

AYES.

Mr. Angwin
Mr. Bath
Mr. Collier
Mr. Gill
Mr. Gourley
Mr. Holman
Mr. Jacoby
Mr. McDowall
Mr. O'Loghlen

Mr. Price
Mr. Scaddan
Mr. Swan
Mr. Troy
Mr. Underwood
Mr. Ware
Mr. A. A. Wilson
Mr. Bolton
(Teller).

NOES.

Mr. Brown
Mr. Cowcher
Mr. Daglish
Mr. Davies
Mr. George
Mr. Gregory
Mr. Hardwick
Mr. Harper
Mr. Layman
Mr. Male

Mr. Mitchell
Mr. Monger
Mr. S. F. Moore
Mr. Nanson
Mr. Osborn
Mr. Plesse
Mr. F. Wilson
Mr. Gordon
(Teller).

Amendment thus negatived.
Clause put and passed.
Progress reported.

BILL—GAME ACT AMENDMENT.

Received from the Legislative Council
and read a first time.

BILL—AGRICULTURAL BANK ACT
AMENDMENT.

Returned from the Legislative Council
without amendment.

BILL—GENERAL LOAN AND IN-
SCRIBED STOCK.

Returned from the Legislative Council
without amendment.

House adjourned at 11.25 p.m.

Legislative Assembly,

Wednesday, 9th November, 1910.

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

QUESTION—TRAMWAY COMPANY
AND DEMURRAGE.

Mr. SCADDAN (for Mr. Johnson)
asked the Minister for Railways: 1,
What amount of demurrage occurred on
coal trucks taken into the tramway com-
pany's siding at East Perth during the
period from July 21st to September 10th,
1910? 2, What amount was (a) claimed,
and (b) paid for by the company? 3,
If any sum was written off, why was it
done?

The MINISTER FOR RAILWAYS
replied: 1, £16 12s. 2, (a) Debit raised,
£16 12s. (b) Paid by company, £8 6s.
3, £8 6s. was written off owing to the
company being unable to obtain labour
to unload the trucks, a custom usually
followed by the department under special
circumstances.

QUESTION—TRAMWAY ACCI-
DENTS.

Mr. HEITMANN asked the Premier:
1, Is he aware that until recently acci-
dents did not often occur in the tram-
ways? 2, Is he aware that for the last
month or two numerous accidents, some
serious, have occurred? 3, Will he cause
inquiries to be made into the matter?

The PREMIER replied: 1, No. Acci-
dents are always occurring, sometimes
frequently and sometimes infrequently.
2, Inquiries show that the number of ac-
cidents during the period referred to is
about the average, with, perhaps, the ex-
ception of two collisions in Beaufort-

street within a few weeks. 3, Answered by No. 2.

QUESTION—LIQUOR SALES AT TIMBER CAMPS.

Mr. WALKER asked the Premier: 1, Have any steps been taken to remedy the evils of the illicit drink trade on the woodlines of the goldfields? 2, If so, will he state the steps taken?

The PREMIER replied: 1, Yes. 2, Constables are despatched for duty at the woodlines on pay days. They also visit these places at other times as occasion demands.

QUESTION — SCHOOL, HORTON'S SIDING, NEAR DENMARK.

Mr. PRICE asked the Minister for Education: 1, Has any application been made for a school at 9½-Mile Siding, Denmark line? 2, Did a settler offer to transfer to the department two acres of land for the erection of such school? 3, Was a definite promise made several months ago that such school should be erected? 4, If such promise was made what is the cause of the delay in commencing the work?

The MINISTER FOR EDUCATION replied: 1, Yes. 2, Yes. Transfer is now being put through Titles Office. 3, No, but the Albany school committee was informed that an item was being placed on the draft Estimates for the work. (See Item No. 342, page 98.) 4, A further application has been received for another school in the same neighbourhood. Full particulars have been asked for, but not yet received. It is desired to meet the wants of the whole district.

QUESTION—RAILWAY CONSTRUCTION, BOYUP-KOJONUP.

Mr. McDOWALL (for Mr. Keenan) asked the Minister for Works: 1, When were tenders called for the construction of the Boyup to Kojonup railway? 2, When were the same made returnable? 3, Did the Public Works Department furnish an estimate of the cost at which it was prepared to construct the railway departmentally? 4, By how much did the

lowest tender exceed the Public Works Department estimate when the tenders were opened? 5, What was the name of the lowest tenderer other than the Public Works Department? 6, Was the tenderer referred to in paragraph 5 afforded an opportunity of reconsidering his tender? 7, If so, on what date? 8, Were any other tenderers afforded the like opportunity? 9, What tender was accepted, and at what figure? 10, By how much does such figure exceed the estimate of the Public Works Department? 11, Did the successful tenderer, in order to carry out the contract, apply to the Public Works Department to purchase the construction plant now in the possession of the department for railway construction? 12, Has it been agreed to sell him such construction plant or any part of same? 13, What is the reason why the Public Works Department was refused the opportunity of carrying out the work?

The MINISTER FOR WORKS replied: 1, August 26th, 1910. 2, September 27th, 1910. 3, An approximate estimate of the cost of all works is made when tenders are invited. 4, £9,699 9s. 9d. 5, Vincent Bros. The Public Works Department was not a tenderer. 6, Yes. 7, On 28th September. 8, Yes. 9, (a) Vincent Bros. (b) £60,500. 10, £6,500. 11, Yes. 12, No. 13, Cabinet is in favour of new works being carried out by contract where the contract price is, in the opinion of the Engineer-in-Chief, a reasonable one; unless the convenience of the public can be more efficiently served by departmental construction.

BILL — PERMANENT RESERVES REDEDICATION.

Introduced by the MINISTER FOR LANDS, and read a first time.

MOTION—SITTING DAY, ADDITIONAL.

The PREMIER (Hon. Frank Wilson) moved—

That in addition to the days already provided the House shall meet for the despatch of business on Fridays at 10.30 a.m.; and shall sit, if requisite,

till 1 p.m., and from 2.30 to 6.15 p.m.; and, if necessary, from 7.30 p.m. onward.

It was intended, of course, to adjourn at the dinner hour, but in case of emergency it was necessary to have the power to sit after the dinner hour, the same power as was given in regard to other sitting days of the week; otherwise, if the House sat over Thursday night until Friday and continued sitting to the dinner hour it would be impossible to continue the sitting. His object was to consult the convenience of members.

Mr. Swan: I know what your object is.

The PREMIER: Of course, it was no use explaining to the hon. member that the object was to get the business of the country through, and within reasonable hours. It was desired, if possible, to obviate sitting after 11.15 on ordinary nights, and it was also desired to adjourn at the dinner hour on Friday nights, if possible.

Mr. SCADDAN: When moving a motion of this kind to provide an extra sitting day, and also to provide that the House should meet at 10.30 in the morning, with power to sit in the evening if necessary—as a matter of fact, until midnight on Saturday, the Premier should have mentioned, in order to assist members in arriving at a decision on the point, what business on the Notice Paper and other business yet to be introduced it was intended to put through this session. It was unfair to ask members to sit another day in the week with the definite object of putting through certain business which the Premier did not make known. If there had been any delay in passing measures it was the fault of the Government. Did the Premier know of any occasion this session where the Opposition had done anything in the nature of purposely delaying the passage of any Bill or motion?

Mr. Carson: Yes.

Mr. SCADDAN: The hon. member was not yet Premier. Any delay had been caused through late meeting of the House.

We did not meet for the despatch of business until August. Certainly the House met on the 30th July, but it was only—

Mr. Bolton: To fire off guns.

Mr. SCADDAN: It was only to meet His Excellency and hear the Speech on the opening of Parliament. The business was not actually started until the 2nd August, and since then a re-arrangement of Cabinet had taken place which could easily have been avoided by asking the late Premier to take a holiday while still holding the office of Premier. That would have avoided a fortnight's delay in the middle of the session. Now, to get over the difficulties brought about by themselves, the Government asked members to meet at 10.30 o'clock on Fridays after sitting perhaps until 2 or 3 o'clock on Thursday morning, if not all through Thursday night. And it was to assist the Government to put through business members had no knowledge of. It was questionable whether the Premier had made up his mind as to what business it was proposed to put through this session; but it was the usual procedure, when asking for an extra sitting day, for the Premier to make known to the House what measures it was proposed to put through and what measures it was not proposed to force through during the session. Members on the Opposition side of the House would be prepared to sit at 10.30 every morning and continue sitting throughout the day instead of at all hours of the night. It would be unwise to alter the hours of sitting on one day of the week only. If it was desired to conduct the business of the House during the day we could make that apply to every day and adjourn at 6.30, then members would do more business and do it better.

Mr. Gordon: Then make a start.

The Minister for Works: How will the departmental work be done?

Mr. SCADDAN: How did the Federal Ministers carry on their work.

The Minister for Works: Ask King O'Malley.

Mr. SCADDAN: The Federal Ministers did their work just as well as the

State Ministers and perhaps better. They had plenty to do and they had national questions to consider, not roads and bridges of the Swan electorate type. The State Ministers could conduct their business just as well, if the House sat three days in the week and in the day time instead of sitting at night. Was it fair to ask members to sit until midnight in order to get the business of the country through and permit Ministers on many occasions to attend functions of different descriptions in order to get something off their chests? As soon as the House adjourned on Thursdays it was found that Ministers rushed away to attend banquets in the country, and that was what was termed attending to departmental business. There was no reason at the present stage why members should be asked to sit at 10.30 on Friday morning, or at any rate not until a statement had been made by the Premier as to what business it was definitely decided to put through. What was the value of the Premier's assurance that the House would adjourn at 6.15 on Friday evening when in the past, measures of a non-party character had been responsible for members sitting throughout the night and until as late as 7 o'clock on the following evening, and then following it up immediately afterwards with a sitting until midnight. On previous occasions there had been an endeavour on the part of one of the Ministers, often the Minister for Mines, to make some arrangements whenever there had been a late sitting, for members to get to their homes. On the last occasion, however, the Minister for Mines went into the corridor to make arrangements and did not put in a reappearance. Did the Premier imagine that members would sit in the House all night for his convenience without having a knowledge of what measures it was intended to put through? There was no justification whatever at the present stage to ask members to sit at 10.30 on Friday morning.

