but we could not get suitable men, therefore we let the old system go.

Hon. P. Collier: Dr. Atkinson started at £650.

Hon. R. H. UNDERWOOD: I think it was £800. There are engineers receiving £1,200 and £1,500 a year. We require doctors high up in the profession. At present any doctor could leave the service and earn in private practice three times the money he is receiving.

Mr. WILLCOCK: Have inspectors been appointed under the new Act? There is necessity for taking action.

Hon. R. H. UNDERWOOD: The work of inspectors is being done by the police. We have appointed some inspectors. The Act requires amending but it is doing some good. The question of introducing an amending Bill is under consideration, but we want to close before Christmas, and although we would like to bring in one or two amending Bills it will not be possible. There are amendments to the Shops and Factories Act, Early Closing Act, and other Acts required, but I do not think time will permit of them being brought forward.

Hon. P. Collier: The Shops and Factories Bill is coming forward?

Hon. R. H. UNDERWOOD: That Bill is to be brought in if there is time.

Vote put and passed.

[The Speaker resumed the Chair.]

Progress reported.

House adjourned at 11·40 p.m.

Legislative Council,

Thursday, 7th November, 1918.

The PRESIDENT took the Chair at 3.0 p.m., and read prayers.

[For "Questions on Notice" and "Papers Presented" see "Minutes of Proceedings."]

SELECT COMMITTEE STATE CHILDREN AMENDMENT BILL.

Extension of Time.

Hon. W. KINGSMILL (Metropolitan) [3.0]: I move—

That the time for bringing up the report of the select committee be extended to Wednesday, 13th November.

The examination of witnesses and the deliberations of the committee have extended a good deal further than we thought would be the case when we first undertook our task. I trust, however, that when the report is presented—and it will undoubtedly be ready for presentation next Wednesday—it will prove that the committee have not wasted any time, and that they have worked fairly strenuously.

Question put and passed.

BILL—FRUIT CASES.

Second Reading.

Hon. C. F. BAXTER (Honorary Minister) [3.5] in moving the second reading said: There is no standard size for fruit cases in this State, and consequently cases of all sizes and dimensions are sent forth, and a person ordering a case of fruit has no guarantee that the quantity of fruit packed in that case is the quantity that he ordered. This is most inadvisable. Last summer, when tomatoes were being sold in cases, it was found that those cases were two inches shorter and one inch narrower than the usual size of cases. This variation in the size of cases is unfair to the purchaser, and also to the honest packer, who uses larger sized cases. The standard imperial bushel case is one which has a capacity of 2,223 cubic inches. When the Western Australian growers send fruit to the Eastern States they have to conform with the Case Acts in force in those States, and it has happened in the past that on account of our cases not being of standard measurements the fruit has had to be repacked in other cases on arrival in the East. Consequently there has been extra cost to the growers of this State.

Hon. J. Duffell: Has that actually taken place owing to the size of the case?

Hon. C. F. BAXTER (Honorary Minister): It has. The fruitgrowers of Western Australia are alive to the advantages of a Case Act, and they passed resolutions at their last three conferences requesting the Government to take action in the matter. The Bill provides for the standards for fruit cases to be prescribed by regulation, and it is the intention that these standards shall conform with the Eastern States' regulations, and shall comprise one bushel, half bushel, and quarter bushel sizes only, with the exception of an over-sized tropical case for bananas, pineapples, etc., and trays, punnets, etc., for soft and small fruits. I would draw hon. members' attention to the typewritten list which has been supplied with the Bill, showing the dimensions of the cases. This list of measurements will be a guide to hon members. Clause 1 provides that the date on which the Bill will come into operation shall be postponed until a reasonable period has elapsed to allow of present stocks being used up. This will take more than 12 months, and the 1st July, 1920, is considered a suitable date on which the measure shall come into force.

Hon. R. J. Lynn: Well, why worry about it now?

Hon. C. F. BAXTER (Honorary Minister): If we leave it until next session we will still have to give ample notice, and the date for bringing the Bill into force will have to be further extended. The distant period is necessary, so as to give ample time to the people holding stocks to get rid of those stocks. Clause 3 refers to the fruit to be sold in standard cases, and reads, "Except as hereinafter

provided no person shall sell fruit or export fruit from the State to any place within the Commonwealth unless such fruit is contained in the prescribed standard case or cases." Then it goes on, "provided that this section shall not apply to (a) dried, preserved, tinned, or canned fruit; (b) fruit sold by weight or number in a quantity at one time of less than 20lbs. in weight." This is necessary so that the retail trade will not be hampered. Paragraph (c) refers to fruit sold in baskets, buckets, or punnets. This refers to berries and small fruits. Paragraph (d) refers to pears and soft fruits. Paragraph (g) provides for jam-makers, cider manufacturers, etc., becoming registered as factory buyers, so that they may purchase fruit by weight in bags or other containers when the fruit is for factory use only.

