

# Legislative Council,

Saturday, 24th December, 1904.

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THE PRESIDENT took the Chair at 11.15 o'clock, forenoon.

## PRAYERS.

### NAVIGATION BILL.

#### ASSEMBLY'S MESSAGE.

The Council having amended the Bill, and the Legislative Assembly having disagreed to one amendment, the Assembly's message was now considered in Committee.

New clause, to stand as Clause 107—Section 26 of Subsection 2 of the Fremantle Harbour Trust Act 1902 is hereby amended by striking out at the end of the subsection the words, "and well and sufficiently lighted, watched, and cleansed":

THE MINISTER FOR LANDS: Another place had disagreed to this amendment on the ground that it was irrelevant to the Navigation Bill. It was considered that the proper place for this amendment was in the Fremantle Harbour Trust Act, and next session the amendment would be given effect to in a proper Bill. He moved that the amendment be not insisted on.

Question passed, the Council's amendment not insisted on, and a message accordingly returned to the Assembly.

Sitting suspended until 12.30 noon.

### HEALTH ACT AMENDMENT BILL.

#### KALGOORLIE-BOULDER DISTRICT BOARD.

Bill received from the Legislative Assembly, and read a first time.

THE MINISTER FOR LANDS (Hon. J. M. Drew), in moving the second reading, said: This is purely a formal Bill. The Boulder and Kalgoorlie Board of Health comprises districts embracing the Kalgoorlie and Boulder municipalities and the Kalgoorlie and Boulder roads board district. This board was appointed

by virtue of the powers conferred on the Governor under the Health Act. It has not been working satisfactorily, and the board itself desires abolition. Under existing legislation we have no power to bring that about. All these bodies desire that this state of affairs should be brought to an end, and the Bill simply gives power to the Governor to dissolve this district health board. Such a difficulty has never previously arisen, and the Bill is to meet it. Cases may arise in future, and it may be desirable that the Governor should abolish such boards when all bodies are desirous that such abolition should take place. I move that the Bill be now read a second time.

HON. R. D. MCKENZIE (North-East): I desire to support the second reading of this Bill. It appears that the district board of health on the Eastern Goldfields has not been working as satisfactorily as was expected when it was created. Not only have the members of this district board of health passed a resolution in favour of its abolition, but the three local bodies from which its members are drawn are anxious that it should be abolished. The Minister has explained clearly that the only power given by this Bill is the power given to the Governor-in-Council to abolish the board. I trust the Bill will go through without any opposition.

HON. T. F. O. BRIMAGE (South): I also beg to support the measure. When the board was appointed it was more an experiment than otherwise. It was felt that as the camp residents between the two towns were so numerous, a board of health covering the whole district would be more suitable than the two councils; but now the municipal boundaries are being extended, it is felt that the two separate boards would do the work better than one large body, consequently the Bill is introduced.

HON. R. F. SHOLL (North): It appears to me that this Bill goes farther than the intention of hon. members who have spoken, because I think it gives power to the Governor to dissolve any board of health.

HON. T. F. O. BRIMAGE: Similar cases may arise.

HON. R. F. SHOLL: No; there is nothing in this Bill to prevent the

Governor dissolving any board of health in opposition to the wishes of the board.

HON. R. D. MCKENZIE: This is the only district board of health.

HON. R. F. SHOLL: The Bill gives power to dissolve any board of health, and we should not give that power to any Government. While I am quite willing and favourable to give relief to the board to efface itself, yet the Bill goes farther than I think it ought to go. I do not feel inclined to pass this measure, unless some amendment is put in limiting it to the particular boards that wish to be relieved of their responsibility.

THE MINISTER FOR LANDS (in reply): I desire to state that the hon. member has an incorrect conception of the Bill. What the hon. member says is correct, that the Bill gives power in other instances; but this is the only case that has arisen, and there is a complete desire on the part of all parties concerned that the existing state of affairs should be brought to an end. Other instances may occur later on; but I do not think any harm will be done by giving power to abolish such boards when it is considered necessary. No Government would be likely to abolish a board unless there was strong reasons for doing so.

HON. J. D. CONNOLLY: This is the only district board in existence?

THE MINISTER: Yes.

