

existing Acts, and that where no reference appears, the clause is new matter.

Motion—put and passed.

Bill read a second time.

#### ADJOURNMENT.

The House adjourned at 9.10 p.m.

### Legislative Council,

*Thursday, 15th December, 1892.*

Public Institutions and Friendly Societies Lands Improvement Bill: third reading—Industrial and Reformatory Schools Bill: committee—Public Health Act, 1886, Further Amendment Bill: first reading—Police Act, 1892: first reading—Federal Council Referring Bill, 1892: first reading—Adjournment.

THE PRESIDENT (Hon. G. Shenton) took the chair at 7.45 o'clock p.m.

#### PRAYERS.

#### PUBLIC INSTITUTIONS AND FRIENDLY SOCIETIES LANDS IMPROVEMENT BILL.

This Bill was read a third time, and passed.

#### INDUSTRIAL AND REFORMATORY SCHOOLS BILL.

##### IN COMMITTEE.

Clauses 1 to 4 were agreed to, with verbal amendments.

Clause 5.—“Who to be deemed ‘children’ and ‘inmates’”:

THE HON. J. G. H. AMHERST thought that the age of 16 provided by the clause was rather high, and he would like some explanation why it was so provided.

THE COLONIAL SECRETARY (Hon. S. H. Parker) said that the sixth clause provided that the following should be “neglected children”:

“Any child found begging or receiving alms, or being in any street or public place for the purpose of begging or receiving alms.

“Any child who shall be found wandering about or frequenting any street, thoroughfare, publichouse, or place of public resort, or sleeping in the open air, and who shall not have any home or settled place of abode, or any visible means of subsistence.

“Any child who shall reside in any brothel, or associate or dwell with any person known or reputed to be a thief, prostitute, or drunkard, or with any person convicted of vagrancy under any Act now or hereafter to be in force.

“Any child who, having committed an offence punishable by imprisonment or some less punishment, ought nevertheless, in the opinion of the justices, regard being had to the age of such child and the circumstances of the case, to be sent to an Industrial School.

“Any child whose parent represents that he wishes such child to be sent to an Industrial School, and gives security to the satisfaction of the justices before whom such child may be brought, for payment of the maintenance of such child in such school.

“Any child under fourteen years of age certified in writing by the chairman of a District Board of Education to be habitually absent from school, and to be beyond the control of his parents.

“Any child born of an aboriginal or half-caste mother.”

Under these circumstances, the age did not appear to him to be high, and it was the age universally adopted in the other colonies. The idea was to send the children to the schools, instead of to prison, and if any age less than sixteen were adopted one of the principal objects of the Bill would be defeated.

The clause was agreed to.

Clause 6.—“What children to be deemed neglected”:

THE HON. J. A. WRIGHT said that sub-section 1 of the clause, which made any child found begging or receiving alms a neglected child, appeared to him to be very severe, because immediately a child was found asking for a penny it

came within the Act. A child might do this without the knowledge of its parents. It would do better if the clause read, "Any child found habitually begging," &c.

THE COLONIAL SECRETARY (Hon. S. H. Parker) said he would agree with the contention of the hon. member if it necessarily followed that immediately a child was found asking for a penny it would be sent to prison; but it would be seen that clause 7 read "Every child which shall be found by any police constable under such circumstances which make such child a neglected child, may be immediately apprehended by such constable, without any warrant, and taken, as soon as conveniently may be, before some two or more justices to be dealt with according to this Act." No justice would send a child straight off to the school under the circumstances referred to by the hon. member. He moved to strike out the seventh sub-section, which made any child born of an aboriginal or half-caste mother a neglected child.

Sub-section struck out, and the clause, as amended, agreed to.

Clauses 7 to 15 agreed to.

Clause 16.—"Relatives liable to contribute to support:"

THE HON. J. A. WRIGHT asked whether this was not rather a double punishment. The child was to be practically sent to prison, and at the same time the relatives would have to contribute towards its support.

THE HON. G. W. LEAKE: It is not so much a punitive measure as one to take care of and educate the children.

THE HON. J. A. WRIGHT: That might apply to an industrial, but not to a reformatory school.

THE COLONIAL SECRETARY (Hon. S. H. Parker) said the contribution would only be 1s. per day, and then only when the parents or relatives were in a position to pay it.

THE HON. J. A. WRIGHT said that this Bill simply provided that a child should be sent to school instead of to gaol, and if sent to the latter place no contribution would be required. Hence the child was punished by being sent to gaol in the shape of a reformatory school, and the parents were compelled to keep it there although deprived of its services.

