stood amply met all requirements. Some objections raised to the Bill were not the result of serious consideration. If the Bill passed, doubtless it would be found to meet the requirements of the country.

MR. NANSON: Was not the clause redundant? Did not Clause 18 meet everything that one wanted to provide for?

THE MINISTER FOR MINES: No. This clause made it absolute with regard to certain things—for instance, the fly-wheel, also the engine. The amendment moved was one that required a good deal of consideration, and before absolutely refusing to accept it he would like to discuss the matter with the officers who were responsible for the Bill. He did not profess to know the technical parts of machinery. Where important amendments were contemplated, they should first appear on the Notice Paper, and he hoped such would be the case in future; and he urged this also with regard to the portion of the Bill dealing with engine-drivers' certificates. He knew there would be many amendments moved, and he hoped they would appear first on the Notice Paper. When important amendments were sprung on the Committee, he hoped the Committee would support him in getting the Bill passed in its present form. If, however, amendments appeared on the Notice Paper, every consideration would be given to them. His object was to have a good Bill.

MR. TEESDALE SMITH: When the Minister for Mines introduced this Bill last Wednesday week, his friend the member for Bunbury (Mr. Hayward) asked that it might be adjourned for a week. It came on, however, last Tuesday. He (Mr. Smith) told the Minister for Mines that Tuesday was too soon. He asked the Minister for a copy of the Bill, and the Minister gave one to him. As soon as possible he sent it to the experts at the workshops, and having received it back, these amendments were drawn up, an hour and a-half being devoted to the subject on each of two days. If progress was going to be reported, he hoped that consideration in Committee would not be resumed until next Wednesday.

On motion by the MINISTER FOR MINES, progress reported and leave given to sit again on the next Wednesday.

ADJOURNMENT.

The House adjourned at 21 minutes past 11 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 18th August, 1903.

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

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: Progress Report of Royal Commission on Forestry. Alterations to Railway Classification and Rate Book.

Ordered, to lie on the table.

EARLY CLOSING ACT AMENDMENT BILL.

RECOMMITTAL.

THE COLONIAL SECRETARY (Hon. Walter Kingsmill) moved that the Bill be recommitted for the purpose of amendment of Clause 3.

HON. J. W. HACKETT moved as an amendment:—

That after the words "purpose of," in line two, insert the words "reconsidering Clause 1 and the Schedule, and of."

The schedule required altering to allow of newspaper offices and newsagents being removed from Part I. to Part III. He was willing with other members to give a trial to the renumbering system provided in the Bill. Judges as well as lawyers had to deal with Acts, and decisions were given on certain sections: the Acts were referred to in the Law Reports by the section numbers which were set out in the printed copies. An

amending Bill, with renumbering as proposed, might lead the public and Judges astray, unless the renumbering were done carefully, and in such case an amendment might make confusion hopelessly confounded. To allow some responsible party to give an assurance that the renumbering had been done properly, he intended to move the insertion of the words "Clerk of Parliaments."

THE COLONIAL SECRETARY: The procedure set forth in this amendment was new, or different from that followed in another place, where it was usual when the leader of the House moved for the recommittal of a Bill that no amendment should be moved, but private members gave notice of their intention to move certain amendments on recommittal. He took it that the course adopted in this case was usual. He had no objection to the amendments proposed by Dr. Hackett. He would be obliged if members would give definite notice of amendments which it was intended to move. The notice in the present case was somewhat vague, but after the explanation given he had no objection to offer.

HON. J. W. HACKETT: The general practice in this Chamber had been followed by him, but he had not given more notice because the point had been debated fully.

MR. GLOWREY: Clause 10 should also be recommitted.

THE PRESIDENT: That could not be done now, as the House was dealing with a motion and an amendment. He might say that Dr. Hackett's amendment was in order as it appeared on the Notice Paper, but the hon. member might have given notice of the amendment he intended to bring forward. It would be seen from former precedents that when a member asked that a Bill be recommitted, he handed in a notice of the amendments he intended to move; though the other procedure also had been adopted.

HON. J. W. HACKETT: Would it not be in order simply to move for the recommittal of the Bill, as an amendment on the motion for third reading, without giving notice of any amendments?

THE PRESIDENT: *May* laid it down that it was usual to give notice of amendments in the case of a Bill recommitted, though this was not stated in our Standing Orders. The contrary practice, however, was quite in order.

Amendment passed, and the motion as amended agreed to.

HON. J. T. GLOWREY: Would it be in order to move that Clause 3 be recommitted?

THE PRESIDENT: No. Notice should have been given at the last sitting, seeing that notice had then been given of other amendments. The question having been put to the House and passed, the House had now to consider the Bill in Committee.

IN COMMITTEE.

Clause 1—Short title:

HON. J. W. HACKETT moved as an amendment that the words "under the supervision of the Clerk of Parliaments" be added to the clause.

Amendment passed, and the clause as amended agreed to.

Schedule:

HON. J. W. HACKETT moved as an amendment that the words "newspaper and," in Part I., be struck out, and "newspaper offices" inserted in Part III.

Amendment passed, and the schedule as amended agreed to.

New Clause—Amendment of Section 3:

THE COLONIAL SECRETARY moved that the following be inserted as Clause 3:—

Section three of the principal Act is amended by striking out all the words after the word "municipality," and inserting in lieu thereof —"or road district or any part thereof respectively, to be, or cease to be, a district for the purposes of this Act, and this Act shall only have effect in proclaimed districts."

Question passed.

Bill reported with farther amendments, and the report adopted.

ADMINISTRATION (PROBATE) BILL.

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

LUNACY ACT AMENDMENT BILL.

SECOND READING.

Debate resumed from 12th August.

HON. J. W. HACKETT (South-West): I think I may congratulate the Government on the fact that, in the deluge of legislation which is invading Parliament, some flotsam and jetsam may be thrown up which people will be proud of when

