posal. The Bill is brought in simply because it is only by Act of Parliament that this idea can be carried out.

Question put and passed.

Bill read a second time.

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

Read a third time, and *passed*.

WINES, BEER, AND SPIRIT SALE AMENDMENT BILL (No. 1).

IN COMMITTEE.

Clause 1—Short title:

MR. M. H. JACOBY (in charge of the Bill): There being two Bills with the same title this session, and one Bill having already passed, he moved that "No. 2" be inserted in line 3.

THE CHAIRMAN: The title could be altered later.

Clause put and passed.

Clause 2—Amendment of 44 Vict., No. 9, Sec. 4:

THE COLONIAL SECRETARY said he must oppose the Bill. It simply meant the extension of the sly-grog selling system; neither more nor less. He did not wish to occupy the time of the House, but members present probably heard what be said on a former occasion, and in order that he might destroy this Bill, which was his direct object, he moved that the Chairman leave the Chair.

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

Ayes	12
Noes	9
Majority for	3

AYES.	NOES.
Mr. Daglish	Mr. Gregory
Mr. Holman	Mr. Hayward
Mr. Illingworth	Mr. Hopkins
Mr. Kingsmill	Mr. Jacoby
Mr. Leake	Mr. Nanson
Mr. Monger	Mr. Quinlan
Mr. Purkiss	Mr. Thomas
Mr. Reid	Mr. Wallace
Mr. Reside	Mr. O'Connor (*Teller*).
Sir J. G. Lee Steere	
Mr. Taylor	
Mr. McWilliams (*Teller*).	

Motion thus passed, and the Bill arrested.

ADJOURNMENT.

The House adjourned at 10 o'clock, until the next Monday.

Legislative Council,

Monday, 17th February, 1902.

Paper presented—Address: Prince and Princess of Wales, Portraits—Question: Railway Excursion Rates, Deputation—Question: Railway, Brown Hill Loop—Motion: Standing Orders Suspension (negatived)—Royal Commissioners' Powers Bill, first reading—Coal Mines Regulation Bill, in Committee (resumed), Recommittal, third reading—Appropriation Bill, third reading—Health Act Amendment Bill, second reading, in Committee, third reading—Public Service Act Repeal Bill, second reading (negatived)—Municipal Institutions Act Amendment Bill, second reading, etc.—Metropolitan Waterworks Act Amendment Bill, second reading, etc.—Land Act Amendment Bill, Assembly's Amendments—Adjournment.

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

PRAYERS.

PAPER PRESENTED.

By the MINISTER FOR LANDS: Return showing the cost per ton in London for rails, freight, and charges to Fremantle, and other charges, and weight per yard and quantities used; also the separate cost of fastenings per ton on the following railway lines:—Southern Cross, Kalgoorlie, Coolgardie-Kalgoorlie duplication, Kalgoorlie-Menzies, Menzies-Leonora, Cue-Nannine, and Donnybrook.

ADDRESS—PRINCE AND PRINCESS OF WALES, PORTRAITS.

THE MINISTER FOR LANDS (Hon. A. Jameson) moved that the following Address be presented to the Prince of Wales:—

To His Royal Highness the Most High, Most Puissant, and Most Illustrious Prince George, Prince of Wales, Duke of Cornwall and York, Knight of the Most Noble Order of the Garter, Knight of the Most Ancient and Most Noble Order of the Thistle, Knight of the Most Illustrious Order of St. Patrick, Knight Grand Cross of the Royal Victorian Order.

May it Please Your Royal Highness,—

We, the members of the Legislative Council of Western Australia, in Parliament assembled, desire to convey our humble thanks to Your Royal Highness for presenting to this House the signed portraits of yourself and Her Royal Highness the Princess of Wales.

These are now hanging on the walls of the Council Chamber, and will ever serve to remind us of the great honour conferred on this State by the visit of Your Royal Highnesses.

He said: I am sure we all very highly appreciate the honour, privilege, and courtesy shown to us in the presentation of these beautiful portraits of the Prince

and Princess of Wales to this House. We are very largely indebted to the President of this House for having moved so actively in the matter, and I believe we are almost the first Legislative Chamber in Australia to have the honour of hanging the portraits of our future King and Queen upon the walls. We shall long have a very pleasant recollection of their visit here, and these portraits will bring to our minds very vividly the happy time everyone enjoyed during that visit. I feel sure we highly appreciate the honour we have received by the presentation of the portraits.

HON. G. RANDELL (Metropolitan): I have much pleasure in seconding the motion made by the leader of the House. We all recognise the thoughtfulness and consideration for this Chamber manifested in your action, Mr. President, in this respect.

Question put and passed.

On farther motion by the MINISTER FOR LANDS, resolved that the resolution be forwarded to His Excellency the Governor, for presentation to His Royal Highness.

QUESTION—RAILWAY EXCURSION RATES, DEPUTATION.

HON. J. M. SPEED asked the Minister for Lands: 1, Whether any consideration has been given to the request of a deputation for an extension of the facilities for travelling at excursion rates between Perth and the surrounding municipalities and Fremantle? 2, Whether the Government is aware that no loss to the revenue is caused by charging excursion fares as at present? 3, Whether the Government cannot arrange during the summer months to carry passengers daily, on the suburban railways, at excursion rates.

THE MINISTER FOR LANDS replied: 1, Yes. The matter will be definitely settled when the new rate-book, which is now under consideration, is issued. 2, No. 3, Answered by No. 1.

QUESTION—RAILWAY, BROWN HILL LOOP.

HON. T. F. O. BRIMAGE asked the Minister for Lands: When is the Brown Hill loop line to be opened for traffic?

THE MINISTER FOR LANDS replied: It is anticipated that the construction work will be completed, and the line handed over to the Working Railways Department for traffic running at the end of the present month.

MOTION—STANDING ORDERS SUSPENSION.

THE MINISTER FOR LANDS (Hon. A. Jameson) moved:

That in order to expedite business, the Standing Orders relating to the passing of public Bills and the consideration of Messages from the Legislative Assembly be suspended during the remainder of the session.

He again felt obliged to move this motion, for there was so much really formal matter coming upon us that it was creating quite a block in the Printing Department, and a considerable amount of work had to be done in going backwards and forwards between the Chambers. He reminded hon. members that it was very unusual in the last few days of a session to oppose such a motion as this—he did not know it had ever been done in this Council before; and it was very undesirable, for it could be of no possible advantage to the State to oppose such a motion. Such opposition was undoubtedly causing a good deal of friction, trouble, and certainly expense. Moreover, it seemed to show a want of confidence in the Government, so to speak, and in his opinion it certainly showed a lack of courtesy to the other place. The Legislative Assembly had already suspended Standing Orders: they did so some time ago. He again moved that the Standing Orders be suspended.

HON. G. RANDELL (Metropolitan): It was only right that, as a member of the House, he should support the Government in their desire to have the Standing Orders suspended to facilitate the ordinary and especially the routine business, as he believed this would shorten the work considerably with regard to what had to be done as to Bills. Bills could then be returned to the other House without waiting to go to the Printer. The Standing Orders were valuable for the conduct of the business of the House, and members should be always most careful in seeing the Standing Orders were obeyed; but at the same time one recog-

nised that at the close of a session, when it was desirable to bring the session to an end as soon as possible, such a motion as this was absolutely necessary. He believed the leader of the House was quite correct in saying the suspension of the Standing Orders had never been refused before at so late a period in the session as this promised to be, at any rate. The great question was whether the House would be giving up any of its privileges. He always maintained that the House would not be doing so, but that they would have just the same power and control in relation to Bills after the Orders had been suspended as they had before. Not one jot or tittle of their power had they given up; therefore for the routine matters more especially, it was desirable that the Standing Orders should be suspended. He hoped members would view it in the same light as himself. He believed members knew he would stand up as much for the privileges of the House as any member would do. We should give all the facilities possible to transact the business, so that this long drawn out session might be brought to a close as soon as possible.

HON. F. T. CROWDER (East) asked the President's ruling as to whether the motion was in order. Standing Order No. 384 stipulated that the Standing Orders could only be suspended from day to day.

THE PRESIDENT: At the time these Standing Rules and Orders were passed, on the 13th February, 1891, he was leader of the Government in this House. By mistake, in the rules of the Legislative Council the words "for that day's sitting" were inserted. In the rules of the Legislative Assembly those words were not to be found. It was not considered worth while to have the rules sent back for revision because of this mistake. For the last 11 years the Legislative Council had adopted the same practice as the Legislative Assembly, and that practice had therefore become an established fact. A mistake was undoubtedly made, but it was not considered of sufficient importance to justify the delay involved in sending the rules back for correction.

HON. F. T. CROWDER: Was the motion in order, then?

THE PRESIDENT: Yes.

HON. F. T. CROWDER: There were strong reasons for opposing the motion. The Minister would lose no *prestige* by moving the suspension of the Standing Orders in connection with each Bill brought forward; and the House, if of opinion that the suspension would be proper in the circumstances, could fall in with the Minister's desire. The Notice Paper of another place showed four questions, four reports of select committees, 33 orders of the day, 19 notices of motion, and 6 messages from the Legislative Council, awaiting attention. It might be urged that if hon. members received an assurance from the leader of the House that a suspension of the Standing Orders would not mean that Bills would be rushed through without time being allowed for reading, to say nothing of considering them, there would be no objection to the course proposed. But, judging from what had happened year after year in this Chamber after the Standing Orders had been suspended, it would be very unwise to adopt the motion. To pass Bills which had not been fully considered was most objectionable. The remarks of the Minister for Lands seemed to indicate that the hon. gentleman doubted whether members of this House trusted the Government; but if Ministers would trust hon. members, their confidence would be reciprocated.

THE PRESIDENT: Towards the close of the session the Standing Orders were usually suspended in order to facilitate the passing of messages between the two Houses. The work of the printing office was thus lightened. Slight amendments in Bills could be communicated by written messages. The motion was designed only to prevent waste of time, and if it were adopted individual members still had the power of delay in their hands, since they could always vote against the next stage of a Bill being proceeded with.

HON. J. T. GLOWREY (South): The motion should not be carried. Considering the congested state of the Notice Paper in another place, one must inevitably arrive at the conclusion that it was impossible to get through the work of the session in two or three days. Besides, as the President had generously remarked, hon. members were now paid for their services, and therefore it was only right

that they should give proper attention to their duties. Mr. Crowder's contention, that the suspension of the Standing Orders would result in Bills being rushed through without hon. members having time to read them, was borne out by what had happened in the past. Probably no member had had time to peruse the Coal Mines Bill and the select committee's report on that Bill before the second reading was passed.