Mr. TAYLOR: Since his election to the House he had always advocated that members should sit in the day time instead of at night and he was still prepared to

adopt that course. As the leader of the Opposition had pointed out, the Premier could hardly expect the House to accept the motion as it had been moved. The Premier had not indicated in any way what legislation he was going to bring down. Members had a knowledge that there was certain legislation coming down, but what the nature of that legislation was no one knew. If the motion were carried in the form in which it appeared on the Notice Paper it would be possible for the Government to keep members in the House until midnight on Saturday.

Mr. Gordon: That is possible now under the Standing Orders.

Mr. TAYLOR: We would be prepared to meet the possibilities but we were not going to sanction further possibilities. Unless members had some knowledge as to what business it was intended to put through, the motion should not be carried.

Mr. Gordon: It is on the Notice Paper.

Mr. TAYLOR: The Notice Paper only gave an indication of what was coming on, but it did not indicate the legislation it was intended to endeavour to get through before the end of the session. The Premier should at least give the House some idea as to his intentions regarding the Redistribution of Seats and other Bills. If the Premier were to do that members might be willing to concede an extra day and also agree to sit late on Friday night and even into Saturday morning. In view of the way in which the session had opened and the way in which it had continued there was hardly any justification for the Premier at the present stage asking the House, with the few words which accompanied the introduction of the motion, to agree to it. It was to be hoped that the Premier would give the House some idea of the legislation he intended to bring forward so that members might be in the position to vote on the motion, knowing full well the position they would be placing themselves in. He was anxious that the motion should be carried in order to establish day sittings, if for nothing else, but he was not prepared to vote for it knowing that it would be possible to keep members in the

Chamber from Friday morning until perhaps midnight on Saturday. At any rate he was not prepared to place himself in the position of purely depending on the endurance of members on the Government side of the House in being able to keep the House together from Friday morning until late on Saturday night.

Mr. JOHNSON: I desire to move an amendment—

That in line 5 all the words after "6.15 p.m." be struck out.

The effect of the amendment would be to bring the Friday sitting to a close at 6.15. If hon. members sat from 10.30 in the morning until 6.15 in the evening they could consider that they had done a fair day's work. At any rate he was not prepared to leave it an open question as to whether the House should adjourn at 6.15 or not. It should be definitely laid down that the House should adjourn.

The PREMIER (on amendment): At the present time there was no fixed hour for adjourning and the House could at its discretion meet on Thursday and continue sitting right through Friday, Saturday, and until the commencement of the following week. It seemed absurd that the House should appoint an hour at which it should adjourn. The House should retain in its own hands the power of declaring whether it should adjourn at a certain hour or continue sitting. The leader of the Opposition made a great point about sitting during the day, but the hon. member should realise that Ministers were entitled to some time in which to carry out their departmental work. The Federal Parliament did not begin its sittings until 2.30 or 3 o'clock in the afternoon and on Friday they met in the morning and adjourned in the afternoon, in order to enable members from adjoining States to proceed to their homes by the evening express trains. He was asking members to follow the example of the Federal Parliament in that respect and to give the same opportunity of putting the business of the State through as was afforded the Federal Government. With regard to the business it was intended to put forward, as he had told the leader of the Opposition in conversation, he was

quite prepared a little later on to discuss with that hon. member the measures that should be agreed upon as being the most important to put through during the session.

Mr. Scaddan: Who will you call in if we disagree. Will you let me appoint a third party?

The PREMIER: Certainly not; but there would be no doubt about agreement. The Notice Paper indicated that it was proposed to submit a fair amount of work, but that work was not insurmountable. If hon. members took the measures one by one they would find that once the House had gone through the Health Bill, and the Roads Bill when it came back from the select committee, they would have pretty well broken the back of the legislation outside the Redistribution of Seats Bill.

Mr. Walker: Are you going on with that?

The PREMIER: It was hoped to submit that at an early date.

Mr. Holman: What about the Payment of Members Bill?

The PREMIER: That was being drafted now. Then there was an amendment to the Constitution which would not require much discussion and then would follow the Loan Bill and the Loan Estimates. His desire was, if possible, to let hon. members be released from their work by Christmas, as had been the custom in the past. There was also railway Bills to be brought down and hon. members surely did not wish to curtail the railway construction policy.

Mr. Scaddan: Why do you not bring the railway Bills on?

The PREMIER: They would be brought down in due course. There was plenty of business on the Notice Paper to go on with. He desired to disown any idea of accusing members of having wasted time during the session. There was only one occasion in regard to which he might have found fault; that was when the House had sat for a period of 24 or 25 hours.

Mr. Scaddan: That was your own fault.

The PREMIER: No; the Government had no desire to sit at such length.

Mr. Scaddan: Business was facilitated that evening until midnight, when you should have adjourned.

The PREMIER: Certainly the hon. member had endeavoured to facilitate business up to a certain point, but it was well known that after a given hour business had been blocked. It was not the fault of the Government that the House had been kept sitting; he was just as much opposed to long hours as any hon. member, and his intention was to get the business through without having recourse to lengthy sittings. If the business were to be put through without necessitating the extension of the session beyond Christmas it was necessary that the House should sit an extra day in the week.

Mr. Scaddan: Simply because you would not meet earlier.

The PREMIER: The hon. member knew it had been impossible this session to meet earlier. The House had been called together as soon as the then Premier (Sir Newton Moore) had returned from the old country. Then there had been Sir Newton Moore's unfortunate retirement. It had not been a question of Sir Newton Moore going for a holiday, but of his being relieved entirely of his duties.

Mr. O'Loghlen: Could not you as Acting Premier have met the House?

The PREMIER: Certainly, but that plan would not have suited Sir Newton Moore, who had desired to be relieved of the strain of office. Sir Newton Moore had taken his colleagues and the House into his confidence as soon as he had discovered he was incapable of carrying on.

Mr. GEORGE: With the exception of the Budget there was nothing on the Notice Paper which should take the extra amount of time. The Premier had not told the House what other legislation he was going to bring forward which would require an extra sitting day to deal with. The only big measure on the Notice Paper was the Health Bill, and that had not had proper consideration, nor would it get it. Beyond that and the Budget there was nothing whatever on the Notice Paper to take up lengthy time in consideration.

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

Ayes	..	..	..	20
Noes	..	..	..	23

Majority against .. 3

AYES.

Mr. Bath	Mr. O'Loghlen
Mr. Bolton	Mr. Price
Mr. Collier	Mr. Scaddan
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Taylor
Mr. Heltmann	Mr. Troy
Mr. Holman	Mr. Walker
Mr. Hudson	Mr. Ware
Mr. Johnson	Mr. Underwood
Mr. Keenan	(Teller).
Mr. McDowall	

NOES.

Mr. Brown	Mr. Layman
Mr. Butcher	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Murphy
Mr. Draper	Mr. Nanson
Mr. George	Mr. Osborn
Mr. Gregory	Mr. Piesse
Mr. Hardwick	Mr. F. Wilson
Mr. Harper	Mr. Gordon
Mr. Jacoby	(Teller).

Amendment thus negatived.

Mr. HOLMAN: The motion had been sprung upon the House with undue haste.

The Premier: I mentioned it to your leader some time ago.

Mr. HOLMAN: For his own part he had made arrangements to go away on Friday, and in all probability there were others in the same position. The member for Murray had declared the extra day was not necessary, and consequently one would have thought the member for Murray would vote for the amendment, until it was seen that the Attorney General had persuaded him against his own convictions. There was nothing on the Notice Paper of very great importance. The Premier had said he had a great deal of important business to bring down, but he (Mr. Holman) objected to the Premier bringing down big propositions at the dying end of the session. Members should be given every opportunity of considering any important measures brought down. It was not fair to the House or to the country that the session should be brought to an end before Christmas when there

were important matters to be considered. Nobody desired to oppose the passing of the railway Bills, but he for one objected to the passing of any Bills on limited information. In dealing with railway Bills members were asked to authorise within a few days an expenditure of millions of money without knowing anything about the prospects of the various propositions. It was only to be expected that there would be a repetition of what had happened in connection with a railway in the South-West, when a City firm, Messrs. Vincent Bros., were allowed to secure £6,000 or £7,000 which, in his opinion, they were not entitled to.

Mr. Scaddan: Oh, yes, they are supporters of the Government.

Mr. HOLMAN: At the same time it was a method of doing business which should not be tolerated. In all probability the same methods would be adopted in respect to the construction of half a dozen railways which hon. members would presently be asked to authorise, and outside firms would be enabled to get contracts at thousands of pounds more than they were justly entitled to. And not only would the increased money be allowed in the contracts, but thousands of pounds' worth of extras would be put on, as they were in respect to almost every railway constructed by contract. These were matters hon. members should be afforded time to go into. Then there were the Estimates. Here, with nearly half the financial year gone by, hon. members had not had an opportunity of discussing the Estimates. It was absurd to bring down the Estimates at the end of the year when there was no further opportunity of criticising the expenditure of the people's money. Why had the Estimates not been brought down before this? The sole idea of the Government was to get through the session at all costs and retire into recess. The Premier had spoken of the impossibility of Ministers devoting time to their various offices while Parliament was sitting; but if Ministers would attend to their business, instead of galloping about the country and boosting themselves and each other on every occasion, they might be able to transact their

business better than they had done in the past. He did not object to Ministers travelling about the country, in fact they should, also members, but he objected to Ministers knocking about the country and neglecting their work in Parliament. If the business was of such vital importance that it must be got through before Christmas, then consideration should have been given to these matters before now. Why did not the Premier come down with a proposition to meet on the present sitting days at half-past 10 o'clock, which would give them three days of the week to attend to their duties in their offices? Since he had been in Parliament, no Premier had brought down a proposition to sit an extra day without giving members a week's notice of the alteration.

