# Legislative Council.

*Tuesday, 19th November, 1907.*



The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

## PAPERS PRESENTED.

By *the Colonial Secretary*: Fifth annual Report of the Registrar of Friendly Societies with regard to Trades Unions.

## BILL—MARRIAGE ACT AMENDMENT.

Read a third time, and *passed*.

## BILL—SAND DRIFT AMENDMENT.

*Second Reading.*

Hon. M. L. MOSS (West) in moving the second reading said: In 1889 the old Legislative Council passed an Act which stands on the statute-book known as the Sand Drift Act. The purpose of that Act was this. In municipal districts where a municipal council passed a resolution that a nuisance existed in the shape of a sand drift, it enabled the municipal council to call on the owners of property to take the necessary steps to abate the nuisance. People who own property at Fremantle and Geraldton know that from time to time the municipal councils have called on property owners to abate the nuisance, caused by sand drifts. This Act was passed in the first instance to deal with the difficulty at Fremantle, and later on it was extended to the municipality of Geraldton. Through the very inartistic way in which the Act was drawn, difficulties have been discovered in connection with its administration. Apparently on the face of it the carrying out of the Act of 1889 is simple enough, because if a nuisance is declared to exist on any particular land, the procedure is for the municipal council to direct the owner of the land to take certain steps to abate the nuisance, and if the owner declines or neglects to do what the municipal council has ordered him to do, Section 2 of the Sand Drift Act of 1889 enables the municipal council to abate the nuisance itself, and charge the owner of the land with the cost of abating the nuisance. So far the procedure is exceedingly simple. The trouble that has necessitated this simple Bill arises under Section 3 of the Act of 1889. Section 3 contains this provision. It says that no owner of land shall be entitled or bound to pay more than the value of his land for abating the nuisance; a perfectly proper provision. It goes on to say that such valuation shall be obtained by arbitration in the usual way. Here the difficulty arises. If a municipal council has expended a certain sum of money in abating a nuisance and goes to the court to recover say £5 or £10, the council is met with the objection, "You have not got the value of the land ascertained by arbitration." If they get the value of the land ascertained by arbitration before suing for the money they are met with the objection that they must not go to the arbitration court until legal proceedings have been taken. The quibble remains there and the Sand Drift Act remains in abeyance. I have consulted Mr. Sayer, the Parliamentary Draftsman, as to the matter and he agrees that it is a serious difficulty. It is not intended by this Bill to make a man pay more than the value of his land to abate the nuisance. We are keeping the whole of the provision of Section 3 of the original Act intact, but we add this. Instead of the value of the land being ascertained by arbitration we substitute the following:—"If such owner, occupier, or agent, in his defence to any proceedings for the recovery of the costs incurred by the council, proves to the satisfaction of the court or justices that the value of such property is less than the cost so incurred"—then the amount as in the Sand Drift Act of 1889 is limited to that amount. Instead of having one proced-

ure to recover the money and another procedure to settle the matter by arbitration, the whole thing can be done by one procedure either before a local court or before justices. It is a simple procedure and makes the Act workable which it is not at the present time. After explaining that let me tell the House the difficulty that arises at Fremantle. The municipality of Fremantle have expended about £200 in small sums of £2, £3, £5 and £10 in abating nuisances on people's land; and these people will not pay the cost. The municipal council want to get the money, but they are confronted with the difficulty that if they sue they are told they have not ascertained the value of the land by arbitration, and if they proceed in the other way they are told that is not the proper proceeding. This little Bill is brought before the House to settle that doubt and difficulty, and in one proceeding to settle the whole matter.

*Mr. Langsford*: Has the Bill retrospective action.

Hon. M. L. MOSS: Of course.

Question put and passed.

Bill read a second time.

*In Committee.*

Bill passed through Committee without debate, reported without amendment, report adopted.

## MOTION—GOLDFIELDS WATER SUPPLY.

*To be Self-Supporting.*

Debate resumed from the 5th November, on the motion of the *Hon. W. Patrick*, "That in the opinion of this House the Goldfields Water Supply Scheme should provide sufficient revenue to meet cost of administration, interest, and sinking fund."

