council to abate the nuisance. They must abate it. They could not carry on this nuisance with impunity from year's end to year's end. He thought it would be a fair thing if an arrangement were arrived at whereby a board of health would be granted on the distinct understanding that the council should be allowed twelve months in which to abate the nuisance. If the council could not abate the nuisance, the Colonial Secretary, who had to discharge the duties of the Act, should give to all the residents who desired to keep their places clean the benefit of having a local board of health, and it would be immaterial to him (Mr. Haynes) who suffered. The City Council should look after themselves, they being the strong power, and it was not right that the weaker power should stand over simply for the sake of the strong power which the hon. member represented.

HON. F. WHITCOMBE (in reply): All that was asked for was that a return should be produced to show what fever cases had been reported.

Question put and passed.

#### INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

#### CUSTOMS DUTIES (MEAT) REPEAL BILL.

Read a third time and *passed*.

#### FEDERAL HOUSE OF REPRESENTATIVES W.A. ELECTORATES BILL. IN COMMITTEE.

Clauses 1 to 4, inclusive—agreed to.

Clause 5—Application of the laws of Western Australia relating to elections:

HON. A. JAMESON had given notice of a new clause to stand as Clause 5.

He said members would see the very great importance of this question, and his amendment was simply brought forward so that the broad and liberal franchise for which this colony was distinguished might be taken advantage of at the Federal elections. He was informed that the amendment could not stand without affecting the Commonwealth Act, therefore he would be obliged to withdraw it. At the same time he felt that the whole of the colony should be represented in this matter, and he understood there was only one way in which that could possibly be done. It might be done by striking out the words "for six months" from Section 26 of the Constitution Acts Amendment Act of 1899. It seemed that the provision that electors should be on the rolls six months before they could vote, was rather unusual in some respects. It was not common to the colonies, and, if it prevailed in this colony, one-half or one-third of the people would be disfranchised at the coming elections. He was informed that the alteration would require the consent of the Queen, and in that event perhaps it might be possible to obtain it by cable before the elections came off. If the words referred to by him were struck out, those persons whose names were on the electoral roll could at once have a vote for both Houses, and the whole difficulty would then be overcome. It would be of enormous advantage to our colony for the people to be fully represented, in which case there would be no feeling of dissatisfaction for the next five or six years. The women of the colony had voted on the question of federation, and it seemed unreasonable that they should not be able to vote in regard to the election of candidates for the Federal Parliament.

HON. A. P. MATHESON: The withdrawal of the amendment, of which Dr. Jameson had given notice, practically substantiated the view taken by him (Mr. Matheson) last night. He then pointed out that to pass the amendment would be simply flying in the face of the Federal Constitution, which laid down clearly that only people who could vote for members of the local Parliament could vote for federal representatives. Yesterday Mr. Haynes and Mr. Hackett took an opposite view.

HON. J. W. HACKETT: No.

HON. A. P. MATHESON: Then the opinion attributed to the hon. member in his own paper was wrong. However, he was quite prepared to accept the hon. member's statement.

HON. J. W. HACKETT: Nothing of the kind was said by him, nor was he reported to have said so.

HON. A. P. MATHESON said he was sorry that he misunderstood the hon. member. He was anxious that all those people who would be enabled to vote at this election should be allowed to do so. Dr. Jameson wished that the constitution should be amended, and that the amendment be telegraphed to England for the assent of Her Majesty. He had always thought that twelve months was rather long before a person could have a vote, and that not only applied to the federal elections, but to elections to the local Parliament. He would be delighted to see the restrictions struck out.

THE COLONIAL SECRETARY: While sympathising with Dr. Jameson in his desire to have a wide franchise exercised in the first election for the members of the House of Representatives and the Senate in the Federal Parliament; for if he could have had his way we would have had the franchise extended during an early period; because for years he had been advocating the extension of the franchise to women, we were not able to make the alteration as suggested. The franchise had been fixed by our own Constitution Act, and the Commonwealth of Australia Constitution Act states how the election of members to the House of Representatives should be carried out in the federal States of the Commonwealth. That being so, it only remained to try and meet the difficulty in another way which the member suggested. The hon. member supposed that he (the Colonial Secretary) had more power than he really possessed. The amendment would be a matter for the Parliament of the country to decide, and it would have to be introduced by the head of the Government in the first place. Then there was this difficulty, the amendment would have to be transmitted for the approval of Her Majesty, and would have to lay on the table of the House of Commons for a certain number of days.

HON. J. W. HACKETT: Thirty days.

**THE COLONIAL SECRETARY:** The House of Commons at present was not sitting, and was undergoing that surgical operation which we had to submit to in this colony sometimes; therefore, it would not be possible to accomplish the object of the hon. member if Parliament were inclined. This was a vital principle of the Bill, and he hardly thought Parliament would depart from the principle it had already laid down—the six months residence in the colony and six months registration, before a person was entitled to a vote. He believed a considerable number of women had taken the precaution to register, and would be able to avail themselves of the opportunity of voting. A large number of males had also taken the same precaution, and would be able to vote on this important question, being the first election for the Federal Parliament, an epoch in the history of the colony. Liberal measures would, no doubt, be adopted to enable those in remote districts who wished to record their vote to do so. He was unable to make any promise to the hon. member in regard to this matter. He was willing to adopt the hon. member's first amendment with some slight alteration. The hon. member proposed to strike out the words "all representatives." If the object was simply to improve the reading of the clause, he would go a little further and strike out the words "at the election of representatives."

**HON. F. WHITCOMBE:** That was nonsense.

**THE COLONIAL SECRETARY:** If it was thought so, he would not move the amendment.

**HON. A. P. MATHESON** said he would like to make a personal explanation. The quotation in the report alluded to was in the *Morning Herald* and not the *West Australian*.