HON. J. M. SPEED (Metropolitan-Suburban): From the remarks of certain hon. members, one could only draw the conclusion that the Standing Orders needed revision. It had to be borne in mind that Bills rushed through at the end of the session were often the most important. The Bills selected by the Government from the thirty or forty on the Notice Paper must be important, from the fact that they were so selected; therefore hon. members should not allow them to pass without due consideration. If the Legislative Council was to be of use at all, it must set its face against hasty legislation. The expense of printing under the Standing Orders had been urged as a reason in favour of the motion. It was, however, a matter for Ministers to consider whether means could not be devised of obviating the extra expense involved. The printing was probably costing the country 30 per cent. more than necessary.

HON. C. SOMMERS (North-East): No one entertained a greater objection to the rushing through of Bills than himself; but the suspension of the Standing Orders did not necessarily imply that Bills would be rushed through. It was always open to hon. members, if they so desired, to delay a Bill at any particular stage. Seeing the length of time which the session had lasted, and in view of the fact that another place had suspended its Standing Orders, hon. members might meet the wishes of the Government in this matter. The leader of the Government, he felt sure, would not attempt to rush Bills through.

HON. R. S. HAYNES (Central): The attitude which had always been taken by him on this question was that the Standing Orders should not be suspended except for any particular Bill. A general suspension of Standing Orders was bad, and should not be tolerated. In spite of his great desire to assist the leader of the House, he felt himself unable, therefore, to support the motion. Hon. members must bear in mind that the Standing Orders were the only weapon of the minority, and that to suspend them indefinitely, as proposed, was highly dangerous.

HON. A. B. KIDSON (West): Certain members had stated that the House was not surrendering any of its rights or privileges in postponing the Standing Orders. On that point he joined issue. If nothing was lost by a suspension of the Standing Orders, what was the reason for their existence at all? They were designed to provide machinery for the passage of Bills by various stages. One of the especial objects of the Standing Orders was to prevent Bills from being rushed through without due scrutiny. He had on former occasions protested against the undue haste with which Bills were passed when the Standing Orders were suspended, and he now strongly opposed the motion. He could quite understand Mr. Randell supporting the motion, for that gentleman had been a Minister, and no doubt spoke feelingly.

HON. R. S. HAYNES: The same remark applied to Mr. Sommers.

HON. A. B. KIDSON: Quite so. Those hon. members who had not enjoyed the honour of Ministerial office, however, desired plenty of time to examine Bills before passing them. A bad practice had grown up of leaving the most important measures for consideration by this House, though not necessarily by the other House, to the very fag end of the session, with the result that we could not possibly devote to them the attention they required. Bills passed in haste meant endless tinkering later on. Members of the Legislative Council could assuredly not be accused of having wasted time over measures, and therefore should not be asked to suspend their Standing Orders. The argument that without such suspension extra cost of printing would be caused was not a sufficient one.

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

Ayes	10
Noes	12
Majority against ...	2

Ayes.	Noes.
Hon. E. M. Clarke	Hon. G. Bellingham
Hon. A. Jameson	Hon. T. F. O. Brimage
Hon. A. G. Jenkins	Hon. R. G. Burges
Hon. R. Laurie	Hon. J. D. Connolly
Hon. G. Randell	Hon. C. E. Dempster
Hon. J. E. Richardson	Hon. J. T. Glowrey
Hon. H. J. Saunders	Hon. R. S. Haynes
Hon. C. Sommers	Hon. A. B. Kidson
Hon. F. M. Stone	Hon. W. Maley
Hon. E. McLarty (*Teller*).	Hon. B. C. O'Brien
	Hon. J. M. Speed
	Hon. F. T. Crowder (*Teller*).

Question thus negatived.

ROYAL COMMISSIONERS' POWERS BILL.

Introduced by the Minister for Lands, and read a first time.

COAL MINES REGULATION BILL.

IN COMMITTEE.

Consideration resumed from the 14th February.

Clause 38—Plan of mine to be kept at office:

Hon. G. BELLINGHAM moved that after "plan," line 2, the words "declared to by a duly qualified licensed surveyor" be inserted. At the present time plans were drawn and underground surveys made on the fields by men not qualified to do the work. Errors had happened in several instances, but the mine-owners had no remedy, and the men who took the work had no reputation to lose. Surveyors in this State, and also in all others, had to undergo a very severe examination, and had to pay a license fee. They also had to make a solemn declaration that the work was correct, and if they made any mistakes they lost their reputation, and might also be sued for the mistakes made. In mining, a lot of things had to be taken into consideration by professional men, as to the way in which the mine should be worked; also as to the air shaft, ventilation, and that sort of thing.

Hon. A. G. JENKINS: If the amendment were carried, the plan of every coal mine would have to be certified to once a month by some licensed surveyor, and that would cause a good deal of expense.

Hon. G. Bellingham: There were surveyors on the fields.

Hon. A. G. JENKINS: The managers or owners of mines employed what suited them best, and surely the matter could be left to their discretion to employ competent men. If any mistake were made, the loss incurred would be their own. Of course, he would like to see the work done by duly qualified men, but it would be a great mistake to have these words inserted.

Hon. J. W. HACKETT: Why should coal mines be loaded with a very serious expense from which far wealthier properties, gold mines, were exempt? It would be an enormous expense to have monthly surveys made, and they would be practically superfluous, as the owner or manager was bound to supply an accurate plan. If he did not do so, the coal miners might be trusted to speedily find it out.

Hon. E. M. CLARKE: The coal-mining industry was in its infancy, and we knew that the men were about the only people getting anything out of it. He wished the clause to remain as it stood.

Hon. T. F. O. BRIMAGE: The clause should be allowed to pass as it stood. In the early stages of a mine a licensed surveyor was not necessary to lay out plans. All mine owners, when the mines got to a stage of perfection, had their own surveyors, or employed others competent to make the surveys; but this was not necessary in the initial stage of mining.

Hon. J. M. SPEED: Sub-clause 3 provided that, if an owner or manager produced an imperfect or inaccurate plan, he would be guilty of an offence. This provision existed in New South Wales and Victoria.

Hon. E. McLARTY: If this amendment were passed, it would mean additional expense, and, in his opinion, ample provision was made by Sub-clause 3.

Amendment put and negatived, and the clause passed.

Clauses 39 to 42, inclusive—agreed to.

Clause 43—Appointment of inspector of mines:

Hon. F. T. CROWDER moved that all the words after "coal mine," in line 2 of Sub-clause 3, be struck out. The provision imposed hardship. An inspector under this Bill should not be debarred from investing in a gold mine, for example.

Hon. W. MALEY: The Bill applied to coal, stratified ironstone, shale, and fireclay mines. The adoption of the amendment would therefore lead to inconsistency.

HON. A. B. KIDSON: To strike out all the words would be inadvisable. It would be sufficient if the words "or other mine whatsoever" were deleted.

HON. F. T. CROWDER's amendment by leave withdrawn.

HON. A. B. KIDSON moved that in Sub-clause 3, line 2, the words "or other mine whatsoever" be struck out.

Put and passed, and the clause as amended agreed to.

Clause 44—Powers of inspectors:

HON. F. T. CROWDER: Paragraph (*d*) gave the inspector somewhat larger powers than he should possess—to initiate and conduct prosecutions for offences under the Bill.

SEVERAL MEMBERS: No.

HON. T. F. O. BRIMAGE: The provision was essential.

Clause put and passed.

Clauses 45 to 48, inclusive—agreed to.

Clause 49—Provisions as to coroners' inquests on deaths from accidents in mines:

HON. F. T. CROWDER moved that in Clause 1, paragraph (*a*), line 5, the word "shall" be struck out, and "may" inserted in lieu. The adjournment of an inquest should be discretionary with the coroner.

HON. J. M. SPEED: The provision was made mandatory in order to guard against the danger of hasty verdicts. The presence of the inspector at the inquest, as an expert, was essential.

HON. F. T. CROWDER: Under Sub-clause (*b*) the coroner would be compelled to adjourn the inquest for four days.

Amendment put and negatived, and the clause passed.

Clause 50—General rules:

HON. A. B. KIDSON: On principle, hon. members should object to paragraph (*qq*), which placed in the hands of the Governor-in-Council a power which should be in the hands of Parliament. A similar provision had been objected to in the case of previous measures.

HON. J. W. HACKETT: The provision meant nothing.

HON. A. B. KIDSON: But it might mean something. Its language was extremely wide. He moved that paragraph (*qq*) of Sub-clause 2 be struck out.

HON. G. RANDELL: Clause 76 provided that Parliament might disallow any regulation made by the Governor-in-Council, and thus sufficient protection was afforded. So many matters had to be provided for by Bills of this description that it was necessary to vest the general power proposed in the Governor-in-Council.

HON. J. W. HACKETT: There was a great difference between rules and regulations.

HON. G. RANDELL: They were virtually the same thing, in his opinion.

HON. A. B. KIDSON: Mr. Randell appeared to have lost sight of the fact that Parliament was not always sitting, and that therefore considerable injustice and hardship might result before an objectionable regulation could be disallowed. Even if Parliament were always sitting, however, the provision would be objectionable, on grounds of principle.

HON. G. RANDELL: Frequently rules were found to be not sufficiently comprehensive, and therefore in most Bills of this nature a general power was vested in the Governor-in-Council.

HON. F. M. STONE: Parliament had not power under Sub-clause 3 to veto rules. The sub-clause merely provided that copies of any rules framed by the Governor in Council should be laid before Parliament.

HON. J. W. HACKETT: If paragraph (*qq*) were allowed to stand, the remainder of the sub-clause should certainly be omitted. There was every difference between a rule and a regulation. Rules dealt with the details of working a mine, whilst regulations carried the Act into force.

Amendment put and passed, and the paragraph struck out.

Clause as amended agreed to.

Clauses 51 to 59, inclusive—agreed to.

Clause 60—Pulling down or defacing notices:

HON. F. T. CROWDER moved that after the word "who," in line 1, "wilfully" be inserted. A person might be walking along and accidentally pull down and destroy one of these notices, and that, under the clause as it at present stood, would be an offence.

HON. G. RANDELL: A man walking along could not accidentally deface or destroy a notice.

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

Clauses 61 to 64, inclusive—agreed to.

Clause 65—Regulations:

HON. F. T. CROWDER: It did not appear how often the regulations were to be published in the *Government Gazette*. Was there anything governing this business? Would there be more than one insertion, or only one? Very few people obtained the *Government Gazette*.

HON. E. M. CLARKE: All regulations were posted up.

HON. F. T. CROWDER: Nothing was said about posting.