Hon. R. D. McKENZIE (North-East): Speaking to the motion, I have to say at the outset that it is my intention to vote against it. I do this because I believe if the motion is carried it will be a recommendation to the Administration to do something which is impracticable. Not only the present Government but the preceding one or two Governments have recognised this fact. Not only have they not asked the goldfields people to pay sinking fund and interest on cost of the Colgardie water Scheme, but they have seen fit in their wisdom, and in my opinion it is a good commercial transaction, to reduce the cost of the water to the people to increase the local consumption. I propose to give members my reasons for opposing the motion, and to advocate the nationalisation of this water scheme. I am pleased this matter has been brought before the House at this juncture because during the last year or two members of the Legislature and citizens of the coastal districts have brought this matter up at various times and in divers places, and no doubt the discussion of the motion will clear the atmosphere and do good even if the matter is debated at some length in this House. I regret Mr. Patrick has not approached the question in the usual broad-minded manner in which he approaches most questions brought before him in his capacity as legislator. It is perhaps regrettable that the Goldfields Water Scheme has not been able to supply water to all the mining districts of Western Australia. It was unfortunate it was only possible to supply practically the Eastern Goldfields. I do not think that because Mr. Patrick represents a district so far away from East Coolgardie that he is taking a dog-in-the-manger stand on the question, but when he hears the arguments on the motion and after he has spoken in reply, I think he will withdraw his motion and be satisfied that he has served the purpose intended. In my opinion the position of the Goldfields Water Scheme and the arguments in favour of the nationalisation of the scheme can be put in a nutshell. First of all, the scheme is too large for the consuming power of the goldfields. Anyone who reads the evidence given when the scheme was first talked about will find that they assumed there would be a consumption of five million gallons a day on the goldfields. We have given the scheme a trial of about four years and we find we have never been able to exceed two million gallons a day, which proves that the

scheme was too large at the inception. In the next place, the capital cost exceeds to so enormous an extent what would be the cost actually needed for a scheme to supply the goldfields, that it is an impossibility for the small population we have on the Eastern Goldfields, and even for the great mining industry we have there, to pay such an enormous sinking fund as three per cent. on the capital outlay. Again, an enormous amount of money was spent that need not have been spent. The Eastern Goldfields probably could have been supplied with a scheme at a capital expenditure of a little exceeding half the amount. Therefore would it not be foolish to try to make the population on the Eastern Goldfields pay such an enormous sinking fund as three per cent.? No public work in Australasia has been asked to pay such a sinking fund. It must have been the idea of legislators when that sinking fund was provided for, that in 20 years the whole of the goldfields would disappear and that with the goldfields the whole of the assets of this scheme would also disappear; but the assets are not going to disappear. If the goldfields peter out, or if they do not carry the population they are carrying to-day, the Mundaring reservoir will still be there, all the other reservoirs and the pumping stations will be there, and I venture to say that the pipes also will be there in 20 years' time, and in as good order as to-day, if the amount spent in renewals from year to year is maintained. If a scheme of say a capacity of two and a-half million gallons per day had been laid down, probably the mining industry and the residents of the Eastern Goldfields, and those living to the east of Northam would have been able to pay not only the administration charges and interest, but also a reasonable sinking fund of say one per cent.; but to ask them to pay a sinking fund of three per cent. is, I think, absurd, and I think every reasonable-minded man in Wesern Australia must agree with me on that point. The argument for the nationalisation of this scheme is particularly strong. No doubt the scheme must be regarded as a national work as much as our railway system, or our harbour works, or our rabbit-proof fence. It would be just as reasonable to ask the farmers, as a class, to pay for the whole of the cost of the rabbit-proof fence, built for their special protection, or of the agricultural railways, built and run at a loss to bring their produce to market, as to ask the consumers of the water to pay the total cost of this scheme. The goldfields pay their due proportion of the cost of all national undertakings. It must be noted that the cost of railage on the Eastern Goldfields Railway could be materially reduced but for the fact that the traffic on that line has to raise sufficient revenue to compensate for the losses on some of the country railways. This is a fact well known to members; and in the circumstances is it reasonable to tax the goldfields to the extent of £80,000, or, as Mr. Patrick says, it will be in a year or two according to his estimate £100,000 for a work which benefits directly or indirectly the whole of the State tenfold. We have the statement of Sir John Forrest to back us up in that assertion. Mr. Patrick admitted that he was an admirer of Sir John Forrest and that on most occasions he was prepared to follow him and take his statements as correct, but on this occasion he said that when Sir John Forrest wrote to the Press on this subject that hon. gentleman must have been nodding. It was my friend who was nodding. [*Hon. W. Patrick*: Sir John Forrest was blowing bubbles at the time.] Every hon. member will agree that Sir John Forrest, when talking of the Goldfields Water Scheme, was as clear-headed as any man. Sir John Forrest knew what he was going to do when he brought the scheme forward, he knew what he had done, and he knows the benefit derived by the State. Sir John Forrest put the indirect benefit to the State at £400,000. He said that it meant a saving to the mines of £400,000 and by that he meant that the whole of the State benefited to the extent of £400,000 through the advent of the water scheme. I propose later on to show to what extent the mines have benefited, and also the direct revenue they pay to