Mr. George: I will pair with you for a week if you like.

Mr. HOLMAN: The only time he had asked for a pair this session he was refused, and he was not looking for pairs now. He was satisfied, like the member for Murray, that there was no necessity to sit on this extra day. The Premier should state what the railway proposals were that he intended to bring down measures for this session. During the last few years, big estates had been acquired, and now railways were to be run through these estates. It was not right that these holdings should be improved at the expense of the people of the country. He intended to make inquiries in regard to one or two proposals; he intended to make inquiry as to the Wongan Hills to Mullewa railway, which he believed was to be brought forward for the benefit of a few individuals. It would suit one or two landholders. Then there was a proposition to take a railway miles out of its proper course to suit a few property holders; he referred to the Wickepin-Merredin line. It was stated that that line was to make a detour to suit an influential gentleman who had an estate there. We should have time to make inquiries whether these railway lines were justified or not. When the railway proposals were outlined he would like the Minister to state whether or not he would construct these lines on the betterment principle so that the large landholders, who

would reap enormous benefits, should pay their fair share towards the construction of the lines. The Government should reserve the lands where railways were likely to go, and prevent people coming in and taking up large holdings through which railways were run shortly afterwards. It would not be possible to get information about these lines if they were not brought forward early. He intended to oppose the motion because the reasons given were not sufficient, and an unfair advantage was taken of members who had made arrangements for the latter part of the week.

The Premier: Members knew last week.

Mr. HOLMAN denied that statement. The first intimation he received was when the notice was given yesterday. When the Premier was asked to sit on an extra day to allow private members' business to be dealt with, he refused, but now, when we were getting further towards the end of the session, and when the whole forepart of the session had been frittered away, we were asked to sit an extra day to rush matters and to bludgeon measures through the House.

Mr. BOLTON: The Assembly had sat on 32 days this session, and on the Notice Paper there were 24 Bills in one stage or another, while the business transacted to date was, as had been usual in other sessions, one Bill. When the Premier intimated his policy to the country it sounded very fine and large, but all he had done towards carrying out his policy was to place a lot of Bills on the Notice Paper. We knew that at the end of the session there would be a large number of "slaughtered innocents." It was more than likely something else would happen, as had happened before. When Mr. Rason was in power, the same method was adopted as was attempted now. Certain important railway Bills were introduced when there was no chance of getting full information about them, and the information supplied by the Government was meagre. The Bills were sent on to another place within 24 hours of the closing of the Parliament. These Bills were passed by specious argument, or something else; at any rate they were

got through. When the Moore Government were approaching the close of the last session, the Legislative Council intimated that if further Bills were sent up after a certain date the Council would throw them out, and it was done—including the Premier's pet Bunbury Harbour Bill. Was it likely that these Bills would be dealt with by another place at the end of the session? Most of these measures would be cut out, and this extra day was asked for so that the Government could introduce other measures that members knew nothing about. If the Licensing Bill was part of the policy of the Government—and it was a part of which they should be proud—then that was the only portion of the policy outlined by the Premier that had been dealt with. No attempt had been made to touch the railway Bills; no attempt had been made to deal with the Estimates, and we were told that there were the Loan Bill and Loan Estimates to be discussed. Probably out of the 24 Bills on the Notice Paper the Premier would be prepared to sacrifice 20 and introduce other legislation about which members knew nothing at present. Was it right to assist the Government to do that? The hours and the days on which we now sat should be sufficient. There had been no session during his Parliamentary career in which there had been more than one all-night sitting up to November, but this session we had had more than one sitting after midnight, and it would be found that members had put in more hours in this Chamber during this session than in any session during the past seven years. Parliament had done less work than in any previous Parliament since the erection of this building. What was the good of giving the Government an additional day to do nothing with the Bills now on the Notice Paper? The Premier said that he had certain railway Bills to bring forward. There was not sufficient time for members of the Opposition to acquire other information than that supplied by the Government about them. Members should have an opportunity of prosecuting inquiries and finding out how genuine these proposals were. If it was desired to finish by Christmas, by the 9th of Novem-

ber members should have had placed before them all the particulars of the legislation it was intended to deal with. What Bills were on the Notice Paper could be inquired into, but what was not on the Notice Paper, and which was to be introduced in a few days, or a few weeks, could not be inquired into at all. What was to be gained by giving an extra day to the Government? An opportunity for introducing fresh legislation, but the Opposition would not be given an opportunity of inquiring into it. According to the Premier if the 6.15 closure on Friday was adopted the House would not be able to continue the sitting. The Premier must have had it in his mind to sit on more than one Friday night. It would give the Premier an opportunity of arranging with his country supporters to sit until Saturday midnight to force things through. It was quite sufficient for the House to sit at all on Friday. The mere fact of introducing measures late in the session, as they had been, had often led to bitter feeling in the following session. For instance, last session a Bill was introduced for the one purpose of providing sufficient funds to repurchase the Avondale estate. It was introduced hurriedly and put through hurriedly, and members had not the chance of ascertaining its real object. If members had known what the Bill was introduced for it would not have received the support it got. The same thing would happen in regard to Bills brought down this session. On the 9th November last year there were 22 Bills on the Notice Paper, and it would be a shock to hon. members to see how many of those Bills were placed on the statute-book. The same thing would be said next session in regard to the Notice Paper of to-day. It was not intended to proceed with a good many of the Bills now before the House; it was only intended to keep the Notice Paper loaded to make room for the introduction of new legislation, and this was a dangerous proposal. If the Premier took members of the House into his confidence there would be no cause for complaint. The Opposition desired the progress of the country as much as the Government did—perhaps a little

more; they did not talk about it so much; they did a little work—but they should not be asked to give another day's sitting to enable the Government to introduce something they knew nothing about.

Mr. Gordon: Cannot you check the legislation when it comes along? What rot you are talking!

Mr. SPEAKER: Order!

Mr. BOLTON: Providence did not supply the hon. member with brains to distinguish between common sense and rot. It was a wrong principle to introduce legislation within a few days of the closing of Parliament. Was it unfair or absurd to ask that the legislation to be considered this session should be by this time advanced to a stage sufficient to enable members to understand it? That would give members five or six weeks to consider it. It was right to protest when the possibility was that during the next four or five weeks new legislation would be introduced and forced through the Chamber.

Mr. Gordon: Protest when that new legislation comes along.

Mr. BOLTON: One might do so if it would have the desired object. It was well known that if a member on the Government side spoke against any measure proposed by the Government a Minister would walk up to that hon. member and within two or three minutes the hon. member would be found voting with the Government. Now was the time to protest and to claim it as fair that by the 9th November members of the House should know what the Government proposed to introduce and proceed with. The Government were not asked to pledge themselves as to the Bills they desired to throw out at the end of the session, but nothing new should be introduced. Any Government desiring the support of the House should introduce all they intended to pass at least five weeks before the end of the session. During the 32 long sitting days the House had already met, with the exception of the work done on the Health Bill and the Licensing Bill, all the time had been taken up in introducing Bills, and with explanations and the introduction of the Budget. The Premier should realise the great amount of time

that would be taken up in fairly and legitimately criticising the Budget; and if he desired to pass one-half of the measures on the Notice Paper, he should take the House into his confidence and tell members what the new legislation was to be.

Mr. WALKER: It was time to protest against this proposed innovation. Some members of the Opposition advocated day sittings; but he did not, because he recognised that if the affairs of the country were to be carried out as they ought to be, Ministers must be in their offices. The country was not administered in the Chamber. The most important part of the Government's duty was the attention they should pay to their offices and to the demands made upon them generally in the scope of administration.

Mr. Scaddan: It would not be so bad if they were at their offices, but they are not.

Mr. WALKER: True, but it was not part of the duty of the House to give Ministers any further chance of staying away from their offices. Another reason for opposition to the motion was that it would be an endorsement of a policy he had always protested against, that of commencing the session so late in the year. Parliament should meet at the beginning of June at the latest. If the first thing that met Parliament was the Budget one could understand meeting late, but the Estimates were left until this time. We had yet to consider every item in every department of the whole administration of the State, and there was no assurance that the Budget would be tackled in deadly earnest until the hot nights of December. It was a sort of breach of faith with the nation in neglecting the most important matter Parliament was called together for, the question of finance. We would be false to our duties if we delayed dealing with the important figures of every department of the State until such time as we would be incapable of giving them adequate consideration. If we were to get through before Christmas we could not debate the Estimates as was demanded. If we passed this motion we would have a repetition year after year of this slipshod method of conduct-

ing the business of the State, meeting sometime in August, perhaps in September, and doing dilettante work or play work until the end of November, and then being told we must get through by Christmas and must sit a little extra, and go right on and pass *holus bolus*, without consideration, everything put before us. It would be playing false to the electors treating them so lightly as that. We should meet earlier and consider the measures as they deserved to be considered, unless the Government claimed the Opposition and Parliament generally had no business to debate the measures, that they were all debated in Cabinet and that the only duty of Parliament was to hasten things through, a mere formal process, making Parliament a mere machine for entering measures at one end and passing them out at the other without debate, reflection, study, inquiry, or grasping of facts or adjuncts to enable members to come to a clear conclusion. If we allowed this motion to pass now it meant we must bid good bye to State legislation because we would be clearly reducing it to a farce, forcing everything through without debate.

Mr. Gordon: By working an extra day?

Mr. WALKER: That meant giving our endorsement to a method now becoming a habit of Governments, a method of meeting late and forcing everything through at the last minute. Could any experienced member of the House stand continuous attention to the public business three days of the week, concluding at 11 o'clock or after at night, and retain the vigour of his mentality? Any member replying honestly would say "No." The inevitable result would be, if we put on an extra day, which would mean in all probability an extra night also, three days' business cramped into the course of one day's sitting, and we could not bring our mental powers to bear on the public questions to be dealt with. Members would come to the House night after night exhausted mentally, with brains that could not follow step by step all the intricate details necessary to be grasped.