HON. F. M. STONE: Provision was made in every Act that there should be one publication in the *Government Gazette*.

Clause put and passed.

Clause 66—Owner of mine, etc., not to act as justice, etc., in proceedings under this Act:

HON. A. B. KIDSON: The framer of the Bill had not gone far enough. Grandfather, uncle, cousin, and stepfather had perhaps better be added. Perhaps the Minister would move that the clause be struck out.

HON. E. M. CLARKE moved that the clause be struck out.

HON. J. M. SPEED: The whole of the clause should not be struck out, but the following words (between "agent," in line 2, and "or" in line 4) might be omitted: "or the father, son, or brother, or father-in-law, son-in-law, or brother-in-law of such owner or manager, or of a miner or miner's agent."

HON. G. RANDELL: The provision was the same as existed in New South Wales and Victoria. It was desirable to exclude persons who had family interests. We knew how easily one's opinion was swayed unconsciously when interested in a case, either in the way mentioned or in any other way. The member in charge of the Bill had not given it consideration. The provision was a most wholesome one to prevent family influence.

HON. C. E. DEMPSTER: The clause seemed most unreasonable, and it had been pointed out by those who had more knowledge of mining than he possessed that it was most undesirable.

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

Ayes	...	...	7
Noes	...	...	13
Majority against		...	6

AYES.	NOES.
Hon. E. M. Clarke	Hon. G. Bellingham
Hon. F. T. Crowder	Hon. T. F. O. Brimage
Hon. C. E. Dempster	Hon. J. D. Connolly
Hon. J. T. Glowrey	Hon. J. W. Hackett
Hon. A. B. Kidson	Hon. A. Jameson
Hon. J. E. Richardson	Hon. A. G. Jenkins
Hon. R. G. Burges (*Teller*).	Hon. W. Maley
	Hon. E. McLarty
	Hon. B. C. O'Brien
	Hon. G. Randell
	Hon. C. Sommers
	Hon. F. M. Stone
	Hon. J. M. Speed (*Teller*).

Amendment thus negatived.

HON. A. B. KIDSON moved that after the first "the," in line 2, "grandfather, uncle, cousin" be inserted.

HON. A. G. JENKINS: All the words between "agent" in line 2 and "or," in line 4, should be struck out.

HON. A. B. KIDSON: Subject to the hon. member moving such amendment as indicated, he (Mr. Kidson) withdrew his amendment.

THE CHAIRMAN: It had been settled that the clause should stand part of the Bill; therefore nothing could be struck out, but something could be added.

HON. R. G. BURGES: It could be done on recommittal.

THE CHAIRMAN: Yes; it could be done on recommittal.

Clause put and passed.

Clauses 67 to 71, inclusive—agreed to.

Clause 72—Coal mines accident relief fund:

HON. F. T. CROWDER moved that the clause be struck out. In view of the Workers' Compensation Bill, there was no necessity for this clause, which provided that mine owners should pay into a general accident fund one halfpenny per ton on all coal raised, while men employed paid 1s. and boys employed 6d. per fortnight. The opinion that the clause was unnecessary was strengthened by the circumstances that Clause 73 repealed the Mines Regulation Act, in so far as coal mines were concerned. An injured employee could sue under the Workers' Compensation Bill or under the Employers' Liability Act, after taking advantage temporarily of the present measure.

HON. G. RANDELL: Had Mr. Crowder consulted the mine owners with respect to Clause 72? This was an important part of the Bill, and moreover was admirable and fair in every respect. Unless the hon. member was prepared to assure the Committee that the mine owners

regarded the clause as bearing hardly on them, it should not be struck out.

HON. F. T. CROWDER: The clause bore hardly on them, inasmuch as it compelled them to pay £500 a year to this fund.

HON. G. RANDELL: Possibly the mine owners could well afford to pay £500 on the enormous quantity of coal they raised. The employees had to contribute to the fund, and thus the obligation was reciprocal. He was scarcely prepared to vote on the amendment before hearing from the legal members how far the clause interfered with or affected the Workers' Compensation Bill.

HON. J. M SPEED: Clause 5, sub-clause *(a)*, of the Workers' Compensation Bill provided that a miner must be disabled for at least two weeks in order to sue. Clause 7, Sub-clause 2, safeguarded the employer by providing that he should be called on to pay only one compensation. Moreover, the mine owners would not bear the tax of one halfpenny per ton: they would pass it on to the public.

HON. F. T. CROWDER: By Sub-clause 8, a miner injured was empowered to sue under both this Bill and the Workers' Compensation Bill.

HON. E. M. CLARKE: The measure had been carefully considered by both miners and mine owners. If the latter had desired that the clause be struck out, they would have made their desire known.

HON. J. M. SPEED: Mr. Crowder should understand that Sub-clause 8 did not allow an injured miner to make two claims, since it provided that the amount granted him under this Bill was to be deducted from anything that might be awarded him under the Workers' Compensation Bill.

HON. W. MALEY: The clause was an admirable one as it stood. He was not cognisant of any measure which would in any respect be duplicated, so to speak, by this Bill. But even if that were so, then such other measure should be amended rather than this admirable clause should be excised. Accidents were more frequent in coal mining than in other forms of mining, and therefore special protection should be granted to coal miners.

HON. E. M. CLARKE: The contention that the Workers' Compensation Bill covered all the ground was not tenable, since Clause 55 of that measure specially provided that no person incapacitated for a lesser period than one fortnight should proceed under the Bill. Clause 72 of the present Bill was designed to meet minor injuries. If neither the mine owner nor the miner objected to paying into the proposed accident fund, there was very little for anyone else to complain about. Coal mining would be indeed a poor industry if it could not stand an impost of one halfpenny per ton to provide an accident fund. Clause 72, if adopted as it stood, would prevent a good deal of litigation under the Workers' Compensation Bill.

HON. F. T. CROWDER: If hon. members had taken the trouble to read the report of the select committee on the Coal Mines Regulation Bill, they would have found that the mine owners had objected to the clause and were objecting to it now.

Amendment negatived, and the clause passed.

Clause 73—Repeal of Coal Mines Regulation Act:

HON. J. W. HACKETT moved that after the word "regulations," in line 2, "relating" be inserted; that, in the same line, "is" be struck out, and "are" inserted in lieu. These amendments were necessary in regard to grammar.

Put and passed, and the clause as amended agreed to.

Clauses 74 to 76, inclusive—agreed to.

Clause 25 (postponed)—Constitution of board of examiners:

HON. E. M. CLARKE: At the previous sitting the Committee had been asked to postpone Clauses 23 to 36, as dealing with the constitution of the proposed board of examiners. It appeared, however, that only Clauses 23, 24, and 25 dealt with the subject, on which Clauses 26 to 36 had no bearing. Certain fees were to be paid by applicants for examination. The Governor-in-Council had power to make rules governing this matter, and doubtless there would be a scale of fees laid down, which each applicant should pay. It did not follow that because there was a board of examiners, that board would sit all the year round and be paid all the year round. The board would be paid only for the time they were sitting, and he took it they

would not sit and discuss the merits of every application when it was made.

HON. A. G. JENKINS: Five members were too many, and the expenses would be too great. He moved that the word "five" in line three be struck out, and "three" inserted in lieu.

HON. C. E. DEMPSTER: That was recommended in the report.

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

Clauses 24 and 25 (postponed)—agreed to.

Clause 26 (postponed)—Inquiry into competency of manager, and cancellation of certificate in case of unfitness:

HON. C. E. DEMPSTER moved that the words "or otherwise," in line 2, be struck out. If the words were retained, a report might be received from any man in the mine, who might not be competent to give an opinion.

HON. J. W. HACKETT: The clause said "the Minister may, if he thinks fit, cause inquiry to be made." It surely would be open to the Minister to get information from all quarters.

HON. J. M. SPEED: Unless a Minister got a representation, he himself could not cause an inquiry to be held.

HON. C. E. DEMPSTER: If the clause were passed as it stood, it would mean that a report might be received from a person perfectly unfit to give a report.

HON. J. W. HACKETT: Then the Minister would not act.

Amendment negatived, and the clause passed.

Clauses 27 to 36, inclusive (postponed)—agreed to.

Schedule:

Rules 1 to 11, inclusive—agreed to.

Rule 12—Use of explosives below ground:

HON. J. T. GLOWREY moved that after "mine" in paragraph (*b.*), the words "except in places under conditions approved of by the Minister" be inserted.

HON. J. W. HACKETT: Was such privilege usually given in regard to coal mines? If the Minister granted such privilege once, that would become a precedent for every coal mine. It would be almost better to keep to the rule as it stood.

HON. J. T. GLOWREY: The Minister would be quite safe in granting a privilege of this kind, because there might be some abandoned portion of the mine which would do as a magazine. It would not interfere with the safety of life or property in any way.

HON. G. RANDELL: Presumably these rules were in force in established mines, and had been found absolutely necessary for the protection of the worker. The Committee ought to be careful before adding to these regulations, especially in the direction the hon. member desired. It might be convenient, but he could not help thinking that if gunpowder or other explosive or inflammable substance were stored in a coal mine, it must be a great source of danger. Expert advice should be obtained before we added the words to the paragraph.

HON. A. G. JENKINS: Paragraph (*a.*) gave mine owners all the privileges they wanted for storing gunpowder, because they could store it on the surface or adjacent to the mine. That ought to be sufficient for any mine owner. It would be highly dangerous to store powder in a coal mine.

HON. J. T. GLOWREY: If this rule were adopted as it stood, it would cause very serious complaints from mine owners. It would mean that the powder would have to be stored away from the mine.

HON. C. SOMMERS: No. Paragraph (*a*) said it should not be stored on the surface or adjacent to the mine, except in such magazine and in such quantities as might be approved in writing by the Minister. It would be better to leave the paragraph as it stood.

HON. J. W. HACKETT: The less explosives introduced into a mine, the better. He ventured to say that in no other part of Australia was power given to have a powder magazine constructed underground in a coal mine. It was our duty to make this form of industry as little dangerous as possible.

Amendment put and negatived.

HON. J. T. GLOWREY moved that the words "or have in his possession any iron or steel pricker, charger, tamping rod, or stemmer," in lines 2 and 3, be struck out.

HON. J. M. SPEED: What did the amendment mean?

HON. J. T. GLOWREY withdrew the amendment.

Rule put and passed.

Rules 13 to 49, inclusive—agreed to.

Rule 51 — Periodical inspection on behalf of workmen:

HON. J. T. GLOWREY moved that in line 2 the words "not being mining engineers" be struck out. There was no reason why mining engineers should be exempt.

