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

Ayes	30
Noes	10
Majority for	20

AYES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Mullany
Mr. Bolton	Mr. O'Loghlen
Mr. Collier	Mr. Price
Mr. Dooley	Mr. Scaddan
Mr. Dwyer	Mr. B. J. Stubbs
Mr. Foley	Mr. Swan
Mr. George	Mr. Taylor
Mr. Gill	Mr. Thomas
Mr. Green	Mr. Turvey
Mr. Holman	Mr. Underwood
Mr. Hudson	Mr. Walker
Mr. Johnson	Mr. A. A. Wilson
Mr. Johnston	Mr. Heitmann
Mr. Lander	(Teller).
Mr. Lewis	

NOES.

Mr. Allen	Mr. A. E. Piesse
Mr. Broun	Mr. A. N. Piesse
Mr. Harper	Mr. S. Stubbs
Mr. Mitchell	Mr. Layman
Mr. Male	(Teller).
Mr. Monger	

In Committee.

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

BILL—DEPUTY GOVERNOR'S POWERS.

Received from the Legislative Council, and on motion by the Attorney General read a first time.

House adjourned at 9.13 p.m.

Legislative Council,

Wednesday, 29th November, 1911.

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

PAPER PRESENTED.

By the Colonial Secretary: Report by Royal Commissioner, Captain Penefather, on the Fremantle Prison.

BILL—DWELLINGUP STATE HOTEL.

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

STANDING ORDERS—LAPSED BILLS.

Report of Committee.

The PRESIDENT brought up the report of the Standing Orders Committee that had met in conference with the Standing Orders Committee of the Legislative Assembly, and had drawn up certain Standing Orders to deal with lapsed Bills.

Report read.

Hon. W. KINGSMILL (Metropolitan) moved—

That the report be adopted.

This would involve the submission of the proposed Standing Orders to the Governor for approval, and on approval being given the Standing Orders would be printed amongst the Standing Orders of the House. He would like to tender his personal thanks to the members who had helped him in placing these Standing Orders amongst the Standing Orders of the House.

Question put and passed.

NOTICE OF QUESTIONS.

In requesting the postponement of certain questions of which notice had been given, the Colonial Secretary asked that members would give more notice in future, as it was impossible to get information within the time given.

QUESTION—COURT HOUSE, KALGOORLIE.

Hon. R. D. McKENZIE asked the Colonial Secretary: 1, Is the Government aware that the court house at Kalgoorlie has been condemned by several of the Supreme Court Judges as being unsuitable? 2, Is it the intention of the Government to build a new court house suitable for the requirements of the district? 3, If not, why?

The COLONIAL SECRETARY replied: 1, The Government has received complaints with regard to the building, from time to time. 2, All complaints have been dealt with where possible, but the question of building a new court house is one which will have to be held over for consideration when more urgent works have been taken in hand. Tenders are being called for re-arrangement and renovation of the existing offices. 3, See No. 2.

PAPERS—RAILWAY ADVISORY BOARD, INSTRUCTIONS.

On motion by Hon. W. KINGSMILL, ordered: That there be laid upon the Table of the House all instructions issued by the Government to the agricultural Railways Advisory Board in connection with the various reports of the said board.

BILL—APPELLATE JURISDICTION.

Read a third time, and transmitted to the Legislative Assembly.

BILL—VETERINARY.

In Committee.

Resumed from the previous day.

Postponed Clause 21—Qualification of practitioners:

Hon. M. L. Moss had moved that all the words after "been" in line 12 to "diploma" in line 15 be struck out and the following inserted in lieu:—"(a) continuously practising as a veterinary surgeon in Western Australia for three years; or (b) continuously practising as a veterinary surgeon in Western Australia for twelve months on his passing the prescribed examination in diseases of the horse and other domesticated animals in lieu of his holding such diploma."