Mr. Gordon: After you do your business in the day you come here flagged to do the business for the country.

Mr. WALKER: I see the hon. member in the Terrace flagging all day long and he must come here exhausted.

Mr. Gordon: It is a lie.

Mr. WALKER: I have never seen the hon. member come here with a clear head for business.

Mr. SPEAKER: The member for Caning must withdraw that expression.

Mr. Gordon: The member for Kanowna made some remark about flagging and I said it was a lie.

Mr. SPEAKER: The hon. member must withdraw.

Mr. Gordon: I do withdraw.

Mr. WALKER: There was no desire on his part to bandy words with the hon. member; his desire was merely to respect the rules of the House and not to interrupt. These continuous sittings were exhaustive and we had an example of the result in the late Premier having to go away from the country in order to recuperate from an exhausted nervous system occasioned by sitting unduly in the Chamber. We owed it to our constituents and to the country to bring the best of our brain power to the performance of our tasks. If we were to do that we must not have this extra work placed upon us and placed upon us at that season of the year when we could least bear up under it. From the present time onwards the heat increased and it was a scientific fact that the nerve strength decreased in proportion to the heat of the temperature. That was a well known fact, and when we came to bedrock we must see to it that we had our brain nerves in the best form for doing what was purely intellectual work, if we were to do it well. There was another evil that was encouraged: we were constantly met with Supply Bills. Every few months a new Supply Bill was thrown upon the Table. We never yet, at any rate since he had been a member of the House, had the pleasure of meeting our expenditure openly and on its merits. We had always dealt with it after inroads had been made upon it by Supply Bills, and what was proposed by the Government now was an encouragement of that system. It

was an endorsement of that system, and on that score also members should object to it. The Government had the remedy in their own hands. There was still another session of this Parliament to go through if no accident overtook it, and therefore the Government should specifically state what Bills were essential for this session, and they could be dealt with in due time and with proper limits and restrictions, and in accordance with the natural strength of members, and then, in the next session members could meet early. We should then have fair time to deal with important matters and the Estimates could be presented in proper time, that was to say, as soon as the financial year was over, and then the health of members would be preserved. The affairs of the country would be attended to and the best abilities of members would be given to the services of their constituents. On these scores—and they were not merely general, they hit right down to bedrock of proper management—he would vote against the proposal, and he would do so more to give a word of caution to the Assembly. The eyes of the Commonwealth were upon State legislatures and he was not blind to a movement that was on foot and which was gathering strength day by day to wipe out these institutions. The strongest arguments that those in favour of that movement had was that we were negligent of our duties, that we were playing with our tasks, that we were unaware of the importance of the duties we were undertaking, and that we poured into party vessels the whole stream of our national life. On those grounds they were gaining popular support. We were endangering our local Government by merely playing with a great institution of which we were the custodians and trustees. Looking to the future and to a reform of the local institution he would vote against the motion.

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

Ayes	..	..	23
Noes	..	..	21

Majority for .. 2

AYES.

Mr. Brown	Mr. Layman
Mr. Butcher	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Murphy
Mr. Foulkes	Mr. Nanson
Mr. George	Mr. Osborn
Mr. Gregory	Mr. Plesse
Mr. Hardwick	Mr. F. Wilson
Mr. Harper	Mr. Gordon
Mr. Jacoby	

(Teller).

NOES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. O'Loughlen
Mr. Bolton	Mr. Price
Mr. Collier	Mr. Scaddan
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Taylor
Mr. Heitmann	Mr. Troy
Mr. Holtman	Mr. Walker
Mr. Horan	Mr. Ware
Mr. Hudson	Mr. Underwood
Mr. Johnson	

(Teller).

Question thus passed.

BILL—PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING. Report of Committee adopted.

BILL—HEALTH.

In Committee.

Resumed from the previous day; Mr. Taylor in the Chair, the Minister for Mines in charge of the Bill.

Clause 66—agreed to.

Clause 67—Building without drains:

Mr. ANGWIN: Would the Minister give an explanation of this clause?

The MINISTER FOR MINES: The clause was meant to apply to places where there were no drains constructed. If there were no drains to connect with, clearly the house could not be so connected. The local authority could be relied upon not to take drastic action where there was no necessity for it.

Mr. ANGWIN: It was not a question of whether or not the local authority would take drastic action. What he wished to discover was whether, under this clause, a house could be erected at all unless there was a drainage system in the district.

The MINISTER FOR MINES: If there was a sewer within 300 feet of any

building, connection would have to be made, but in the event of there being no such sewer the existing system of dry well drainage would be permitted to continue.

Mr. Angwin: The Central Board of Health will not allow it in the City.

The MINISTER FOR MINES: There was a dry well on his (the Minister's) place, and the same system would be continued in the future, except in such places as there were sewers to be connected with.

Mr. WALKER: The clause did not say that. It said in fact that no person would be permitted to commence to build a house unless or until a drain or drains, was or were constructed. That paragraph in the clause was a literal absurdity, and all the subsequent qualifying words did not alter it. Positively the drains must be constructed before a start could be made with the building of a house. The clause required re-drafting.

Mr. BOLTON: The local authority would have power to force people to build within the prescribed distance of 300 feet of a sewer, and would have the right to refuse to allow anybody to build beyond that distance. Surely this was too much power to give to a local authority. Under the clause, unless a person made provision for the drainage system which would come at any time in the distant future, he would not be allowed to erect a building. The Minister had declared that the local authority would not place any obstruction in the way of a building; but if the local authority did their duty they would have to offer such obstruction because, according to the clause, the local authority was bound to refuse permission to build a house unless it was within the prescribed distance of a sewer, and unless drains were constructed beforehand.

The MINISTER FOR MINES: It was necessary to insist upon the provision of proper sanitary conditions. All would agree to that. The clause would not operate unless the local authority thought it was necessary. Such power must be left with the local authority. Wherever the sewerage system was in existence the clause was required in its present form. In other places beyond the reach of the sewerage system it would

be necessary to consider the interests of the people of the neighbourhood, and to see that no nuisance was created by the permitting of unsanitary conditions to spring up.

Sitting suspended from 6.15 to 7.30 p.m.

The MINISTER FOR MINES: The working of the clause would be subject to such action as the local authority might take, but two constructions could be put upon it. He moved an amendment—

That all the words after "rebuilt" in Subclause 1 be struck out, and the following inserted in lieu:—"except with the permission of the local authority, and subject to, and in accordance with, such by-laws as the local authority may from time to time prescribe."

Amendment (to strike out the words) put and passed.

Mr. ANGWIN: The clause provided certain conditions, and the local authority would not be able to override those conditions. If the amendment were carried the local authority might prescribe conditions that did not refer to drains at all.

Mr. BOLTON: The amendment would have the effect desired. As the clause stood before striking out the words, it was not within the power of the local authority to give permission to re-build or occupy. Now the local authority could, and persons must abide by the regulations prescribed by the local authority.

The Minister for Mines: The whole of this part of the Bill dealt with sewers and drains only.

Amendment (to insert the words) put and passed, and the clause as amended agreed to.

Clause 68—Drains and sewers through private land:

Mr. BATH moved an amendment—

That in line 5 the words "and to the occupier, if any" be struck out.

The clause provided for notice being given to the owner, and to the occupier, if any, to require them to permit drains or sewers to be made through private land. He did not attach so much importance to

the inclusion of "occupier" in this clause as in some of the clauses that followed, but he wished to be consistent. Where compensation was to be paid, it should go to the person who incurred the liability, and not to the occupier.

The MINISTER FOR MINES: This was merely dealing with the right to allow drains or sewers to go through private land, and provided for the local authority serving the notice on the owner or occupier.

Mr. Walker: Both, where there was an occupier.

The MINISTER FOR MINES: It might be difficult to find the occupier at the time the drains were required to be constructed, and, within a month from the service of the notice, the local authority could make the drains through the property. Notice might be served on either the owner or the occupier.

Mr. WALKER: The clause provided that notice should be served on the owner, and also the occupier; it did not say "or."

The MINISTER FOR MINES: The object was that the tenant might be inconvenienced somewhat, and it might be necessary to serve him with a notice. Provision was made in the second paragraph to enable compensation to be paid the occupier in case of damage being done to his garden.

Mr. BOLTON: It would be a hardship if notice was not served on the occupier. The owner could arrange for sewers to run through his land, and take no notice of the occupier to whom great inconvenience might be caused.

Mr. BATH asked leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. GORDON moved a further amendment—

That the following be added to Subclause 2:—"and may by like notice enter into the premises to maintain such sewer or drain."

Mr. BOLTON: The idea in the hon. member's mind might be the same as that in the minds of other members, but did not the hon. member intend to give any explanation?

Mr. GORDON: As the hon. member did not combat the amendment why ask for an explanation? The clause as it stood did not give the local authority power to maintain a drain running through private property.

Mr. WALKER: The intention of the hon. member was good, but why make the process so cumbersome? After a month's notice the local authority could construct a drain, yet power was given to enter the same premises and repair the drain perhaps five years after. The next sub-clause, which provided that such sewers should be made and maintained so as not to be a nuisance or injurious to health, should cover what the hon. member had in view. The authority to maintain a drain implied the permission to enter premises to do so.

Mr. UNDERWOOD: The amendment would make it appear that if a drain became choked a month's notice would have to be given before the local authority could repair it.

The MINISTER FOR MINES: The clause did not give power to maintain a drain running through private land where the maintenance was controlled by the local authority.

Mr. Angwin: Those drains are vested in the local authority under Clause 58.

Mr. Foulkes: There is no power in the Bill to maintain a drain.

The MINISTER FOR MINES: We might add the words to the subclause "and may at any time enter such private land to maintain such sewer or drain." Repairs to drains should be effected at once. It would be impossible to give a month's notice. Even though Clauses 59 and 60 might cover the point, still it would be advisable to make this clause perfectly clear, and if the member for Canning would withdraw the amendment he (the Minister) would move the addition of the words indicated.

Amendment by leave withdrawn.