secured, and will be glad to retain. And amongst the flotsam and jetsam a prominent position will, I trust, be assigned to the efforts of the Government to ameliorate the law concerning the insane in the State of Western Australia. I am sure we are all gratified with and under an obligation to the Colonial Secretary for the way in which he introduced this question, for the admirable account he gave us of past dealings with the insane, and for his excellent, clear, and intelligible summary of the provisions of the present Bill. For my part, this has been a subject which has always commanded my special sympathy and consideration. Wherever I have travelled, if I could at all afford the time and a lunatic asylum were in the neighbourhood, I have always made it a part of my duty to see that asylum, to go over it as carefully as possible, to interrogate the officers, and generally to make myself acquainted with its modes of working. And it appears to me that every man who is possessed of common humanity ought as far as possible to adopt the same course. There is nothing more melancholy in this world than the spectacle of a large and increasing class bereft of reason, and for which, until the last century or so, but little has been done in a truly humanitarian spirit. These unfortunate beings suffer, for the most part, from dementia, not because of follies of their own, but more generally because of the faults and follies of their ancestors, and on them falls the hard and almost intolerable lot of having to suffer for the sins of others. I acknowledge there is always a tendency in dealing with these persons to stint expenditure, because these poor beings are best kept out of sight, almost out of human knowledge, except for those who seek their association in order to improve their lot, perhaps to while away some of their hours with amusements and recreation, and perhaps to preserve a little longer so much of the spark of reason as remains unextinguished. As a matter of fact the earliest days of our race, I mean the Anglo-Saxon race, were distinguished for a sense of humanity for the victims of dementia disease. For centuries we retrograded from that system. It was thought that those afflicted in this way were so afflicted by the act of God, and as such were treated with special respect, and with a degree of respect which was all their own. As civilisation advanced, that superstition disappeared. Then began the dark ages of the treatment of the insane, when there were cruelty, neglect, and oppression; but as years went on the general feeling of humanity revolted at this treatment. Then the greatest authorities seemed to consider the needs of these unfortunates, but little progress was made in the true conception of our duty to the insane; that is to say the best authorities on the matter strangely advocated the use of restraints, the use of the camisole and the whip and other means of coercion which are revolting to us at present. There are several books on the subject which were written by great and humane authorities, which give the idea of their belief that those beings suffered from the destruction of their volition, and could be beaten and tortured into the possession of it again. Those days are gone by; they were days which we know by the word "Bedlam," which places were a striking and shocking example of the treatment of these poor people. But there arose two great philanthropists, one a Frenchman named Pinel, and the other an Englishman, George Chipp, a Quaker, who instituted new methods for the treatment of the insane. Their work did not bear fruit until the beginning of the last century, when proper humane ideas on the subject of the treatment of the insane began to make themselves felt amongst the enlightened nations of the world. The first act was to abolish mechanical restraints, the strait waistcoat and the whip, and to insist on the doctrine that the insane in a number of cases might have their mental condition improved. But their work was not completed: they did not reach the stage to which this Bill brings us to. It is an unfortunate necessity of the State that drives those afflicted beings into seclusion, who, to put it into plain language, in nine cases of ten are condemned by a court of law to that which the highest administration of justice in the land, a Supreme Court Judge, can sentence a person to, imprisonment for their natural life. So it comes about that asylums—the word itself is significant, and the horrible associations which so gather around it have led the Colonial Secretary to a change in the

nomenclature—asylums were looked upon, and are still looked upon, as a species of common gaol; but that is passing away now, more modern ideas are coming into existence, and I believe that this Bill will do a great deal more. There are to be licensed houses or private houses added to the means that are now at our disposal for the curative treatment of the demented, and it is really, as far as this State is concerned, that section of the Bill that most deserves our attention, because it is the only novel part; and I warmly congratulate my friend on introducing a Bill with these desirable clauses in it, and more so as in a considerable proportion of other countries the existence of licensed houses is entirely condemned and in every way discouraged or absolutely prohibited. The object of the licensed house has been explained by the Colonial Secretary, and it seems to me to be an admirable conception where well-to-do friends wish to have their relations, suffering in this way, placed under peculiar conditions of comfort or to make an improvement in their condition; when relations who are able to afford it desire that unfortunate people should be given all the advantages, not only of a home, but to have a school provided so that they will not only be subject to a control which is adequate but to a supervision which is reasonable, and they can be made the object of humane and even hopeful experiment. I need not enlarge on that part of the Bill, it is in the hands of members, and all that is necessary to be said about it has been said by the Colonial Secretary; but I hope one or two little amendments will be permitted in that part of the Bill which will have the effect of assuring the public that these private licensed houses or private licensed homes are in every way suited to the purposes for which they are intended, and that supervision will be exercised over them so that the patients will not degenerate by long and perfunctory confinement. For the rest I have nothing but praise for the Bill. I only urge the desirability of giving absolute effect to it, and that the Colonial Secretary and his colleagues will not be afraid to appeal to the Treasury of the State. During my visits to the Victorian asylums, and I think I have been in nearly all of them, I had an opportunity of comparing the asylums not only in the Eastern States but several at home, and above all with the asylum as it existed and as it no longer exists and was managed at Fremantle, and I am bound to say that of all the asylums I have seen, with one exception, the Victorian asylums struck me as being the least adequate and the worst managed, and almost altogether unsuited to the needs of the insane. I could give instance after instance which occurred during my own visits to asylums, which would horrify the House and I undertake to say are beyond expression, but which were looked on as part of the ordinary work of the day's duty. Bad as the Victorian asylums were, it was reserved to me to see one more shocking example, though it is not comfortable to speak of the work of the past; but I say that there was nothing more dreadful or nothing more terrible than what might have been seen in the Fremantle Asylum.

THE COLONIAL SECRETARY: It is being removed.

HON. J. W. HACKETT: I must admit that. A large part of the objectionable relations of that institution must be attributed to its inadequate accommodation. The building itself was unfitted for the purpose, it was overcrowded and there was no opportunity of retaining the one first, second, and last necessity of doing our duty to the insane, by introducing a proper system of classification. The trouble is in properly classifying and having a proper system. It was considered the proper method in days gone by to build a huge barracks and to crowd as many into it as possible, to have a few large rooms all filled throughout with patients—that is to say the uncleanly and the scrupulous, the pure and the semi-cleanly, the most fastidious and the least deranged, those who desired to occupy themselves in tasks that might pass the day and add a solace to their perpetual imprisonment, along with those who made it their business to destroy those little works, whether needlework or gardening or other recreation of that kind: all these were bundled or heaped together. Under this Bill I take it that classification, as far as the means will permit, will be carried out. It is impossible to bring it to the ideal of perfection, as it would

necessitate the expenditure of sums of money which the State is not prepared to give, and would be considered out of proportion to other claims and demands upon the Treasury which are springing up on all sides around us. I earnestly trust that a sufficient sum of money will be placed in the hands of the gentleman appointed to the charge of the mad of this State, of whom I hear nothing but good, to carry out the great experiment of classification on lines which will give satisfaction to the country. I will not occupy the House any longer. I congratulate the Colonial Secretary on bringing forward this Bill, and perhaps in a year or two I may still be able to congratulate him more cordially on the improvements introduced into the treatment and the care of the insane. With such an asylum as it is proposed to erect, with a director-general of experience, discretion and humanity, and with a truly liberal attention to the demands of the case by the Government, I have no doubt the condition of the insane in Western Australia will bear a happy comparison with and contrast to the treatment of the insane in other countries.