**HON. F. WHITCOMBE:** So far as the election of members to the Senate was concerned, although there might be a regulation as to no elector voting except in certain ways, he would like to see an amendment to Clause 5, that in the election for members of the Senate no elector should vote more than once for one candidate. The colony of Western Australia had to elect six representatives to the Senate and on the principle of one electorate the people in the country might

be throwing themselves into the hands of the populous centres. If the centres of Kalgoorlie and Coolgardie chose to combine with the centres of Perth and Fremantle, those who had cast their lot and invested their money in the country districts and the smaller towns would be left entirely in the cold. There might be a "ticket" put forward to be supported by the trades unions, he would say, the labour organisations and the general crowd of people opposed to everything in the shape of progress and settlement in the coastal districts: if these organisations chose to combine, they could dominate the whole of the representation of the colony, so far as the Senate was concerned. That could only be remedied by providing that no elector should vote for more than one candidate in the senatorial election for the Federal Parliament of the colony. He did not think there was any desire that any one class should be represented in the Federal House of Representatives more than another. The divisions for the election of members to the House of Representatives had been created according to the population of the various districts, and were as fair as possible. But when we came to the representation of Western Australia in the Senate, the more important body, if the six representatives were elected on one "ticket," only one class might be represented.

**HON. C. SOMMERS:** Was not the majority to rule?

**HON. F. WHITCOMBE:** Were the members to the Federal Parliament to be representative of the majority or interests? He thought it should be interests. There ought to be representatives of interests. Who was going to rule? Were those "hoodlums" on the Eastern goldfields, who apparently had filled the police courts and a few other places in the last few years, going to rule?

**HON. C. SOMMERS:** The hon. member had not been on the goldfields.

**HON. F. WHITCOMBE** said he had been on the Murchison, and if crime on the Eastern goldfields in any way compared with crime on the Murchison, the Eastern goldfields must be a hell upon earth.

**HON. C. SOMMERS:** There was no crime there.



HON. F. WHITCOMBE: Judging from the men, from the witnesses sent down, and from the cases, he should say that the Eastern goldfields did not want any comparison with the Murchison, but were a hell upon earth by themselves.

HON. C. SOMMERS: Thanks!

HON. F. WHITCOMBE: They were not the people who should have the votes; they ought not to have the jury system, but at the same time they had it, and the prevailing sentiment was that generally speaking there was a subversion of justice. He did not think that, the colony being divided up into five districts for the House of Representatives, we should permit the people to elect members of the Senate simply on the basis of every man having a vote for the six members. That would be giving the whole of the representation in the Federal Senate into the hands of the most populous clique, and it ought to be evaded as far as possible. He moved to report progress, so that an amendment might be brought forward to allow of a provision whereby an elector might vote for one person, and one person only, at the senatorial election.

Motion (progress) put and negatived.

Clause put and passed.

Clauses 6 and 7—agreed to.

Clause 8—Remuneration of officers and expenses:

THE COLONIAL SECRETARY moved that the clause be struck out.

HON. F. WHITCOMBE: Quite right; he did not see why the officers should be remunerated at all.

THE COLONIAL SECRETARY: The Federal Bill provided that the Governor General should pay the expense of the election of members of the House of Representatives. A telegram to that effect had been received, and therefore it would be unnecessary to continue this clause.

Amendment put and passed, and the clause struck out.

Schedule, preamble, and title—agreed to.

Bill reported with amendment, and the report adopted.

PUBLIC SERVICE BILL.  
IN COMMITTEE.

Clauses 1 to 4, inclusive — agreed to.

Clause 5—Exemptions:

HON. A. P. MATHESON said he had an amendment to Sub-clause *h*. This clause provided that nothing in the Bill should apply to certain specified branches of the civil service, and amongst those branches the Government had thought fit to include school teachers. He believed this matter was debated in another place, and it was pointed out by those in charge of the Bill that the school teachers came under a separate Act of their own, which made due provision for most of the things considered necessary, and it was also stated that the school teachers themselves were not in favour of being brought under the operation of the Bill. But since that statement the school teachers had held a meeting, which was pretty generally attended, and strong views were expressed in favour of school teachers being brought under the operation of the Bill. If there was any body of men in the public service entitled to the protection and privileges of this Bill, school teachers were pre-eminently entitled to them. School teachers had charge of the education of the youth of the colony. It fell upon them to bring up the future citizens and voters of Western Australia in the way in which they should be brought up. The grievances which school teachers expected to be remedied by the Bill were these. They said that under the existing Act which controlled their body they were liable to arbitrary dismissal at a month's notice. He had not been able to refer to the Act, but his authority was a good one. The second thing they complained of was that in case of dismissal or complaint, there was no individual board provided for one to bring his case before. They were in fact judged by their chief, presumably the Colonial Secretary.

HON. F. WHITCOMBE: No.

HON. A. P. MATHESON: Of course he was not to be understood to throw the least doubt on the hon. gentleman's capacity for dealing with these matters, or his straightforwardness; but one could easily understand that when certain advantages, and amongst others an impartial board to investigate their grievances, were placed at the disposal of part of the service, all others in the civil service desired to participate in such privileges. In this Bill there was a provision for an

impartial board to deal with complaints, and school teachers were most anxious to come under the operation of that particular clause. Then they were not entitled at present to the accumulated six months' leave, and they were anxious to participate in that privilege. Then, in addition to that, he was told from another source that at least 50 per cent. were on the temporary staff at present, and there was a provision in this Bill that public servants who were at present on the temporary staff, who had been continuously employed for two years, and whose services it was not intended to dispense with, should, for the purposes of this Act, be treated as permanent officers. These teachers were most anxious to be in the permanent service of the colony. and it was most desirable that they should be permanent servants, that they should not be liable to dismissal at a month's notice on the unfavourable report of an inspector on any chance complaint. One could appreciate how much more secure they would feel, if they knew that in case of any complaint against them they could have the matter inquired into by a board. He therefore moved that the words "Government school teachers" be struck out.

**THE COLONIAL SECRETARY:** It would be a great mistake to strike out the words "Government school teachers" from this clause. School teachers were under regulations, and there were very few clauses in this Bill that were applicable to their case. Clause 13 of the Bill would upset the scale of salaries, etc., under which the Education Department was at present working, and the passing of this amendment would have other serious consequences upon the teachers. In the estimation of the Inspector General, at least, it would probably result in ruin to the schools. One of the arguments used by Mr. Matheson just now would go to show that a teacher was not to be dismissed, although he might be thoroughly incompetent, or drunken, or anything else, on the report of the inspector. The very essence of administering the Education Department was that reports of inspectors must be accepted for the time being. They were not accepted without criticism and careful consideration by the Inspector General, and every case of dismissal

had to come before the Minister and afterwards before the Cabinet. The school teachers occupied a better position than the clerks in the department. They were classified, which did not obtain in any other department except perhaps the railway department. The salaries were fixed according to the classification enjoyed. The classification was obtained by passing examinations from time to time, and the salary was arranged according to the classification. This involved removal from one school to another, so that a teacher might not have a Class 3 school if he was entitled to a Class 4 or Class 5, as the case might be. The teachers as a body, he understood, did not desire to come under the Bill; and hon. members were under some misapprehension in regard to the small number who met together at Claremont.