Hon. J. Ewing: Has this Bill been referred to the fruit growers?

Hon. C. F. BAXTER (Honorary Minister): Certainly not. It is the property of Parliament until it has been introduced. Clause 5 allows for the unavoidable shrinkage of our hardwoods. This is taken from the South Australian Act. Clause 6 throws on the maker the onus of seeing that the case is of standard measurement. It provides that the name and address of the maker of the case must be legibly and durably printed, impressed or stencilled at one or both ends on the outside of the case, and also the words "guaranteed by maker to contain one bushel, half bushel, or quarter bushel, etc." By "maker of the case" is meant the orchardist who puts together or causes to be put together the case; it does not apply to the sawmiller who cuts the timber. It would not be necessary for the sawmiller to have his name on the case. This is in operation in the Acts of the Eastern States. Clause 7 provides that the case shall show the fruitgrower's name. The name of the grower and his address being given facilitates inspection by departmental officers should it become necessary to examine the orchard from whence the fruit came, and it also has a good influence on the packing, most growers desiring that their name should stand for good fruit. The number or size is an indication of quality, showing that the case contains so many fruits, or the diameter of the fruits. Thus, cases containing oranges are usually marked showing the number of oranges, and apples are marked 2½ inches, 2¾ inches, 3 inches, etc., referring to the size of the fruit. It sometimes happens that a wholesale fruit dealer obtains an order for a case of mixed fruits, and the regulations will make provisions so that, if necessary, these may be selected from fruit sent in by various growers, and the new case into which the mixed fruit is packed may be branded by the packer with his name and address in lieu of the several growers who produced the fruit. The point may be raised that co-operative companies who send their fruit through central packing sheds should be allowed to use a registered brand instead of the grower's name. However, this would do away with the information which the department requires should it become necessary to trace the fruit back to the orchard. Clause 8 makes it an offence to wrongly brand a case or to alter the shape, size, or measurement of a case, or to alter the brand, except as provided by Clause 9. Clause 9 provides for the limited use of second-hand cases with safety to orchards in clean areas. The question of the use of these cases is the subject of much controversy amongst growers. Those distant from the markets are, as a rule, opposed to the practice, while those near the markets favour it. A fairly large quantity of fruit is carted by road in open cases to Fremantle, Perth, Albany, Collie, Bunbury, etc. and under present regulations the cases cannot be used again. Open cases which are used to bring fruit to central packing sheds at Harvey, Bridgetown, and Mt. Barker also become second-hand under present regulations and should not be used more than once. If the cases so used are retained in the districts where the fruit is grown, as they will be if not allowed to be sent away by train, there will be little danger of disseminating pests, while a saving in cost of cases will accrue to the growers. Paragraph (c) allows of regulations being made whereby cases and bags may be treated under inspection at the factory and, after being so treated may again be used to contain fruit to be sent forward to a factory only.

Hon. R. J. Lynn: Why should they have that privilege?

Hon. C. F. BAXTER (Honorary Minister): We cannot compel jam factories to have new cases, or indeed to have a case at all. A lot of their fruit is purchased in sacks.

Hon. R. J. Lynn: Still, if the merchant buys from an orchard, why should he not return the cases to the orchard?

Hon. C. F. BAXTER (Honorary Minister): He can do so under regulations. Paragraph (d) provides for the use of banana cases after importation as containers for vegetables, particularly in the North-West trade, which is the practice to-day. Subclause 2 allows for regulations being made so that, subject to such regulations, cases which are permitted to be used more than once under Clause 9 may have the brands thereon altered in order to show at each time of being filled the name of the fruit contained in the case and the name and address of the grower. Clause 10 provides for the registration of factory buyers for the purposes of Clause 9. Subclause 2 provides for the annual registration of factory buyers and for the cancellation of registration by way of penalty for offences against the Act, while Subclause 3 provides for the keeping by factory buyers of records which are necessary for the purposes of inspection by the department. Clause 11 provides for necessary powers to be given inspectors for carrying out their duties on premises where fruit may be kept. Clause 12 gives power to the Governor to make regulations, and Clause 13 prescribes penalties. I move—

That the Bill be now read a second time.