HON. H. BRIGGS (West): I also rise to support the second reading of the Bill, and I would not trespass on the attention of the House after the able and lucid way in which the leader of the House introduced the Bill to the Council, and after the big-hearted, eloquent, and sympathetic remarks of Dr. Hackett, were it not that I take a peculiar interest in the Fremantle hospital for insane, having been a visitor in the old days, and I must bear out what Dr. Hackett has said. I was so shocked by the sights, that I pleaded to be excused as a visitor; but when the new *régime* under Dr. Montgomery came about, I was again appointed a visitor to the lunatic asylum, and thus I saw the asylum in its two stages. I know what a marvellous improvement has taken place, and feel it my duty to bear testimony to the success which has followed the able efforts of the present medical superintendent. Another reason why I take this opportunity of speaking is that I shall be prevented during the progress of the Bill in Committee; therefore, I wish to throw out a few hints, for I have already carefully read the Bill, and have obtained opinions from medical men in Fremantle. As Dr. Hackett has well said, this subject concerns all people who are afflicted in mind and estate. Many if not most of them are afflicted in body also, and all of them are much distressed in estate. The Bill is a worthy addition to the many measures which we have passed for the protection of women and children, and of the helpless generally. Many of our Labour Acts are supposed to protect the labouring man who is under the pressure of poverty or of capital; but this Bill appeals to all, for it protects the most helpless people in our midst. And it is no class legislation. There is no class exempt or free from this great terror of the breaking down of the mind. Very often the most highly gifted men in our midst begin to die at the top, and have a most lamentable old age. With the Colonial Secretary I am pleased to note the names against the various parts of the Bill. We have in Part IV. provision for hospitals for the insane, in Part V. licensed houses for the reception of one or more patients, in Part VI. reception houses for temporary treatment of the insane, in Part VII. hospitals for the criminally insane. Both the preceding speakers have dealt with the history and the treatment of lunacy. It is exactly 100 years since the eminent French physician, Dr. Pinel, thrust out the whips, the fetters, and the chains which were the chief furniture and the chief mode of treatment in the madhouses of Paris; for it was in 1803 that he published his great work *L'alienation Mentale*, and his simple classification of all classes of lunacy into mania, melancholia, and dementia has ever since held its own. And although, as has been said, many great writers have made elaborate classifications of the insane, up to that greatest writer of all, Dr. Krafft-Ebing, who brought out his book in 1890, yet the whole tendency during these 100 years has been to treat the afflicted person, though he may be confined, as nearly as possible like a normal healthy man. And though the clauses in this Bill wisely point out a certain kind of classification, yet I should like to see some separate establishment provided for idiots and feeble-minded people. In England the Earlswood Asylum and the Royal Albert Asylum

are set apart for the education and training of idiots and imbeciles, and with very good results. Scotland supports two institutions for the feeble-minded, one at Larbert and the other at Baldovan; and the United States have two splendid institutions, one at Lincoln and the other at Syracuse in the State of New York. Although I am afraid that we in Perth are unduly increasing charitable agencies, and by increasing such agencies are wasting much effort, because we are multiplying the household staffs and boards of management, yet nevertheless I should have liked to see in the Bill some provision for schools for idiots and the feeble-minded. I suppose everyone will admit the necessity for making the distinction between the ordinary insane and the criminal insane, for with the latter class the first object is to keep them safely, whereas with the ordinary insane or demented persons the chief object is their cure, their restoration to health. For licensed houses, the private asylums of Part V., I have nothing but praise. We know that it is most painful for relatives whose friends are afflicted to send them to Government institutions. That is very repulsive to their finest feelings, and even the insane themselves in their lucid intervals—and we must remember they are not always in a hopeless condition—when they look at their surroundings and find with whom they are associated, are filled with the greatest pain and anguish. Moreover relatives, feeling this, always try to withhold patients from public institutions as long as possible, and by keeping them at home they retard their cure; whereas, if there were a proper private asylum, they would send the patients there at once, and the disease would thus be combated in its early stage. Then again, all people save those of the lowest class get accustomed in ordinary life to certain comforts which to them become necessaries; yet in such Government institutions the patients are brought down to a common level of discipline, diet, and treatment, and we know that one Procrustean bed will not suit various conditions, ages, and temperaments. The Colonial Secretary pointed out that by Clause 7 pauper lunatics must be examined by two medical practitioners, instead of by one as in the existing Act. Now when we remember the conflict of medical opinion at the recent inquiry in Fremantle concerning a former member of this Council whom I succeed here, the necessity for this amendment of the law becomes apparent; and so I consider that to require two medical men to give their certificates is an additional safeguard to a person's liberty. Dr. Mercier, a great authority on lunacy, recommends that unless the case is very plain, it is advisable for the doctor to see the patient twice, with an interval of seven days between his visits, though the certificate distinctly states that it must be based on the facts which he observes in one visit. And the doctor also suggests that one of the certificates given should be that of the usual medical attendant of the patient. In Clauses 12 and 13 it seems very right that the medical practitioners who have any blood affinity with or any interest in the patient should be prevented from signing the certificates or keeping the patient in a licensed house, or from even attending the cases in private asylums. That is a very wise precaution against the "black sheep" of an otherwise very honourable and upright profession. As to Clause 15, in the old Act there was no limit of time in respect to paupers; and in the case of other supposed lunatics seven days was the limit within which the medical certificate should be enforced. This period is considered to be too short for the great distances of this country, as a patient could not be brought from the extreme North or the extreme East of the State in such a short time; so I think the 28 days of the Bill is a very reasonable period. As to Clause 19, in the English Act the old certificate regarding an escaped lunatic is still in force if he be recaptured within 14 days; but if he remain at liberty beyond that period, there is required a fresh order and a fresh certificate to put him in again. Clause 33, dealing with private asylums, makes several provisions as to the plan of the building, and the accommodation to be provided. I think there is a grave omission here. If members will think of what happened a short time ago—that terrible fire at Colney Hatch lunatic asylum, when so many patients were burned to death or pain-

fully injured—they will perceive the need for a provision in this clause that the plan of the building ought to show what precautions are taken to cope with fire should it break out, and what provision is made for escape in the event of a fire in a building containing more than one or two patients at the same time. Provision could easily be made for this in Clause 33, and for keeping the sexes apart. There must be provision for coping with fire and providing for the escape of patients in such an emergency—the poor demented people who cannot use their wits like ordinary persons, and who would be worse than helpless in time of panic. Lately in the great public school at Eton, two bright youths perished for want of adequate means of escape from a burning boarding-house. Paragraph 9 of Clause 77 states that the Government may appoint an inspector general, who may be also the superintendent of the Government asylum. I can see a grave objection to that. The inspector general, if superintendent of the asylum, will be the asylum's chief medical superintendent. Is it fitting that he should criticise his own work? That would be like a person auditing his own accounts. I think it would be much wiser not to unite the positions of inspector general and superintendent of the asylum. Besides, I do not perceive that any special knowledge of insanity is needed by this inspector; and the provision would conflict with other clauses. It will be found in Clause 96 that two certificates are to be signed, one by the inspector general and another by the medical superintendent. If these two offices are held by one person, it will place too much power in the hands of one man, too much responsibility. I have omitted to say what I feel strongly about in Part V. I should like to see provision made for voluntary boarders. In England the superintendent of a licensed house, with the written consent of the licensing authority, may receive and lodge as a boarder, for the time specified in the consent, any person who is desirous of voluntarily submitting to treatment. After which time, unless it is extended by farther consent, such boarder must be discharged. By this means persons who feel the gradual approach of their malady may willingly place themselves under treatment, and thus combat the disease in time. I know, in my past experience, of a fine young farmer in Northamptonshire who was afflicted in this way, and when he felt the disease coming on he put his farm in the hands of a steward and put things in order, made arrangements, and then rode to the Northampton Lunatic Asylum and asked them to take charge of him. That man knew what was coming on; he was most terribly insane, because he committed a dreadful homicide at the end of his time; but he knew the disease was coming on, and he always rode off, after putting things in order, and voluntarily became an inmate of the Northamptonshire Lunatic Asylum.

HON. J. W. HACKETT: Charles Lamb's sister.