**HON. F. WHITCOMBE:** There were forty-five.

**THE COLONIAL SECRETARY:** These teachers passed a resolution which was forwarded to him (the Colonial Secretary), but some of those teachers who met there were under a misapprehension, and regretted they had taken part in the meeting. To bring the teachers under the Bill was to seriously injure them. As to holidays, teachers were under the impression that in addition to the holidays they had, they would be entitled to six weeks' holiday. The teachers of the State schools received seven weeks' holiday in the year and every Saturday. If the teachers were so foolish as to think that in addition to that they were to obtain an extended leave of six weeks, he was surprised at their expectation.

**HON. F. WHITCOMBE:** On Saturdays the teachers worked harder than on any other day.

**THE COLONIAL SECRETARY:** What work did they do?

**HON. F. WHITCOMBE:** They classified their pupils.

**THE COLONIAL SECRETARY:** If that were so, then all honour to the teachers. At Christmas the teachers received five weeks' holiday, and they could go, some did go, for an extended trip to the other colonies. The teachers also participated in the other holidays which were declared. The teachers would receive, from the 1st January, 1901, the sum of £24,000 in increases to their salaries.

This had been passed under more liberal regulations which had been approved by the Executive Council. Teachers occupied a good position as opposed to the clerks in the service, and by faithful and diligent discharge of their duties and study they obtained promotion. He hoped the Committee would not strike out paragraph (h). In some cases teachers did not receive large salaries; but that applied to clerks. If the department sent a teacher to a country district where there were no more than ten or twenty children, the teacher could not expect a large salary, and in some of the schools of the colony the scholars cost the country £10 per head for their education; so that members would see what an expensive item education was. The Government were desirous of extending the benefits of education, and it was always with great reluctance that schools had to be closed when the minimum dropped to ten. The Government were always willing to open schools in the country where there was a probability of the settlement being permanent, and he was happy to say these schools were increasing, not only on the goldfields, but in the country districts. He was informed that Clause 13 would upset the salaries for teachers; besides teachers were classified by examination, and could be classified in no other way. These were some of the provisions which would operate to the disadvantage of teachers if they were included under the operation of the Bill.

HON. J. M. DREW: School teachers, he was convinced, desired the amendment. He had been approached by several teachers, and he found that a meeting of the Head Masters' Association, which he took it represented a large number of schools, passed a resolution unanimously that the meeting deplored the fact that teachers were excluded from the operation of the Bill. That resolution was carried after it had been stated in another place that the school teachers of the colony did not desire to be included in the Bill. The Colonial Secretary had said that if the school teachers were included, it would tend to upset the salaries of the teachers. That would be a happy result for the teachers, for in many instances miserable salaries were paid.

HON. F. WHITCOMBE: The Colonial Secretary was following out the good old programme of the Government, objecting to anyone being paid more than he was prepared to accept as a pittance to keep body and soul together. The Colonial Secretary knew well that there was not a teacher who was paid within 50 per cent. of his dues. There was not a man or woman amongst the teaching staff of the department who received anything like fair remuneration for the work done.

THE COLONIAL SECRETARY: The teachers were paid as good salaries as the teachers in the other colonies were.

HON. F. WHITCOMBE: What had we to do with the other colonies? We had to educate our children or increase the price for the protection of the people when the children grew up. If we did not teach the children, they would grow up in crime and vice, and provision would have to be made for greater protection in the future. If the Government compelled children to be educated, surely the State could afford to find the money to educate those who were to be the bulwarks of the State in the future. The Government were not going to get good teachers for £2 or £2 10s. a week. It was absurd for the Government to think that teachers could be ground down to give their time and energy, to give their absolute existence for a mere subsistence to keep body and soul together and no more. The teachers received no advantages, only what were called advantages under the Education Act; and it would be better for those amongst the higher classes of teachers to be brought under the Bill than to remain in the position which they now occupied: handed over to the tender mercies of a Minister who did not give them fair consideration. The department was under the control of a gentleman who was imported from England, and after he had been sent to the other colonies to learn his business, was pitchforked into the position in charge of the whole of the schools. That was the gentleman who had the whole say in the matter. The teachers should be brought under the Bill. He admitted that junior teachers might not be brought under the measure, but the head teachers in the larger schools and those in charge of the second-class schools should have the benefits of the Bill. They should not

he put on the same basis as the temporary employees of this colony. A person might be liable to immediate dismissal, not at the instance of the Colonial Secretary, who would be liable to a motion in this Council or another place, but at the instance of a gentleman whose name was, he believed, Cyril Jackson, the Inspector General of Schools, who was responsible to no one, who had no experience, who knew nothing whatever about what was required in the colony, who was imported from England to carry on the business, or rather to draw the salary, and who was sent to Victoria to learn a few of the details he was to carry out. If the administration was to be carried on in that way, it would be better for the employees to be brought under the operation of the Bill.

HON. C. SOMMERS: What was the present position of school teachers? Under Clause 35 any public servant suspended would have a right to demand a board of inquiry.

HON. F. WHITCOMBE: That meant a board appointed by Mr. Jackson.

HON. C. SOMMERS: What position was a teacher in at present in regard to suspension?

THE COLONIAL SECRETARY: A teacher could demand to have his case placed before the Minister.

HON. C. SOMMERS: Could he not demand a board?

SEVERAL MEMBERS: No, no.

THE COLONIAL SECRETARY: A teacher could demand to have his case laid before the Minister for his consideration.

HON. C. SOMMERS: In that case he must support the amendment proposed by Mr. Matheson.

HON. A. P. MATHESON: The Colonial Secretary had been asked by him what particular clauses there were in this Bill which would be detrimental to the school teachers, and the only clause the hon. gentleman was able to suggest was Clause 13, which said:

The Governor shall, according to the work of each department, annually determine—(a.) The number of public servants required for the efficient working of each department; and (b.) The work to be done and the pay to be received by each.

THE COLONIAL SECRETARY: As the hon. member would see at a glance, it was an utter impossibility for the Gover-

nor to do that in regard to the school teachers.