The MINISTER FOR MINES moved a further amendment—

That the following be added to Sub-clause 2:—"And may at any time enter any such private land to maintain such sewer or drain."

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

Clauses 69 and 70—agreed to.

Clause 71—Dwelling-houses on low-lying land:

Mr. MURPHY: The clause provided that the local authority could make by-laws to prohibit the erection of dwelling-houses on low-lying land. The feeling of the Committee might be tested as to whether the necessity should be entailed upon the local authority to make by-laws before taking action. In his opinion, the local authorities, without any need to frame by-laws on the subject, should have the power proposed to be conferred upon them through making by-laws, but the clause did not give the power to do anything without making by-laws on the subject. We might well confer upon the local authority the power to do all that the clause required. In order to test the feeling of the Committee he moved an amendment—

That in lines 6 and 7 the words "and subject to and in accordance with such by-laws as the local authority may from time to time prescribe" be struck out.

Mr. WALKER: The hon. member was proposing something which would be rather dangerous. As the clause stood the local authority was given power to have buildings of a uniform standard. If the words proposed to be struck out were struck out, there would be no guide and the matter would be left to the local authority for the time being. It would be left to their judgment and discretion and their whim of the moment.

Mr. MURPHY: Any by-law which might be made to govern the transactions of the local authority under this clause would be made by the local authorities for the time being. The local authorities for the time being would be the best judges of the circumstances as they would arise, at any rate that was his experience. The conditions of to-day were not the conditions of to-morrow, and no municipality could frame by-laws to-day that would meet the position twelve months hence.

Mr. BATH: Although it would be admitted that by-laws could be altered ac-

cording to the circumstances and the judgment of the local authorities, there was a certain set procedure under which these by-laws were amended which gave to those who came under a particular local authority an opportunity of knowing exactly what was done. If the prohibition could take effect without as it were the written rule which gave people the opportunity of knowing that there was some recognised plan of campaign or organisation in the affairs of the local authority, then it would mean that no one would know precisely where he stood. It was desirable that we should have, as it were a written law, even though we knew from time to time the local authorities would have the right to alter that written law as it might to them seem desirable.

Mr. MURPHY: Under the clause two adjoining local authorities could frame quite different by-laws. In one we might have local authorities framing by-laws which would restrict the erection of any building on land that would not lend itself to the best interests of public health and the adjoining local authority there might have totally different by-laws. The local authorities were the best judges as to whether an application should be entertained or not. We would be restricting the local authorities in their administration of public health by compelling them to frame particular by-laws for a particular locality.

Mr. WALKER: The hon. member had placed before the Committee an argument that he wanted these words removed so that there might be uniformity. What would one think if there was a local authority which every time a fresh application was made varied their opinion. The hon. member's plan would give to the local authority the right to grant John Smith one privilege and to Bill Jones next week another.

Mr. Murphy: Would they do it?

Mr. WALKER: They would if human nature was what we generally found it; it varied very much according to the change of circumstances.

The MINISTER FOR MINES: The hon. member for Fremantle asked for stability. It would only be possible to have stability by framing these by-laws

and there could only be uniformity with the by-laws.

Mr. MURPHY: It was only with the desire of getting an expression of opinion from the Committee that he moved the amendment to delete the words. After the remarks of the member for Kanowna, he could not but admit that the clause would be ever so much better if the words were left in. With the permission of the Committee he would withdraw the amendment.

Amendment by leave withdrawn.

Clause put and passed.

Clause 72—Filling up low-lying land:

Mr. BATH moved an amendment—

That in line 4 the words "or occupier, or both of such persons" be struck out. There could be no possible justification for the inclusion of "occupier" in this clause or for making him liable under the penal clause which was embodied in Sub-clause 2.

The MINISTER FOR MINES accepted the amendment.

Amendment put and passed.

Mr. GORDON moved a further amendment—

That after the word "land" in line 5 the words "or so much of it as may be necessary in such manner as it may direct" be inserted.

While the clause gave power to fill in a block it gave no consideration to possible half measures. The block had to be filled in wholly or not at all. In his opinion the local authority should have power to order the partial filling in of a block.

The MINISTER FOR MINES: The amendment was unnecessary; the clause provided for the filling in of so much of a block as was desirable.

Mr. GORDON: In moving the amendment he had in view a certain block, a part of which, but only a part, badly required filling up. Under the clause the local authority could only direct the filling up of the whole of it.

Mr. WALKER: The clause left the extent of the land to be filled up to the discretion of the local authority. In the first place it would have to be considered necessary by the local authority that the low-lying land should be filled in. Then the local authority would decide as to the

area of land that required filling in. In what way, then, did the amendment improve the clause?

Mr. GORDON: Under the clause the local authority would have to direct the filling in of the whole of the land. However, if the Committee were satisfied that the amendment was unnecessary he would withdraw it.

The MINISTER FOR MINES: The concluding words of the clause, "so that the same may be so drained," clearly showed that the amendment was unnecessary.

Amendment by leave withdrawn.

Clause as previously amended put and passed.

Clause 73—Stagnant water holes:

Mr. ANGWIN moved an amendment—

That in line 1 the words "and if required by the central board shall" be struck out.

The operation of the clause could be safely left to the local authority.

The MINISTER FOR MINES: The amendment could not be accepted, inasmuch as the words proposed to be struck out were of the utmost importance. Surely if the local authority should neglect to fill up holes detrimental to the public health, power should be vested in the Minister or the commissioner to compel the local authority to carry out the work.

Mr. ANGWIN: Did the Minister seriously think there was any danger of local authorities throughout the State neglecting to maintain healthy conditions? In any case there were already sufficient powers for the Minister to enforce in the case of any possible neglect. At the same time the Minister had not shown the Committee where any local authority had been guilty of neglect. However, seeing that the Minister, and probably the majority of the Committee had so little consideration for the local authorities he would withdraw the amendment.

Amendment by leave withdrawn.

Mr. BATH: It was his intention to move an amendment to strike out in line

6 the words "or occupier." Before doing so he desired to point out that the clause might be worded in a different way and yet attain the object desired by the Minister, while placing the liability on the right shoulders. Admittedly there were circumstances under which it would be perfectly proper to expect the occupier, if he were responsible for creating the nuisance, to remedy it; but in the general application of this principle as found in the clause we would be striking the guilty and the innocent alike. At first he had thought that if all the words after "nuisance" were struck out the fact that the clause placed the liability on the person causing the nuisance would be sufficient; but, as a matter of fact, an owner or occupier might be responsible for creating the nuisance and then leave the premises, in which case this provision would give the local authority power to come on the subsequent occupier, who was in no way responsible. Under the clause it would be possible for the local authority to compel an occupier to do certain work at his own expense, placing him under the liability to pay a daily penalty if he did not carry out the desire of the local authority, and put him to the expense of recovering his outlay. The Committee should not compel an occupier who was innocent to go to that trouble and involve himself in expenses which, under the provision in Clause 299, he could not wholly recover in order to remedy a nuisance for which he was responsible. If it proved that the occupier was responsible, he should be made liable, but we were making the occupier liable to carry out a work whether really responsible for the work or not. He moved an amendment—

That in line 7 the words "or occupier" be struck out.

The MINISTER FOR MINES: It would not be fair to omit the words in this clause which dealt with the general upkeep of premises. Occasion might arise when the responsibility should fall on the occupier, and if so he must be made responsible for his action. We must be just to the owner, as well as to the occupier. Provision was made in Clause 299 that if it was proved that the work should

be done by the owner, the occupier could obtain compensation for having carried out the work.

Mr. WALKER: If the occupier caused the nuisance, he should not escape; the notice must be served upon him. There were alternatives. The notice could be served on the overseer, or the owner, The purpose was completely met when the notice was served on the person causing the nuisance.

Mr. ANGWIN: The carrying out of the clause went beyond the local authority and rested with the commissioner. In places there were dry wells and sewers constructed, and the central authority might issue an order that all dry wells should be filled in. The central authority could call on occupiers to go to the expense of filling in the dry wells, because they had become nuisances, and the occupiers were compelled to do this work although the nuisance had not been caused by them; but the owner was responsible through having constructed the dry wells in the first instance. In the case of a pool for ducks, and which contained stagnant water which became a nuisance, the occupier would be responsible.

Mr. BATH: Clause 299 must be read in conjunction with this clause. It was a provision which purported to give the owner or occupier, as the case might be, the opportunity of recovering from the other. He could not wish his enemy any worse means of relief than that provided under the clause, because if the case was won there would still be a loss over the transaction. Where the occupier was unjustly liable, he was compelled to submit to the procedure in a court of law to recover the expense. It was only because it was an easy way for the local authority, or the Public Health Department, to get over the difficulty that this provision was inserted. We should not commit an injustice; we must fix the liability on the right person by providing that the notice must be served on the person causing the nuisance. If the occupier was responsible, the notice could be served on him. otherwise he should not be included among those who could be served with the notice and be compelled to carry out the work.

Mr. BOLTON: Having agreed to strike out "occupier" in the previous clause, one could not understand the attitude of the Minister in respect to this amendment. In regard to filling in low-lying land the Minister had agreed to strike out "occupier," and a stagnant waterhole was also low-lying land. But the tenant was easy to get at, and therefore the department wished to take the line of least resistance. Provision was made in many Acts that an agent could be held responsible if the owner could not be found. If the overseer or the owner was not responsible, then the local authority could serve the notice on the occupier. More especially should the words be deleted as the Minister had raised no objection to their deletion in the previous clause. It was equally important to strike them out from this clause.

The MINISTER FOR MINES: The words should not be deleted from this clause. Parliament should not judge as to who was the responsible party. In a case of this sort the responsibility might equally be placed on the owner or on the occupier, whereas the previous clause dealt with a matter for which the owner solely would be responsible. We should allow the court to judge the matter, at the same time giving ample power to the occupier to recover from the owner if the fault did not lie with the occupier, and also giving power to the owner to recover from the occupier if the fault happened to lie with the occupier.