Hon. M. L. MOSS: Since yesterday he had endeavoured to find out how this question was dealt with in Great Britain, Victoria, and Queensland, and the conditions in Queensland were very similar to those obtaining in Western Australia. There was a large number of country places in Queensland where it was quite impossible for any person to earn a livelihood as a veterinary surgeon without doing other work. In Victoria servitude was taken in lieu of examination, and it was provided that the carrying on of the practice of veterinary surgery prior to 1890 should entitle every person to be registered without any examination. In England the matter was dealt with in a very much fairer way than was proposed in Clause 21 of the Bill. In the Act of 1881, Clause 15, it was provided that any person who had continuously, for not less than five years previous to the passing of the Act, practised as a veterinary surgeon in the United Kingdom but was not on the register of veterinary surgeons, should be entitled to be placed on a separate register under the heading of "Existing practitioners—without examination." If a person was refused registration he had power to appeal to the Privy Council. Clause 21 of the Bill was too stringent; as also was the amendment which was standing in his name, and he was of opinion that the method in Queensland was the one that should be adopted. The provision in the Queensland Act, passed on the 15th November, 1911, was that servitude in lieu of examination should be accepted of a person who "had previous to the commencement of the Act, been for a period of at least five years bona fide engaged in Queensland in practice as a vet-

erinary surgeon, either separately or in conjunction with the practice of medicine, surgery, or pharmacy, as a duly qualified medical practitioner or a duly qualified pharmaceutical chemist." The Committee had no right to make a law for Perth, Fremantle, Geraldton, and the large country centres, for it was absolutely certain that in many country places the local chemist and the medical practitioner had done a good deal of the veterinary work in the past. In Northam there were five veterinary surgeons with experience ranging up to 20 years, and he understood that they were men well thought of and men whose services were being largely availed of. He was also informed by people competent to express an opinion that in many districts the chemists were the local veterinary surgeons. The provision contained in the Bill was not for the benefit of anybody in Western Australia, but was going to exclude everybody now practising, and throw open the doors to those in the other States who had theoretically qualified and who cared to come here and oust those practical men who had been earning their living in this way. He was surprised that the Government should bring down a Bill with such a high qualification, and placing such a great impost on those who had been pracrising in the past. He asked leave to withdraw his amendment with the object of substituting the Queensland provision.

Amendment by leave withdrawn.

Hon. M. L. MOSS moved an amendment—

That all the words after "been" in line 12 to "diploma" in line 15 be struck out and the following inserted in lieu—"previous to the commencement of this Act, been for a period of five years bona fide engaged in Western Australia in practice as a veterinary surgeon, either separately or in conjunction with the practice of medicine, surgery, or pharmacy, as a duly qualified medical practitioner or duly qualified pharmaceutical chemist."

The COLONIAL SECRETARY: It was to be hoped the Committee would not sanction the amendment. Reasons in support of the clause as it stood had been given at length, and if an amendment were made it should be on the lines of the English Act. There should be a separate provision for the registration of existing practitioners without examination. If the amendment now before the Committee were passed, every person in Western Australia who, during the last five years had been performing simple operations on horses and sheep, would be able to become registered and be recognised as a duly qualified veterinary surgeon. And every chemist who had been supplying medicine or prescribing for horses——

Hon. M. L. Moss: They have not done much harm up to date.

The COLONIAL SECRETARY: It was difficult to say what harm had been done. Almost every chemist had supplied medicine or prescribed for animals, and all these persons would be able to register as qualified veterinary surgeons. That was not desirable. The Bill desired to prevent unqualified persons practising in Western Australia, but some members seemed to desire to provide a loophole for all sorts of unqualified persons to come in.

Hon. Sir E. H. WITTENOOM: The amendment went a long way to solve the problem before the Committee, but it was a little bit too mixed and hardly sufficiently guarded. Whilst he would agree that a person who had been practising for five years should have the right to be registered, still, in order to avoid the objection raised by the Colonial Secretary as to any person who happened to be practising veterinary surgery, or selling medicine, being able to get registration, he would suggest that later they should add the words already standing in his name on the Notice Paper, "and who can prove to the satisfaction of the board that he is capable of discharging the duties required of a veterinary surgeon."

Hon. M. L. Moss: You might as well prescribe an examination.