HON. A. P. MATHESON: No one supposed that the Governor sat down and settled the salaries in his own private sitting room. He acted on the advice of his Ministers. The Governor in this case meant presumably the Governor-in-Council. The Governor would simply confirm what the Minister recommended.

THE COLONIAL SECRETARY: No; what the Cabinet recommended.

HON. F. WHITCOMBE: The same thing.

HON. A. P. MATHESON said he did not want to split hairs as to whether it was one Minister or six Ministers. The point was that the Government would recommend the salaries, and the salaries would presumably be the same as those paid now. The salaries now paid were the lowest possible for which men with any mental attainments could be got to work. If these salaries were reduced by so much as £1 a year, the men in the Education Department could go outside that department and get better money and easier terms, and they would leave.

HON. F. WHITCOMBE: Lots of them did leave.

HON. A. P. MATHESON: Many left. He was credibly informed that numbers of them simply used the Education Department as a stepping-stone to better pay and easier work. For that reason it would be absolutely impossible for the hon. gentleman to recommend the Governor to reduce salaries one sixpence. Therefore, it was no argument to say that by bringing the school teachers under the operation of this Bill we should be causing them to suffer detriment by Clause 13. Classification would remain the same, there being nothing in this Bill to prevent classification. He had listened most carefully to everything that had fallen from the Colonial Secretary, and he must appeal to the House whether the hon. gentleman had given a single valid reason why the Bill should not apply to teachers. He was credibly informed that in several large centres in this colony the wives of head teachers were teaching, although they had passed no examination. Presumably that was because they taught at a low rate of pay.

HON. F. WHITCOMBE: Half-pay.

THE COLONIAL SECRETARY: No. There was a scarcity of teachers, because teachers had to be trained people.

HON. A. P. MATHESON: There was a scarcity of teachers because the salary was not adequate to the mental attainments required for educating youth.

HON. R. S. HAYNES: The clause should stand as at present. If the measure was going to embrace every branch of the civil service, then it should embrace railway servants and members of the police force. But inasmuch as we were going to make distinctions, he did not see why the distinctions which already existed should not continue to exist. Provision was already made for dealing with Government school teachers, in the same way as provision was made for dealing with railway employees and members of the police force. The rules dealing with permanent railway servants were not on a good basis, but that was a matter that could be settled afterwards. If we made this Bill apply to school teachers, we should be endangering the measure. Afterwards, when we saw how the Bill worked with reference to other public servants, it might be deemed advisable to apply the Bill to teachers, but it would be unsafe and unwise to apply the Bill to them at present. Up to the present, at all events, school teachers had expressed no dissatisfaction with the rules.

A MEMBER: They had.

HON. F. WHITCOMBE: Teachers had expressed no dissatisfaction because they were afraid to do so, and we knew what would happen if they ventured to do it. The fact that they had not protested did not prove that there was no grievance. They were afraid to protest lest they should lose the standard they had already reached. He would far sooner that the Bill were defeated than that the school teachers should be excluded from its operation, and justice not be done to such an influential class. Teachers were bringing up the rising generation, and were educating those who would govern this colony in the future; so they, of all people, ought to have every benefit that could be extended to them on the part of the colony. We must fit for their duties the rising generation who would in future govern the colony; and how could we fit them for their duties unless we employed those who were qualified for the purpose, and how could we employ those who were qualified unless we paid them properly

and put them on a proper basis whereby they would have a stable position and know exactly where they were? School teachers ought to be brought under the operation of this Bill.

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

Ayes	...	...	...	5
Noes	...	...	...	8

Majority against ... .. 3

AYES.		NOES.	
Hon. G. Bellingham		Hon. R. S. Haynes	
Hon. A. P. Matheson		Hon. S. J. Haynes	
Hon. C. Sommers		Hon. D. McKay	
Hon. F. Whitcombe		Hon. G. Randell	
Hon. J. M. Drew (Teller).		Hon. J. Richardson	
		Hon. H. J. Saunders	
		Hon. W. Spencer	
		Hon. A. Jameson (Teller).	

Amendment thus negatived.

At 6:30, the CHAIRMAN left the Chair.

At 7:30, Chair resumed.

HON. F. WHITCOMBE moved that in Paragraph j, line 2, after "inspectors" the words "and sub-inspectors" be inserted. It appeared that the idea of the Minister in charge of the department was that the members of the police force should not obtain the so-called, or expected, or mis-called benefits of this measure, with the exception of the Commissioner and the Inspectors. It was a little unfortunate for the framer of this Bill that since the measure was framed there had been introduced another officer of police called the Superintendent, who did not happen to be included in the operation of the measure. The Superintendent was not an Inspector of Police; he used to be Chief Inspector, but now he was Superintendent of Police, and that officer was not brought under the operation of the Bill, being squeezed out in the cold, so to speak. Not that he thought the Superintendent would suffer; he rather thought that those who came under the operation of the Bill would wish they had been squeezed out with him, if the Bill were not put in a better shape than at present. The Superintendent held a position of greater responsibility than did the Inspectors, and practically he had equal responsibility with the Commissioner. Why should an Inspector be differentiated from a Sub-inspector so far as any advantages of the civil service were concerned? A Sub-inspector was placed in charge of a district, having the

whole responsibility of the police administration in that district, and he was responsible directly to the Commissioner of Police. If a Sub-inspector were advanced to the position of Inspector, he was placed in charge of a district of perhaps no greater area than that of which he had charge previously. Nor was the responsibility any greater; and the work was probably less. At the same time, in consequence of being advanced, he was called an Inspector instead of a Sub-inspector, but the increase of pay was infinitesimal, so to speak, yet on being appointed Inspector he was brought under the operation of the Public Service Bill; that appeared to be absurd.

HON. R. S. HAYNES: Such officer would be excluded.

HON. F. WHITCOMBE: If once a man got past the position of Sergeant of Police he ought to be entitled to be enrolled as a civil servant, and so far as the benefits of the civil service were concerned, his service should really be reckoned from the time when he entered the service.

Amendment put and negatived.

SIR GEORGE SHENTON moved that the following words be added to the clause, "The Chief Clerk of the Legislative Council and Legislative Assembly respectively." His reason for moving that these words be inserted was that in the Constitution Act there was a special proviso stipulating that "the Chief Clerk for the time being of the Legislative Council and the Legislative Assembly shall respectively be removable from office only in accordance with a vote of the House of which he is an officer." Therefore the Act clearly placed those officers under the jurisdiction of Parliament. As the Constitution Act would certainly override the Civil Service Act, it was only right that he should move the amendment so that there should be no anomaly. He therefore moved the addition of these words.