Hon. A. SANDERSON (Metropolitan-Suburban) [3.22]: I am going to ask hon. members to reject the Bill on the second reading. I wish to refer to a matter which has been already mentioned, not with the idea of raking up a question already dealt

with, but simply to give it as an illustration of the slovenly manner in which the business of the House is conducted. I think it is generally admitted that the fruit trade requires organisation. Few people know that better than I do. There is a great opening here for some person to come along and organise the fruit trade. But what has been done, and what is proposed under the Bill? It is the same old story of the Government interfering to organise the trade. I should have thought that if there is one man in the State who has burnt his fingers over the fruit business, it is the Honorary Minister who introduced the Bill. I thought he would have regarded suspiciously any proposition brought before him in connection with the fruit industry, considering the deplorable results he has already brought about in one department of that industry. The objects of the Bill are very clearly set forth in the memorandum. It will not be necessary to go into a lot of detail just now, because, if the Bill should get into the Committee stage, we can deal with it there. But are hon. members going to hurriedly pass the Bill through at a time like this when the fruit industry, and indeed the whole country, is in a difficult position?

Hon. C. F. Baxter (Honorary Minister): There is no need to hurry it through.

Hon. A. SANDERSON: Considering the very serious responsibilities which, from the public point of view, rest on their shoulders, to say nothing of their private affairs, hon. members could not be expected at a time like this to give close detailed attention to what, after all, is a comparatively unimportant affair. I happen to be interested in this matter. I am not authorised to speak for the fruitgrowers, but I am speaking for my constituents and for the sound government of the State. To expect hon. members at a time like this to give to the Bill the close detailed attention which is necessary, is asking too much of them. Therefore, it will not get that attention and, consequently, if passed at all it is going to be hurried through. I have taken the trouble to go through the South Australian Act, and that is why I am so irritated over the performance; because it is irritating to have the whole thing suddenly changed and taken out of one's hands just as one has got all the work before him, as in the case here. I got hold of the original Bill and I read carefully through the "Hansard" reports of the debate in South Australia, and then got my cross references to New South Wales. While Ministers are to be congratulated on this innovation of attaching to a Bill a memorandum explaining what the Bill is for, I warn Ministers that if that memorandum is misleading; but unless the work is done very carefully indeed the memorandum must be misleading—it will do more harm than good. I am sure the leader of the House will agree with me there. The memorandum that appeared on the original Bill was most misleading. I went through the Bill clause by clause and line by line and compared it with the South Australian measure. If hon. members would do the same and would then get the cross references from the New South Wales Bill, together with the criticisms in the New South Wales Chamber, they would see how misleading that original memorandum was. I am not prepared to say that the one before us is misleading, but I shall be very much surprised if this innovation does not prove a snare and a delusion; because, to give an epitome and a precis of the Bill fairly and clearly, is just as difficult as is clever draftsmanship. Passing all these details by, I am going to ask for the rejection of the second reading, for the reason that the Bill will harass the fruit industry. There can be no question about that. Do not let the hon. member tell me that it has been demanded by the East or by the fruitgrowers.

Hon. C. F. Baxter (Honorary Minister): I said by the association.

Hon. A. SANDERSON: I mean the association. I hardly expect that even the present Government would introduce it at the demand of an individual fruitgrower. But the Minister must not tell me that it has been demanded by the association and——

Hon. C. F. Baxter: (Honorary Minister): Does the hon. member suggest that I am misleading the House? I say it was asked for by the fruitgrowers. At the last three annual conferences of fruitgrowers the measure has been asked for.

Hon. A. SANDERSON: I never questioned that. I say, do not tell me that the Fruitgrowers' Association have asked for the Bill, and bring that forward as an argument that it ought to be put through. That was the origin of the jam factory, namely, an organisation coming along and saying, "We represent 80 per cent. of the fruitgrowers and we have their unanimous support." I have the greatest respect for fruitgrowers' associations of all kinds. I have attended many of their meetings, at which one can always learn something. If the Fruitgrowers' Association in this country think they are going to take charge of this industry, and put measures of this kind through Parliament in order to protect their interests, it seems to me a most vicious principle. On the question of the regulation of fruit from the health point of view, it is almost compulsory that we should accept Government interference, but I do not like it even in regard to diseases in fruits. We have to accept some form of Government control, because enormous damage can be done which cannot be put right if once some of these diseases are allowed to get abroad. For these fruitgrowers to ask us to put through restrictions like this, and place the administration of the measure in the hands of a Government such as we have at present, with the administrative talents of its members, the damage they are going to do to the fruit industry itself is very great. I can hardly expect that hon. members are as much interested in this question as I am. They may think, therefore, that I am using heated or exaggerated language, whereas as a matter of fact at fruitgrowers' conferences I have always been one of the coolest men in the room.