Mr. WALKER: The clause made it imperative to serve the notice upon the person causing the nuisance, and there was no need to go further. Evidently the object of the additional words was to have some person the local authority could get at easily to carry the liability. We could understand savages having laws of that sort.

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

Ayes	..	..	..	18
Noes	..	..	..	21
				—
Majority against	..	..	..	3

AYES.

Mr. Angwin
Mr. Bath
Mr. Bolton
Mr. Collier
Mr. Gill
Mr. Gourley
Mr. Holman
Mr. Hudson
Mr. Johnson
Mr. McDowall

Mr. Murphy
Mr. O'Loughlin
Mr. Swan
Mr. Troy
Mr. Walker
Mr. Ware
Mr. A. A. Wilson
Mr. Underwood
(Teller).

NOES.

Mr. Brown
Mr. Butcher
Mr. Carson
Mr. Cowcher
Mr. Davies
Mr. Draper
Mr. Foulkes
Mr. George
Mr. Gregory
Mr. Hardwick

Mr. Layman
Mr. Male
Mr. Mitchell
Mr. Monger
Mr. S. F. Moore
Mr. Nanson
Mr. Plesse
Mr. F. Wilson
Mr. Gordon
(Teller).

NOES.

Mr. Brown
Mr. Butcher
Mr. Carson
Mr. Cowcher
Mr. Davies
Mr. Draper
Mr. Foulkes
Mr. George
Mr. Gordon
Mr. Gregory
Mr. Hardwick

Mr. Jacoby
Mr. Male
Mr. Mitchell
Mr. Monger
Mr. S. F. Moore
Mr. Nanson
Mr. Osborn
Mr. Plesse
Mr. F. Wilson
Mr. Layman
(Teller).

Amendment thus negatived.

Clause (consequently amended) put and passed.

Clause 74—Stagnant water in cellars, etcetera:

Mr. WALKER: There was a different meaning attached to the words "or occupier" in this clause. He moved—

That in line 13 of Subclause 2 the words "or occupier" be struck out.

The MINISTER FOR MINES: This was similar to the last clause. It might be the fault of the owner or the occupier that stagnant water was allowed to remain in cellars.

Mr. WALKER: The work to be carried out would improve the landlord's property, and the expenditure should always be chargeable on the owner.

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

Ayes	20
Noes	19

Majority for	..	1
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AYES.

Mr. Angwin
Mr. Bath
Mr. Bolton
Mr. Collier
Mr. Gill
Mr. Gourley
Mr. Holman
Mr. Hudson
Mr. Jacoby
Mr. Johnson
Mr. Keenan

Mr. McDowall
Mr. O'Loughlin
Mr. Osborn
Mr. Swan
Mr. Troy
Mr. Walker
Mr. Ware
Mr. A. A. Wilson
Mr. Underwood
(Teller).

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

Clause 75—Cellars, asphaltting, etcetera:

Mr. WALKER moved an amendment—

That in line 1 the words "or occupier" be struck out.

The MINISTER FOR MINES: In this case the words might be permitted to remain. There was a provision in the clause that in case the occupier had paved or asphalted a cellar or constructed a well he might, subject to any agreement previously made between him and the owner, recover the moneys expended by him or deduct them from any rent payable by him to the owner. Members would therefore see that the clause gave full power to recover.

Mr. WALKER: The amendment was more serious in this case than in the preceding one. All the trouble was put upon the occupier and that was not fair. It was the landlord's property and it was for the landlord's welfare as well as for the welfare of the community that the whole thing was to be done. Why should we victimise the occupier and put him to the trouble of supervising and seeing to these things and losing time which he could not get back? There was no justice in that.

Mr. OSBORN: There would not be any harm in the Minister accepting the amendment in this case. For the fault in connection with cellars or wells the occupier would not be responsible. The local authorities had power to carry out any work that was of a permanent nature and to recover from the owner. Where they could do that and where it was clearly no fault of the occupier, the Minister might accept the amendment and exclude the occupier from liability, just

as had been done in the Water and Sewerage Act passed last session.

THE MINISTER FOR MINES: The occupier would not be asked to do anything in the nature of making a permanent improvement, and there was sufficient provision in the clause to enable the occupier to recover from the owner.

Mr. Walker: Look at the limitations you put upon him. "Recovery according to agreement" it says. If he has no agreement, what then?

THE MINISTER FOR MINES: There would be no objection to these words being struck out. If members turned to the interpretation they would see that "occupier" was very broad. It included a person having charge, management, or control of premises, and in the case of a house which was let out in separate tenements, or in the case of a lodging-house which was let to lodgers the occupier was the person receiving the rent payable by the tenants or lodgers either on his own account or as the agent of another person.

Mr. Angwin: The Minister was not altogether fair because he insinuated that a person who received rent from a lodger or a tenant was an owner. The whole thing was a matter of a permanent improvement being effected to the property and when that kind of thing took place the occupier should not be called upon to pay for it. In a number of instances the occupier could not afford to pay, and when he had agents to deal with he would find it difficult in keeping back the rent, unless he had the property on lease.

Mr. Jacoby: When the Sewerage Bill was going through he suggested that the simplest way out of the difficulty would be to impound the rent and that might be done in the present instance. He strongly objected to utilising the occupier as a sort of rent collecting machine for the convenience of the department. The suggestion that power should be taken to impound the rent would be the simplest way out of the difficulty.

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

Clause 76—Brick making and other excavations to be fenced in, etcetera:

Mr. WALKER moved an amendment—

That in line 2 the words "or occupier" be struck out.

Amendment passed.

Mr. WALKER: Would it be necessary to repeat the amendment in respect to the words "or occupier" in line 5?

The CHAIRMAN: No; in this case the words would be consequentially struck out.

Mr. WALKER: And in respect to the same words in line 7?

THE MINISTER FOR MINES: In this case the words should be retained, because the class of directions to be given to the owner or occupier was here changed. He moved an amendment—

That after "or," in line 7, the word "the" be inserted.

Amendment passed; the clause as amended (also consequentially) agreed to.

Clauses 77 to 80—agreed to.

Clause 81—As to local authority making communications with or altering, etcetera, drains and sewers:

Mr. Angwin: The clause provided that the local authority must, if so requested by the owner or occupier, do the work required, and that the cost of making such communication should be estimated by an officer of the local authority; but that if the owner or occupier was dissatisfied with such estimate he would not be at liberty to go to a contractor for a check estimate, but must apply to two justices of the peace to settle the amount to be paid by him. This meant that the official estimate would be placed before two justices who did not understand the work, and the owner would be put to the expense of bringing expert evidence to show that the official estimate was too high. Provision should be made for the dissatisfied owner to get the work carried out at the lower price by a contractor under the supervision of the local authority. Again, under the clause an occupier might incur expense in connection with the property without first consulting the owner, and the owner would

be responsible for the payment for the work done. The clause was badly drawn.

The MINISTER FOR MINES: For his part he was not satisfied with paragraph 2 of the clause. If the Committee would pass the clause he would have a new paragraph drafted and would subsequently recommit the clause.

Clause put and passed.

Clauses 82 to 87—agreed to.

Clause 88—Sanitary conveniences for manufactories, etcetera:

Mr. BATH moved an amendment—

That in line 3 of Subclause 2 the words "or occupier" be struck out.

This was a provision under which the occupier could be made to fulfil the obligation of the owner in adding ordinary conveniences which ought to be provided in every such establishment. It was another example of the obligation being placed upon the occupier instead of the owner.

Amendment passed; the clause as amended agreed to.

Clauses 89, 90—agreed to.

Clause 91—Public necessities:

Mr. COLLIER moved an amendment—

That after "may" in line 1 the words "and when required by the Commissioner shall" be inserted.

Many local boards neglected to provide those necessary public conveniences, and the commissioner should have the power to insist upon their provision.

Mr. ANGWIN: Unless the hon. member could point out where local boards refused to provide these conveniences, there was no need for inserting the words proposed. Of course if the local boards had refused to provide them, pressure should be put upon them; but the local boards were elected, and we could trust the electors to see to this matter. No doubt these conveniences had not been provided in the past as they should be, but with an increase of population it would be compulsory for them to be provided, and no doubt when the necessity arose the people would see that they were provided.

The MINISTER FOR MINES: This compulsion should not be inserted. The impression was the Committee had already taken away too much responsibility from the local authorities, who certainly

might well be trusted to deal with a matter like this.

Mr. COLLIER: This was one matter on which the local authorities should not be trusted. If these words were at all necessary in the Bill they were needed in this clause. Numbers of cases could be pointed out where the local authorities had neglected to provide these public conveniences, and neglect was equal to refusal. It was shameful the way they were neglected in Perth and in large towns throughout the State. The people in Perth had no say in the matter because a majority of the people had no voice in the election of members who comprised the local boards of health. A limited number of property owners elected the boards.

Mr. Angwin: And occupiers.

Mr. COLLIER: Those who elected the boards were certainly not a majority of the citizens.

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

Ayes 15

Noes 21

Majority against.. 6

AYES.

Mr. Bath	Mr. McDowall
Mr. Collier	Mr. O'Loughlen
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Troy
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. A. A. Wilson
Mr. Jacoby	Mr. Underwood
Mr. Johnson	(Teller).

NOES.

Mr. Angwin	Mr. Mitchell
Mr. Bolton	Mr. Monger
Mr. Brown	Mr. S. F. Moore
Mr. Butcher	Mr. Murphy
Mr. Carson	Mr. Nanson
Mr. Draper	Mr. Osborn
Mr. George	Mr. Plesse
Mr. Gordon	Mr. Walker
Mr. Gregory	Mr. F. Wilson
Mr. Hardwick	Mr. Layman
Mr. Male	(Teller).

Amendment thus negatived.

Clause put and passed.

Clause 92—Power to make pan charges:

The MINISTER FOR MINES moved an amendment—

That after "in lieu of" in line 1 the words "or in addition to" be inserted.

The clause would then read "The local authority may, in lieu of, or in addition to, a sanitary rate," charge a pan rate. When dealing with Clause 46 (Sanitary Rate) it was pointed out that the ordinary rate might not be sufficient, and a promise was given that power would be given to make pan charges in addition to levying a sanitary rate.