Amendment put and passed.

HON. R. S. HAYNES drew attention to sub-clause (c), referring to the exclusion from the operation of the Bill of Judges of the Supreme Court, and said he desired to obtain information.

SIR GEORGE SHENTON: Judges of the Supreme Court also came under the Constitution Act.

HON. R. S. HAYNES: Would Judges' associates come under the operation of the Bill? Associates had always been appointed by the Judges for special reasons. In New South Wales the Judge appointed his associate for twelve months, and he (Mr. Haynes) did not think that any associates in the Supreme Court were in such position more than about a couple of years, as a rule. Some Judges said "I shall not keep an associate more than twelve months," and he generally offered the position as an inducement to an article clerk. In this colony, let one take the case of Mr. Justice Hensman. His Honor wanted his associate for personal reasons, and he ought to select him. It would not be right for the Minister to be able to say "I shall appoint William Smith as associate," when the Judge would consider that such man would not suit him. Perhaps William Smith got drunk, and the Judge would not have him any more, but recommended his dismissal; yet, if the associate were brought under the operation of this Bill, he could apply for a board.

HON. A. P. MATHESON: A Judge's associate was not a civil servant.

HON. R. S. HAYNES: An associate was a civil servant, and was gazetted as such. The point might be dealt with on recommitment.

HON. A. P. MATHESON: A Judge's associate was appointed temporarily.

HON. R. S. HAYNES: The appointment was not temporary in some instances. Perhaps the position of associate was not well defined. An associate was some person whom a Judge appointed, perhaps for a certain time. The associate might suit him, and be with him for years, but the Judge ought to have the option of saying who his associate should be.

SIR GEORGE SHENTON agreed with Mr. Haynes. Take the case of a change such as occurred the other day, when the Chief Justice became Administrator. At that time the Chief Justice took his associate and made him his private secretary. If associates were to be brought under the operation of this Bill, there might be a difficulty, as the hon. member had stated, and he thought associates should be exempt, their appointments being left to the option of the Judges.

Clause as amended put and passed.

Clause 6—agreed to.

## Clause 7—Public servants:

HON. F. WHITCOMBE moved that in line 3, after "wages" the words "or whose appointment is expressed to be temporary" be struck out. He would liked to have seen the clause postponed until the end, so that the Committee might know what was intended to be done in respect to that great army of Government employees on the temporary staff. It was not fair that the public service included in three departments—over one-eighth or thereabouts of those employed—should not be under the Bill. From figures given in another place it was seen that employees to the number of 124 would come under the Bill; whereas those employed temporarily—from six months to seven or eight years—numbered 700 odd.

Amendment put and negatived, and the clause passed.

## Clause 8—agreed to.

## Clause 9—Divisions of public service:

HON. R. S. HAYNES: What was the meaning of the words "special skill and technical knowledge": they were very wide. Carpenters required technical knowledge. Would they be included in the professional division?

THE COLONIAL SECRETARY: A carpenter was paid a weekly wage.

HON. R. S. HAYNES: Suppose the man was paid monthly, he would have technical knowledge. "Special skill" was, to his mind, open to doubt. Although he (Mr. R. S. Haynes) might fulfil the duties of a clerk, he would be sorry to take the position of a sorter of letters in the Post Office, which required special skill. He supposed the professional division would include a draftsman.

THE COLONIAL SECRETARY: It would include a draftsman, he thought.

HON. R. S. HAYNES: The clerical division according to the Bill included all public servants whose duties chiefly required clerical skill. Any person doing clerical work required clerical skill.

THE COLONIAL SECRETARY: Did not the hon. member think the clause was sufficiently explicit?

HON. R. S. HAYNES: That was the opinion held.

## Clause put and passed.

## Clauses 10 to 15, inclusive—agreed to.

Clauses 16—Departmental confidential reports:

HON. F. WHITCOMBE: Did this clause mean that the confidential reports would be open to the inquiry of members of Parliament.

THE COLONIAL SECRETARY: They would be open to the board.

HON. F. WHITCOMBE: What board?

THE COLONIAL SECRETARY: The board instituted under the Bill. Parliament could call for papers at any time.

HON. F. WHITCOMBE: Were these reports open to members?

HON. R. S. HAYNES: It was to be hoped not.

HON. F. WHITCOMBE: Did the Colonial Secretary think that the reports would be open to members of Parliament; not for the private use of a member of Parliament but for public purposes?

HON. R. S. HAYNES: How would the reports be confidential if that were so?

HON. F. WHITCOMBE: Members of Parliament were in the position of directors of a company. If these reports would not be open to members of Parliament, to whom would they be open?

THE COLONIAL SECRETARY: They would not be open to members of Parliament, he took it.

Clause put and passed.

Clauses 17 and 18—agreed to.

## Clause 19—Compulsory insurance:

HON. F. WHITCOMBE moved that the clause be struck out. It was to be regretted that there was not a larger attendance of members or a greater interest displayed in the Bill, which was of some public importance. This clause was inserted at the instigation of a very consistent supporter of the Government, in another place, and we could assume that it was proposed by that member in consequence of opinions he held, faddish or otherwise, which he was prepared to carry out, pointing towards no particular object. No doubt the Government whom the member had supported in the past in a consistent manner were prepared to allow the member to have the proposal shoved into the Bill, for what reason was best known to the members of the Administration. If the clause were carried out as proposed, many persons who were now and had been for years past temporarily engaged in the public service, would be absolutely excluded from taking advantage of the Bill, and from being placed on

the permanent staff in the future. They would have wasted their time in the efforts they had made for the cause of the colony, for the miserable pittance given to them, and they would be no better off. In fact they would be worse off, because they would be liable to be discharged at a moment's notice, simply on the ground that, unfortunately for themselves, they could not pass an examination and so insure their lives as required by the Bill. Apparently because the Premier enjoyed excellent health and a magnificent constitution, he considered that physical health must necessarily be combined with brains, and therefore he thought that if a man could not pass an examination, he could not possess sufficient brains to carry out the duties of a civil servant. It was absolutely wrong that the Government should arrogate to themselves the power to insist on a candidate for employment in the civil service passing an examination by a medical officer. If a man had to insure his life, and the policy were to be held as a security for good conduct, he could understand it; but the Government ought not to insist upon men whose salaries ranged from £150 to £250 paying a part of that salary for insurance, because the Government would not undertake the responsibility of old-age pensions for men who had spent all their years in the Government service. The Government were like a good many other people. People would work a horse until it was too old, and then they would not even give it grass room, but "chucked" it out and let it go. At the same time, the Government would provide expenditure on a poor-house, where an unfortunate civil servant who had worked all his years for the benefit of the public, could hide his bones for the rest of his natural life. If there had been any provision whereby the salary could be increased so that a man could have a living wage and be able to provide for himself, he could have understood the matter; but compulsory insurance would be absolutely unfair, and particularly so in the case of old and middle-aged men who came into the permanent service at the present time, and who had been temporarily employed in the hope of being placed on the permanent list. He hoped that the clause would be struck out.