If people are interested in a matter they will sometimes emphasise their position and use language which to the outsider might seem to be exaggerated and almost absurd. This is a very important matter, and it is stated clearly here what it is proposed to do. The essence of this Bill is that we are to be asked, as representatives of the public, to sanction something which will compel everyone to sell his fruit in a particular case. Is this going to benefit the fruitgrower? If so, that is some reason for putting the Bill through, but I say it will not do so. The fruitgrowing industry here is at present in a state of flux. It requires organisation, but the last people to orgainse it are Parliament and the Government. I am not speaking for the fruitgrowers, and doubtless there are many who would tell me that I was entirely wrong. I do wish to emphasise the case question. It is one in which I have taken some practical part, in trying to import and make cases of different sizes and shapes in order to ascertain which would be the best. A fruit case can be the best from different points of view. It can be the best from the fruitgrowers' point of view, because it will meet with his wishes as to how he thinks the fruit ought to be packed. I imported from Covent Garden, one of the largest fruit markets of the world, three or four different kinds of cases for both soft and hard fruit. I am well satisfied that two or three of the cases I had were the best cases from the fruitgrowers' point of view ever imported into this country, as they held the fruit in such a beautiful manner and so well distributed the weight. There was a difficulty, however, in getting these cases on the market because people were unaccustomed to them, and this was sufficient to frighten some of them. The dealers did not like it, because it was out of the ordinary and tended to make the fruit more expensive. The fruitgrowers perhaps can agree on a case, but what about the Railway Department and the carriers? If it was a question of health I would admit the right of the Government to interfere. Let me illustrate the wheat bags, as an instance. Offhand I should say, "Put the wheat in any bag you like, but if you use big wheat bags and it can be shown that you are going to damage the health of the men who are handling them, that is a good cause for Government interference and for altering the size of the bags."

The Colonial Secretary: How can you stack wheat except in bags of a uniform size?

Hon. A. SANDERSON: I was not dwelling on that point, but was speaking of the change which was made. Have we a Government wheat bag? Am I not allowed to sell wheat in a barrel if I like? I can understand that the man to whom I send it may refuse to accept delivery if it is in a barrel, but have we an Act of Parliament which compels me to send my wheat to market in a special bag?

Hon. C. F. Baxter (Honorary Minister): There is the Commonwealth Act.

Hon. A. SANDERSON: I want to keep off the Commonwealth for a little while, although it has an important bearing on this argument later on. I am dealing with the performance of this Government at a time like this of bringing down a Bill of this kind, and am using my best endeavours to ensure that the House will reject it on the second reading, and relieve us of a great deal of very hard work if the work is going to be properly done. The Honorary Minister made a brief reference to one of the most interesting and important fruit conferences ever held in Australasia. It took place at Hobart the other day. If we wished to thoroughly master and understand this question we ought to read the details of the discussions there on this very question. I am rather afraid I may get myself disliked if I go at great length into what took place at that conference, although it is very well worthy of the attention of members. The essence of the discussion as I understand it, although I have had great difficulty in getting a verbatim report of it, is that amongst the experts themselves the question has not been agreed upon. This Bill is designed to bring us into uniformity with the other States. That particular argument has been ridden almost to death in this Chamber. We pass all kinds of extraordinary things, because someone else has done an extraordinary thing elsewhere. I am trying to give hon. members a fair statement of this conference and this subject, and am not trying to prejudice them unduly. Anyone who has seen the Canadian apple imported into the English market will know that it is carried in a barrel.

Hon. J. Nicholson: That is right.