the State apart from paying for the water they have used. We are fairly conversant with the present state of affairs as far as the scheme is concerned. We know it has practically paid the cost of administration, sinking fund on the supplementary capital, and interest on the supplementary capital and the original capital, while in addition a reserve fund has been created for the last two years of £11,000 each year. I take it that fund is held for use on the pipe line and engines for future occasions, because in addition to this reserve fund, they spent £14,000 during the past year and something like £7,000 in the previous year in the maintenance of the pipes. I said that probably the pipes would be there in 20 years' time; this is another argument in favour of that assertion; because as time goes on, where the pipes are pitted badly they will be replaced, and this work will be done out of revenue, and towards this work the administration puts aside £11,000 each year. We know what the scheme has done, we know its position exactly; but what would have been the position of the mining industry of the State had that water scheme not been initiated and carried to a successful issue? Unquestionably the supply has been a great boon to the mining industry, because while it has enabled low-grade mines to work which otherwise could not have carried on, it has, as a great factor in reducing the cost of working, enabled the large producing mines to include in their payable reserves large bodies of low-grade ore, which under less favourable circumstances they would have had to pass over. I have the authority of one of the leading mine managers of Kalgoorlie for that. He has been able to strip 5dwt. ore and put it in with the rest of the ore going to the mill, which had it not been for the reduced working costs brought about largely by the introduction of the water scheme, would all have been left standing; and it would not have paid to go back and strip it again. Incidentally it may be noted that the marked economies in the administration of the mines all date from the advent of the water scheme. After making the necessary initial changes in the treatment processes to suit the substitution of fresh for salt water there has been a gradual reduction in costs during the years subsequent to the advent of the water scheme. Approximately the Kalgoorlie and Boulder mines have directly benefited to the extent of £350,000. I have good authority for these figures. I may also remark incidentally that during the same period the mines have paid to the Government the sum of £372,000 in dividend duties. It is also beyond doubt that several of the large producing mines in the East Coolgardie Goldfield would have been shut down or working under great disabilities now but for the Government water supply, as the quantity of water from other sources would not have been sufficient to enable them to handle such a large tonnage of ore each month, and consequently the same economies would not have been effected. One can readily understand what an injurious effect this would have had on the immediate district surrounding the mines, on the revenue of the Railway Department, on the farmers who are largely dependent on the goldfields market, on the timber industry, and on the State as a whole. The maintenance of the gold-mining industry on the goldfields is vital to the welfare of the State generally, and I think it would be a mistake if the motion were carried into effect and the price of water raised; because no doubt it would have the effect of closing down some of the low-grade mines. As a matter of fact two or three of the large producing mines have asked to be put on the scale of low-grade mining propositions; they are just on the balance as to whether they can pay or must shut down. I have taken the precaution to have a few figures prepared to show in the event of the motion being carried and the Government acting on it—that is to increase the price of water—what the effect will be. Mr. Patrick said that the mines get their water at £313,000 per annum too cheap.