HON. J. W. HACKETT: What was the object of the amendment?

HON. J. T. GLOWREY: To strike out words which were superfluous.

Amendment negatived, and the rule passed.

Rules 52 to 55, inclusive—agreed to.

Schedule put and passed.

Preamble, title—agreed to.

Bill reported with amendments, and the report adopted.

RECOMMITTAL.

On motion by HON. G. RANDELL, Bill recommitted for amendment.

HON. G. RANDELL moved that in Clause 4, the new paragraph reading "Engineer means a duly qualified engineer," be struck out. This definition had been inserted on his motion; but he now saw that it carried no power.

Put and passed, and the words struck out.

Clause 66—Owner of mine, etc., not to act as Justice, etc., in proceedings under this Act:

HON. A. G. JENKINS moved that in lines 2, 3, and 4 the words, "or the father, son, or brother, or father-in-law, son-in-law, or brother-in-law of such owner or manager, or of a miner or miner's agent," be struck out. Surely we could trust the men appointed by the Government to justiceships.

Amendment put and passed, and the words struck out.

Clause as amended agreed to.

Schedule: Rule 12—Use of explosives below ground:

HON. J. T. GLOWREY moved that in paragraph (*e.*), lines 2 and 3, the words "or have in his possession any iron or steel pricker, scraper, charger, tamping rod, or stemmer" be struck out, and "any iron or steel implement or tool" inserted in lieu. Needless to explain, the object of this amendment was to safeguard the lives of miners.

HON. C. E. DEMPSTER: But drill-holes could not be made without a steel hammer or steel drill.

HON. J. T. GLOWREY: This rule applied only to the charging of a hole after it was made.

Amendment put and passed.

Schedule as amended agreed to.

Bill reported with farther amendments, and the report adopted.

THIRD READING.

On motion by Hon. E. M. CLARKE (Standing Orders having been suspended), Bill read a third time, and returned to the Legislative Assembly with amendments.

APPROPRIATION BILL.

THIRD READING.

THE MINISTER FOR LANDS moved that the Bill be now read a third time.

HON. F. T. CROWDER moved as an amendment that the third reading of the Bill be made an order of the day for to-morrow. If the Bill were read a third time now, a number of Bills sent from this House to another place would not be proceeded with.

THE MINISTER FOR LANDS: It was to be hoped hon. members would not allow the Bill to be suspended any longer. The delay which had already taken place was seriously hampering the business of the country. It was altogether unreasonable that at the very end of the session this Bill should be postponed time after time.

HON. J. W. HACKETT: On occasion no one had urged more strongly than himself that this House should keep the Appropriation Bill in hand until its wishes were satisfied. But the Bill had now been hung up for several days, and there was yet a Bill which another place was desirous of passing, and which Ministers were desirous of passing, namely the Conciliation and Arbitration Bill. The session could not close until that Bill had been passed. That measure would have to come before the Council again.

HON. J. T. GLOWREY: Hon. members would not, it was to be hoped, pass the third reading of this Bill to-day. It was

his intention to move to-morrow that the Bill be recommitted. The measure afforded another instance of legislation passed too hurriedly. Several members, including himself, desired to obtain farther information concerning the expenditure.

HON. J. W. HACKETT: If Mr. Glowrey would ask for the information now, it would no doubt be given.

HON. J. T. GLOWREY: In this matter, his own judgment was a sufficient guide to him, and Mr. Hackett's intervention was unnecessary.

HON. R. G. BURGES: Without any desire to block the third reading of the Appropriation Bill, he opposed the final passing of the measure until the leader of the House gave some idea of what Bills were to be carried through. Certain measures on the Notice Paper were of sufficient importance to justify members in prolonging the session for another month.

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

Ayes	...	...	12
Noes	...	...	12
A tie	...	...	0

AYES.	NOES.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. H. Briggs	Hon. J. W. Hackett
Hon. T. F. O. Brimage	Hon. R. S. Haynes
Hon. R. G. Burges	Hon. A. Jameson
Hon. J. D. Connolly	Hon. R. Laurie
Hon. F. T. Crowder	Hon. E. McLarty
Hon. J. T. Glowrey	Hon. G. Randell
Hon. A. B. Kidson	Hon. J. E. Richardson
Hon. W. Maley	Hon. H. J. Saunders
Hon. B. C. O'Brien	Hon. C. Sommers
Hon. J. M. Speed	Hon. A. G. Jenkins (*Teller*).
Hon. C. E. Dempster (*Teller*).	

THE PRESIDENT gave his casting votes with the Noes.

Amendment thus negatived.

HON. J. T. GLOWREY moved, as an amendment, that the Bill be recommitted for the purpose of farther considering the schedules.

THE PRESIDENT: Hon. members no doubt understood what would be the effect of their action in negativing the third reading. Mr. Glowrey's amendment could not be put, as it had not been seconded.

HON. A. B. KIDSON said he had bowed to the Chair by way of seconding the amendment.

Amendment (to recommit) put, and a division taken with the following result:—

Ayes	...	...	11
Noes	...	...	12
Majority against	...		1

AYES.	NOES.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. R. G. Burges	Hon. J. W. Hackett
Hon. J. D. Connolly	Hon. R. S. Haynes
Hon. F. T. Crowder	Hon. A. Jameson
Hon. C. E. Dempster	Hon. A. G. Jenkins
Hon. J. T. Glowrey	Hon. R. Laurie
Hon. A. B. Kidson	Hon. E. McLarty
Hon. W. Maley	Hon. G. Randell
Hon. B. C. O'Brien	Hon. J. E. Richardson
Hon. J. M. Speed	Hon. H. J. Saunders
Hon. T. F. O. Brimage (*Teller*).	Hon. C. Sommers
	Hon. F. M. Stone (*Teller*).

Amendment thus negatived.

Question (third reading) put, and passed on the voices.

Bill read a third time, and passed.

At 6·43, the PRESIDENT left the Chair.
At 7·40, Chair resumed.

HEALTH ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: This measure is an amending Bill. Many of the clauses in it are purely machinery clauses for the purpose of better carrying out the original Act of 1898. Clause 2 is an important clause, which has been introduced owing to the fact that in the amending Act of 1900 no provision was made for filling vacancies in district boards. The clause says the seat of a member of a district board of health shall become vacant if such member shall "(*a.*) cease to be a member of the municipal council or road board by which he was elected a member of such district board; or shall (*b.*) die or resign or be ousted of such office by any court of competent jurisdiction." By Sub-clause 2 members will see how such vacancy will be filled. The sub-clause says:—

> Every such vacancy shall be filled by the municipal council or road board which elected the member whose seat has become vacant electing another of their number to be a member of the district board. The result of such election shall be reported to the Minister, and the Governor shall, by notice in the *Government Gazette*, appoint the person so elected to be a member of the district board.

That is a very important clause, there

being no machinery in the present Act by which the vacancy can be filled. Clause 3 is a necessary one, namely that a district board may adopt the rating of the road board or municipal council. Clause 4 is another provision which is found to be very necessary. When a district board has been appointed, the district may have had a municipal council in one part and a road board in another. One of these bodies has previously struck a rate, but when a district board has come into force it has been impossible to collect that rate, because the district board has not had the power, although the previous local body could have done so, and consequently the rate has not been collected. Clause 4 is introduced with the object of enabling the district board to collect outstanding rates that have been already struck. Clause 5 is also very necessary. In many of the towns there was a charge made for the pan service, or so much per pan, but in place of that in several towns they have struck a general rate for sanitation, for the removal of pans in place of a charge per pan. The result of that is that on properties which are not ratable, like Government properties and church properties, it has been impossible to collect any rate, and consequently the work latterly in many cases has been done for nothing. This clause is to enable the authority to collect the rate as heretofore, when a general rate is struck. Clause 7 is a very important one, introduced in order to validate certain orders that were found to be necessary. At the time when the plague was prevalent in Perth, certain orders were given by the Central Board of Health, and were carried out. There seemed to be some doubt whether the board had a right to carry out those orders. The same thing happened in New South Wales, when there was a panic in connection with the bubonic plague there; and this clause is simply a copy of Sections 14 and 15 of the Act No. 10 of 1900 in New South Wales. The Act in New South Wales deals with the Darling Harbour wharves, the object being to validate the action of the Government and the board of health with regard to plague. It is a very necessary clause indeed; at all events, it is necessary from a Central Board of Health point of view, because it may prevent a number of actions from being brought for acts which in a sense may be a little doubtful, but which perhaps were necessary in the public behalf. This clause is certainly open to discussion, and I am prepared to act in accord with the views of the House in regard to this clause. Clause 8, members will see, is a debatable clause applying to Section 26 of the principal Act. It provides that the words "one shilling" shall be substituted for the word "sixpence." I do not think the health rate in the cities is more than sixpence, but the object of the clause is to enable the full rate to be collected in camps, especially on the goldfields. Perhaps a person may pay a rental of £60 a year in Perth or Fremantle, whereas on the goldfields a person living in a tent may pay £5 a year. A man rated at £5 a year and paying a shilling rate would pay exactly the same as a man rated at £60 would if the rate in his case were a penny. It has been found that the ratable value of properties is so very low on some of these camps, and some of the outlying parts of the goldfields, that, unless a heavy rate be struck on the low rental, it is impossible to carry out the work. That has been urged by several of the local bodies in outlying districts. In this clause there is an important provision—

> For preventing any person expectorating on any made footpath in any street or public place, or on any building to which the public have access or any approach thereto, or on any railway carriage, tramcar, or other public conveyance.

This is undoubtedly advanced legislation, but it is legislation which has saved more lives, perhaps, than any other legislation in any part of the world. It is carried out in Chicago, and many of the great States in America; also in many of the great cities throughout Europe. Tuberculosis is a disease so terrible that we lose through it ten times as many lives every year as we lose in the African campaign. Every time a man who suffers from tuberculosis spits he emits, it is reckoned, some 18 millions of bacilli, which go on to the pavement and become dry, and anyone passing by, especially children, may breathe in bacilli and become affected with tuberculosis. Perhaps there is no class of legislation so useful as that proposed. It may seem

strange to tell persons not to spit in the public thoroughfares, but there is no class of legislation that has saved a greater number of lives, and has been of greater benefit to humanity than this very simple provision which we find here. The late President McKinlay fought in the crusade against expectorating in the public thoroughfares, and our own King when Prince of Wales was president of the movement in Great Britain. Perhaps there has been no campaign so great and so powerful in the saving of life as the campaign against tuberculosis, and it was by this provision in the Health Act that the authorities were able in a large measure to overcome the disease. Although it seems advanced legislation, I hope members will have no difficulty in seeing their way to pass that clause. The other clauses are merely consequential, and most of them are formal amendments. Clause 9 relates to Sections 110 and 111 of the principal Act, which have been re-drafted. The drafting of those sections in the original Act was so peculiar that it is really difficult to understand in some directions, and this clause is introduced simply to make it plain and clear, so that everyone who reads may understand. The Bill is quite a short one. The greater portion of it has been cut out in the other place, and that leaves us with very little to go into. I hope there will be no difficulty in passing all the clauses, for they are all useful, and I have much pleasure in moving the second reading of the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clauses 1 to 3, inclusive—agreed to.