Hon. A. SANDERSON: I am not making the statement rashly. I know it is right. Canadian apples are packed in barrels, and the Spanish orange in, what I may call, a cask, not a barrel. Then there is the bulge case in Tasmania. I will quote this one sentence from the records of the conference, to which I have referred, "A long and interesting discussion took place on the standard cases." It is easy to understand that from the trade point of view this is a most interesting and important subject. The chairman of the conference, Mr. Shewbridge, gave his experience in America, and strongly recommended the bulge, or American case, if suitable timber could be found. I only read the statements, and comment upon them, for the purpose of showing that the fruitgrowers themselves are not agreed on the subject. In view of the fact that they are not agreed, for them to ask us to put through an Act of Parliament making it compulsory that a certain kind of case only can be used, is a piece of unsound business. Here is another significant line from the conference, "It was decided to secure more information for the next conference." The Honorary Minister ought to know all about this conference. There is no doubt that we want more information on the point. Hon. members, who would be in the position of favouring the passing of a Bill to carry out the united wishes of the fruitgrowers must surely vote against the second reading of this Bill, for the reason that the fruitgrowers are not agreed as to their requirements. There are some left in Western Australia, and a large minority, a minority growing every day, who believe that Government interference and Government regulation are bad

things for the industry itself. I sincerely trust hon. members will vote against the second reading. A great many interesting points will arise for discussion if the Bill gets into Committee, but my desire is to save hon. members the impossible task they will have in Committee. Once the Committee stage is reached some sort of Act will be placed on the statute-book, and that will be a very bad thing. The final phase is the reference to the Commonwealth, and that is a matter of great importance. My own view is that the question of the regulation of trade between the States and the Commonwealth will be brought up, and must be settled, at the forthcoming convention, which the acting Prime Minister of the Commonwealth has practically intimated will be held. That being so, why load our statute-book at this time with a measure like the present, which is bound to be swept away when Federal legislation is put in its proper form? If the Commonwealth think fit to have a standard fruit case, well and good. But the only arguments I wish to advance are such as may induce hon. members to vote against the second reading. I wonder whether occupiers of factories would have to be registered, and would be required to keep accounts of all their purchases? That ought to appeal to anyone with a knowledge of what business relations are in this country. They are complex enough already; the difficulty of getting on with work in business is quite sufficient now, owing to the various regulations and schedules and taxes. Are we going to add to them? Extensive powers are to be vested in inspectors by this Bill. That means more inspectors, and more taxation to pay for them. Will hon. members sanction this? Would it not be best to get rid of the Bill altogether, and proceed to deal with what is the serious question in this country, namely the finances? Standard fruit cases are to be fixed by the Government under this Bill by regulation, it seems. That is where the House is being misled. We have been told that this is practically the South Australian Act, except as regards Clauses 7 and 9. When I got hold of the South Australian Act, the first thing I found was a statement in the schedule as to the size of case. Under this Bill, if it is passed, the present Government will have power to decide what the sizes of cases are to be. I do not know whether this printed memorandum accompanying the Bill is supposed to go into the schedule.

Hon. C. F. Baxter (Honorary Minister): No. The memorandum is merely for the guidance of hon. members.

Hon. A. SANDERSON: The matter is most important, because the schedule to the South Australian Act contains the exact sizes of cases. From my point of view this Bill will not benefit the fruitgrowers, although some think it will. I have a quantity of valuable notes here; and if I were at a fruitgrowers' conference, I could give some valuable information. However, the few lines I have read from the report of the Tasmanian conference, stating that this very subject had been adjourned to the next confernce in tained, ought to appeal to hon. members. The argument as to uniformity of legislation among all the States is one that appeals, I know; but that is an impossible proposition, to start with. Six States will not adopt the same case. Then there is the question of printing, whether the barrel or case shall be labelled, or stamped, or stencilled. The Government seek to make everything in this respect compulsory. I have high hopes of the future of the fruit industry in this country, but we shall get the best out of our fruitgrowers only by making them rely upon their own efforts. All this standardisation, which no doubt is very valuable in certain departments of trade, has also a very hampering effect. As a fruitgrower, and as a fruit eater, I may say it is somewhat significant that in Parliament House, under the very eye of the Minister in charge of this Bill, one cannot find an apple, or a pear, or a peach, on the table. Perhaps the Minister would use his influence to get fruit placed on the dining table of Parliament House. That, however, is a matter not of legislative but of gastronomic importance. As a fruitgrower, a fruit eater, and a fruit seller, I desire to see that we should adopt the standards of England, especially when we come to the highest fruits. The mandarin should be wrapped in its silver paper, the peach should be wrapped in its cotton wool and presented in its most charming form to the visitor from either the East or the West passing through Fremantle, or for our own consumtion. The fruit industry of this State has a great future. I am personally interested in the industry, and nothing would please me better than to see it put on a sound financial basis. But if this kind of thing continues, which has gone on for 20 years, Government interference—unless such interference is almost compulsory, as in the case of disease—the prospects of the industry are not bright. I say, at any time let the industry alone, but at a time like this there is ten times more reason for objecting to the second reading of the Bill before the House.