*Hon. W. Patrick*: Sir John Forrest said that.

Hon. R. D. McKENZIE: You were quoting Sir John Forrest's figures and you agreed with him.

*Hon. W. Patrick*: I disagreed.

Hon. R. D. McKENZIE: At all events if the motion were carried and the Government acted on it and they wanted the goldfields to pay the sinking fund, the price of water would be increased, and we can realise the effect on the mining industry and the State as a whole. To make the revenue meet all expenditure, including sinking fund, would mean increasing the price of the water purchased by the mines at Kalgoorlie and Boulder from 5s. to 10s. per thousand gallons.

*The Colonial Secretary*: Would they take the same quantity?

Hon. R. D. McKENZIE: I am coming to that in a minute. While the average price required by the administration to pay the sinking fund would be 7s. 6d. per thousand gallons, the consumption of the Kalgoorlie and Boulder mines would have to be saddled with about 2s. 6d. per thousand gallons above the average price to compensate for the lower rates that must be offered to other avenues of consumption to make it worth their while to use Mundaring water. We all know how little water we can do with on the goldfields. For many years many people used about a gallon per day, and there is no reason why, if the prices were raised, we should not go back to a small consumption. It is a certainty that if the price is raised to 7s. 6d., as would be necessary to pay the sinking fund, the consumption would fall away altogether, and instead of averaging 20 gallons a day per individual, it would not more than average three or four gallons a day. Any increase to the Kalgoorlie and Boulder mines would mean a serious difference to the mines and the 30,000 people wholly dependent on them. Several mines are already dependent on very low-grade ore and are doing little more than paying their way. The price of water is an important factor in the cost of mining and treatment, and if these mines were compelled to cease operations the consumption of water would diminish by some 250,000 gallons a day, immediately depriving the administration of over £60 revenue per day. This would in time necessitate a farther increase in the price of water supplied to the remaining consumers, if the revenue is not to suffer, again increasing the working costs of the mines and making it unprofitable to treat low-grade ores. The eventual result would be a serious curtailment of the operations of the mines, since they would have to discard ore of low-grade value which, under existing conditions, it pays to extract and treat. The natural effect would be a diminution of employment, a loss of population, and a general setback to the district which would, of course, recoil on the Water Supply Administration by a farther falling off in the demand for water. I think those reasons are very good and worthy of consideration by members. I have not touched on the question of the Railway Department which everyone knows has an important bearing on this question. Turning again to Sir John Forrest's letter which the Hon. Mr. Patrick quoted from in moving the resolution it will be found that he says:—"The saving to the Railway Department is £70,000 per annum." There has been a good deal of controversy in connection with this matter. I will not say much about it other than that the Railway Department have not been treating the scheme fairly. They should have been put on exactly the same basis as the large producing mines, and should have agreed to take all the water they required for railway purposes from Northam to Kalgoorlie from the Water Supply Administration. Both systems are owned by the State and no other owner of two large businesses would think of cutting the throat of one of them in order to inflate the balance-sheet of the other. The Railway Department have not given the scheme a fair deal; had they done so there would have been no question about the payment of interest and administrative charges for, in addition, there would have been a small surplus to go towards the sinking fund. Another argument used by the Hon. Mr. Patrick in introducing the motion was that in connection with the Metropolitan Water Supply. I have not gone closely into this question, but if it can be proved that there is a supply of water in the Mundaring reservoir sufficient to provide the metropolis with all its requirements for the next five or ten years, something

should be done to utilise the supply. The figures quoted have been carefully gone into by the hon. member and are correct. It is evident that a tremendous body of water runs over the crest of the weir every year. There is a difference of opinion among engineers as to whether the weir should be raised or not, in order to conserve a farther supply; but in the tight times, financially, Western Australia is now passing through it behoves us as business men to consider any question of this nature. Instead of rushing into a huge expenditure for a new scheme, it should be decided definitely whether we would not be able to obtain sufficient water from Mundaring to meet all the requirements of the metropolis for the next ten years.