HON. R. F. SHOLL: What about Roebourne and Carnarvon?

HON. J. D. CONNOLLY: They are local boards.

THE MINISTER: There must be strong reasons and a cordial unanimity on the part of the persons concerned before a Ministry would be likely to take action towards abolishing a district board. I hope that members will not oppose this Bill, and that they will rely on the discretion and good sense of the Government.

HON. J. W. WRIGHT (Metropolitan): I may explain that this is really the only district board in existence. There is another board in contemplation comprising Buckland Hill, Claremont, Cottesloe, and Cottesloe Beach; but it is not yet formed. This being the only board in existence, we should not think of others. The Bill is brought forward at the request of the people con-

cerned; so there should be no objection on the part of hon. members.

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.

## PUBLIC SERVICE BILL.

### AMENDMENTS.

Schedule of amendments requested by the Council, and disagreed to by the Legislative Assembly, now farther considered in Committee.

No. 2—Clause 4, strike out the definition of "teacher":

HON. R. F. SHOLL: It was a remarkable thing in dealing with an important measure that the Bills seemed to have disappeared from members' portfolios. It almost looked as if they had been removed for a purpose.

HON. J. W. WRIGHT: We might as well read the Bill six months later. His copy of the Bill had disappeared from his portfolio.

HON. W. T. LORON: We could not go on with this Bill without copies before us.

THE CHAIRMAN said he could not proceed without a copy of the Bill.

THE MINISTER said he had a copy of the Bill, but he was surprised to hear that copies of the Bill had evidently been removed from members' portfolios. He would not expect members to consider the Bill without copies before them. The Bills, it appeared, had been taken out of members' portfolios by an officer of the House, because there was an insufficient number of Bills in the Assembly. Had he been aware of this he would have protested strongly against the step taken.

THE CHAIRMAN: The Minister's explanation would be accepted.

[Messenger produced copies of the Bill, for members.]

THE MINISTER moved that the Council's amendment be not insisted on.

HON. G. RANDELL: This was a consequential amendment, hinging on the deletion of teachers of the Education Department from the operation of the Bill. We should insist on the amendment.

Question negatived, the Council's amendment insisted on.

**THE CHAIRMAN:** This decision would settle many amendments.

No. 3 (consequential)—insisted on.

No. 4 (suggested amendment)—Clause 6, Subclause 5, strike out "one thousand" and insert "eight hundred and fifty":

**THE MINISTER** moved that the amendment be not insisted on.

**HON. G. RANDELL:** This amendment having had much consideration from the select committee, members should insist upon it.

**THE MINISTER:** The Government considered that £850 was sufficient salary, but members of another place had increased it to £1,000.

Question negatived, the Council's suggested amendment insisted on.

No. 5—Clause 6, add the following subclause: "No person shall be eligible for the office of Commissioner who is or has been, at any time during the twelve months preceding the commencement of this Act, a member of Parliament":

**THE MINISTER** moved that the amendment be not insisted on.

**HON. G. RANDELL:** This question had been gone into exhaustively by the select committee. It was an excellent provision. He understood that the Government recognised the justice of the principle of preventing any member of Parliament from being appointed as Commissioner, not only in the first instance but in future. He hoped that members would insist on this most necessary safeguard.

Question negatived, the Council's amendment insisted on.

Nos. 8, 9, 10, 11, 14, 14a, 16, 18 (consequential on No. 2)—insisted on.

No. 19—Clause 54 (quorum, Appeal Board), strike out the whole:

**THE MINISTER** moved that the amendment be not insisted on.

Question negatived, the Council's amendment insisted on.

No. 20—Clause 60, strike out Subclause 2 and insert subclauses (as in schedule) in lieu:

**THE MINISTER** moved that the amendment be not insisted on.

**HON. G. RANDELL:** This was to insert the Commonwealth subclauses in place of the subclause in the Bill.

Question negatived, the Council's amendment insisted on.

Nos. 21, 22, 23, 24, 28, 30 (consequential)—insisted on.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

#### COPIES OF BILL, HOW REMOVED.

**HON. R. F. SHOLL:** It was stated that officers of the House had removed the Bills from members' portfolios. He did not wish to know who had done it, but he would like the President's ruling so that this should not occur again.