On motion by Hon. J. Duffell, debate adjourned.

BILL—VERMIN.

Order of the Day read for consideration of the report of Committee.

Errors in Notice Paper.

Hon. Sir E. H. Wittenoom: I cannot make head or tail of the amendments on the Notice Paper. What do the references to Clause 7 mean? Neither can I understand the amendment standing on the Notice Paper in the name of the Hon. J. Mills.

Hon. C. F. Baxter (Honorary Minister): The references to Clause 7 are to the clause which will stand as Clauhe 7, relating to the Midland Railway Company. Mr. Mills's amendment refers to Clause 144. The Printer has omitted the heading, "Clause 144."

Hon. W. Kingsmill: Who read the proof of the Notice Paper?

Hon. C. F. Baxter (Honorary Minister): I do not know.

Hon. W. Kingsmill: It was not read by

The Colonial Secretary: As regards the amendment of which Mr. Mills has given notice, there was an error in yesterday's Notice Paper, the Printer including it twice. The Printer gave the number of the clause of Mr. Mills's amendment under the heading "Criminal Code Act Amendment Bill," and then he put it also under the Vermin Bill. In compensation for that, he omits it altogether to-day.

Hon. Sir E. H. Wittenoom: So far as I can see, these amendments do not refer to Clause 7 at all. My desire is merely to be able to follow the amendments of which notice has been given.

Hon. C. F. Baxter (Honorary Minister): Those amendments refer to a new clause inserted on the motion of Mr. Nicholson, which new clause will stand as Clause 7.

Hon. W. Kingsmill: As a matter of fact, there is no Clause 7 in this Bill yet, because the Bill has not yet been reprinted with the amendments. If it has been reprinted with the amendments, it has been wrongly reprinted with the amendments, because the Bill should not be reprinted with the amendments until after consideration and adoption of the report of Committee. Then again, for some occult reason, the word "imported" has taken the place of the word "infested." How this has occurred I do not know. Who read the proof I do not know either. I suppose there is somebody who reads the proof when it comes from the printer.

The President: Does not the Clerk of the House read the proof?

The Clerk: Yes, Sir.

Hon. W. Kingsmill: The manner in which all these amendments appear on the Notice Paper leads me to fear that, unless things alter, we shall before very long have to appoint a committee of the House to read the amendments in proof. The allusion to Clause 7 is a wrong allusion. It is a new clause which is proposed to be inserted as Clause 7. Furthermore, the words "vermin imported" should read "vermin infested."

Recommittal.

On motion by Hon. C. F. Baxter (Honorary Minister), Bill recommitted for the purpose of further considering Clauses 2, 3, 7, 81, 89, 90, 94, and 104, and to consider a proposed new schedule.

Hon. W. Kingsmill in the Chair, Hon. C. F. Baxter (Honorary Minister) in charge of the Bill.

Clause 2—Repeal. First schedule:

Hon. Sir E. H. WITTENOOM: On behalf of Mr. Holmes, I move an amendment—

That in line 2 the words "are hereby repealed to the extent therein stated, but notwithstanding such repeal" be struck out, and "shall cease to have effect in that portion of the State to which this Act applies" be inserted.

Amendment put and passed.

Hon. C. F. BAXTER: I move a further amendment—

That after the word "applies" in the amendment just passed the words "provided that" be inserted.

Amendment put and passed.

Hon. Sir E. H. WITTENOOM: I move a further amendment—

That in lines 12 and 13 the words "any Act hereby repealed" be struck out, and "of the said Act" be inserted.

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

Clause 3—Interpretation:

Hon. C. F. BAXTER: I move an amendment—

That the interpretation of the word "vermin" be struck out, and the following be inserted in lieu: "'Vermin' means and includes any animal or bird mentioned in the Fourth Schedule to this Act, and such other animals or birds the names of which the Governor may by proclamation add to the said schedule. Provided that the Governor may in like manner remove the name of any animal or bird from the said schedule, and any such proclamation shall have effect as fully as if the addition or removal therein referred to had been expressed in the Second Schedule to this Act."

Hon. Sir E. H. WITTENOOM: I do not see any objection to the amendment. It simply means that instead of detailing it in the clause it is detailed in the schedule, and it may there be more readily altered.

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

Clause 7—Exemption of certain lands of Midland Railway Company:

Hon. C. F. BAXTER: This was the clause which was inserted in the Bill on the motion of Mr. Nicholson, providing for the exemption of certain lands of the Midland Railway Company. I move an amendment—

That in line 5 the word "and" be struck out and "or" inserted in lieu.