Mr. BATH: Further explanation was needed. One could understand the local authority having power to exercise discretion as to levying a sanitary rate or a pan charge, but there could be no justification for allowing the local authority to make a dual charge. We should not allow the local authority to pile up taxation.

The MINISTER FOR MINES: It was found in the working of health boards that it was necessary in some instances to raise more money that was derived from the sanitary rate alone. The power given in Clause 45 to levy a general rate was to raise money for general purposes. The sanitary rate provided in Clause 46 was for the purpose of cleansing the streets as well as for removing nightsoil; and as it was quite probable the revenue derived from the sanitary rate in some localities would not be sufficient to cover the expense of removing nightsoil and street scavenging it was thought advisable to give the local authority this additional power of making a pan charge to cover the expenditure.

Amendment put and passed.

Mr. ANGWIN moved a further amendment—

That in line 2 after the word "the" the words "removal and" be inserted.

Amendment passed.

Mr. McDOWALL moved a further amendment—

That in line 3 after "charge" the words "per pan or other receptacle" be inserted.

Amendment passed.

The MINISTER FOR MINES moved a further amendment—

That in line 6 after "nightsoil" the word "urine" be inserted, also that the word "other" before "refuse" be struck out.

Amendment passed.

Mr. McDOWALL moved a further amendment—

That the following be added to stand as Subclause 4:—On notice being given in writing to the local authority that it is the intention of the occupier to discontinue the use of any pan or pans or other receptacle the local authority shall cease to charge for such pan or pans or other receptacle so long as they continue out of use, but until such notice is given, a charge is to be made whether the receptacles are used or not.

The Minister for Mines: That will be a matter for regulation.

Mr. McDOWALL: The conference which met in 1909 decided upon this resolution. It would make it absolutely clear that every occupier on leaving a house would have to give notice, when there would be no further charge made. People who neglected these matters, either owners or occupiers, were charged the whole period. That was unfair, and the insertion of the subclause would make the position perfectly clear.

The MINISTER FOR WORKS: It was to be hoped that the Committee would not load the Bill with proposals such as the one under review. In some cases these charges were made by boards for a period. If the proposal were adopted it would be impossible for the boards to know what revenue they would be likely to receive. These charges were paid in advance, and if the amendment were carried all sorts of book-keeping difficulties would be created. If, as the hon. member stated, there was a strong consensus of opinion at the municipal conference in favour of the amendment it would be possible for each local board to apply it to its own district, but if the resolution was carried by the conference then that conference did not give that amount of attention to this matter that was necessary before an intelligent expression of opinion could come from it.

Mr. ANGWIN: The local authorities did not run this kind of business for the purpose of making a profit, and if the subclause were adopted the result would be that they would have to increase the

charges to persons who were continually making use of the receptacles. One would not think of exempting a man in business such as a grocer or draper from paying rates because his business showed a loss; therefore, we should not exempt any man who built a house and failed to have it occupied throughout the year. The local authorities always had a full staff to maintain and could not reduce their expenses. It would certainly mean, if the subclause were agreed to that others would have to pay increased costs.

Mr. McDOWALL: The question of revenue scarcely came into the matter. The system prevailed at the present time in Coolgardie and Kalgoorlie, so that there was nothing new about it.

Amendment put and negatived.

Clause as previously amended put and passed.

Clause 93—Sanitary charge in respect to non-rateable property:

The MINISTER FOR WORKS moved an amendment—

That in line 4 after "may" the words "with the approval of the Minister" be inserted.

The amendment would give the Minister power to determine the amount of charge for these public premises. There had been some degree of complaint in certain districts in regard to the amount paid for work on school premises. That had arisen owing to the practice of treating the school premises as if they were rateable property under the Municipal Act. If they were so treated the charge for sanitary work would be unduly low. In order to prevent the practice being retained he proposed later on to move for the deletion of the proviso at the end of the clause. He thought any complaint hon. members may have had would be removed by the deletion of that proviso. It would then be necessary for the charge to be made on some basis other than that of rateable value, and he did not think there would be any difficulty in arriving at an arrangement between the Minister on the one hand and the local authority on the other for the purpose of making an annual rate. It would not be wise for the Committee to tie the hands of either the Mini-

ster or the local authority in making such an arrangement. The agreement in one district might be made on a basis different from that obtaining in another.

Mr. ANGWIN: The amendment was worthy of support, and with the proposed deletion of the proviso it would enable the local authority to make satisfactory arrangements with the Minister, thus removing the existing difficulty.

Amendment put and passed.

Mr. McDOWALL moved a further amendment—

That after "charge" in line 4 the words "per pan or other receptacle" be inserted.

The MINISTER FOR WORKS: There was no necessity for the amendment, for the arrangement could be made for an annual charge and not necessarily per pan at all. Surely no advantage would be gained by thus limiting the nature of the agreement.

Mr. McDOWALL: If the Committee thought the amendment was unnecessary he would withdraw it.

Amendment by leave withdrawn.

Mr. BOLTON moved a further amendment—

That after "removal" in line 5 the words "and disposal" be inserted.

The paragraph provided for "the removal and disposal of," and apparently in this instance the words had been inadvertently omitted.

Mr. ANGWIN: It was to be remembered that the clause dealt generally with non-rateable property and not merely with public buildings.

The MINISTER FOR WORKS: The clause related solely to public buildings that were not rateable.

Mr. SCADDAN: What about charitable institutions, church lands, etcetera?

The MINISTER FOR WORKS: In regard to church lands and public schools and other institutions the clause gave the Minister in agreement with the local authority power to fix the payment. There would not be the slightest difficulty with regard to carrying out the administration of the clause.

Mr. McDOWALL: The Minister for Works was inexact in saying the clause referred only to public buildings. There were other buildings exempted from liability besides public buildings. There were, for instance, churches.

The Minister for Works: Are they private buildings?

Mr. McDOWALL: They could scarcely be called public buildings in the sense intended in the clause. Would the premises of a minister of religion be deemed public property?

Amendment put and passed.

The MINISTER FOR WORKS moved a further amendment—

That the proviso be struck out.

Amendment passed; the clause as amended agreed to.

Clause 94—agreed to.

Clause 95—Examination of drains, etcetera:

Mr. ANGWIN: Why had this not been inserted in the division dealing with drains and sewers? All legislation dealing with drains should have been placed in that division. To have it scattered about all over the Bill was to lead the local authorities astray.

The MINISTER FOR WORKS: Local authorities should take enough interest in the Bill to go right through it and know, without relying on the headlines, where particular clauses were to be found. They would not be likely to overlook this clause because it was under the heading of "sanitary conveniences."

Clause put and passed.

Clause 96—agreed to.

Clause 97—New cesspools for night-soil forbidden:

Mr. MURPHY moved an amendment—

That after "nightsoil," in line 2, the words "or noxious or offensive matter" be inserted.

People should not be permitted to deposit nightsoil or noxious or offensive matter in cesspools without the consent of the local authority. The amendment brought the clause into line with the definition of 'cesspool.'

Mr. BATH: There would be difficulty in regard to this clause in set-

tered populations. Particularly in farming and mining districts, where the use of cesspools was the only means for depositing nightsoil, would it be absurd to require the written permission of the local authority. No doubt in populated centres the provision might be very essential.

Mr. MURPHY: Some sort of prohibition was necessary in settled districts. These cesspools were a menace to public health.

The MINISTER FOR WORKS: The present law did not go far enough, the prohibition extending only to municipalities. There were plenty of places in road districts to which this provision should apply, but the trouble was to draw the line and define in the clause the area over which it should operate. No particular hardship would follow. People were not likely to change about very many times, and having to obtain the written permission of the local authority would probably not inconvenience a man more than once or twice in his lifetime. At any rate it was better to have this in order to preserve the health of great bodies of the people in settled parts of the State. It would be dangerous to interfere with the clause. The amendment suggested by the member for Fremantle did not appear to be very essential.

Mr. UNDERWOOD: It was absolutely impossible in some parts of the State to get the consent of the local authority; and as these cesspools were the only means of depositing nightsoil in farming districts, some attempt should be made to alter the clause.

The MINISTER FOR WORKS: There was no need to have the words "in writing." Their omission would mean that in the absence of any objection on the part of the local authority it would be assumed consent was given.

Mr. ANGWIN: The clause was unnecessary, because Clause 96 provided that the local authority could order a cesspool to be filled up.

Mr. SWAN: In trying to meet the convenience of the outside centres we should not give a free hand to people in settled districts to have these cesspools.

Amendment put and negatived.

Mr. BATH: It was his intention to have the clause read that no cesspools should be constructed within the limits of any portion of a district prescribed by the local authority. He moved a further amendment—

That the words "portion of a" be inserted before "district" in line 3.

Amendment passed.

Mr. BATH moved a further amendment—

That the words "prescribed by the local authority" be inserted after "district" in line 3.

In districts prescribed by the local authorities as undesirable in which to dig cesspools, these would not be permitted to be dug without the consent in writing of the local authority. Outside those districts there would not be any need to obtain that consent.

The MINISTER FOR WORKS: It would be better to strike out the words "without the consent in writing of" and insert "prescribed by the local authority." That would meet the intention of the hon. member, as well as improve the clause.

Mr. BATH: With the permission of the Committee, he would withdraw his amendment in favour of that suggested by the Minister.

Amendment by leave withdrawn.

The MINISTER FOR WORKS moved a further amendment—

That in line 4 the words "without the consent in writing of" be struck out, and "prescribed by" inserted in lieu.

Mr. MURPHY: Why did the Minister desire to take away the consent of the local authority? Surely there were circumstances in which this permission might be granted.

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

Clause 98—agreed to.

Clause 99—Local authority to provide for removal of refuse and cleansing works:

Mr. ANGWIN: After the last division he could claim support with regard to putting powers in the hands of the local

authorities, and it was his intention to move an amendment—

That in line 1 the words "and when the commissioner so requires shall" be struck out.