*Hon. J. W. Hackett:* It would cost as much to get the water from Mundaring as to construct the new scheme.

Hon. R. D. McKENZIE : I have not yet seen the report of the board, for I understand it has not yet been returned from the printer, therefore I am unable to go into the question fully. However, if the water from Mundaring can be used without too great an expense and so provide for the metropolis we should see that it is done. The Hon. Mr. Patrick in his concluding remarks said: "The whole question to me is whether this State can afford to pay out of the Consolidated Revenue Fund, that is out of the taxation of the country, a sum of £80,000 per annum, that being the total loss for last year." The State of Western Australia can well afford to pay the sum or £100,000 per annum, in order to keep its primary industry going, and profit by it. If any State has altered owing to the mining industry it is Western Australia. The Cinderella of the group, her population has been raised in a few years from 40,000 to 260,000. Wealth and prosperity have been brought to the whole of the coastal districts and therefore surely those districts; and even the Murchison Goldfields and the pastoral districts would not object to a small sum like that being taken from the Consolidated Revenue and put towards a sinking fund for this water scheme? There will be a handsome profit made in the future by the goldfields water supply, and the arguments which have been raised in this direction are incontrovertible. The scheme should be nationalised and we should be satisfied if it pays the administrative cost and sinking fund.

On motion by *Hon. J. M. Drew*, debate adjourned.

## BILL—STATE CHILDREN.

*Select Committee's Report, to adopt.*

Hon. W. KINGSMILL (Metropolitan-Suburban) : I move—

*That the report of the Select Committee be adopted.*

I should like first, as chairman of that committee, to thank the members of it for the extremely strict attention they gave to their duties, thus enabling the committee to get through in two or three days as much work as it very often takes an ordinary select committee two or three weeks. Members will notice in the report that has been laid before them that the committee have divided on two points, and rather important points, which this Bill deals with. I do not propose to speak at any length in moving the adoption of the report although I would like to have an opportunity of speaking, because as members know I shall not have a chance later on when the Bill is in Committee. The two points of difference are, in the first place what system of control should be adopted for the proper and efficient care of the children of the State and secondly—a point which perhaps is of minor importance, but which in my opinion is of very great importance—the attitude the Government will take up financially with regard to the institutions which deal with the care of children. The first point of difference, whether the control of the children of this State should be vested in a State Children's Department or in a State Children's Council, as in the case of South Australia, is divisible into two parts. They are whether the council should be created to take charge of all children dealt with by the Bill up to the age of 18 years or whether that council should be formed for the purpose of tak-

ing charge of children up to the age of three years. These are points which your committee gave a good deal of attention to and agreed, as possibly the fairest method in the circumstances, to report that their opinions were so divided that they should leave it to the House to decide. Members will see that the control and management of State children as defined in the Bill shall be vested in a Government department, and many of the witnesses who gave evidence and were interested in existing homes or orphanages were strongly opposed to any alteration of this principle. On the other hand, it was contended by other witnesses, who from philanthropic motives take a keen interest in the welfare of these children, that a Government department was not the proper authority to be invested with the control and management of such children, at all events up to the age of three years, and that it should be vested in an honorary board appointed by the Governor. I must say I was not altogether surprised that the view which some of the committee held that the control of these State children should be vested in a council was opposed by the officials and managers of those institutions which deal with these children. That was the experience of South Australia, and it was only after some little time that the opposition was got over there, as I feel sure it will be here in years to come. The only thing I regret is that the committee were not able to make a recommendation that we should, as I indicated when I spoke on the second reading, take advantage of the experience of South Australia and adopt what some of us at all events think is the best form of control. With regard to the opposition by the officials, the Superintendent of Charities was I suppose the most persistent opposer of the proposition and, in order that members may have a clear idea of the evidence as placed before the select committee, I would point out that some of the statements made by that gentleman with regard to the importance of the work being done and the interest taken by the society which is at present engaged in this work —and whose aims and objects I will deal with later on—are controverted by the evidence of other witnesses. For instance if members will turn to page 15 of the evidence, on looking at questions 290 to 292 they will find that Mr. Longmore in giving evidence stated that so far as he was aware the interest in the society was small and was confined practically to half a dozen persons. Against that I would draw members' attention to the evidence given by the Rev. Mr. Makehan, who is president of the Children's Protection Society, and Inspector Sellinger, who deals with the work they are doing, and also the evidence of the extremely energetic secretary, Mr. Joyner, who pointed out that the society is possessed of a very great public interest which is growing and increasing. In case I may be thought to drag into this debate too much of the proceedings of the Children's Protection Society, let me state at this point that I do it because it was my object to prove that there are in this community people who are not only able, but who are also willing, to take up the same position in regard to the control of children as is taken by the State Children's Council in South Australia. Farthermore I would point out that the society do not claim for themselves, and do not wish to put forward any proposition to the Government, that they should form the State Children's Council. They are working not for themselves but for the sake of the system they think best in the interest of the children. As members will find by the evidence of the Rev. Mr. Makeham it is for the sake of the system alone that they are working. For instance, in question 28 he is asked:—