The reason is that the inspector will have a difficulty in dealing with this matter as it stands at present, and it would mean that few parts of the Midland lands would be considered vermin infested.

Hon. J. NICHOLSON: When this amendment was submitted to the Crown Law authorities this word "and" was discussed, and it was admitted by the Crown Law authorities that it should be "and" and not "or." In view of that, I feel I must oppose the amendment.

The COLONIAL SECRETARY: I think it quite unreasonable in Mr. Nicholson that he should oppose this amendment. The Government have gone a long way in exempting the Midland Company's lands from the Bill. If on top of that we have to prove in the first place that their land is rabbit infested and, secondly, that it is a breeding ground, it will be placing the Midland Company in the position of total exemption, which it is not proposed to do. Where the private owner is called upon to do something, the Midland Company on its adjoining lands may reasonably be expected to do the same. We are not prepared to agree to an amendment which would make it necessary for the inspector to prove that the Midland Company's land was both rabbit infested and also a breeding

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

Clause 81—Power to require water supplies to be fenced in vermin infested districts:

Hon. J. NICHOLSON: I move an amendment—

That the following be added to stand as Subclause (11)—"This section shall apply to the lands of the Midland Railway Company in Western Australia, Ltd., on which its railway is constructed and which are used in connection with the railway."

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

Clause 89—Notice of vermin to be given by occupier:

Hon. C. F. BAXTER: Mr. Holmes is of opinion that the penalty here should be made to read "not exceeding £20." In his absence I move an amendment—

That after "penalty," in line 4, the words "not exceeding" be inserted.

The COLONIAL SECRETARY: I offer no objection to the amendment, but it occurs to my mind whether it is a wise course to take It has been suggested that magistrates, on reading an Act of Parliament and finding in one place "not exceeding," understand that it means "not exceeding;" and in another place seeing a penalty set out without "not exceeding" they conclude that it is a fixed penalty. We should not encourage them in that by inserting "not exceeding" in some clauses and leaving it out from others. At the very least it is bad draftsmanship.

Hon. Sir E. H. WITTENOOM: The Colonial Secretary is quite right. The only excuse for this unusual proceeding is to be found in the likelihood that this measure will be administered by very inexperienced justices in remote districts.

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

Clause 90—Duty of owners and occupiers to destroy vermin:

Hon. C. F. BAXTER: Again on behalf of Mr. Holmes, I move an amendment—

That after "penalty," in line 5, the words "not exceeding" be inserted.

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

Clause 94—Powers of Minister or board in case of default:

The CHAIRMAN: I may explain to hon. members that on motion by Sir Edward Wittenoom the following has been added to the clause—"Care shall be exercised that live and valuable stock, pigs and poultry are not endangered." There is nothing to show where that addition should be inserted.

Hon. Sir E. H. WITTENOOM: In putting my amendment on the Notice Paper I stated that it was to go at the end of the clause. That was a mistake. I wish it to appear after "vermin" in line 10.

Hon. C. F. BAXTER: I think the proper place for the amendment is at the end of Paragraph (a). Accordingly I move—

That Sir Edward Wittenoom's amendment be removed from its present position and inserted at the end of Paragraph (a).

Hon. Sir E. H. WITTENOOM: I must oppose that because it will spoil the whole sense of the clause. I thought I had explained that I wanted the words to come in after "vermin" at the end of the first paragraph, and that is where I desire them to go now.

Hon. C. F. BAXTER: I ask leave to withdraw the motion.

Motion by leave withdrawn.

Clause put and passed.

Clause 104—Cattle trespass on reserve:

Hon. Sir E. H. WITTENOOM: On behalf of Hon. J. Mills, I move an amendment—

That in Subclause 1, line 6, after the word "purposes" there be inserted, "except for transferring stock from one side of a Government fence to another."

This will make the clause more clear in its intention.

Amendment put and passed.

Hon. C. F. BAXTER: I move a further amendment—

That the words "this provision shall not apply to owners or lessees who have land enclosed with a Government fence forming one boundary" be struck out, and the following be added at the end of Subclause 2:—"Provided that this subsection shall not apply when a Government fence, or any fence erected by or under the control of a board as aforesaid is lawfully made use of by an owner or lessee in fencing his land, and the cattle or sheep are confined within the land so fenced."