Hon. Sir E. H. WITTENOOM: That was not so. If a man had been practising for five years it was prima facie evidence that he must have been good, and surely the board could say whether that man was entitled to be registered. They could

question him and take evidence from his clients, and if it were proved that he had successfully continued in this business for five years and given satisfaction to his clients, the board would be justified in giving him a certificate. To avoid unqualified men being registered it would be well to give the board some discretion over the granting of certificates. As to chemists or medical men being allowed to continue veterinary work, he was of opinion that medical men should not be excluded from the work, or that it should not be made penal if at any time they were called in to perform an operation. Chemists should be treated in the same way. Under those circumstances he would support the amendment moved by Mr. Moss.

Hon. J. F. CULLEN: The Minister should not be too stringent in regard to the clause as it stood. Mr. Moss had clearly put the probable working out of the clause. If there was a scientific board that board would be so anxious to establish a high standard that we could not expect it to do what was fair to the old practitioners who had been doing work in the State in past years. Anyone who had anything to do with such things, and who had watched the course of events, would not believe that the interests of the old practitioners would be safe in the hands of a board composed of professionals. Mr. Moss' amendment was excellent if he would add to it a safeguard similar to that contained in the English Act.

Hon. Sir E. H. Wittenoom: What is that?

Hon. J. F. CULLEN: A separate list. That would be no hardship to the man who was capable of satisfying the board. Numbers of men not so well qualified, and who would be subject to an injustice by being shut down upon, could still do good work if they were on what might be termed an associated list. If Mr. Moss would consent to that addition the amendment would then meet the case. It was essential that in veterinary surgery, as in other professions, a high standard should be maintained, and yet while aiming at that high standard it was not necessary to do an injustice to those who before the passing of legislation had done good work.

Hon. C. SOMMERS: It was necessary to have a high standard, but in adopting this there was no reason why we should penalise those men who had done good work in the past. If a man on the separate list liked to qualify for the higher standard there would be nothing to prevent him from doing so. If Mr. Moss agreed to amend his proposal in that direction it would be acceptable to members generally.

Hon. M. L. MOSS: We were very apt to look at a measure of this kind from the point of view of the populous centres, but did not the Committee realise with regard to the North-West, where there would be no qualified veterinary surgeons with a high qualification, there would be no one at all practising? In such centre, which were so far apart, the amount of work which would be available for a qualified man would not be sufficient to justify him going up there. A person practising veterinary surgery after the Act had come into force, and who might go to the aid of an animal suffering from ill-health or which had met with an accident, would render himself liable to prosecution and to punishment by a fine or imprisonment.

Hon. W. Patrick: Not unless he charged for his services.

Hon. M. L. MOSS: That might be so, but the position was not too plain in the Bill. It was quite capable of being construed the other way. In the North-West there might be a local chemist who would not give the benefit of his services, and under those circumstances he had better be without the business. The trouble would be, therefore, that the only person with the required knowledge would render himself liable to a prosecution if he performed any of these services. Why the Minister should strive so hard to get the Bill through as it was, was difficult to understand. What had been good enough for Queensland, where the conditions were similar to ours, ought to be good enough for this State as well. There was a provision that a copy of the register should

be published in the *Government Gazette*, and in this register there could appear the two lists.

Hon. C. A. PIESSE: The proposal which was before the Committee would undoubtedly meet the case much better than that which was contained in the Bill. Mr. Moss had done very well, and his amendment would exactly meet the case.

Hon. Sir E. H. WITTENOOM: As there was no need to force the Bill through, and it was desired to get as perfect a measure as possible, he moved—

That progress be reported.

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

Ayes	13
Noes	8
Majority for ..	5

AYES.

Hon. F. Davis	Hon. R. D. McKenzie
Hon. J. A. Doland	Hon. B. C. O'Brien
Hon. J. M. Drew	Hon. W. Patrick
Hon. V. Hamersley	Hon. C. Sommers
Hon. A. G. Jenkins	Sir E. H. Wittenoom
Hon. J. W. Kirwan	Hon. T. H. Wilding
Hon. C. McKenzie	(*Teller*).

NOES.