HON. H. BRIGGS: Yes; Charles Lamb's sister, Mary Lamb, did the same. There is a similar system in the United States, where men can voluntarily place themselves under treatment. Pennsylvania was the first place to adopt this voluntary system. I now come to Clause 79, subclause (*a*), which deals with the question of the inquiries to be made about persons under restraint. Dr. Hackett has already spoken largely on this subclause. The filling in of Schedule 10, if members will notice it, mentions the time of restraint, and the kind of restraint. They are very necessary to be looked after, and I am much pleased in this relation, after hearing what Dr. Hackett has said of the lunatic asylums in Victoria, to know that this Bill is taken mainly from the enactment of New South Wales, which affords a model for lunatic asylums throughout the world. They have the most up-to-date system and methods. Only a few weeks ago, we read that a public meeting was held in the town hall of Melbourne, when the Rev. Dr. Bevan, who I believe is a well known and very able and benevolent Congregational minister, also Dr. Williams, the senior honorary physician of the Melbourne Hospital, and others protested against the excessive restraint which takes place in the Victorian asylums as shown by these contrasts: In five English asylums under the control of the London County Council, Banstead with 2,445 patients, Cane Hill with

2,210 patients, Claybury with 2,500, and Bexley with 1,271 patients, and The Manor Asylum with 697 patients, a sum total of 9,127 patients—in all these institutions there is no restraint at all. When I say "no restraint," I mean no mechanical restraint, no camisole, which is a strait-jacket, no locking in or seclusion. In Colney Hatch Asylum there are 2,545 patients, and it is only recorded that there were 550 hours of restraint in the year 1901, and these 550 hours were mainly during surgical operations. Now I come to statistics of the Melbourne asylums: Kew Asylum 850 patients, Yarra Bend Asylum 755 patients, being one-seventh of the number of patients under the control of the London County Council; and these are their hours of restraint: in 1902, 53,983 hours, and 269 hours of seclusion ordered by officials. I will read some extracts from Dr. Montgomery's last report to show his feelings on the question of restraint; he says:—

> Much against my will I have been forced to use restraint by means of a camisole-jacket in one or two cases. This has been due to two causes. First, there are no padded rooms in the asylum, and consequently it is impossible to put violent suicidal patients in seclusion, as they would injure themselves against the bare walls of the rooms in use at present; second, the airing court accommodation makes it impossible to classify the patients, and consequently it is impossible to allow a violent and suicidal patient amongst his fellow-patients without a jacket, as the consequence would be numerous accidents, if not deaths. The second cause also makes it necessary to have many more seclusions than one would like. When the new asylum is in use I will not allow mechanical restraint, as I do not think it is required in an up-to-date asylum.

And Dr. Montgomery has also furnished me with these particulars. This year, in the Fremantle Asylum there were 358 patients, and the number of patients in seclusion since 1st of January was 17; the average duration of seclusion being five and three-quarter hours. The restraint was by camisole or soft cotton jacket. Patient A, 16 days; this patient killed another patient last year, and is a most violent and most dangerous man. Patient B, one day. The two cases make the total number of days as 17. I mention this to show that our medical superintendent is actuated by humane and proper motives in dealing with our insane. Then again in hospitals for insane and places for cure and restoration, provision should be made for sufficient medical skill and nursing. Dr. Montgomery needs a skilled medical assistant: he has been ill for two or three days with quinsy, and the whole hospital has been without his help during that time. Dr. Springthorpe, a well-known doctor of Melbourne, complained lately of the inadequate provision in Melbourne. At Kew, he said, there was only one nurse to 685 patients, and an acting matron who cannot take a temperature, count a pulse, pass a catheter, or give an enema. At Yarra Bend there is only one untrained matron and one trained nurse to 755 patients. In passing from this question of restraint, I may mention a well-known incident in English history. King George III. was placed under restraint in England in November, 1788, his chief failing being that he caused annoyance by his incessant babbling: he talked at one time for 17 hours. On account of his general weakness he was put under restraint, and treated with brutality, which in those days was thought to be the proper method of dealing with lunatics. When this treatment was made known, it was altered, and the King was placed under Dr. Willis, who treated him kindly and humanely, and, instead of allowing him to take his food with his hands, he was allowed to use a knife and fork, and was treated as a reasonable being. What was the result? In April of next year, 1789, the King recovered, and was able to go to St. Paul's and return thanks to God for his recovery; whereas, if he had been kept under restraint, his scattered gleams of reason might have been beaten out of him. In reference to Clause 91, at least two medical men write against the proposed clause, and another thinks an imbecile, which is the class of case meant, should not be placed amongst strangers. In regard to Clause 86, I think the official visiting should be thorough, as Dr. Hackett has said, and not perfunctory. It should not be known when the visits are to take place; they should be surprise visits, so that everything should not be prepared for the visitors, who should be allowed to visit the institution day or night. Clause 90 deals with being allowed out on trial. This seems to be an excellent

clause. To keep patients warm, well fed, clean, well clothed, occupied, and amused is good; but in spite of all these material comforts, a large number of patients are wretched; they feel very bitterly the deprivation of their liberty. When visiting justices go to the institution the patients plead and ask "Can I go out?" They are most anxious about it, and I think the arrangements of the hospital should be made to suit individual cases instead of trying to manage the patients in the gross, so to speak. Clause 93 seems to be somewhat objectionable: it requires the signature of the—I will call it the "incarcerating" person, although I do not like the word—the person who consigns the patient to the asylum, to get the patient out of the institution. I do not think the power of discharging lunatics should be in the hands of the person who puts them into the asylum, and I speak from knowledge on this point. I have seen persons in the Fremantle asylum—the husband has put his wife in; she being an irritated, inflamed, and excited woman, her mind has gone off the balance, and she has been placed in an asylum. Then there may be cases in which a woman has the power of nagging and irritating a gentle-minded man, and throwing him off his balance; but it is a well known fact that if either the husband or the wife is put in an asylum, the remaining partner may make other arrangements, fall in with some other companion, form some guilty connection, and I fear may sometimes wickedly keep a husband or wife (as the case may be) inside the asylum. Clause 93 is governed by the two clauses which follow; but I strongly object to the person who puts another in the asylum being the person needed to order his discharge. The tests of sanity are closely allied to this phase of the subject. In law, a testator is declared to be sane if he is of sound mind, memory, and understanding. In lunacy inquisitions this is the question: "Is the patient capable of managing himself and his affairs?" In criminal cases the legal test of sanity is the knowledge of right and wrong. I should like to see some simple test, if it could be introduced, and I know it is most difficult. Readers of Dickens will remember that amiable but strange man, Mr. Dick, with his kite-flying and his memorials into which King Charles's head would always be introduced; yet his delusion was most harmless, and apart from it he was a very good member of society. I think there are certain delusions which are quite harmless—I shall not mention bimetallism or anything of that sort, but there are certainly harmless delusions for being victims of which people ought not to be put in lunatic asylums. As to Clause 98, I do not think it proper for pauper patients to be boarded out with relatives, the State paying for their maintenance. That is open to grave objection. First, the relations being poor, the patient will not get proper attention. Again, relatives of lunatics are sometimes themselves nervously unstable, and their company would not be good for the patient. To treat pauper patients in groups is also less expensive than to board them out. A great and well-known authority on this subject, Dr. Savage, says: "With regard to insane patients who are well off and can afford luxuries, my opinion is that it is neither for the comfort nor for the welfare of chronic lunatics to be treated at home." His reasons are that the patient has to be constantly with his keeper in his amusements and his exercises, and he is in the position of a man being controlled by his servant, and without occupation or companionship. The doctor says that home cure is only suitable for cases in which there is a hope of speedy recovery. He mentions insanity following fever or following childbirth, as fit for home treatment.