Clause 4—Rates due before proclamation of a combined district may be collected by the district board:

HON. G. RANDELL: Before he left office this question came up for consideration, and it was found that the new district board had no power to collect the rate that had already been struck.

Clause put and passed.

Clauses 5 to 7, inclusive—agreed to.

Clause 8—Amendment of principal Act:

HON. G. RANDELL moved that lines two and three be struck out. A shilling was much too high a rate for any of the coastal cities, at all events; and although it seemed that a sixpenny rate in the case of small tenements to which the Minister for Lands had referred gave very little result, yet as this Bill would apply to the whole of the State, he did not see why coastal towns should be penalised because of conditions which prevailed on the goldfields.

HON. T. F. O. BRIMAGE: A shilling was the maximum.

HON. G. RANDELL: But certain public bodies were apt to take the maximum as the minimum. The rates in new municipalities on the coast were oppressive enough now. The health rate in Perth was low in amount, but the work was carried out. He endeavoured to see if there was any possibility of meeting the difficulty either by saying this portion of the clause should only apply to the eastern goldfields, or that Perth, Fremantle, and other coastal towns should be exempted. An attempt was made in another place to do that, but it was not successful, and he believed it would not be successful in this House. No harm would result, if this matter remained over until next session, when perhaps some way of meeting the exceptional circumstances of the goldfields might be found. While supporting the amendment, he would be glad also to support any proper method which might be proposed of meeting the requirements of the goldfields. The more money health boards were given, the more they would spend. A 6d. rate was quite sufficient, especially on the coast. The imposition of a higher rate would simply mean the depreciation of property.

HON. A. G. JENKINS: The clause should stand as printed. It was certainly absolutely necessary in the interests of the fields. Some hon. members appeared to think a 1½d. health rate sufficient for Perth and Fremantle. If those cities adopted a 1s. or 1s. 6d. rate, they would more closely approach the ideal from a hygienic point of view. Property owners had the remedy in their own hands, since they elected the bodies which imposed the rates.

HON. F. T. CROWDER: Property owners had no power to elect at present.

HON. A. G. JENKINS: They would have power next year. He had personally intended to move amendments, but

would refrain from doing so rather than endanger the Bill. It was better that health boards should impose a rate of 1s. than that they should rush to the Government for assistance every time an epidemic threatened.

HON. T. F. O. BRIMAGE: It was to be hoped hon. members would allow the clause to stand. A rate of 6d. was not sufficient on the goldfields. Personally, he would like to see the operation of the measure extended beyond the town boundaries. Many goldfields residents lived simply in tents, and so escaped paying anything towards the rates.

HON. A. B. KIDSON: Local bodies could not be placed in too strong a position to provide for the cleanliness of their towns, either on the goldfields or on the coast. For this reason he supported the clause as it stood. He had every confidence that local bodies would do all that in them lay to keep their towns clean; but they could not do so unless they had sufficient funds for the purpose. Mr. Jenkins had used words implying that Fremantle was unhealthy, but the fact was that Fremantle was one of the healthiest places in the world.

HON. J. D. CONNOLLY: It was to be hoped the Committee would pass the clause as printed. Then, in the case of an epidemic the health rate could be raised, instead of application being made, cap in hand, for Government assistance. It was unlikely that a higher rate than 6d. would be imposed either on the goldfields or elsewhere, as a general rule. In the case of new towns, however, a health rate of 1s. might be necessary for the first year or two. Property owners had the matter in their own hands, inasmuch as they elected the local bodies. This Bill dealt also with district boards. So far, only one such board had been brought into existence—that for Kalgoorlie, Boulder, and district. No machinery, however, existed for filling vacancies on that board; and at the present time the Kalgoorlie-Boulder district was in consequence without a working board. That body consisted at present of only three members, whilst five were required to form a quorum. The first few clauses of the present Bill provided machinery for the filling of vacancies; and he appealed to hon. members not to endanger the measure by introducing amendments, which, in view of the fact that the session could not last for more than a few days longer, might wreck the Bill in another place.

HON. E. McLARTY: Mr. Randell's amendment should be supported. A sixpenny rate was quite sufficient for all the operations of health boards. The tendency of such bodies was always to impose the highest possible rate. He knew of one board which levied a rate of sixpence, and spent almost the whole of the money in paying the salary of its secretary. Whilst sympathising with goldfields members, he did not see why many districts should be penalised for the sake of one.

HON. H. J. SAUNDERS: Mr. Randell's suggestion seemed to be that the House should adopt a maximum rate of one shilling for the present, and revert to the maximum of sixpence, if necessary. The better Parliamentary method, however, would be to leave the maximum at sixpence for the present, and increase it if that rate should be found insufficient.

HON. J. M. SPEED: To leave the maximum at sixpence would practically amount to creating bodies for local government and then refusing them power to govern. The desire of the Perth ratepayers was always to keep taxation as low as possible, provided proper results were obtained. Every candidate for a councillorship had to pledge himself to keep the rates as low as possible. The maximum might safely be made one shilling since the ratepayers would take care that councillors spent no more money than necessary.

THE MINISTER FOR LANDS: The clause should be allowed to stand as it was. It was not well that in connection with a Bill of this kind—one dealing with health and sanitation, and therefore involving questions of life and death—certain members should argue that because a small health rate answered the requirements of coastal districts, therefore outlying districts should be prevented from imposing a high one. Undoubtedly, hon. members would be taking a most serious responsibility in reducing the proposed maximum of one shilling to sixpence. If the health boards had not sufficient funds, unhealthy conditions would arise, with possibly serious results.

HON. G. RANDELL: Hon. members appeared to forget that the present maximum had proved quite adequate, at any rate in the more populous districts. Let even those in favour of the higher rate consider the effect of the increase on such a city as Kalgoorlie, with its enormous property values and its high rents. Undoubtedly people living in canvas huts, as described by a goldfields member, should be compelled to bear their due share of the expense of sanitation. They might be reached in the same manner as schools and other Government buildings were now reached by the Perth City Council. That body now taxed Government buildings for sanitary services rendered. No sufficient case had been made out for a sudden raising of the maximum by 100 per cent. Rates in the city of Perth now amounted to 3s. 6d. in the £1. A shilling rate would raise the taxation to 4s., or 20 per cent. While fully sympathising with outlying districts, he did not see that it would be right to throw an extra burden on the residents of Perth and Fremantle. The better course would be to let matters remain as they were, and to introduce, during next session, special legislation for the goldfields. He did not for a moment think that any evil results would accrue. We might reasonably suppose that health matters would be carried out as they had been for a number of years on the goldfields, and we knew that in the establishment of new centres it had always been the custom, and it would continue to be so, for the Government to assist with regard to the sanitary work necessary. He felt sure that, if a shilling rate were fixed in the Bill, that would not prevent those outlying districts coming to the Government for assistance whenever they needed it. We had a right to expect fom Parliament some prot ction in this direction. A sixpenny rate was quite sufficient in any of the cities down here. The way in which taxation was being heaped on the people at the present time was almost cruel.

THE MINISTER FOR LANDS: The argument of the hon. member (Mr. Randell) would be very good, if the clause said the rate "shall" be a shilling, but the clause said it should not exceed a shilling. The argument would, moreover, apply if the State were made absolutely stationary, and it never altered. The hon. member said sixpence had been sufficient in the past; but we had to consider the future. We had mining camps arising constantly, a very large number of them, and we must provide for those. We had to provide for the whole State, and not only for the more comfortable cities on the coast.

HON. G. RANDELL: It was very well known that on account of the increase of population the cost of carrying out any enterprise or work was lessened very much, for it was distributed over a larger number of people.

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

Ayes	...	...	12
Noes	...	...	10
Majority for	...	...	2

AYES.	NOES.
Hon. R. G. Burges	Hon. G. Bellingham
Hon. F. T. Crowder	Hon. T. F. Brimage
Hon. C. E. Dempster	Hon. E. M. Clarke
Hon. R. Laurie	Hon. J. D. Connolly
Hon. W. Maley	Hon. J. T. Glowrey
Hon. E. McLarty	Hon. A. Jameson
Hon. G. Randell	Hon. A. G. Jenkins
Hon. J. E. Richardson	Hon. A. B. Kidson
Hon. H. J. Saunders	Hon. C. Sommers
Hon. Sir George Shenton	Hon. J. M. Speed
Hon. F. M. Stone	*(Teller).*
Hon. B. C. O'Brien	
(Teller).	

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

Clause 9—Amendment of Sections 110 and 111 of principal Act:

HON. F. T. CROWDER moved that the following new sub-clause be added:—"In Section 15, line 1, after the word 'may,' the words 'upon the recommendation of the Central Board,' are inserted."

THE MINISTER FOR LANDS: It would be dangerous to make the Governor subject to the Central Board.

HON. F. T. CROWDER: The word was "may."

THE MINISTER FOR LANDS: "May" and "shall" in the interpretation were practically the same.

HON. G. RANDELL: No; "may" was permissive.

THE MINISTER FOR LANDS: Unless it said "shall," there was not much sense in the amendment.

HON. F. T. CROWDER said all he desired was that the Central Board should have power to send in a recommendation. As it was now, there were several parts of the State where there was no roads board.

THE MINISTER FOR LANDS: If the amendment were passed, we should certainly be subjecting the Governor to the Central Board, because the Governor would not be able to appoint unless the Central Board recommended in that direction. The practice was that when these gentlemen in country districts or on goldfields were nominated, the names were sent direct to the Central Board of Health for its opinion, and the board recommended appointment or otherwise. Therefore, the system desired by the hon. member was now virtually in operation. It would be a pity to amend the Bill in a minor and unimportant particular. The Central Board of Health had means of ascertaining whether proposed appointees were fit for the position.

HON. F. T. CROWDER: The amendment was by no means unimportant. The difficulty urged by the Minister could be overcome by inserting after "may" such words as "on the recommendation of the Central Board." The great difficulty now was that districts which had a health board were surrounded by districts paying no attention to sanitation, which thus became hot-beds of disease. There was no means of compelling these insanitary districts to take precautions. They did not seem to attract the attention of the Governor-in-Council; and the lack of action in one instance, he ventured to say, was due to friendship.