Hon T. F. O. Brimage.	Hon. R. Laurie
Hon. E. M. Clarke	Hon. E. McLarty
Hon. J. F. Cullen	Hon. C. A. Piesse
Hon. D. G. Gawler	Hon. M. L. Moss
	(*Teller*).

Motion thus passed.

Hon. M. L. MOSS: In order that the members of the Council would be able to see it clearly in print it was to be hoped the Colonial Secretary would get the Parliamentary Draftsman to draft a subclause showing the register in two lists, namely, practitioners by qualification and practitioners by previous service.

The COLONIAL SECRETARY: The information would be provided for the Committee, but he could not say that he would accept the suggestion of the hon. member.

Progress reported.

BILL — LOCAL COURTS ACT AMENDMENT.

In Committee.

Clauses 1, 2, 3—agreed to.

Clause 4—Amendment of Section 12:

Hon. A. G. JENKINS: This clause was a bad one. It had no place in the original Bill, but had been introduced as an amendment by a member sitting behind the Government. The object of the clause was to allow a magistrate to appoint two justices in a case in which the claim did not exceed £10. As a matter of fact, 85 per cent. of local court actions did not exceed £10, and there was not one litigant in a hundred who wanted his case to go before a justice. They all wanted their cases to be heard by a magistrate, and if at any time through ill-health a magistrate was not present, and it seemed likely that the case would be heard by justices, the litigants put their heads together in order to devise an excuse for adjournment. The clause would not in any way lighten the work of the court. He would vote against it.

Hon. C. A. PIESSE: Like Mr. Jenkins he was wholly opposed to the clause. The Government would be well advised if they sought rather to lighten the work of justices. At the present time these gentlemen were being sweated. It was nothing but sweating pure and simple. He would suggest the introduction of an eight hours' justices Bill. In the last week he had come across an instance of a justice sitting for ten consecutive hours listening to the arguments in a case. He would vote against the Clause, for it was wholly unfair to the justices that this new responsibility should be thrust upon their shoulders. Moreover, it was to be remembered—and he spoke without disrespect—that these justices had not the legal training which might often be required for the proper conduct of those cases.

The COLONIAL SECRETARY: The clause had been inserted in another place solely with the view of meeting the convenience of litigants in certain cases. It applied only to cases of less than £10. Very often it was impossible for a magistrate to specially visit a place in order to take cases of this class. Personally

he did not believe in the principle; yet instances might occur in which it would be advisable to give the magistrate power to appoint two justices to take a case of less than £10 in value. For his part he had every confidence in the honesty and good intentions of the justices.

Hon. J. F. CULLEN: It was not a matter of confidence in the honesty of justices. It had never been intended that justices should deal with cases of this sort. There had been a general exclamation of surprise that the clause should have been included in the Bill. Instead of simplifying and facilitating the work it would mean adjournment after adjournment, in addition to which the justices would be unfairly weighted with extra work.

Hon. J. W. KIRWAN: The clause merely gave a resident magistrate discretionary power to appoint two justices to take a case of minor importance. Mr. Jenkins should remember that justices already had considerably greater powers than the clause proposed to confer upon them. It was within the powers of justices to send men to gaol for periods up to six months, and two men who had such power over the liberties of a citizen could well be entrusted with power to decide a case involving a sum of not more than £10. Moreover, it was not likely that the clause would be availed of to any great extent. It was designed merely to meet a contingency under which, perhaps, it would be impossible for a magistrate to take a case. He could conceive many instances in which a clause of the kind would prove very useful. It would facilitate the administration of justice, especially in the outlying districts of the State.

Hon. C. SOMMERS: The clause would be a useful one if the proviso were inserted that the litigants concerned had no objection to a case being taken by justices.

Hon. C. A. PIESSE: It was his desire to correct any possible impression that he had intended to reflect on the justices. For his part he had every confidence in the justices; but they were already overworked, and, moreover, their want of legal training would sometimes make the taking of these cases very difficult for them. Why should we thrust all this new work upon the justices to whom we already owed so much?