SIR E. H. WITTENOOM: In an asylum they could not well be treated separately.

HON. H. BRIGGS: With a proper pavilion asylum they would be kept in different blocks, one class of patients being kept together. In the Fremantle Asylum I saw a poor person being treated for insanity after childbirth. The sight was most pitiable, for she was a perfect lady, and found herself, in her sane moments, surrounded by gibbering lunatics. As to Clause 169, I think the regulations made by the Governor, and particularly those which refer to the patients, should be plainly displayed on the walls of the hospital for the insane, thus satisfying two great requirements. First, there should be a definite distri-

bution of responsibility amongst the warders, so that if anything goes wrong a certain warder shall be held responsible; and secondly, there ought to be an efficient system of supervision to insure discipline. These poor afflicted ones are almost every hour and almost every minute at the mercy of attendants; and constant watchfulness is needed, for those attendants are only human, and their work tends to make them impatient, and induces coarse dispositions and rough conduct. This constant supervision is necessary also to protect harmless lunatics from the ill practices of their fellow patients. As a schoolmaster, when I had assistants, the rule was never to allow an assistant to punish a pupil; but I know that rule was repeatedly broken, and I fear that a similar rule is broken in asylums. Warders know that they have no authority and no right to punish patients; but I fear that there is often a blow given with keys or other implements, that there is often rough treatment. We know that the only way to check it is to exercise constant supervision, watching the warders and making each of them responsible for the broken ribs and other injuries of which we hear. I notice one grave omission—a blemish not to be found in the English Act. It is set forth in 53 Vict., Chapter 5, Sec. 324: that is the offence of having carnal knowledge of female patients. This is no imaginary danger, for there have been several notorious cases of female inmates of asylums becoming pregnant and bringing forth children. Now such brutality deserves even severer punishment than the English Act awards—two years hard labour; and I do not think such contingencies should be overlooked in this Bill. Generally, and right throughout, I think the Bill deserves every support, dealing as it does with a class who have suffered grievous wrong and neglect in the past. Our seeming disregard of the sorrows and the anguish of the insane has long been a disgrace to our boasted material progress; and now that a carefully designed asylum is about to be erected at Claremont on lines abreast of modern knowledge and scientific thought, and now that we have an experienced and enthusiastic superintendent in the person of Dr. Montgomery, I think this an opportune time to bring our laws for the insane into harmony with the best legislation of the present age.

SIR E. H. WITTENOOM (North): I have listened with great attention to what has fallen from previous speakers, and think Mr. Briggs's remarks deserve consideration, because he has been so intimately associated with the institution chiefly in question, and knows much of what goes on inside it. But I fear that anything which most of us can say on this matter cannot be of much use, because the whole subject is purely technical; and though we may put forward many suggestions which will doubtless do credit to our common sense and good feeling, yet none but a thorough expert can effectually deal with them. I should like to congratulate the Government on their bringing in this Bill, which bears evidence of much care, and seems to have been thoroughly considered. It is a practical Bill, and needs only to be carefully administered to put an end to many of the sad grievances spoken of in connection with lunatics. Many speakers have addressed themselves to the purely sentimental side of the question; and doubtless their sentiments do credit to their hearts. But I hope that the Government will not, in the erection of the proposed institution, lose sight of the practical side. Besides sentiment, besides philanthropic feeling, there is in all these problems a practical aspect. It seems to me, thinking over past legislation and past utterances and actions, that a man has only to get into prison or to become a lunatic to at once secure the sympathy of nearly everybody, no matter what the man has done or in what circumstances he has done it. The prisoner has, as we know, broken the law, and is imprisoned to be punished. The lunatic has unfortunately broken down his system, and he has to be taken care of; but there is no necessity to lavish on him a vast sum of money which can do him no good. Dr. Hackett referred to lunatic asylums as being more like gaols than hospitals. Well, I do not know much of what they are inside or of how patients are cared for; but certainly the outsides of many lunatic asylums are more like palaces, and the money lavished on the architectural features of the insti-

tutions might well be devoted to the care of those who are put in them, with much better results than are now attained. The great advantage of this Bill, and it is a most conspicuous feature, is the splendid attempt at classification. In dealing with lunatics classification is the fundamental principle. As I say, lunatics get much sympathy; but as they are labouring under hallucinations and do not realise their surroundings, they do not suffer half as keenly as many people living outside, many poor people who are struggling in the face of adversity, who have all their senses but do not know which way to turn to earn their bread, people who are sick and have large families dependent on them, and people in many other circumstances who are in full possession of their senses and to whom no charitable hand is extended. Much harm has been done through the expenditure of vast sums on buildings for housing lunatics, when perhaps very material comforts inside have been neglected. I hope the Government in this instance will not give us a magnificent building and a beautiful piece of architecture, when perhaps the inside is wanting in many necessary features. What can be more dreadful than for a lunatic, when for a short time he becomes sane, to find himself amongst mad people? Can anything more quickly drive him to insanity? I cannot imagine anything; and, therefore, this classification will be a great feature in the administration of the Act. I make these remarks because I strongly object to spending money on bricks and mortar. I have seen too often the results in this and in other countries where money that might have been used for the good of the patients has been wasted on the external features of the building, thus in many cases marring the usefulness of the institutions. What one can say in giving what I may term a lay opinion of this Bill is not of much value. Looking at it from a common-sense point of view and with good feeling towards these unfortunate people, I think the Government are to be commended on account of the Bill, and I trust the results will be equal to their best anticipations.

Question put and passed.

Bill read a second time.

DOG BILL.

IN COMMITTEE.

Resumed from 13th August.

THE COLONIAL SECRETARY: Progress was reported on a previous occasion to consider the procedure in connection with a certain amendment. The President had been consulted on the point, and according to his ruling it was within the power of the Legislative Council to insert the proposed words. He therefore moved that the following be inserted as Clause 11:—

> The fee to be paid for registration shall be as stated in the Fourth Schedule; and until the proper registration fee is paid, no registration shall be deemed to have been made.

Question passed, and the clause inserted.

Clauses 11 to 19—agreed to.

Clause 20—Penalty for allowing sluts to be at large at certain times:

HON. C. E. DEMPSTER: The penalty was too high. There were many times when sluts might be at large without the owner knowing it.

THE COLONIAL SECRETARY: This was the maximum penalty, and as such it was rather low. Where through inadvertence, but not absolute carelessness, an animal was at large, that would be a good defence, and as a consequence the fine might be modified.

HON. C. SOMMERS moved that after "pounds," in line 3, the words "or not less than £1" be inserted. The object was to make the minimum penalty £1.

HON. J. E. RICHARDSON: A minimum penalty of £1 might be hard on some persons. If an owner took precaution, but some malicious person let an animal loose, the owner would be fined £1.