> "Your society do not claim that they should form the board?—Answer: No, that has nothing to do with the society. Regarding the interests of the children we think there should be a board.
>
> "Question: You think there is a sufficient number of capable and public-spirited people in the State to form such a board?—Answer: Yes."

Then again, if we turn to the evidence of Mr. Joyner, questions and answers 644 and 646, we shall find he makes it clear that it is not for the sake of any per-

sonal aggrandisement, not for the sake of having his society appointed the first State Children's Council, that they are taking the steps I have mentioned:—

"Question: You wish to make it clear that you are working in this connection, not for your society but for the system?—Answer: Absolutely for the children.

"Question: You do not ask that a committee should be appointed from your society?—Answer: No, not in any shape or form."

It has been a matter of great regret to me that after the interest which the Colonial Secretary has undoubtedly taken in this Bill, he has not been able to adopt the suggestions made to him; but I hope —indeed we may gather from his remarks—that at some later period he will be found to favour that system of control which he now appears to think inopportune. I will not say he is opposed to it. In this connection I would point out that after all such fearful risks are not being taken because of the inexperience of people who would form the council. For instance, I suppose it has occurred to the Minister that if he did adopt this form of control it would be quite possible to make Mr. Longmore, the Superintendent of Charities, chairman or president of the Children's Council. And although Mr. Longmore has not been very enthusiastic over the efforts of the society as it at present exists, I feel certain that the society would cordially endorse the appointment of a gentleman who has had such great experience in this connection. In perusing the evidence given by managers and officers of institutions, it will be found that they, for reasons which I shall presently set forth, are strongly opposed to the South Australian system of control; and it is a peculiar coincidence, and one which I have only noticed within the last day or or two after the second reading of the Bill, that the schedule of subsidised institutions contains accurately and definitely the names of those institutions whose managers gave evidence strongly against the South Australian system of control.

*The Colonial Secretary*: It contains the names of all the present institutions.

Hon. W. KINGSMILL: Quite so. I say it contains accurately and definitely the names of those institutions whose managers and controllers gave evidence against this system of control. That of course is merely a coincidence. Let us examine the possible reasons which the officials of these institutions have for objecting to the South Australian system. I may say at once some of these witnesses saw farther than others. For instance, if members will examine the evidence given by two witnesses who represented the Salvation Army, it will be found they condemn absolutely and entirely any sort of boarding-out system, except with some slight reservation in the case of children under three years of age. They were absolutely against any other sort of boarding-out, whether under the control of the Government direct, or assisted by boarding-out committees, or in any other fashion. And if members will recollect that practically all these institutions derive 75 to 80 per cent. of their revenue from Government sources, it will, I think, be seen that with no ignoble motive but for natural reasons the officials of the institutions have every cause to object to any boarding-out system. I come to the matter of inspection. The witnesses apparently dread the system of inspection which would take place under the State Children's Council. Some of them say, to use their own phrase, that "with the present system of control they know where they are." They say Mr. Longmore is an experienced man, and that his inspection is everything that can be wished. As a matter of fact, their reluctance to undergo any change in the form of inspection is to my mind extremely suggestive. They infer that if the South Australian system were adopted, the inspection would be very prying and inquisitorial. Well, whether it is necessary for those institutions who are looking after one of the greatest of our public assets, the youth of the community, "to know where they are" in connection with the system of inspection, is of course for the House to decide. The Colonial Secretary, in his speech in reply

on the second reading, seemed to think he had got home on me by quoting an opinion of mine in 1902, when I was Colonial Secretary.