Hon. M. L. MOSS: There was no desire to cast any reflection on the honoray justices, but the stipendiary magistrates were paid to perform these duties. If a return were called for, members would be surprised to see the large proportion of these cases which involved amounts of under £10. There was good reason for putting section 12 in the original Act, because justices went to the local court and sat, and some magistrates shirked their responsibility. As to the amounts involved, that was not always an indication of the importance of a case. There might be a case where a member of a union was sued for his contributions and an important point of law was at stake. The magistrate was supposed to know more of the law than the honorary justices and he should be the most suitable man to try such a case. Whilst agreeing with a lot of the simplification aimed at by the present Bill, this clause was a retrograde step. The persons paid to perform these duties should perform them except under the conditions laid down in Section 12, namely, the illness, or absence of a magistrate, or if the magistrate was interested in the case. Under that section the magistrate had to report at once that he had asked justices to sit in his stead, but under the Bill he had no longer in cases involving amounts up to £10 to get the permission of the Minister. The condition as to the Minister's consent was a good one, because it enabled the Crown Law Department to know at once that a magistrate had delegated his duties. Magistrates outside the metropolitan area sat only once a month in the local courts, and it was not asking too much of them to require them, when they delegated their duties to justices, to report to the Minister, so that the Minister could make inquiry if this was done unduly often.

Clause put and negatived.

Clause 5—agreed to.

Clause 6—Insertion of new section after Section 36:

Hon. D. G. GAWLER: The clause was difficult to understand. Was the defendant only to have the right to object where the court chosen by the plaintiff was intended to be the court nearest to where the defendant resided? If the plaintiff chose any of the three courts, namely, the court nearest to where the defendant resided, or the court nearest to where he resided within six months, or where the cause of action arose, was the defendant still to have the right to object, or only when the plaintiff chose a court which he alleged was nearest to the place where the defendant resided? If the defendant was to be allowed to object to any court chosen, he did not think that was the intention of the clause.

The COLONIAL SECRETARY: The intention was that the defendant could only object if the court chosen was one that had not the proper jurisdiction.

Hon. D. G. Gawler: But he has three courts to choose from.

The COLONIAL SECRETARY: In the first instance the plaintiff could choose any court, but it remained with the defendant to object if he had an objection. The intention of the Bill was that he should not object if, in the first instance, the case came before the court having the proper jurisdiction.

Hon. D. G. GAWLER: The Minister, apparently, did not understand the point. The only case in which the defendant could object was when the court chosen was not nearest to the place where he resided. The effect of the clause was that if the plaintiff did not choose one of the three courts allowed him he acted at his own risk; but if he did choose one of the three courts, the defendant was not to be allowed to object unless the plaintiff chose the one which he alleged was nearest where the defendant resided. The defendant could then object and say that it was not the nearest court to where he resided. Whatever was the intention of the Bill the clause was not clear, and he asked the Minister to have its meaning made plainer.

The COLONIAL SECRETARY: If any dispute were to arise as to the jurisdiction of the court it would be decided by the court, but the question raised by Mr. Gawler was whether, under this Bill, the defendant would not in almost every instance be allowed to object. Perhaps the clause had better be referred again to the Parliamentary Draftsman.

On Motion by Hon. D. G. GAWLER, further consideration of the clause postponed.

Clause 7—Insertion of new section after Section 38:

Hon. A. G. JENKINS: What was the object of giving a judge of the Supreme Court power to change the venue of a local court action? Section 61 of the principal Act gave that power to the magistrate. If it was desired to give the judge jurisdiction in this matter, it would be better to provide for an appeal from the magistrate to the judge in cases where there was dissatisfaction with the decision of the former. As the clause now stood a party could go to either the judge or the magistrate, and it was a mistake to have two methods of obtaining the one thing. It would be far better if the judge had no power in the matter at all, but if he was to be given power, then, instead of allowing him co-ordinate powers they should amend the section so as to give the right of appeal from the magistrate to the judge.