THE COLONIAL SECRETARY: If the hon. member would make the minimum penalty 10s., he would accept it.

HON. C. SOMMERS accepted the suggestion.

HON. C. E. DEMPSTER: It would be better for the clause to remain as printed. In some cases a fine of 10s. would be too heavy. It was better to leave it optional with the magistrates.

Amendment (10s.) put, and a division taken with the following result:—

Ayes	...	...	5
Noes	...	...	9
Majority against		...	4

Ayes.	Noes.
Hon. W. Kingsmill	Hon. E. M. Clarke
Hon. C. A. Piesse	Hon. C. E. Dempster
Hon. C. Sommers	Hon. J. W. Hackett
Hon. J. W. Wright	Hon. S. J. Haynes
Hon. B. C. Wood (*Teller*).	Hon. W. T. Loton
	Hon. W. Maley
	Hon. B. C. O'Brien
	Hon. J. E. Richardson
	Hon. A. Dempster (*Teller*).

Amendment thus negatived, and the clause passed.

Clause 21 — Owner or occupier of enclosed land may destroy any trespassing dogs not under control:

HON. C. A. PIESSE: There were cases in which the owner of a dog which had been destroyed could not recover damages, although the dog had been shot when under the control of the owner. Some persons were not worth powder and shot.

HON. C. E. DEMPSTER opposed the clause. It was most unjust that the owner of a paddock might shoot a dog worth perhaps £50, because it strayed on to his land. It would be different were the dog destroying sheep. He moved that the words "and seen hunting or worrying sheep or other stock" be inserted after "therein" in line 5.

THE COLONIAL SECRETARY: The amendment could hardly be accepted. One of the main features of the Bill was to insure dogs being under proper control, and not being allowed to stray. Once a dog did stray it was reasonable that the owner should suffer any resulting loss.

HON. C. E. DEMPSTER: The owner was liable in damages.

THE COLONIAL SECRETARY: It was often troublesome to find the owner, and the Bill was intended to minimise such trouble. The clause would impress on owners the necessity for keeping dogs under adequate control.

HON. C. A. PIESSE opposed the amendment; for if it passed, owners must follow stray dogs for hours in paddocks, to see whether mischief was being done, and could not shoot till the dogs attacked stock. There was no reason why such trespasses should be allowed.

HON. C. E. DEMPSTER hoped members would have more consideration for the poor dog. There were times when it was impossible to keep a dog at home, and grave injustice would be done could a dog be shot for simply going into a man's paddock. People who paid a tax for a dog should receive some protection. Doubtless the few sheepowners who suffered losses through dogs felt strongly on the matter; but though not many of them would take advantage of such a clause by shooting stray, inoffensive dogs, there were men who would shoot or destroy all dogs found on their land. He had known much bitter feeling, which would never be eradicated, created between neighbours by the killing of valuable dogs which had happened to trespass.

HON. C. SOMMERS: No doubt many dogs would be killed in that manner, but public opinion would be a safeguard against their being killed out of "pure cussedness." The Bill was prepared to prevent losses by dogs; and if sheepowners had to wander about with guns to protect sheep from dogs, the Bill would be useless. Any man wilfully shooting a valuable dog which was doing no harm would be sent to Coventry.

HON. B. C. O'BRIEN: The amendment was very reasonable. The mover had instanced valuable dogs shot at sight. The Bill gave ample protection to the stockowner, who could recover damages for loss. The shooting of dogs caused considerable enmity. He (Mr. O'Brien) had a valuable dog which used to travel 12 miles to hunt rabbits, but would not touch a sheep or a bullock, and had the dog been shot the loss would have been keenly felt.

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

Ayes	...	...	3
Noes	...	...	11
Majority against	...		8

Ayes.	Noes.
Hon. A. Dempster	Hon. E. M. Clarke
Hon. C. E. Dempster	Hon. J. W. Hackett
Hon. B. C. O'Brien (*Teller*).	Hon. S. J. Haynes
	Hon. W. Kingsmill
	Hon. W. T. Loton
	Hon. W. Maley
	Hon. C. A. Piesse
	Hon. J. E. Richardson
	Hon. B. C. Wood
	Hon. J. W. Wright
	Hon. C. Sommers (*Teller*).

Amendment thus negatived, and the clause as previously amended agreed to.

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

Clause 22—Penalty on owners of dogs attacking persons:

HON. C. A. PIESSE: So far as the penalty was concerned £5 was not sufficient when a dog attacked a person, but it was quite sufficient in the case of a dog attacking a horse, or cattle or sheep or poultry. A separate clause should be inserted to deal with dogs attacking persons. Farther on a penalty of £20 was provided in the case of a person setting a dog on to attack a person. It was difficult to distinguish between the £20 bite and the £5 bite. One seemed to be a permissive bite and the other a non-permissive bite. The words "person or" might be struck out and a clause dealing with dogs attacking persons inserted. In regard to the ownership of a dog it did not seem to be reasonable that if a dog followed a person that was sufficient to identify the owner of the dog. The word "habitually" should be inserted between "seen" and "closely" in line 7.

THE COLONIAL SECRETARY: It was the owner of the dog who had to pay the penalty. Of course the penalty for a bite caused by the rush of a dog without any incentive being supplied by the owner should not be similar to the punishment to be awarded where a dog was set on to attack a person. In one instance the owner was only guilty of keeping a dog which was classed as dangerous, while in the other instance the owner was taking advantage of the bellicose propensities of a dog to cause pain to a person or an animal. As to the proviso, the evidence was only *primâ facie* to justify proceedings being taken. If the evidence was not substantiated, then the Court could compensate the person charged. Members should always recollect that the administration of the Bill was to be guided by principles of common sense. There was not much to be found fault with in the clause.

HON. C. A. PIESSE: Clause 24, though providing a £20 penalty, stated that the imposition of such penalty should not affect a person's right of action for damage done by the dog. Why should not this apply to the clause under consideration, thus giving a right to damages as well as to the £5 penalty?

HON. E. M. CLARKE moved as an amendment,

That the words "cattle, sheep, poultry, or any domestic animal," in line 2, be struck out.

Of course if a man were debarred from setting his dog on any troublesome domestic animal, the dog would become useless. The interpretation clause did not define "domestic animal"; therefore if A's dog rushed at B's dog, A would be liable for damages, and the clause would mean that a man must not set his dog on his own beast.

THE COLONIAL SECRETARY: If the hon. member wished to test the sense of the Committee as to "setting on," he should wait for Clause 24. Clause 22 dealt with voluntary and not with incited attacks.

HON. J. W. WRIGHT: What if cattle trespassed on a man's land, and his dog turned them out?

THE COLONIAL SECRETARY: The fact of the trespass would be a good defence. As to the penalty, some intelligence must be presupposed in the bench of magistrates, who could inflict a nominal fine, could caution the defendant, or could dismiss the case. He was willing to accept an amendment of Clause 24.

HON. E. M. CLARKE: If a person were maliciously prosecuted under the clause, even a nominal fine of one shilling would carry costs. Many people strenuously objected to being dragged into law courts, whilst many others liked to bring their neighbours into court, being satisfied even though no verdict were obtained. If the clause were here for no particular purpose, out with it; for why pass a law which would be a dead letter?