**THE PRESIDENT** had been astonished that any member of the staff of the House had taken such a liberty as to remove Bills from any portfolios. The officer would be dealt with for having committed so gross a breach of privilege by interfering with members' papers. It would not occur again.

**HON. R. F. SHOLL:** The officer should not suffer, because it must have been inadvertently done.

At 1 p.m., the **PRESIDENT** left the Chair.

At 2.45, Chair resumed.

Message from the Legislative Assembly received and read, notifying that all the amendments insisted on by the Council in regard to the Public Service Bill had been agreed to by the Assembly; also those requested had been duly made.

#### IN COMMITTEE RESUMED.

Preamble, Title—agreed to.

Bill reported with amendments, and the report adopted.

Bill read a third time, and *passed*.

#### CLOSE OF THE SESSION.

##### CONGRATULATORY REMARKS.

**THE MINISTER FOR LANDS** (Hon. J. M. Drew): I should be wanting in my duty as leader of the House if I did not make some remarks, to show the recognition of the members of this Chamber of the great ability you, Mr. President, have shown in the exercise of your duties as President. You have performed those responsible duties with great care and consideration, and I think every member of this Chamber will be prepared to admit with the strictest impartiality. No doubt owing to your unique experience in Parliament, for you have been 24

years in the Parliament of this State and are the only surviving member of the old Parliament, coupled with your mentally sound judgment, you have been enabled to carry out the duties of your office with satisfaction, not only to the members of the Chamber, but to the people of the State. I must confess that my personal obligations to you are very great. You have rendered me every assistance in the carrying out of my duties, and if that assistance had not been forthcoming whenever I approached you for it I should certainly not have performed my duties with any success I may have attained. Of course we know you are going on a trip to England. You were kind enough to approach the House to ask the permission of members, but I do not think there was any necessity for you to do so. You have not had a holiday for seven years, and you have never asked this Chamber for leave except for a few days; and if you had not approached hon. members, consent would have been freely given. I have also to thank the members of this Chamber for the great consideration they have shown me during my tenure of office. When I was offered the portfolio, I was told by a certain section that I would have a hot time in the Chamber, and that it was totally out of sympathy with the Government I represent; but I knew the members of this House. I had been in the House for four years, and I was fully confident that the members of the House would be prepared to show me, at any rate, as much consideration as they had shown to previous Ministers; and I have been in no way disappointed. Indeed, members in this connection have shown me every forbearance, and have excused my many shortcomings, and they rendered me every possible help in carrying out the legislation that has been sent down from another place. In addition, the officers of this House are also deserving of some acknowledgment from me. I have received from them every courtesy, and I wish to acknowledge my great indebtedness to them. I am sure every member will agree with me in conveying to you, sir, the thanks and gratitude of the House for the way in which you have carried out your duties.

HON. G. RANDELL: I have pleasure in supporting the remarks of the Minister,

especially in regard to the officers of the House. The officers are usually separated in remarks of this description; but I heartily agree with what the Minister has said, and I do not think I need do anything but ask you, sir, to accept the Minister's words as an expression of the good feeling and sense of gratitude we feel at the manner in which you have filled the office of President of this House for many years.

THE PRESIDENT: I thank members for the kind expression of their appreciation of the manner in which I have carried out the duties of President during the present session, and also to thank members for the leave of absence they have granted to me. It is a source of regret to me that in all probability I will not be here for the opening of the next session of Parliament; but owing to the state of my health, it is necessary for me to take a voyage. I hope I shall be able to take my seat shortly after the meeting of Parliament next session. I have also to thank the leader of the House for the manner in which he has conducted the business. I am sure it will be the feeling of all members present that he has carried out his duties in an eminently satisfactory way. We have not sat very many times, owing to the delay in obtaining work from another place; but when the business was here, owing to the able manner in which the leader of the House conducted it we were able to get through a large amount of business in a very short time. On behalf of myself and the officers of the House, I again tender my thanks for your appreciation of the manner in which we have carried out our duties.

#### PROROGATION.

##### ASSENT TO BILLS.

His Excellency the Governor entered the Chamber at 3 o'clock, and commanded the attendance of members of the Legislative Assembly, who accordingly arrived with their Speaker.