Amendment put and negatived.

New Clause:

HON. F. T. CROWDER moved that the following be inserted, to stand as a new clause:

Section 4 of "The Health Act Amendment Act 1900" is amended by striking out the word "may," in the first line, and inserting the words "shall, upon the recommendation of the Central Board"

THE MINISTER FOR LANDS: This was exactly the same amendment as just negatived.

HON. F. T. CROWDER: It was an amendment which suited the Minister two days ago.

THE MINISTER FOR LANDS: Not so.

Question put and negatived.

Preamble, title—agreed to.

Bill reported with an amendment, and the report adopted.

THIRD READING.

Standing Orders suspended, and the Bill read a third time.

Returned to the Legislative Assembly with an amendment.

PUBLIC SERVICE ACT REPEAL BILL.

SECOND READING—AMENDMENT (SIX MONTHS).

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: Our Public Service Act, passed last year, was based on a Bill drafted by the Right Hon. C. C. Kingston when Premier of South Australia. That Bill never became law in South Australia. At the time the existing measure was passing through this Chamber, some of us opposed it, and gave reasons for believing that it would prove a fatal obstacle to reform. And such it has proved. The Public Service Act blocks reorganisation and reclassification. In South Australia the Bill was brought in with a view to being applied to a classified civil service. Here it was applied to an unclassified service, and the result has been a condition of chaos. [MEMBER: In what way?] Under this Act, unless there be some fault, some complaint against a civil servant, unless he have committed some breach of the civil service regulations he cannot be dismissed. Even if for some fault or offence he be dismissed, he still has the right of calling for a board to consider his case. These proceedings take a long time and cost a great deal of money, and in the circumstances it is, therefore, simply impossible to reclassify the service. It is proposed, therefore, to bring in a new Civil Service Bill in the coming session, and in the meantime to make a great effort to reclassify the service. I assure hon. members such an effort will be made during the recess; but I have also to inform them that members of the Ministry state that, with the present Act staring them in the face, it is practically impossible even to attempt reclassification or reorganisation. I hope, therefore, that hon. members will see no difficulty in passing the second reading of the Bill. The abolition of the existing Act is intended to be merely temporary; for a fresh Public Service Bill will be brought in during the coming session. That Bill will be based on a sound scheme of classification.

HON. E. M. CLARKE: I second the motion.

HON. F. T. CROWDER (East): I think the view of hon. members generally will be that this is a most drastic measure. I certainly anticipated that the Minister, in moving the second reading, would have advanced some sound and sufficient reason for depriving civil servants of their rights and leaving them at the mercy of the Government. When the existing Act was introduced, two members at least of the present Government, from their places in Parliament, though in Opposition, congratulated the Government on bringing in the measure and thus making an effort to remedy the dissatisfaction existing throughout the civil service. The only objection Mr. Illingworth had to urge against the measure was that it did not provide a classification scheme. Nevertheless, he congratulated the Government on having taken a step in the right direction, by putting it beyond the power of any Administration to instal its cousins and sisters and aunts in the civil service. The gentleman who to-day holds the position of Minister for Railways also congratulated the Government on the introduction of the Bill. In doing so he expressed the opinion that the title of the Bill was a misnomer, and that it should have been entitled "A Bill to save Civil Servants from future Governments." I am aware that the hon. gentleman who now leads this House was against the Bill. He was not prepared to move an amendment "that the Bill be read a second time this day six months"; but he was prepared to second such amendment if any other member would move it. Still, so far as I can gather, the only objection of the hon. gentleman to the measure was that it did not provide a classification scheme. The present Government now maintain that if this Repeal Bill be not passed, they will be left without power to classify the civil servants and to cut down expenditure. I altogether disagree with that contention. I maintain that under Section 14 of the Public Service Act the Government have power to dismiss civil servants whose services are not required. The section reads: —

> No public servant whose pay is once determined by the Governor and approved by Parliament shall afterwards, whilst doing the same work, suffer any loss or reduction of pay, except as follows:—(*a*) On abolition of office; or (*b*) On removal . . .

Surely under that section the Government have power to remove civil servants. And what is their objection to doing so? The other day members of this House in a miraculously rapid fashion passed the money required to pay the civil servants up to the end of next June. The session is bound to close in a few days, and early in July or August Parliament will be called together again. Between now and then the Government can prepare a suitable scheme of classification and reorganisation, which they can submit to Parliament in the shape of a Public Service Act Amendment Bill. By such a course hardship will be avoided. I object strongly to giving any Government such power over the civil service as the present Government ask for. I go so far as to say that our civil servants are as fine a body of men as is to be found in Australia. The only fault we have to find with them to-day is that there are too many of them, that there are more than are absolutely required; and no one is more in favour of reorganisation of the civil service and of doing away with those who are not required than I am. At the same time I would far sooner that the Government spent £10,000 or £20,000 on salaries not required than destroy the faith that the civil servants have in the honour and integrity of Parliament; for it is a most dishonourable action to repeal this Act and leave a large body, such as the civil service of this country, absolutely at the mercy of any Government. I am not going to say the Government of this State will go out of their way to perform actions which are not worthy of them. I know them all, and I know they are honourable men and men of integrity. Still, man is nothing if not human; and we know that blood is thicker than water. Many members of this House know that before this Act was introduced there were numerous instances of people being put into the service who had no right to be there, but who obtained their appointments through friendship. We hoped by the present Act to give the civil servants of this State once for all an opportunity of getting fair-play done to them; and if you repeal the Act you immediately place them at the mercy of

the Government. I take it that Section 14 of the present Act gives the Government of the day all the power they require. If it does not give them the power, what harm can accrue during the next three or four months, if they intend to produce and place before Parliament a scheme for the proper reorganisation of the service? It is for Parliament to study that reorganisation scheme, and not for the Ministry to carry it out on their own authority. The Government are asking for powers we have no right to give them, for such powers will be simply taking away the rights of the civil service. Members should consider this matter carefully and seriously, and the only fair way of doing so is for them to place themselves for a moment in the position of civil servants of this State; and remember that a short time ago there was great dissatisfaction throughout the whole of the service. Men were never certain from one day to the other whether they would be turned out of office, and their wives and families left in very poor circumstances. The Act was given to them, and poor as the measure is—for it is one which, to my mind, does not go far enough, inasmuch as it does not give proper classification—still it is a measure which has brought satisfaction and quietude throughout the whole of the service. The Government servants are perfectly satisfied that they cannot be shifted at the whim of any Minister. Take that right away from them, and you put them back to where they were two or three years ago. I am sure that if we were civil servants placed in the same position as they will be in, we should think twice before passing this Bill. This is a Bill which, to my mind, is grossly unfair. I feel strongly on the subject, and I say it is treating the civil servants in a dishonourable way, taking away from them the rights they have at the present moment. I, therefore, move that the Bill be read this day six months.

HON. G. RANDELL (Metropolitan): I second the amendment by Mr. Crowder, and I am not surprised he feels warmly on the subject. I think he might have gone farther in his remarks with regard to it. In my opinion it is a most extraordinary proceeding on the part of the Government to bring in a Bill to repeal an Act which confers valuable privileges upon a great body of public servants, without bringing in another Bill on the subject side by side. This measure takes away those privileges with a stroke of the pen, I may say, for it is a very small Bill, simply repealing the Public Service Act of 1900. The Act had most anxious consideration at the hands of the leader of the Government at that time, and it came to him with a strong recommendation from the draftsman, Mr. Kingston, who, whatever may be said about him, or whatever views we may have concerning him, is a hard-working man, and he expressed himself as having put a good deal of elbow grease into the measure. I think the Act an admirable one in many respects, and so far as charges which have been brought against it are concerned, of not having a classification scheme attached to it, I say there is ample provision in its sections for a classification scheme to have been carried out, if the Government had been so minded. However, they were lax in their duties, and I believe it arose principally from the difficulty of getting the heads of departments to meet together as often as could have been desired, perhaps on account of the duties which devolved upon them preventing them from having time, getting these together, and adopting a scheme of classification.

HON. J. W. HACKETT: It would take a full year then to get through.

HON. G. RANDELL: They have had more than a year to do it; they have had ample time to carry that out. However, there is a rough classification in the Act itself, dividing the service into professional, clerical, and nonclerical divisions. This might easily have been dealt with in detail, and the only classification which some people seem to desire might have been established. There is, I say, a certain amount of classification in the public service at the present time. Some of the heads of departments have devoted their attention to make that more complete than it was originally, and with some success too, but circumstances arose which prevented a full and entire classification according to the qualification of individuals. We can easily understand how the present condition of affairs has arisen, namely by people who had had no previous training entering the public service because of the demand which

existed at the time for these additions to the service; and so the difficulties no doubt were pretty considerable. The heads of departments would, in the matter of classification, have had to interfere very largely with the civil servants, grading them and giving them a salary according to the grade in which they were. In many cases these servants have obtained their advanced salaries on account of the long service they have given to the Government of this country. I do not want to detain members at any length in discussing the Bill. I feel sure that when I appeal to their sense of justice—and we are here to prevent any class of individuals in the country suffering from unjust treatment—they will fall in with that view. I am confident members of this House will not consent to do an act of gross injustice to, I take it, a very large number of worthy persons who are fulfilling their public positions in the service of this country. I am sure I should regret it the whole of my life if I took a part in doing any such thing as this, and I hope Parliament will see that, before an Act which has conferred these privileges upon public servants is repealed, another Bill is introduced into the House and discussed in all its stages, in regard to all the probable operations of the measure, before they take away these safeguards. I can assure members they have been safeguards, and officers feel that they would be deprived of what is a very considerable boon to them, if this Act were repealed without something satisfactory being enacted in its place. I do not want to enlarge upon it. I might say some things perhaps that I should afterwards regret, but I think it is extraordinary that the present Government should have devoted so much time to the repeal of laws which have only been a very short time in existence, and against which I think very little is to be said. In regard to several of the Bills brought into this House, the old Acts could have been easily dealt with by a few slight amendments, and have been made almost perfect in their operation; but instead of that the Government must repeal the whole body of legislation and bring in new Bills, so as to, I was going to say, show their sup rior knowledge as compared with that of the Government which preceded them. I am very sorry to have to say it in this Chamber, but I really think I correctly represent the feeling of this House. I am always ready to give my honest and straightforward support to a Government that will see, as Ruskin calls it, "the eternal fitness of things," but I hope that in succeeding sessions I shall see a little more regard paid to the laws upon the statute book. Not that I would for a moment argue that laws which are oppressive or unjust should remain on the statute book—certainly not; but we should have strong proof before we repeal them that they have missed the objects for which they were passed, or that they are inflicting an injury upon someone or some body of our fellow citizens. I hope members will unanimously reject this Bill.