As this clause stands it would mean that, if a stockowner had land enclosed on one side by a Government fence, he could traverse the fence for hundreds of miles with his stock. The amendment provides that the clause shall merely apply to that portion of the fence of which he is making use.

Hon. J. NICHOLSON: There is no definition of "lessee," and I suggest that the Honorary Minister should alter the word to "occupier."

Hon. Sir E. H. WITTENOOM: I think the word "lessee" describes the state of the case far better than the word "occupier."

Hon. J. Nicholson: The definition of "occupier" includes lessee.

Hon. Sir E. H. WITTENOOM: I am agreeable to the amendment, but not for the reason given by the Honorary Minister. No individual lessee could have hundreds of miles of Government fence on his boundary. All that he asks is that he shall not be penalised when his stock run up and down the fence, and he cannot stop them. The amendment puts the matter exactly as I want it.

Hon. C. F. BAXTER: What I said was that the lessee would have the right to travel the fence with his stock at any time and for any distance.

Hon. Sir E. H. Wittenoom: Only on his own leases.

Hon. C. F. BAXTER: I am agreeable to substituting the word "occupier" for the word "lessee."

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

New schedule:

Hon. C. F. BAXTER: I move—

That the following stand as the Second Schedule:—"Rabbits, foxes, dingoes, dogs run wild or at large, sparrows, starlings."

New schedule put and passed.

[The President resumed the Chair.]

Bill again reported with further amendments.

BILL—FORESTS.

Received from the Assembly and read a first time.

House adjourned at 4.45 p.m.

Legislative Assembly,

Thursday, 7th November, 1918.

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

[For "Questions on Notice" and "Papers Presented" see "Votes and Proceedings."]

LEAVE OF ABSENCE.

On motion by Mr. THOMSON, leave of absence for one month granted to the member for Albany (Mr. H. Robinson) on the ground of ill-health.

BILL—FORESTS.

Read a third time, and transmitted to the Council.

BILL—INTERPRETATION.

Council's Amendments.

Schedule of two amendments made by the Council now considered.

In Committee.

Mr. Stubbs in the Chair; the Attorney General in charge of the Bill.

No. 1—Clause 31, before the word "document," wherever occurring, insert the words "notice or":

The ATTORNEY GENERAL: I move—

That the amendment be agreed to.

The words "notice or" occur before "document" the first time the latter word is used, but not later. The Council's amendment, therefore, seems to me an improvement.

Question put and passed; the Council's amendment agreed to.

No. 2—Clause 31, strike out the word "registered" in Subclauses 1 and 2:

The ATTORNEY GENERAL: The word "registered" was inserted here at the instance of the member for Sussex. Before the Bill was transmitted to the Legislative Council—in fact, the next morning after the amendment had been made—it dawned on me that the provision as to registration would apply to every document to be served, would apply to the many thousands of notices the Colonial Treasurer and the Commissioner of Taxation require to send out. The tax on the State would be enormous for work which is now done by the General Post Office without such a tax. Therefore, at my suggestion, the word "registered" was deleted in the Council. Had I given more consideration to the amendment, I should not have accepted it. Accordingly I move—

That the amendment be agreed to.

Question put and passed; the Council's amendment agreed to.

[The Speaker resumed the Chair.]

Resolutions reported, the report adopted, and a Message accordingly returned to the Council.

BILL—PRISONS ACT AMENDMENT.

Council's Amendments.

Schedule of two amendments made by the Council now considered.

In Committee.

Mr. Stubbs in the Chair, the Attorney General in charge of the Bill.

No. 1, Clause 3, 64e, Subclause (2): Add the following words: "And shall act without remuneration":

The ATTORNEY GENERAL: This is a matter we discussed somewhat fully in this Chamber. There was no mention in the original clause as to whether there should be remuneration or not. Some members of the Committee thought that there should be remuneration, and others considered there should not, but the matter was left quite open. The Legislative Council suggest that there should not be remuneration. I have no hesitation in saying that if it is impossible to get the proper personnel of the board—and without that proper personnel the Act would be no good—without remuneration, I would immediately come to the House again and ask to be given permission to remunerate. At the present moment I am not prepared to dispute that which has come to us from another place. I therefore move—

That the amendment be agreed to.

Hon. P. COLLIER: I am sorry that the Attorney General has agreed to accept this amendment. Many of those who speak about prison reform imagine that all we require to do is to appoint a board of well-meaning and, in some cases, interfering busybodies who know nothing of the subject they are called upon to deal with. The Attorney General is taking up a weak stand when he says that if