Hon. M. L. MOSS: The reason for inserting the clause might be the fact that it would be almost impossible in a case where the plaintiff resided in Derby or Wyndham and the defenant resided in Albany or Perth for the defendant to apply to the magistrate in Wyndham or Derby for a change of venue, especially as in many of the outback settlements there were no solicitors. Doubtless that was why the option was left to the defendant to apply to a judge of the Supreme Court, and the judge must be given credit for having common sense and for being unlikely to grant a change of venue unless strong grounds were set out in the affidavit before him.

Clause put and passed.

Clauses 8 to 12—agreed to.

Clause 13—Amendment of Section 154:

On motion by Hon. M. L. MOSS the word "deleted" was struck out and "re-

pealed" inserted in lieu, and the clause as amended was agreed to.

Clauses 14, 15—agreed to.

Progress reported.

BILL—CRIMINAL CODE AMENDMENT.

Second Reading.

Debate resumed from the previous day.

The COLONIAL SECRETARY (in reply): I understand that Mr. Doland, who secured the adjournment of the debate, has decided not to speak. I must express my great pleasure at the reception this measure has been accorded in the Chamber, and my appreciation of the very able speeches made upon it by two ex-Colonial Secretaries, Mr. Kingsmill and Mr. Connolly. The addresses delivered by those gentlemen have proved an education not only to myself but, I am sure, to every member of the House. Mr. Kingsmill referred to the fact that there is an appeal by the Crown, but this appeal will rest solely on points of law, and special points of law. The Crown can appeal on a demurrer, where the judge has decided the indictment discloses no offence, and where the jury has brought in an acquittal by the direction of the judge. There is an appeal also against a judgment declaring that a court has no jurisdiction to decide a case. Appeals of this nature are very rare. There is no appeal under this Bill against the decision of a jury. Mr. Kingsmill referred to the probable expense in the administration of the Act, but it will be some time before the Bill will be in full working order. Essentially there will be but a small number of prisoners over which it will be necessary to exercise supervision for some time to come. Habitual criminals only are dealt with by the Bill, so that there will not be a large number of criminals who will receive the special treatment provided for in this Bill.

Hon. J. D. Connolly: That is the fault of it, it does not go far enough; it is only for the few, only for the hardened criminals.

The COLONIAL SECRETARY: Yes, for some time to come; but the Government intend to see that the prisoners who receive this special treatment repay the State by their labour; they are not to be in idleness; they are to be put to some trade or calling, or are to be sent out to the country in order to clear the land if that is found to be practicable. Mr. Kingsmill wished to know the duties and the personnel of the committees. The duties of the committees will be to observe the conduct of the prisoners, to keep in close touch with them, and to report regularly to the Government.

Hon. W. Kingsmill: Will they be honorary committees?

The COLONIAL SECRETARY: Yes. Of course I cannot give the House any information as to the personnel of the committees. Naturally the matter has not been considered at the present stage. No doubt they will comprise humane gentlemen who will take an interest in the work, and who will in the opinion of the Government be competent to carry out the duties. Mr. Connolly referred to the Influx of Criminals Bill. I have looked that matter up and found it was introduced in another place on the 14th September, 1909, and passed the first reading, since when it has not been submitted to Parliament. It seems to me a very good measure and a necessary measure, and I will use all my influence to have it brought forward next session.

Hon. J. D. Connolly: Could not a section be added to the Code the same as is done by this Bill?

The COLONIAL SECRETARY: I do not think so, as it is a Bill of about 15 or 16 clauses.

Hon. J. D. Connolly: That does not matter. There are more sections than that included in one clause of this Bill.

The COLONIAL SECRETARY: I think it is a matter that should be brought in separately, and I will do what I possibly can to have it submitted to Parliament next session. Mr. Connolly fails to see how the prisoners can be retained, but the Government will be responsible for considering and providing means for their detention. If they be sent to the country, of course we cannot

go to the expense of providing up-to-date and enormous prisons for their confinement: but they will be guarded to a certain extent, and I dare say if some of them do escape and leave Western Australia the country will not suffer to any great extent thereby. In regard to first offenders, the Government have already taken some action. They recognise the necessity for keeping first offenders separately, and they have already a measure under consideration with the object of taking early steps in that direction.