HON. C. E. DEMPSTER supported the amendment. Better expunge the clause altogether. What was the use of a dog unless one could set him on to trespassing stock?

THE COLONIAL SECRETARY: This was not a case of "setting on."

HON. C. E. DEMPSTER: But if the dog attacked them spontaneously the owner could be fined £5; and thus the dog would be perfectly useless though the owner paid a tax for him. If the clause were made to apply to highways and Crown lands only, it would be different; but was a man to be penalised

because his dog worried native dogs on his own land?

HON. C. A. PIESSE: The clause should apply only to attacks on animals outside the property of the owner of the dog; but it was ridiculous that the owner should be liable because his dog chased horses or cattle trespassing on his own property. True, justices might inflict nominal penalties, but the owner should not have to defend such a case. The Minister said the clause did not refer to setting on dogs; but a dog's bite was as bad when he bit spontaneously as when he bit by order of his master.

Amendment put and negatived.

HON. C. A. PIESSE moved as an amendment,

That the words "other than those trespassing" be inserted after "animal" in line 2.

HON. J. W. HACKETT: The clause would then need re-drafting, for it might apply only to a domestic animal.

HON. B. C. O'BRIEN: And that would give absolute freedom to permit dogs to attack a valuable animal trespassing.

THE COLONIAL SECRETARY: Once more, the clause had nothing to do with the setting on of dogs, but dealt with the voluntary attacks of dogs.

HON. J. D. CONNOLLY: Could a dog tell whether a strange animal was a trespasser?

THE COLONIAL SECRETARY: Some members said it could. Not seeing any great objection to the amendment, he would accept it for the time being.

Amendment passed, and the clause as amended agreed to.

Clause 23—agreed to.

Clause 24—Penalty on persons setting on dogs to attack persons:

HON. E. M. CLARKE moved that in lines 2 and 3 the words "cattle, sheep, or poultry or any domestic animal" be struck out. It was a common thing to see mischievous dogs quietly lying in the street and rushing at every horseman or cyclist passing by. Owners of dogs ought to be made liable for this.

Amendment negatived.

HON. C. SOMMERS suggested that after "animal" the words "whilst trespassing" should be inserted.

HON. C. A. PIESSE moved that in line 3 after "animal" the words "unless such horses, cattle, sheep, poultry, or domestic animals be trespassing at the time."

Amendment passed, and the clause as amended agreed to.

Clauses 25 to 27—agreed to.

Clause 28—Dogs of aboriginal natives:

HON. J. E. RICHARDSON: In the northern portions of this State there were numbers of natives in camps, sometimes eight or ten. Some of the male aborigines had two or three wives. It was not right that each native male and female should have a dog. He moved that in line 1 after "adult" the word "male" be inserted. Subsequently he would like to provide that in any aborigine camp the number of dogs should not exceed six.

HON. C. A. PIESSE: The amendment should be agreed to. He believed such a provision was passed in the Dog Bill last session.

HON. J. D. CONNOLLY: The amendment should not be agreed to. The male aborigines were not kind to their gins, who had to hunt for what they got to eat, and often had to provide food for the male aborigines. On the whole the blacks had not been treated too well in either this State or any other State.

HON. C. A. PIESSE: What nonsense!

HON. J. D. CONNOLLY: The Committee should not limit the powers of hunting which these aborigines had.

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

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

AYES.	NOES.
Hon. E. M. Clarke	Hon. T. F. O. Brimage
Hon. J. W. Hackett	Hon. J. D. Connolly
Hon. C. A. Piesse	Hon. A. Dempster
Hon. C. Sommers	Hon. C. E. Dempster
Hon. Sir E. H. Wittenoom	Hon. S. J. Haynes
Hon. J. W. Wright	Hon. W. Kingsmill
Hon. G. Bellingham (*Teller*).	Hon. W. T. Loton
	Hon. W. Maley
	Hon. J. E. Richardson
	Hon. B. C. O'Brien (*Teller*).

Amendment thus negatived.

HON. C. SOMMERS moved that the word "male" be inserted after "unregistered," in line 2. Dogs bred in such camps were mongrels, and the amendment might prevent their wholesale breeding.

HON. J. D. CONNOLLY opposed this amendment, as he opposed the last, to protect aborigines. If only male dogs

were allowed, the breed would die out. Back-country settlers objected to blacks having dogs, and therefore refused to give them puppies.

HON. C. A. PIESSE hoped the last speaker would become a sheepowner, for then he would sympathise with squatters who suffered from the depredations of packs of useless curs. He (Mr. Piesse) had seen 16 native dogs in one pack amongst valuable sheep, and they were owned by only four aborigines, who had five puppies besides.

THE COLONIAL SECRETARY: Why should Mr. Piesse, holding a prominent position in Wagin, calmly submit to a gross breach of the law by allowing four natives to have 21 dogs, when it was his duty to inform the police and have the natives prosecuted?

HON. C. A. PIESSE: The Minister thought the Wagin district was about the size of this Chamber, and that one could see all over it. This occurrence happened 18 miles from Wagin, and similar events occurred in every district. Taking this district for 45 miles on each side of the Great Southern line its area was equivalent to that of Tasmania.

THE COLONIAL SECRETARY apologised for his mistake as to the size of Wagin. The present law allowed each aboriginal native to keep one unregistered dog, provided that when the number of unregistered dogs found in possession of natives should be in excess of the number of natives, such dogs could be destroyed. Yet it appeared that even after 16 dogs had been destroyed, the party of natives, numbering four, possessed five dogs.

HON. C. A. PIESSE: No; he had not said the dogs were destroyed.

THE COLONIAL SECRETARY: The Government could not act unless such nuisances were brought to their notice.

HON. C. A. PIESSE: It was impossible to keep touch with the natives and their dogs. Justices could not be expected to move in such matters; and in Wagin there was only one police constable.

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

Ayes	...	...	...	11
Noes	...	...	...	6
Majority for			...	5

AYES.	NOES.
Hon. G. Bellingham	Hon. E. M. Clarke
Hon. T. F. O. Brimage	Hon. J. D. Connolly
Hon. A. Dempster	Hon. S. J. Haynes
Hon. J. W. Hackett	Hon. W. Kingsmill
Hon. W. Maley	Hon. W. T. Loton
Hon. C. A. Piesse	Hon. B. C. O'Brien (*Teller*).
Hon. J. E. Richardson	
Hon. C. Sommers	
Hon. Sir E. H. Wittenoom	
Hon. J. W. Wright	
Hon. C. E. Dempster (*Teller*).	

Amendment thus passed.

HON. J. W. HACKETT: On representation being made to a justice of the peace that one of the native's dogs was liable to spread disease, the dog might be destroyed. Provision should be made for the case of a dangerous dog. A few years ago, when natives used to camp on a hill near Perth, a party of their dogs came down and worried a child, and there was considerable difficulty in tracing the dogs back to the camp, which contained 23 of them. A dog which was a known sheep-killer should be destroyed. He moved that the words "is a dangerous dog or" be inserted after "dog" in line 4.

Amendment passed.

HON. J. E. RICHARDSON moved that the word "male" be inserted before "adult" in line 9.

THE CHAIRMAN: That had already been decided.