HON. J. M. SPEED (Metropolitan-Suburban): I think the Government in introducing this Bill during the present session have put Parliament on the horns of a dilemma. They bring the measure in and say that in consequence of the Public Service Act it is impossible for them to effect that economy and that reform in the public service, and in the administration of the country, which they were prepared to carry out. They say that under the Act which we are asked to repeal, they cannot do it.

HON. G. RANDELL: It is all nonsense.

HON. J. M. SPEED: Section 13 of the Public Service Act says:—

> 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;
>
> (*b.*) The work to be done and the pay to be received by each.

Section 14 has already been noticed by Mr. Crowder. Under Section 41 public service regulations may be made by the Governor, one paragraph reading, "for giving effect to any provision or purpose of this Act," and another, "for the classification of the public service." To my mind there is ample power given to the Governor, that is the Government of the day, to carry out everything required to be done; and it seems to me that it is an unfair position to put Parliament in when the Government say: "We cannot economise nor can we reform unless we repeal this Act." It appears to me that means they

are going to use their power in any way they please, and it must be an arbitrary power. If there is anything in it, it means that the Government are, on their own authority and responsibility, going to dispense with numerous men in the community; it means they are not prepared to allow Parliament when Parliament meets next session to say whether a man's service is to be dispensed with, or a department is to be dispensed with or not. The country has to understand the position, because an impression is abroad that unless this Public Service Act is repealed, the same amount of extravagance and the same number of unnecessary people will still remain in the public service. It must be remembered that in Australia year after year the number of men in the public service is continually increasing, for the simple reason that every year more and more work is undertaken by the State, and the consequence is that more and more people are employed by the State. The inevitable result of that must be State nationalisation. There is no doubt that must result. Ten years ago we laughed at the idea of the State undertaking certain works as a matter of course. When Government railways were first introduced we found that people objected to that principle, and now you cannot get a public man in this State to get up and advocate any other railways than public railways in the State. That fact shows the feeling in regard to this question. It shows that the principle now applied to railways is likely to apply to all the various undertakings of the State, and even private undertakings. We find the public service continually increasing; and for that reason, I take it, our chief object ought to be to make the public service efficient. My belief is that under the existing Public Service Act we have the power to make the public service efficient. Let us look at the example of Germany. There we find an organisation which is, no doubt, the result of militarism. At the same time there is no reason why we should not follow, in certain respects, the example set us by that country. In Germany, civil servants are appointed to positions for which they are fit. Here, as well as in other Australian States, the rule is, unfortunately, to find round pegs in square holes, and square pegs in round holes. Over and over again we find a man in one position while he is fit for another. I believe the Government would be acting in the best interests of the State if they sought to effect a proper system of classification. Another end to which the Government might direct their efforts is the giving of a proper training to public officers. I shall vote against the second reading of this Bill.

THE MINISTER FOR LANDS (in reply as mover): I desire to point out a little more clearly than perhaps I did previously, how Section 14 of the Public Service Act, which has been referred to by Mr. Crowder, affects the question of reform, reorganisation, and classification of the public service. The section reads:

> No public servant whose pay is once determined by the Governor and approved by Parliament shall afterwards, whilst doing the same work, suffer any loss or reduction of pay, except as follows: (*a.*) On abolition of office:

We may not necessarily wish to abolish offices.

HON. F. T. CROWDER: Do not some offices want abolishing?

THE MINISTER FOR LANDS:

> or (*b.*) On removal; or (*c.*) By reduction by Parliamentary vote of the amount proposed on the annual Estimates; or (*d.*) On reduction affecting generally the public service, recommended by the Governor and accepted by Parliament.

A provision that materially affects us in attempting to classify the service is that of removal. Recourse can be had to removal only to certain cases. If hon. members will pass on now to Section 33 they will see how removal can be effected:

> When any public servant is reported as guilty of—(*a.*) Conduct rendering him unfit to remain in the service; or (*b.*) Breach or non-observance of this Act or any regulation; or *c.*) Want of fidelity, capacity, or diligence in the discharge of his duties; he may be suspended by the Minister, and shall thereupon be furnished with a written copy of the charge.

Clause 35 sets forth "Proceedings by the Governor" after the board has sat. Clearly, to have a board of inquiry sitting on every case affected by a scheme of reclassification is impracticable. Hon. members must bear in mind that in this State we have had no classification of the public service from the very commencement. I repeat, to classify public servants under conditions making removal possible only after inquiry by a board is utterly out of the question. The matter

has been considered very carefully, and the Government have come to the conclusion that the only solution is to repeal the existing Act.

HON. J. W. HACKETT (South-West): Though with great reluctance, I shall vote in favour of Mr. Crowder's amendment. It was only with a large degree of misgiving that I consented to such a sweeping, such a drastic, such an unparliamentary, such an unconstitutional step (as it is understood in England) as that of reversing the policy of a previous Administration in regard to the Conciliation and Arbitration Act. In that case, however, there were grounds and circumstances which rendered it, perhaps, advisable to repeal the Act, and to introduce a new measure. I still hold the opinion, however, that a few amendments of the old Act would have obtained all the results we desired, and indeed all the results we have achieved. [SEVERAL MEMBERS: Hear, hear.] I shall not go farther into that matter, however. I think it is right for the House to read a lesson to any Government for entering on a wholesale vendetta against a previous Administration: such a vendetta as, I believe, more than one of the Bills on the Notice Paper, more than one of the measures which will appear on the statute book as Acts at the close of the session, disclose. Those measures disclose a policy of vendetta, which I, for my part, decline to allow to be carried farther than absolutely necessary. It is a principle of the British constitution that whatever is done by one Administration should be accepted loyally by the incoming Administration—that the incoming Administration should give the best effect to what must be deemed the best efforts, legislative and administrative, of the Administration which preceded it. When the succeeding Administration to the present comes—and I do not believe my friend Dr. Jameson believes that his Ministry will be perennial—I shall take the same stand as I do now. Should succeeding Ministers attack the legislation of the present Government, I shall be one of the first to oppose that attack, on grounds which I cannot now enlarge on, but which, I may say, go to the very existence of our social and political life.

HON. C. SOMMERS: Once a mistake is made, you would perpetuate it?

HON. J. W. HACKETT: Let a defective measure be amended; but not swept away. That is the very point I am coming to now. I am glad my hon. friend has drawn attention to it at an early stage. What are we to gain by this Bill? Another session will commence in four or five months. We are told, however, that the case is so urgent that Ministers must be invested with absolutely plenary powers, and that the valuable privileges which have been granted to the civil servants should be destroyed. The result would be to leave the civil service in a state of chaos, and leave us dependent for the condition which the public service is to take on what may be the views or prejudices held by the Government, and carried into legislation after many months of fighting and struggling at the close of the present session.

HON. J. T. GLOWREY: You will not trust the Government?

HON. J. W. HACKETT: It is not my habit to trust Governments. I have grown too old in politics, I am afraid, to trust any Government. I consider we can wait very well for the four or five months required to frame an amending measure in place of this Repeal Bill. I desire, therefore, to point out that we should not be in haste to give a power which I doubt—and I am sure most members of the House doubt—will ever be used, at all events with the few months' recess which is all the Government are likely to have. Owing to the prolongation of the present session, and the probable early commencement of the next, the Government will have no time to mature or carry out a scheme of classification or reorganisation of the civil service. When Ministers do formulate a scheme, it will be necessary to bring it before Parliament, to present it to Parliament in all its details, to have it discussed from top to bottom, from end to end, east, west, north, and south, before Parliament will give its assent thereto. Two points on which I desire to lay particular stress are these. I believe a more contemptible, lazy-man's trick was never tried than this, when objecting to an Act, even though it be an Act of a former Administration—to which Ministers must necessarily be hostile—to propose to sweep the whole thing away and give

nothing in its place. The present Government are absolutely proposing to sweep away the existing Public Service Act and to replace it by nothing, when they could have substituted for it one of the most admirable Civil Service Acts now in existence, namely that of the Commonwealth Government. That Act could have been adopted, with a few slight changes necessary in the circumstances of this State. I challenge contradiction from my friend Dr. Jameson on this point. Let him tell me what reason debarred the present Government from adopting a measure which is the product of the united wisdom and experience of not alone the leading politicians of Australia, but of the best officials in Australia. The first politicians and the leading officials of Australia have united in producing an Act which, with a few slight changes, would have admirably answered the conditions of Western Australia. If Ministers were really sincere in their purpose, they would have adopted that Act. I was impressed by what I could see was passing through the mind of my friend Mr. Randell when he spoke on this Bill. Mr. Randell a short time ago occupied the position which Dr. Jameson now occupies. I can understand my friend's feelings now, when we are asked to repeal an Act of the past Government. My friend feels it as an indignity offered to the past Government; and I say it is an indignity I would be sorry to join in inflicting. We are asked without rhyme or reason to sweep away an Act of the past Government without putting anything in its stead. Ministers could have given us the Commonwealth Act; but they have not done so. For some reason, left wholly unexplained by the Minister for Lands, they prefer to ask for a clean sheet, and so to pass a vote of want of confidence in Sir John Forrest's Government. Ministers desire to inflict on the past Administration a stigma of an indelible character, by asking us to affirm that the Act of Sir John Forrest's Government was such a piece of shocking and evil legislation that the only way to deal with it is to throw it into the waste-paper basket. Ministers ask both Houses of Parliament to declare that this is the proper course to take. I, for one, am not prepared to go that length. I am astonished that any Minister of His Majesty the King should come into this House and say that the rights and privileges given a year ago to the civil servants should now be utterly revoked. There is the argument for touching the Act. The hon. the Minister laughs. The hon. gentleman desires that civil servants should be instantly removable at the will of any Minister. He laughs that it should not be so. I take it this honourable House has been formed and constituted to put a check on such vagaries, such fantasies of Ministers; and I trust the House will prove a check on this occasion. I believe the hon. gentleman will be surprised at the majority against the Government, if he venture to push the question to a division.

HON. A. G. JENKINS: It took the Forrest Government eight or nine years to give the civil servants this Act.

HON. J. W. HACKETT: But they did give it to them, and now we are asked to take it away. One important point of the case was not touched on at all by the Minister. What is to become of those members of the civil service who have obtained rights and privileges under the Act which we are now asked to repeal?