Hon. J. D. Connolly: Why not include a few clauses in this Bill to give to first offenders the same opportunity as you give to old criminals?

The COLONIAL SECRETARY: I am surprised that the hon. member did not deal with that when he was in office. This Bill is an exact copy of the Bill drafted by the previous Government.

Hon. J. D. CONNOLLY (in explanation): That is not so. I am surprised at the hon. member making that statement, because he must know it is not correct. What I said yesterday was that all these suggestions had been sent down, but the Bill had never materialised, had never been put into Bill form by the Parliamentary Draftsman. Now he has taken a lot of the suggestions of the late Government and left a lot of others out.

The COLONIAL SECRETARY: I may be wrong in saying the Bill is an exact copy. Of course I have not compared every clause, but I know that the Bill was in the office long before the present Government came in.

Hon. J. D. Connolly: I say it was never drafted.

Hon. J. W. Kirwan: They were too busy passing the Redistribution of Seats Bill.

Hon. J. D. Connolly: What do you know about it?

The COLONIAL SECRETARY: The late Government gave instructions to the late Attorney General to have the Bill drafted.

Question put and passed.

Bill read a second time.

BILL—PUBLIC WORKS COMMITTEE.

Second Reading.

The COLONIAL SECRETARY (Hon. J. M. Drew) in moving the second reading said: This Bill introduces an innovation which I hope will meet with the favourable consideration of members in this House. It aims at the establishment of new methods of determining whether proposed public works involving very heavy expenditure are warranted by the result of the investigations. For some years past the question of constructing railways has been referred to an advisory board which was responsible to the Government alone. Under this Bill it is proposed to transfer the obligation to a committee of the Legislature, which shall be responsible to Parliament, and to no one else. Moreover, the committee will be restricted in its inquiries to suggested lines of railways, and other public works, the total estimated cost of which will be in excess of £20,000. This system, although new to Western Australia, has been tried in New South Wales with signal success.

Hon. W. Patrick: It has been a failure there.

The COLONIAL SECRETARY: It is estimated that it has been responsible for saving that State a vast amount of extravagant expenditure. No better proof of the value of that committee can be given than the fact that after having been many years in operation the legislation was re-enacted in 1900, and although altogether it has been in operation for something like 20 years, or over, no Government has ever attempted to repeal it. It has received the endorsement of every Ministry. Ministries of various shades of political opinion, may have disagreed on other matters, but all agreed on this, that the Public Works Committee as established in New South Wales was desirable in the interests of the country. There has been some complaint against that committee on the score of its excessive cost. At one stage the fees amounted to somewhat alarming figures, and there was a strong public protest against that state of affairs. Here in Western Australia, however, we propose to adopt a method

which will obviate, to a large extent, such extravagance. Instead of having seven members of the committee, as in New South Wales, we propose to have five. In New South Wales the chairman is paid three guineas per sitting; we propose to pay the chairman two guineas.

Hon. M. L. Moss: There will be a lot of applicants.

The COLONIAL SECRETARY: In New South Wales the members receive two guineas per sitting, while under the Bill before the House it is proposed to pay the members one guinea.

Hon. C. Sommers: What about the witnesses?

The COLONIAL SECRETARY: We provide payment for only one sitting in a day. There may be three or four sittings in a day, but only one guinea will be allowed. With five members of Parliament on the committee, hon. members will admit that it will be thoroughly representative of the Legislature. The chairman is to be appointed by the Governor, and he may be a member of either House. One of the members to be elected will be chosen from the Legislative Council, and three from the Legislative Assembly. It may be claimed that this is not fair representation for the Legislative Council, but it must be remembered that there are 50 members in the Legislative Assembly and only 30 in the Legislative Council, and there are five Ministers with portfolios in the other place, and only one in this Chamber. In addition to that the other place is the custodian of the public purse and that is a matter which we must take into consideration in this connection. It may be said that the appointment of this committee will remove all responsibility from the Government, but that is not so; the Government will still have the responsibility of submitting all the measures for the consideration of the committee. The Government must take that responsibility, but they will be absolutely barred from undertaking any large project, that is, any work which is estimated to cost more than £20,000, without a recommendation from the committee. When the report is submitted to Parliament the Legislative Assembly must by resolution, either endorse or reject a recommendation. If the other place endorses a recomendation of the committee, then there is a statutory duty imposed upon the Government to bring in a Bill for that particular work.