MR. SPEAKER presented the Appropriation Bill, to which His Excellency assented.

HIS EXCELLENCY also gave assent to the following Bills, in addition to Bills assented to previously:—

*A Bill for "An Act to apply a sum out of the Consolidated Revenue Fund and from*

*Moneys to Credit of the General Loan Fund to the Services of the Year ending the thirtieth day of June, one thousand nine hundred and five, and to appropriate the Supplies granted in this Session of Parliament."*

*A Bill for "An Act to confirm a Further Provisional Order to amend, extend, and vary certain Provisional Orders authorising the Construction of Tramways in the City of Perth."*

*A Bill for "An Act to amend the Factories Act, 1901."*

*A Bill for "An Act to authorise The Kalgoorlie Electric Tramways, Limited, to construct, maintain, and manage a line of Tramways on the Racecourse at Kalgoorlie."*

*A Bill for "An Act to prevent the spread of Noxious Weeds."*

*A Bill for "An Act to confirm a Provisional Order authorising the Construction of Tramways in the Municipality of North Perth."*

*A Bill for "An Act to farther amend the Roads Act, 1902."*

*A Bill for "An Act to enable Coventry Parade and Christina Parade, North Fremantle, to be dedicated to the public."*

*A Bill for "An Act to farther amend the Agricultural Bank Act, 1894."*

*A Bill for "An Act to enable the Members of 'The Kalgoorlie Racing Club' and of 'The Boulder Racing Club' to sue and be sued in the name of the Chairman for the time being of each of such clubs, and for other purposes."*

*A Bill for "An Act to confirm a Provisional Order authorising the construction of Tramways in the Municipality of Victoria Park."*

*A Bill for "An Act to consolidate and amend the Law relating to Local Courts."*

*A Bill for "An Act to authorise the raising of a sum of Seven hundred and fifty thousand pounds by loan for the construction of certain Public Works, and for other purposes."*

*A Bill for "An Act to farther amend the Early Closing Act, 1902."*

*A Bill for "An Act to provide for the Inspection and Regulation of Boilers and Machinery."*

*A Bill for "An Act to amend the Bills of Exchange Act of 1834."*

*A Bill for "An Act to amend the Law relating to Distress for Rent."*

*A Bill for "An Act to farther amend the Local Inscribed Stock Act, 1897."*

*A Bill for "An Act to enable the purchase of portion of Permanent Reserve numbered 4228 to be changed."*

*A Bill for "An Act to farther amend the Land Act, 1898."*

*A Bill for "An Act to amend the Law relating to the Registration of Brands on Stock."*

*A Bill for "An Act relating to Navigation."*

*A Bill for "An Act to farther amend the Health Act, 1898."*

*A Bill for "An Act for the Regulation of the Public Service."*

HIS EXCELLENCY was pleased to speak as follows :—

"MR. PRESIDENT AND HONOURABLE  
"GENTLEMEN OF THE LEGISLA-  
"TIVE COUNCIL, —

"MR. SPEAKER AND GENTLEMEN OF THE  
"LEGISLATIVE ASSEMBLY, —

"I am pleased to be able, at the conclusion of a session, to release you from your arduous labour.

"MR. SPEAKER AND GENTLEMEN OF  
"THE LEGISLATIVE ASSEMBLY, —

"I thank you, in the name of His Majesty, for the liberal supplies that you have voted.

"MR. PRESIDENT AND HONOURABLE  
"GENTLEMEN OF THE LEGISLA-  
"TIVE COUNCIL, —

"MR. SPEAKER AND GENTLEMEN OF THE  
"LEGISLATIVE ASSEMBLY, —

"The continued expansion of the "Agricultural, Pastoral, and Gold-mining "Industries of the State, and the increase of the population, afford very "satisfactory evidence of its stability "and prosperity.

"It is a matter of profound regret "that the Parliament of the Common- "wealth has failed to pass the Kalgoorlie "to Port Augusta Railway Survey Bill "during the present year; but it is "hoped that this first step towards the "construction of that important work "will be taken at an early date.

"I now prorogue this Parliament to "Tuesday, the 23rd May next."

The session then closed.