The MINISTER FOR WORKS: The hon. member should give some reason for moving his amendment beyond a vague reference to a previous division. These words would not in any way detract from any local board doing its duty, but they would not give the Commissioner any power to interfere with a board which was doing its duty.

Mr. Angwin: These words are obnoxious to local authorities.

The MINISTER FOR WORKS: Not to any local authority anxious to do their duty. If a local body were negligent, there should be this power to step in and say, "You shall do your duty," and if they failed to do their duty there should be the power to punish. Hon. members who looked into this would realise there was a possibility of default, and that this power was necessary to bring the defaulting board within the punitive clauses of the Bill.

Mr. Angwin: The Minister has power to supersede the board.

The MINISTER FOR WORKS: Would it not be far better to make the board do what it ought to do and only supersede it as a last resource? It was desirable that the Commissioner should have the power given in the clause. Certainly that power would not in any way injuriously affect those boards that were doing their duty.

Amendment put and negatived.

Mr. GILL: Some information should be afforded in regard to paragraph (e) dealing with the cleaning and watering of streets. Presumably it would be necessary for the local authority to clean and water the streets and pay for the work out of the health rate. If so, the provision was objectionable, because the health rate was scarcely sufficient to maintain the ordinary services, without loading it with the cleaning and watering of streets.

The MINISTER FOR WORKS: Under Clause 46 power was given to local

bodies to strike a rate for the proper performance of all or any service mentioned in Clause 99. Further than that, Clause 92, as amended, made provision for striking a rate that would pay for this and other work done under Clause 99. While there might be some doubt as to the sufficiency in all cases of the rating power, at all events it was well worth a trial. The local authorities also had the further power under the Municipal Act and the Roads Board Act to raise money to be spent in scavenging and watering the streets. No difficulty was likely to arise in giving the power to raise money under those two Acts. He had not seen any case, even in the City itself, where an undue amount of expenditure had been lavished in this respect.

Mr. GILL: So long as it was clear that the health rate would not be called upon to bear this burden he would raise no objection to the passing of the clause.

Mr. MURPHY: Were not all the services mentioned in the clause peculiar to the health of a town, and did they not strictly pertain to a local health authority? There was no power under the Municipal Act to apply municipal moneys to health purposes; the two functions were quite distinct and the rates raised by a municipality could not be applied to health purposes. It was necessary to raise sufficient under the health rate to pay for the conservation of the health of a town.

The Minister for Works: Under the Municipal Act it is permissible to spend money on the cleaning and watering of streets.

Mr. SWAN: It was quite certain that if the local bodies were expected to pay for these services out of the health rate they would not be able to do it, because the health rate was already overloaded. He failed to see any necessity for including the services under health, seeing that they could be carried out from the general municipal rate.

The MINISTER FOR WORKS: The clause had nothing in it imposing an obligation to pay for this or any other service out of the health or sanitary rates; it merely gave the local authority power to enter into certain obligations and to

charge the cost up against one of the rates made under the Bill, and it did not impose any limitation on the authority given under the Bill in regard to the means by which the money should be found for the purpose. The clause was merely to give the health authorities some control over the cleaning and watering of streets.

Clause—(consequently amended)—put and passed.

Clauses 100, 101—agreed to.

Clauses 102 and 103—(consequently amended)—agreed to.

Clause 104—agreed to.

Clause 105—Obtaining destructors, et cetera:

Mr. ANGWIN moved an amendment—

That in line 2 of Subclause 1 the words "and if so required by the commissioner shall" be struck out.

The clause gave power to compel local authorities to combine to provide machinery for destroying nightsoil and other refuse matter, but this was entirely a matter that could be left in the hands of the local authorities. They would amalgamate to do the work. Subclause 2 gave the commissioner further power to order the proportion which each local authority should pay.

Mr. Seaddan: The commissioner should have power to fix the site.

The MINISTER FOR WORKS: There might be force in the argument of the hon. member had not this provision been in existence for the past twelve years. No case was cited where the central board had interfered, and it was not likely the commissioner would interfere unless there was good ground for interference. It would be a power used as the last resort in case local authorities failed to take action. If several local authorities had contiguous sanitary sites, and if one or two agreed to amalgamate to purchase machinery, power should be given to insist on the minority joining in and paying their share. The hon. member had made out no case for a change of the existing law.

Mr. ANGWIN: Because there was a bad law in existence it was no reason why it should remain. Not long ago a Bill had to be passed to break up an amalgamation of several health boards. The local auth-

orities should be allowed to arrange these matters themselves without interference from the commissioner.

Mr. BATH: We hoped to have as the head of the Health Department a gentleman, not only able to supervise the work of local authorities and give friendly advice, but one also absolutely in touch with modern developments in health matters and able to give advice that would be valuable to local authorities, particularly in regard to the question of treating night-soil. Local authorities were not so all-wise that there would not be occasions when the advice and even the order of the commissioner would be of advantage. If the Bill was to be of good effect we must vest the final power of appeal in the hands of the commissioner. By accepting the provision for the appointment of the commissioner, the member for East Fremantle recognised the need for central control, so that one could not understand the objection to the words the hon. member proposed to strike out, compelling certain action if there was failure on the part of the local bodies.

Amendment put and negatived.

Clause — (consequentially amended) — put and passed.

Clauses 106 to 110 — (consequentially amended) — agreed to.

Clause 111 — agreed to.

Clause 112.—Power to require private streets, ways, etcetera, to be paved:

Mr. BATH: The marginal note was very misleading. The clause also referred to public street or way, and that appeared to apply to right-of-way. Surely it was not a fair thing to give power under this clause to requisition owners or occupiers along a right-of-way to bear the expense of paving it.

The MINISTER FOR WORKS: The clause was merely an enabling clause and did not impose any obligation on the part of the local body. The practice prevailed in the other States, and owners were required to bear a portion of the cost of paving rights-of-way in city and urban districts generally. There was no doubt that ultimately when it became necessary to pave rights-of-way it would fall upon owners to assist in the provision of the

cost. There was no fear of the clause being unduly or harshly enforced by local bodies.

Clause put and passed.

Clauses 113 to 115 — agreed to.

Clause 116—Pollution of water supply:

Mr. GILL moved an amendment—

That in line 10 after the word "tank" the word "lake" be inserted.

The clause provided against the pollution of a river, stream, water-course, well, tank, etcetera, and it was desired that "lake" should be included.

The Minister for Works: I have no objection to the amendment.

Amendment passed.

The MINISTER FOR WORKS moved a further amendment—

That at the end of the clause the following words be added:—"containing water intended for human consumption."

Amendment passed; the clause as amended agreed to.

Clause 117 — agreed to.

Clause 118 — (consequentially amended) — agreed to.

Clauses 119 and 120 — agreed to.

Clause 121—By-laws (sanitary):

The MINISTER FOR WORKS moved an amendment—

That in line 3 of Subclause 18 all the words after "service" be struck out and "when no annual charge is made under Section 92" be inserted.

Amendment passed.

The MINISTER FOR WORKS moved a further amendment—

That in Subclause 23 after "nightsoil" the word "urine" be added, and the word "other" be struck out.

Amendment passed; the clause, as amended (also consequentially) agreed to.

Clauses 122 — (consequentially amended) — and 123 agreed to.

Clause 124—Condemned buildings to be amended or removed:

Mr. BATH: The word "amend" seemed rather out of place in connection with this provision. It did not seem to be the proper word to use in regard to repairs, or alterations to a building.

The MINISTER FOR WORKS: The term conveyed the intended meaning although perhaps the word "repair" might be more suitable. The clause, including the term referred to, had been taken from the South Australian Act.

Clause put and passed.

Progress reported.

House adjourned at 11.14 p.m.

PAIRS.

After 6 p.m.

Sir Newton Moore | Mr. W. Price

Legislative Assembly,

Thursday, 10th November, 1910.

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

QUESTION—WARSHIPS, VISIT OF SCHOOL CHILDREN.

Mr. ANGWIN asked the Minister for Education: 1, What are the reasons why the children from Highgate Hill school were prevented from visiting the warships at Fremantle after taking part in the demonstration on Fremantle Oval? 2, Will the Minister make arrangements for these children to visit the warships before the ships leave the Port?

The MINISTER FOR EDUCATION replied: 1, The boys were allowed to visit the warships under the charge of two assistants. Also girls in charge of parents or friends were allowed to visit the ships, but the teacher in charge of

the 110 girls from the school did not feel justified in accepting responsibility for their safety on the crowded quay and ships. 2, It is not proposed to do so.

QUESTION—FIRE BRIGADES, EASTERN GOLDFIELDS.

Mr. SCADDAN asked the Premier: In view of the refusal of the Fire Brigades Board and the Colonial Secretary to supply the Eastern Goldfields Trades and Labour Council with the rates of wages and privileges of firemen employed on the goldfields, will he now cause the information to be supplied?

The PREMIER replied: The Colonial Secretary has never refused to supply the information, but transmitted the request to the Fire Brigades Board. The rates of wages are prescribed by regulations, a copy of which will be supplied.

QUESTION—ESTATES AT BOLGART.

Mr. OSBORN, for Mr. Jacoby, asked the Minister for Lands: 1, Is it true that several large estates exist close to the terminus of the Bolgart Railway? 2, Has the Government power under the Newcastle-Bolgart Railway Act to resume such estates? 3, Is the Government aware that if these estates are resumed, subdivided, and offered for selection the whole would be promptly applied for and that the profit resulting would provide funds for a considerable extension of the line? 4, Do the Government propose taking any action in the matter?

The MINISTER FOR LANDS replied: 1, Yes. 2, Yes, if not beyond the terminus. 3, No, but the Government is of opinion that some of these estates, if they can be obtained at a price which is not excessive, would be readily selected. 4, Yes, the Advisory Board has been instructed to report on the estates in question.

QUESTION—MARBLE BAR RAILWAY CONTRACT, EXTRAS.

Mr. HEITMANN asked the Minister for Works: What amount of money has