THE HON. G. W. LEAKE said he had had a large experience as a police

magistrate, and he knew of several parents, whose names he would not mention, who habitually neglected their children, and in many instances, if it had not been for the generous and cordial co-operation of Dr. Gibney and the ladies connected with his mission, a great many children who were now rescued would have been irredeemably destroyed. He thought, therefore, to make parents pay a contribution if they could was the right thing to do.

THE HON. J. W. HACKETT said he thought the clause was of some value, and he hoped it would be retained. If this clause were well known he felt sure it would have the effect of making parents and step-parents look after their children better.

Clause agreed to.

Clauses 17 and 18 passed.

Clause 19.—"Superintendent may manage and let estates of inmates":

THE HON. J. MORRISON thought it would be better if the Master of the Supreme Court were appointed for this work.

THE HON. G. W. LEAKE: It would swell up the costs then.

THE COLONIAL SECRETARY (Hon. S. H. Parker): He can only manage them with the consent in writing of the Minister.

THE HON. J. MORRISON: But if the Minister does not consent to the Superintendent acting, who is to act? Some of this class of children have very large estates left to them.

THE HON. J. W. HACKETT: Would not some regulations be necessary?

THE COLONIAL SECRETARY (Hon. S. H. Parker): Every case will be taken on its merits, and the Superintendent can only act with the consent and approval of the Minister.

Clause agreed to.

The remaining clauses were passed, and the Bill reported.

#### PUBLIC HEALTH ACT, 1886, FURTHER AMENDMENT BILL.

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

#### POLICE ACT, 1892, AMENDMENT BILL.

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

FEDERAL COUNCIL REFERRING BILL,  
1892.

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

## ADJOURNMENT.

The Council, at 8.30 o'clock p.m., adjourned until Friday, 16th December, at 2.30 o'clock p.m.

Legislative Assembly,  
Thursday, 15th December, 1892.

Customs Sales, Albany—Breaches of Shipping Laws and Regulations and Appointment of a Board of Trade—Amendment of Clause 49 of Land Regulations—Grant of Land for an Agricultural Society at Greenough—Legislation for investigating origin of Fires—Survey of country between Toodyay and Midland Railway—Public Health Act Further Amendment Bill: third reading—Federal Council Referring Bill: third reading—Perth Protestant Orphanage Lands Sale (Private) Bill: second reading; in committee—Companies Bill: second reading—Message from Legislative Council agreeing to Bill—Perth Railway Crossing Improvement Bill: second reading—Manufacture of Wines Bill: second reading—Scab Act, 1891, Amendment Bill: in committee—Jury Exemption Bill: in committee—Transfer of Land Bill: in committee—Adjournment.

THE SPEAKER took the chair at 7.30 p.m.

## PRAYERS.

## CUSTOMS SALES, ALBANY.

MR. DEHAMEL, in accordance with notice, asked the Colonial Treasurer:—

1. What was the amount realised on the last Customs sale in Albany?
2. What was the percentage, and how much did it amount to, that was paid to the auctioneer for conducting such sale?
3. Whether the Government called for tenders for the conduct of such sales; and if not, why not?

THE PREMIER (Hon. Sir J. Forrest) replied, as follows:—

1. £328 6s. 11d.
2.  $7\frac{1}{2}$  per cent. for selling and collecting; amount £26 16s. 9d.

3. Tenders were not called for the conduct of the sale, Mr. Moir having acted as Government auctioneer at Albany for some years.

## (1) BREACHES OF SHIPPING LAWS AND REGULATIONS—(2) APPOINTMENT OF A BOARD OF TRADE.

MR. SOLOMON, in accordance with notice, asked the Premier:—

1. Whether the attention of the Government had been called to breaches of the Shipping Laws and Regulations; and, if so, whether any action had been taken to prevent a repetition of same?
  2. Whether, having in view the increase of shipping, the Government would consider the advisability, at an early future, of initiating a Bill for the appointment of a proper Board of Trade, and to assimilate the Rules and Regulations of Shipping with those of other colonies?
- THE PREMIER (Hon. Sir J. Forrest) replied:—
1. That he was not aware to what the hon. member referred.
  2. That the Government did not intend to move in the direction named, at present.

## AMENDMENT OF CLAUSE 49 OF LAND REGULATIONS.

MR. THROSSELL, in accordance with notice, asked the Commissioner of Crown Lands whether it was the intention of the Government to amend, this session, clause 49 of the existing Land Laws, in the manner proposed in "The Homesteads Bill?"

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion) replied that the Government did not propose at present to make the amendment referred to.

## GRANT OF LAND FOR AGRICULTURAL SOCIETY, GREENOUGH.

MR. TRAYLEN, in accordance with notice, asked the Premier whether the Government was in a position to give a piece of land near the Greenough Crossing for the purposes of an Agricultural Society?