Hon. M. L. Moss: It comes back again to the House to decide.

The COLONIAL SECRETARY: Even then it must be remembered that if the House considers it has not fair representation on the committee, before any work can be authorised a Bill must be submitted. That Bill must come before both Houses of Parliament for consideration.

Hon. W. Kingsmill: Does it apply to buildings?

The COLONIAL SECRETARY: All public works likely to cost more than £20,000. Not only railways, but all public buildings involving an expenditure exceeding that amount. Of course, members of Parliament are not experts. At the present time we have an advisory board composed of gentlemen who are public officers, but their services are required in their offices. If this committee be appointed there is nothing to prevent the services of those gentlemen being occasionally utilised to assist the committee; in fact, there is a special provision to enable the committee to call any expert it requires to assist them to arrive at a conclusion.

Hon. M. L. Moss: The Government can do that now.

The COLONIAL SECRETARY: They can do that now, but the advantage of having a Parliamentary Committee is that all you can do in this Chamber now is to peruse the report of the advisory board. You may want other information, and it may be difficult for Ministers to supply it. If we had on the committee a representative of this Chamber, that member would be able to rise in his place in the House and give his reasons in favour of the measure which was being submitted for the consideration of Parliament. If hon. members believe in select committees, and in joint select committees, and having appointed them they must believe in them, why should they not put their faith in a

committee of this character, which is simply a joint select committee on a larger scale. This measure has not been sprung on the country, it is part of the policy of the Government and was announced some time before the recent general elections. The Premier intimated that if he was returned with a majority this would be part of his policy. That shows that the Public Works Committee is no recent happening, no recent creation. The various clauses can be explained when the Bill is in Committee. As a matter of fact they require very little explanation. Once hon. members accept the principle of the Bill the rest is easy. I have much pleasure in moving—

That the Bill be now read a second time.

On motion by Hon. M. L. Moss, debate adjourned.

House adjourned at 6.12 p.m.

Legislative Assembly,

Wednesday, 29th November, 1911.

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The SPEAKER took the Chair at 2.30 p.m., and read prayers.

STANDING ORDERS—LAPSED BILLS.

The SPEAKER brought up the report of the Standing Orders Committee dealing with the revival of lapsed Bills.

Report received and read, ordered to be printed, and its consideration made an Order of the Day for the next sitting of the House.

QUESTION—MIDLAND RAILWAY INSPECTION.

Mr. DOOLEY asked the Minister for Railways: 1, When were the permanent ways of the Midland Railway last inspected, and by whom were they inspected? 2, Does he intend to lay the report of such inspection on the Table of the House?

The MINISTER FOR RAILWAYS replied: 1, In September, 1909, by the Chief Engineer of Existing Lines. 2, Yes.

QUESTION—MILK INSPECTION, PERTH.

Mr. LANDER asked the Honorary Minister: 1, Does he intend to instruct the Commissioner of Health to arrange for one of the health inspectors to be told off to take samples of milk in the Perth district during the next few weeks? 2, Does he intend to have the samples taken analysed by the Government analyst?

Hon. W. C. ANGWIN (Honorary Minister) replied: 1, No; this is the duty of the officers of the local health authority, and such duty is being satisfactorily carried out. 2, No; samples taken as above would be analysed by the City analyst.

MOTION — COLLIE COAL, EXCLUSIVE USE ON RAILWAYS.

Mr. A. A. WILSON (Collie) moved—

That in the opinion of this House, owing to the early termination of the contracts for the supply of imported and local coal to the Railway Department of W.A. (contracts terminate in February, 1912) it is advisable, in the best interests of the State and the stability of the export and bunkering trade in connection with the local coal mining industry, that the local coal shall in future be used exclusively on the Gov-