Clause as amended agreed to.

Clauses 29, 30—agreed to.

Clause 31—Recovery of penalty:

HON. C. A. PIESSE: The Bill provided that damages not exceeding £20 might be recoverable before two justices. Why could not the Local Court decide such actions?

THE COLONIAL SECRETARY: These cases could be taken to the Local Court.

Clause passed.

Clauses 32, 33—agreed to.

Clause 34—Regulations:

HON. C. A. PIESSE: The regulations should be printed and attached to the Bill. In nine cases out of ten it was a case of the tail wagging the dog—the regulations were more powerful than the Act; and the public had great difficulty in getting hold of the regulations, therefore they should be attached to the Bill.

THE COLONIAL SECRETARY: A person obtaining a copy of an Act could obtain a copy of the regulations made under it, at the same time. Where the

regulations were of an important nature they were bound with an Act, as was the case with the Goldfields Act. He would see what could be done in the direction indicated.

Clause passed.

Schedules first to third—agreed to.

New Schedule:

THE COLONIAL SECRETARY moved that the following be inserted as the Fourth Schedule:—

FEES FOR REGISTRATION.

	£	s.	d.
For every dog	0	7	6
For every bitch	0	10	0
For every dog not kept within the limits of the Municipality *bona fide* employed in tending sheep or cattle	0	2	6
For every bitch not kept within the limits of the Municipality *bona fide* employed in tending sheep or cattle	0	5	0
For every pack of hounds not less than 10 *bona fide* kept together in kennel exclusively for the purpose of hunting, in lieu of any individual registration ...	2	0	0

In respect of every first registration made after the 30th day of June in any year, only one half of the registration fee shall be payable.

HON. C. SOMMERS moved that the fee for every dog be 10s. instead of 7s. 6d.

Amendment negatived.

HON. C. SOMMERS moved that the fee for every bitch be 20s. instead of 10s.

Amendment negatived.

New schedule put and passed.

Postponed Clause 9 — Registration labels:

HON. J. W. HACKETT moved that at the end of the clause the words "or shall be a metal plate with the name and address of the owner and the registration number, year, and district legibly inscribed thereon," be added. This would give an option to the owner of a dog to have a disc or plate. A disc was an eyesore hanging to the collar of a handsome and valuable dog.

THE COLONIAL SECRETARY: There was nothing in the clause providing that the disc should be a pendant. It could be rivetted on to the collar.

HON. J. W. HACKETT: Would there be any objection to the words "or plate" being inserted after "disc" in line one?

THE COLONIAL SECRETARY: Such an amendment would be accepted.

Amendment withdrawn.

HON. J. W. HACKETT moved that after "disc" in line 1 the words "or plate" be inserted.

Amendment passed, and the clause as amended agreed to.

HOUSE RESUMED.

Bill reported with amendments.

HON. J. E. RICHARDSON moved that the Bill be recommitted for reconsidering Clause 28.

THE COLONIAL SECRETARY: The amendment which the hon. member wished to propose had already been decided by the Committee.

Motion put, and a division called for.

POINTS OF ORDER.

HON. J. W. HACKETT: Could we recommit for one purpose, at the report stage? The Bill could be only generally recommitted, whereas the motion was to recommit for one point only.

THE PRESIDENT: If the motion were carried, then according to Standing Order 270 the whole Bill would be recommitted:

On the motion for the adoption of the report, the whole Bill may be recommitted, and farther amendments made.

As the order read "may," what should be done was for the House to decide. The third reading could not be taken to-day.

HON. C. A. PIESSE said that Sir Edward Wittenoom had crossed the floor after the appointment of tellers.

THE PRESIDENT: The hon. member must not do that.

Division resulted as follows:—

Ayes	9	
Noes	8	
Majority for	1	

AYES.	NOES.
Hon. H. Briggs	Hon. E. M. Clarke
Hon. A. Dempster	Hon. J. D. Connolly
Hon. J. W. Hackett	Hon. W. Kingsmill
Hon. C. A. Piesse	Hon. W. T. Loton
Hon. J. E. Richardson	Hon. W. Maley
Hon. C. Sommers	Hon. B. C. O'Brien
Hon. Sir E. H. Wittenoom	Hon. S. J. Haynes
Hon. J. W. Wright	Hon. C. E. Dempster (*Teller*).
Hon. G. Bellingham (*Teller*).	

Question thus passed, and the Bill recommitted.

IN COMMITTEE.

HON. J. E. RICHARDSON moved that the word "male" be inserted

between "adult" and "aboriginal" in line 1.

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

Ayes	...	...	8
Noes	...	...	10
Majority against		...	2

AYES.	NOES.
Hon. A. Dempster	Hon. E. M. Clarke
Hon. J. W. Hackett	Hon. J. D. Connolly
Hon. C. A. Piesse	Hon. S. J. Haynes
Hon. J. E. Richardson	Hon. W. Kingsmill
Hon. C. Sommers	Hon. W. T. Loton
Hon. Sir E. H. Wittenoom	Hon. W. Maley
Hon. J. W. Wright	Hon. B. C. O'Brien
Hon. G. Bellingham (*Teller*).	Hon. G. Randell
	Hon. Sir George Shenton
	Hon. C. E. Dempster (*Teller*).

Amendment thus negatived.

Bill reported without farther amendment, and the report adopted.

ADJOURNMENT.

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

Legislative Assembly,

Tuesday, 18th August, 1903.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR WORKS: Railway Classification and Rate Book, Alterations. Agreement between Millar Brothers and the Government *re* Torbay-Denmark Railway, moved for by Mr. Hassell.

By the PREMIER: Grants to Local Boards of Health, number and amount; moved for by Mr. Wallace.

Ordered, to lie on the table.

QUESTION—GRUB DESTROYER.

MR. BURGES asked the Minister for Lands: 1, Whether the Agricultural Department are aware that there is a grub destroying large areas of growing corn in the Eastern and other districts. 2, If so whether they have tried any experiments to stop the ravages of such pests.

THE PREMIER (for the Minister for Lands) replied: 1, Yes. 2, The matter is now being investigated by the Department of Agriculture.

QUESTION—ANTHRAX, BONEDUST PROHIBITION.

MR. BURGES asked the Minister for Lands: Whether he is taking any steps to stop the introduction of anthrax into this State, by prohibiting the importation of bonedust from those States infected with anthrax.

THE PREMIER (for the Minister for Lands) replied: Yes; the importation of bonedust from all places infected with anthrax is prohibited by regulation made by the Central Board of Health in March last.

QUESTION—BORING FOR WATER.

MR. BURGES asked the Minister for Works: 1, Whether the Government intend to test the country for water inland from Carnarvon by deep boring. 2, What steps they are taking for providing a supply of water in the dry agricultural areas, with the view of assisting settlement in such areas.

THE MINISTER FOR WORKS replied: 1, The Government, having at considerable cost demonstrated the existence of a large supply of artesian water in this district, it is hoped that pastoralists will themselves take farther action in the direction indicated. The Government is prepared to assist by loan of plant when practicable. 2, The Government intends, by boring and by the loan of boring plants, to do as much as possible to provide a general water supply in sparsely watered agricultural areas, but the settlers themselves must also make some effort in this direction.