HON. F. M. STONE thought that the hon. member intended to move that the clause be struck out.

HON. F. WHITCOMBE replied that he did move it.

HON. F. M. STONE: The clause would work great injustice to those in the employ of the Government at the present time, and also any person wishing to get into the Government service. As he read the clause, if a person now in a Government billet obtained the opportunity of a better appointment, he would have to insure his life before that appointment could be confirmed.

HON. R. S. HAYNES: Subject to regulations.

HON. F. M. STONE: The clause said "shall be continued and the amount thereof fixed and increased from time to time." Suppose one were offered a resident magistracy, that person would have to insure his life to be enabled to have the appointment confirmed, although he might have been in the Government service perhaps for 25 years, and might be in every respect a competent and able man. At the age of 45 perhaps he might be obliged to insure his life. There were certain gentlemen in the Government service who, he knew, had been unable to get their lives insured, and yet these men were competent, and the Government had the highest opinion of them; but notwithstanding that, they could not under this clause get any further appointment. If a person were appointed, he had to insure first of all. That person might turn out to be a really good man, and the Government might wish to give him a better appointment. Let one take the case of a warden. A man might be appointed warden on one goldfield, and subsequently be appointed to another; and although he had already insured his life, he would, on receiving the second appointment, again have to insure his life.

THE COLONIAL SECRETARY thought that all he would have to do would be to insure his life when he first entered the permanent service.

HON. F. M. STONE: The Colonial Secretary was wrong in his opinion.

HON. R. S. HAYNES: Clause 15 met that.

HON. F. M. STONE: A person might be appointed warden of a small goldfields



district at a salary of £250 a year, and if he were subsequently appointed to a larger district at £500 a year, he would have to insure his life before that appointment could be confirmed.

HON. R. S. HAYNES: Not necessarily.

HON. F. M. STONE: Wardens continually changed, and every time a man got a fresh appointment, he would have to insure his life for a higher amount, and therefore would have to go through the whole thing again. The older a man got, the higher the premium he would have to pay, and when he reached the age of forty-five or fifty he would have to pay a large premium. One thought that this provision had been put into the measure without being properly considered.

HON. R. S. HAYNES: The clause required amendment.

HON. F. M. STONE: The clause would work a great injustice to those now in the service, and those who joined afterwards, therefore he moved that it be struck out.

HON. R. S. HAYNES: Whilst agreeing with much that had been said by Mr. Stone, he thought the principle underlying the clause was a good one. As the clause stood at present, it was certainly open to the objection which had been raised, and it ought not to pass in its present form. He thought that they might proceed with the Bill, and he moved that consideration of the clause be postponed. The principle of insurance of civil servants ought to be introduced. Unfortunately the rank and file of the civil service were thriftless. There was only one epoch in the year which attracted their attention, and that was the period of the Estimates, and there was only one day in the month which they referred to, that being the first. As a rule they lived on their salaries in advance. They were generally in debt, and when the first of the month came they had perhaps a little night out, and then they were working a "dead horse" for the rest of the month. Supposing a clerk had an increase of £20 or £50, he would still go on in the same groove. He calculated every penny, and knew exactly how far he could go. If he overstepped the bounds one month, he would have to go back the next. One was not speaking of the higher civil servants. If extra expense were incurred by their insisting on insurance, it would be neces-

sary to increase the salaries. Every man who married, and who had children should refrain from living up to every penny he had. Every man had an obligation, when children were born, that he should look after their future maintenance. He did not believe that a man should spend the whole of his salary on himself and his wife. A man might say that he was healthy, but he forgot that a tram might run over him or fever attack him, and if he died he would leave his widow and family unprovided for. It was absolutely necessary in the interests of the civil service that some clause should be inserted in the Bill to make it compulsory on civil servants to insure their lives. The clause in the Bill was open to some objection, but he thought it could be amended in such a way as not to work harshly. In Germany, which country they looked to for model legislation, there was compulsory insurance on everybody, and if it was good for the whole of the German nation surely it was good for the civil service here.

HON. F. M. STONE: Why pick out one class?

HON. R. S. HAYNES: At some subsequent date he hoped to compel everybody to insure their lives: he hoped to see a Bill for compulsory insurance of the people brought in. He asked that the clause might be postponed until the next day, so as to give him time to draft a clause which would be acceptable to hon. members.

HON. A. P. MATHESON: It was not necessary to postpone this clause, because the principle was absolutely inadmissible. If insurance was to be rendered obligatory, it was for the State to take out the policies and not for the individual. The hon. member (Mr. R. S. Haynes) suggested that the salary should be raised in order that the premiums might be paid by the individual; but at the same time the hon. member pointed out that as soon as the salaries were raised the insurance had to be increased. Why should not the Government do exactly what private companies did? A company insured all its employees against accident, and the company did not deduct anything from a man's wages, but went straight to the insurance company and covered all the employees with a policy. If the Government intended to make insurance com-

pulsory, that was the system to adopt. No amendment to the clause would make it less absurd. It was not a proper principle to have compulsory insurance or to provide that as a person rose in the service the insurance should rise also.

HON. R. S. HAYNES: That was a question of detail, on which he agreed with the hon. member.

HON. A. P. MATHESON: The chief principle was that a man was compelled so long as he was a member of the service to pay his insurance out of his salary: that principle was wrong. Let the Government take out the policy. He would support Mr. Stone in striking out the clause, and Mr. Haynes could then propose a new clause dealing with Government insurance later on.

HON. R. S. HAYNES: Once the clause was struck out it could not be reinserted.