MEMBER: Destroy those rights.

HON. J. W. HACKETT: Undoubtedly that is in the hon. gentleman's mind—that they should perish, pass into oblivion. But the Supreme Court will tell him differently. The Supreme Court will tell him that those rights have accrued, and cannot be taken away by such a meagre and paltry artifice as merely providing in a few words—the Bill consists of three lines and a word—that those rights are revoked. The Supreme Court will tell the hon. gentleman that he cannot cancel the rights of civil servants in this fashion. I venture to say that if this Repeal Bill were passed, the next thing would be that the measure would be reserved for His Majesty's assent. The King's servants, when given rights by the King's authority—and after all we hold only delegated rights from the King—cannot have them taken away by so summary a process as a couple of resolutions passed by two Houses of Parliament. Nothing of the kind! The result of the passing of this Act by both Houses would probably be to teach a lesson in law to an Administration which imagines that such a thing can take place under our constitution,

and in the British Empire. However, those privileges and rights have now been conferred; and even supposing there were no great constitutional question behind, is it right, I ask, for this House to be called on at the very latest moment of the session, a day or two before the prorogation, to abolish the privileges and prerogatives which have been conferred on an immense body of valuable, honest on the whole, and for the most part hard-working, public servants? I trust that the House will not put the stamp of its approval on any such proposal, but that it will by a record majority for ever stop attempts of this kind, with the idea of decrying the virtues of a past Government and exalting the fantasies of another, to inflict a serious blow on accrued vested interests. The Government know this House is supposed to protect the country against the introduction of what I may again call chaos, in place of orderly and constitutional legislation.

Amendment (six months) put, and passed on the voices, and the second reading negatived.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

SECOND READING, ETC.

HON. F. T. CROWDER (East), in moving the second reading, said: This is a Bill to amend the Municipal Institutions Act of 1900. It was introduced into another place on the suggestion of the municipalities of North Fremantle and East Fremantle. Under the Municipal Act, no road under a chain in width can be taken over and macadamised by the corporation. Both the roads referred to in this Bill are under a chain. They are roads that were laid out in the early days of the colony, and are now occupied, and high rates are being paid, yet, because they are under a chain in width, the corporation have no power to take them over and macadamise them. The municipality of North Fremantle and that of East Fremantle have joined together to ask Parliament to give them power to take over these roads and macadamise them. I understand that if there were any way of purchasing the land to widen the streets, that would be immediately done; but as there is no chance whatever of buying the land to widen the streets, and these streets are now an eye-sore to the municipalities, the municipalities desire that they shall be able to macadamise them, and they now ask the consent of Parliament to do so. I therefore move that the Bill be read a second time.

Question put and passed.

Bill read a second time.

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

Standing Orders suspended, and the Bill read a third time and *passed*.

METROPOLITAN WATERWORKS ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. A. Jameson), in moving the second reading, said: This is a purely formal Bill to enable the Metropolitan Waterworks Board to obtain an increase of capital. Clause 2 says the board may issue debentures to the extent of £420,000 instead of £400,000, as provided by Section 2 of the Metropolitan Waterworks Act 1896. Clause 3 provides that previous Acts shall apply to new districts, and Section 15 of the Act of 1896 says:—

> The rates, charges for water, and other sums received by the board by virtue of this Act shall be apportioned, in the first place, to paying the interest, half-yearly, at the rate of four per centum per annum on the debentures outstanding, and, in the next place, to the redemption of the debentures, at the rate of three per centum per annum, payable half-yearly, on the whole of the debentures previously issued, including any which may have been purchased or redeemed, and after such payments, to the management, maintenance, and improvement of the said Metropolitan Waterworks.

The Bill is purely of a formal character, and it is introduced with a view of raising another £20,000, which, I understand, is absolutely necessary.

HON. G. RANDELL (Metropolitan): I rise to second the motion of the Minister, and I do so only with a view of saying I have one or two amendments to propose. One is only a marginal reference which I think highly desirable, and it is a copy of that in the original Act, except that the processes of applying the money raised are reversed. I think it is desirable to have a marginal note which will catch

the eye of anyone and show the object of the clause. Another amendment is to add to the Bill a section which I find in the amending Act of 1898; it will read thus:—

No portion of the moneys raised under the powers conferred by this Act shall be expended by the board without the approval of the Governor.

I hope that with these amendments the House will pass the Bill. There is, I believe, a great necessity for the £20,000 for the purpose of increasing the effectiveness of the Metropolitan Waterworks.

Question put and passed.

Bill read a second time.

IN COMMITTEE, ETC.

Clause 1—agreed to.

Clause 2—Increase of capital:

HON. G. RANDELL suggested as an amendment that a marginal note, reading as follows, be inserted:—

Receipts for rates and charges for water shall be applied to the management and maintenance, payment of interest, redemption of debentures, and improvements of works.

THE CHAIRMAN: The insertion of the marginal note could be left to the clerk. It was unnecessary to have a motion for approval.

Clause put and passed.

Clauses 3 to 5, inclusive—agreed to.

New Clause:

HON. G. RANDELL moved that the following new clause be added:—

No portion of the moneys raised under the powers conferred by this Act shall be expended by the board without the approval of the Governor.

Put and passed, and the clause added to the Bill.

Preamble, title—agreed to.

Bill reported with an amendment, and the report adopted.

Standing Orders suspended, and the Bill read a third time, and returned to the Legislative Assembly with an amendment.

LAND ACT AMENDMENT BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Schedule of 15 amendments made by Assembly now considered, in Committee.

No. 1—agreed to.

No. 2—Clause 2, add the following to paragraph (*d*):—And the words "if situated within forty miles of a railway," in line five, are struck out:

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. C. SOMMERS: The object of the amendment was to allow land distant more than 40 miles from a railway to be declared an agricultural area, which could not be done under the existing law.

HON. R. G. BURGES: Mr. Sommers should also have mentioned that the holders of the land had not a prior right.

HON. C. SOMMERS: The prior right was taken away only so far as the South-Western district was concerned.

Question put and passed.

Nos. 3, 4, 5, 6, 7—agreed to.

No. 8—strike out the figures "2s. 6d.," in paragraph (*k*), and insert the figure "1s." in lieu.

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. R. G. BURGES: Why were not the fees for sandalwood licenses reduced equally with those for firewood cutting? It was unfair to make men who cut down heavy timber pay £3 a month.

HON. C. SOMMERS: It was proposed to reduce the cost of a woodcutter's license from 5s. a month to 2s. 6d. In his opinion anything less than 2s. 6d. would be absurd. He moved that the amendment be not agreed to.

THE CHAIRMAN: The hon. member could vote against it.

HON. C. SOMMERS: Firewood consisted of waste timbers of the country. The other timbers the hon. member referred to were valuable, being marketable sawing timbers. He hoped the amendment reducing the amount to a shilling would not be agreed to.

Question put, and the Assembly's amendment negatived.

No. 9—Clause 3, strike out the clause:

THE MINISTER FOR LANDS moved that the amendment be agreed to.

HON. J. E. RICHARDSON moved that progress be reported, and leave asked to sit again.

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

Ayes	...	...	10
Noes	...	...	7
Majority for	...	...	3

Ayes.	Noes.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. T. F. O. Brimage	Hon. J. D. Connolly
Hon. R. G. Burges	Hon. J. W. Hackett
Hon. F. T. Crowder	Hon. A. Jameson
Hon. C. E. Dempster	Hon. G. Randell
Hon. J. T. Glowrey	Hon. C. Somers
Hon. W. Maley	Hon. A. G. Jenkins
Hon. E. McLarty	*(Teller).*
Hon. J. E. Richardson	
Hon. B. C. O'Brien	
(Teller).	

Motion thus passed.

Progress reported, and leave given to sit again.

ADJOURNMENT.

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

Legislative Assembly,

Monday, 17th February, 1902.

Petition, Early Closing Bill — Question: Spirits in Bond—Coolgardie Water Scheme Inquiry, to prepare report—Question: Supreme Court Building, Freestone—Question: Coronation, State Representation—Question: Hospital (Central), Eastern Goldfields, Inquiry—Question: High School, Relation to the State—Conditional Surrenders of Goldmining Leases, Report—North Perth Tramways Bill, Recommittal, reported—Business Suspension—Early Closing Bill, second reading, in Committee, Recommittal, reported—Coolgardie Water Scheme Inquiry, Select Committee's Report—Coal Mines Regulation Bill, Council's Amendments—Health Act Amendment Bill, Council's Amendment—Friendly Societies Act Amendment Bill, postponed—Food Supply Inquiry, postponed—Council's Resolution: Public Works Inquiry by Commission—Council's Resolution: Redistribution of Seats—Metropolitan Waterworks Act Amendment Bill, Council's Amendment—Discharge of Orders—Adjournment.

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

PRAYERS.

PETITION—EARLY CLOSING BILL.

MR. W. F. SAYER presented a petition from a number of hairdressers and assistants, praying for certain amendments in the Early Closing Bill.

Petition received.

QUESTION—SPIRITS IN BOND.

MR. F. McDONALD asked the Treasurer, without notice: If he had received a reply from the Prime Minister of the Commonwealth in reference to the breaking down of spirits in bond.

THE TREASURER replied: No communication had yet reached him.

COOLGARDIE WATER SCHEME INQUIRY.

THE PREMIER: Before we proceed with the business of the day, I wish to inform the House that I purpose, at five o'clock, to ask the Speaker to leave the Chair until half-past seven. The reason is that the select committee appointed to inquire into the question of the Coolgardie Water Scheme (pipe laying and caulking) desire to present an interim report this evening; and inasmuch as the committee cannot sit while the House is sitting, and as the committee desire to complete their labours, I intend to ask the House to adjourn in the manner suggested. I may tell hon. members that I make this suggestion at the instance of the member for Beverley (Mr. Harper), chairman of that committee, and with the consent of the leader of the Opposition. I do not think there is any objection to the proposal, and I mention it now so that when five o'clock arrives members may not think I have taken them by surprise.

QUESTION—SUPREME COURT BUILDING, FREESTONE.

DR. O'CONNOR asked the Minister for Works: Whether the Commission promised to be appointed to inquire into the use of Donnybrook stone will, at the same time, inquire into—1, The suitability of Meckering stone for important public buildings; 2, The whole of the particulars in connection with the contract for building of the Supreme Court, and why the contract was varied after being let.

THE MINISTER FOR WORKS replied: 1, Yes. 2, Yes.

QUESTION—CORONATION, STATE REPRESENTATION.

MR. HARPER asked the Premier: Whether the Government do not consider that it would be undesirable—in view of the very important reorganisation which