THE COLONIAL SECRETARY: There could be no objection to postponing the clause, and at a later stage hon. members would be afforded an opportunity of rejecting it if it were so desired. The hon. member should have an opportunity given him of drafting a clause on the question of insurance which he (the Colonial Secretary) was in favour of. It was a man's duty to provide for his family in case of misfortune overtaking him. That was the principle aimed at by the hon. member.

HON. F. WHITCOMBE: There was no objection to postponement. He did not like the Bill, and he did not think it could be made workable; but he would give every opportunity to hon. members to make it workable, and if, on the third reading, he found that the Bill was not a workable measure, he would favour throwing it out.

- Motion (postponement) put and passed, and the clause postponed.

Clauses 20 to 26, inclusive—agreed to.

Clause 27—Political affairs:

HON. F. WHITCOMBE: Was this clause supposed to be retrospective, because in the past a great number of members of the service who were on the temporary list had interested themselves in the election of persons to Parliament. Were these officers to be discharged at once?

THE COLONIAL SECRETARY: Nothing in the Bill was retrospective.

Clause put and passed.

Clause 28—No overtime in certain cases:

HON. F. WHITCOMBE moved that the clause be struck out. The hours at present arranged for employment in the public service were very short indeed, and although the clause provided that no overtime should be allowed, we knew that overtime would be unnecessary if the hours of employment were the same as that of private firms. The services were very light, and there were more than sufficient hands to do the work required; but at the same time the provisions of the Bill seemed to entertain the idea that there would be overtime in one or more instances. If overtime were necessary it should be paid for. If the heads of departments were responsible for the full employment of the officers, and if the heads of departments considered that there was more work than the employees could manage, it was their place to ask for more employees, rather than allow certain officers to work overtime. It was by no means a fair and proper thing, if a staff was sufficient, to ask one or more employees to continue working longer than the time for which they were engaged, without payment. If an officer, through neglect or refusal, did not do his work, then it would only be proper to ask him to come back and complete the work. Was there any difference between the Government and a private employer? Was there any particular qualification belonging to the Government that the Government should be exempted from that which applied to other people? If overtime was worked, it ought to be paid for. If they were not going to pay a man for overtime, why should they ask him to work? In the Railway Department men had refused to work overtime, and having included themselves in associations, they could dominate the Government. He moved that the clause be struck out. Another clause could be inserted to meet the requirements of the case.

HON. S. J. HAYNES: The clause as it stood was a very good one. Overtime had been "worked" in some of the departments for all it was worth, and by the retention of the clause no injustice would be done. On the contrary, good would be effected, inasmuch as the clause would be an incentive to those employed

in the Government departments to do their work in departmental hours. He knew of many instances where overtime had been worked disgracefully, and the country had to pay for it. If no overtime had been given, or there had been a clause like this, those members of the civil service would have worked harder during the ordinary hours. In case of a servant being called back, overtime could be paid for, and where that was not brought under the notice of the Governor in Council, and the overtime was not paid for, such overtime would be duly recorded.

HON. F. WHITCOMBE: What did that mean?

HON. S. J. HAYNES: If that overtime were recorded and then looked into properly, and it was found that the officer had been called upon to work overtime by the head of the department, or any superior officer, justice would be accorded to him.

HON. R. S. HAYNES: Such officer would receive promotion or something of the sort.

HON. S. J. HAYNES: Under special circumstances overtime could be paid for. Rather than encourage overtime it would be better to employ more servants to have the work done during departmental hours, and to keep the service in a state of efficiency.

THE COLONIAL SECRETARY: Mr. S. J. Haynes had described the exact practice prevailing at the present moment in the civil service with regard to overtime. An officer would be prevented from working overtime unless there was absolute necessity for it. If overtime became necessary to any extent, the head of the department was immediately directed to employ extra clerical labour. The principle of overtime was a very bad one. If Mr. Whitcombe had ever been an employer of a large number of men he would have found that out. He (the Colonial Secretary) had been a large employer of labour for many years, and he knew that it was exceedingly objectionable to encourage overtime by payment for it. The clause under consideration provided that where overtime was just and proper an officer should be paid for it through the Governor in Council, and it provided that in any case overtime should be recorded, and the officer would receive

the benefit of it at some future time. Overtime was a bad principle, because it induced men to slacken off their labours during the day, so that they might get overtime and have an increase of their salary in an indirect and improper way. That had been the result in very many cases which had come under his notice. He did not speak particularly of the Government service, but of cases of men who had been in his own employ and the employ of others. Then there was this other consideration, that the whole time of a public officer was, by the nature of his agreement with the Government, at the disposal of the Government, and if occasionally emergencies or exigencies arose, no good civil servant would, if called upon to stay for an hour or two (as many of them were), have the slightest objection to do it in the interests of his department and the service of the country.

Clause put and passed.

Clause 39—Leave of absence; annual leave:

HON. A. P. MATHESON moved that the word "two" in line 3 be struck out, and "three" inserted in lieu. As the clause stood, it gave two weeks' holiday to public servants, but that period was not sufficient for any person engaged in clerical work for the whole year in this climate. A holiday of three weeks was allowed by nearly every mercantile office in this country, and that was not too much.

HON. R. S. HAYNES: Speaking as an employer of clerks, he denied that it was usual to give them three weeks' holiday. In his profession it was an exception to give anything like three weeks, or to give one week.

HON. A. P. MATHESON: Grind them.

HON. R. S. HAYNES said that he did not grind them any more than the hon. member ground his servants.

HON. A. P. MATHESON: They all got three weeks.

HON. R. S. HAYNES: Perhaps they deserved it. Considering that the hours of civil servants were from 9 o'clock to 4, that they got a Saturday half-holiday, and 12 holidays in addition during the year, the period of two weeks was sufficient.

A MEMBER: They got 20 holidays last year.

HON. R. S. HAYNES: Twelve regular holidays, and five or six others, and civil servants were generally sick a couple of days, so that altogether they generally got six weeks.

THE COLONIAL SECRETARY: That was so.

HON. R. S. HAYNES said he always stood up for civil servants, but he thought they would admit that a fortnight's holiday was a reasonable allowance. He knew of no clerk in the Government service who had been refused a day or two when he had applied for it.

A MEMBER: Such was the case with everybody else.

HON. R. S. HAYNES: That was not his experience, and he thought he compared favourably with other firms.

HON. A. P. MATHESON: The hon. member did not give his employees a week.

HON. R. S. HAYNES said he must object to giving civil servants a three weeks' holiday in addition to the other holidays they got.

HON. F. WHITCOMBE: Let Mr. Matheson reduce the period to one week.

HON. G. BELLINGHAM: A period of two weeks was really not sufficient for civil servants in this colony, because it would not give employees a chance to go to the other colonies.

HON. R. S. HAYNES: We did not want them to.

HON. G. BELLINGHAM: We wanted them to see how the civil service acted on the other side, and to give them the benefit of travelling.

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

Ayes	...	...	...	3
Noes	...	...	...	7
Majority against				4

AYES.  
Hon. G. Bellingham  
Hon. A. P. Matheson  
Hon. J. M. Drew (Teller).

NOES.  
Hon. R. S. Haynes  
Hon. S. J. Haynes  
Hon. W. Mailey  
Hon. D. McKay  
Hon. G. Randall  
Hon. J. E. Richardson  
Hon. F. Whitcombe  
(Teller).

Amendment thus negatived, and the clause passed.

Clause 30—Long-service leave:

HON. A. P. MATHESON moved that in Sub-clause (a), line 1, the word "eight" be struck out and "six" inserted in lieu.

At present the period of six years was all that was necessary of continuous service to entitle civil servants to extended leave of absence on full pay, and half-pay, and he did not think the conditions of the service were any less arduous now than previously.

HON. R. S. HAYNES: It would be desirable for the Colonial Secretary to accept this amendment. An officer who who had served six years continuous service was entitled to a long holiday, to give him an opportunity of going to the other colonies if he so desired.

THE COLONIAL SECRETARY: There would be no objection to the amendment.

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

Clause 31—Holidays:

HON. A. P. MATHESON moved that in sub-clause (a), after the words "Christmas Day," the words "The 26th day of December" be inserted. Ever since there had been a Boxing Day it was always closely associated with Christmas Day, and he did not see what advantage would be gained by making the holiday on the following Monday. The alteration would cause the two days so come together, whereas making the holiday on Monday allowed Sunday and Monday to come together.

THE COLONIAL SECRETARY: It has been admitted to be a mistake. The 26th of December was intended to follow Christmas Day.

HON. R. S. HAYNES: This holiday should be called St. Stephen's Day.

Amendment put and passed.

HON. A. P. MATHESON moved that in Sub-clause (b) the words "The 26th day of December" be struck out. This was consequential.

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

Clauses 32 to 40, inclusive—agreed to.

Clause 41—Permanent officers:

HON. F. WHITCOMBE moved that the words "treated as permanent officers" in line 4 be struck out, and "placed on the permanent staff" inserted in lieu. The clause as it stood created an injustice, as it provided that all officers who had been continuously employed for a period of two years, and whose services it was not intended to dispense with at an early date, should be treated as permanent

officers. Until these officers were placed on the permanent staff they would not get the benefits that should accrue under the Bill. He was particularly keen on this matter and he would take an extreme step so as to get his amendment passed. This clause was practically inserted so as to leave the power of discretion in the hands of the Government to do as they jolly well pleased with those on the temporary staff, and to treat them in a dominating way as had been done in the past.

HON. R. S. HAYNES: Let the clause stand.

HON. F. WHITCOMBE: Was the hon. member to be the next Minister in this House? If that had not been decided on, the hon. member was evidently bidding for it. The hon. member had made a strong speech in support of the Government to-night. Those officers who were on the temporary staff should be made permanent officers and treated accordingly.

THE COLONIAL SECRETARY: The hon. member did not understand the far-reaching consequences of his amendment. There were a number of officers employed on public works who, from the necessities of the case, were temporary officers. He might instance one case, that of the Coolgardie Water Scheme in course of construction. On those works the officers could only be temporarily employed, and if the hon. member's amendment were carried, the effect would be that the civil service of the country would be saddled with those officers as permanent men, for whom there would be no permanent employment in a shorter or longer time. That would be a most dangerous state of things. For some considerable time past this country had been pursuing a progressive policy of public works, and they anticipated that a time would come when they would have to slacken off. If in the meantime the officers engaged on such works were placed on the permanent staff, that would involve embarrassment of the finances of the colony. He hoped the hon. member would, in the interests of the country, withdraw his amendment.

Amendment put and negatived, and the clause passed.

Clauses 42 and 43—agreed to.

Clause 44—Notices to be gazetted:

HON. R. S. HAYNES: Would there be any objection to report progress?

THE COLONIAL SECRETARY said he had none.

HON. R. S. HAYNES: The appearance in the *Gazette* of a person's name was conclusive proof of appointment or dismissal. Perhaps it would be remembered that in the Mining Act such provision got in by mistake, and the Government could not go behind it.

THE COLONIAL SECRETARY said he was quite willing to report progress.

HON. R. S. HAYNES: Would the hon. gentleman draw the attention of the draftsman to the point, and ask whether it would not be better to insert the words "*primâ facie*"?

THE COLONIAL SECRETARY (after taking a note of the clause referred to) moved that progress be reported.

Put and passed.

Progress reported and leave given to sit again.

#### ADJOURNMENT.

The House adjourned at 9:19 o'clock until the next Tuesday.

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## Legislative Assembly,

Wednesday, 3rd October, 1900.

Paper presented—Question: Wines, Beer, and Spirit Sale Acts, as to Amending—Industrial Conciliation and Arbitration Bill, third reading—Game Act Amendment Bill, third reading—Leave of Absence—Papers: Murgoo Telephone Office, closing—Motion: Minimum Wage in Government Contracts, to enforce (adjourned)—Motion: Elections for Federal Parliament, on Separate Days (withdrawn)—Motion: Collie Coal and Sparks from Railway Engines (negatived)—Motion: Horses for Imperial Cavalry, Local Breeding (adjourned)—Motion: Wild Dogs, Reward for Destroying—Motion for Papers: Libel Prosecutions at Kalgoorlie, Flats and alleged Irregularity (withdrawn)—Motion: Railway Workshops at Midland Junction, Amendment (Commission of Experts) passed, Divisions—Motion for Papers, Railway Workshops (negatived)—Roads Act Amendment Bill, discharge of order—Kalgoorlie Municipal Loans Reappropriation Bill, second reading, in Committee, reported—Adjournment.

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

PRAYERS.