*Hon. J. W. Hackett*: Office makes all the difference.

Hon. W. KINGSMILL: It does make a great difference. It makes this difference. Although the Colonial Secretary, from the manner in which he spoke, appears to think he has a monopoly of interest in this question, I can assure him that is not so.

*The Colonial Secretary*: I do not say that; but I say that you had then the responsibilities of office.

Hon. W. KINGSMILL: He does not say it, but he leaves his auditors to infer that he possesses absolutely the monopoly of interest in this particular question. I have had an opportunity, an opportunity which I have used, of looking into the question as Colonial Secretary for a longer time than the present Minister, and also an opportunity, which I have not neglected, of watching from outside the department, and of taking an outside interest in, the same work. And let me tell the Colonial Secretary that one can get just as much information outside the department as inside; and farthermore, that one looks at it then from a different point of view. And my change of attitude in five years proves, to me at all events, that if the department have stood still, my ideas have gone ahead. Moreover, talking generally for a moment of changes of mind, I should not think that the Minister ought to contemn changes of mind. For instance, in the class of legislation which may come before this Chamber, the hon. member would think it very desirable if most decided changes took place in the minds of hon. members. Then, of course, we should hear nothing except congratulation.

*Hon. J. W. Hackett*: He is working hard with that object.

Hon. W. KINGSMILL: That I do not know. The hon. member has not endeavoured to change my mind. I suppose he thinks any endeavour of that sort would be futile. But there are changes of mind and changes of mind; and of course the hon. member is quite right in his advocacy; and he has an advocate's facility for selecting those changes of mind which suit him and condemning those which do not suit him. I should do the same thing myself; I suppose as a matter of fact I have done so; and the hon. member is only observing the traditions of the position. Certain members of the select committee thought that the care of all children as defined in the Bill—that is, the care of children under eighteen years of age—could well be entrusted to a body of the class which I have specified. And if members study the evidence, I think they will see that at all events such control is suitable for children under three years of age. On reading the evidence of those ladies and gentlemen who have testified with regard to these institutions, it will be noticed that while children from three years upward are well attended to, children from three years downward are not. It will be found that in none of these subsidised institutions mentioned in Schedule 2 of the Bill, or in scarcely one of them, is any attention paid to, or indeed are there present, any children under the age of three years.

*The Colonial Secretary*: The evidence does not show that.

Hon. W. KINGSMILL: I think so. I say, in scarcely any of the institutions are there any children under the age of three. The Colonial Secretary may say the evidence does not show that, but he will find that Mr. Longmore, who has charge of the Subiaco reformatory school, has a lot of children—he says about 50—in the nursery; but when we consider that all the rest of the institutions together have not so many, I think we can say this is a very peculiar omission; that there seems to be in the system a great defect, in that these children under three years of age do not receive the same attention which children of a riper age appear to receive.

*Hon. J. W. Langsford*: Where are they?

Hon. W. KINGSMILL: That is just what we do not know. Apparently there are now about 70 of them in charge

of the Children's Protection Society. There are 60 in the Waifs' Home, with which institution I shall deal later on; and there are apparently 50 in the institution at Subiaco. These cannot represent the normal proportion of neglected children under three years of age in this State, compared with the total number. Where the rest are, of course we are left to wonder. I think it is evident that if the control of State children by the State Children's Council is a fit and proper thing up to the age of eighteen, a still stronger case can be made out for the control by private means up to the age of three. This is the more noticeable, too, because several experienced witnesses have testified, what is a matter of common knowledge, that the highest infant mortality occurs before the age of three is reached. I think no effort should be spared to put on the soundest possible footing a system of controlling these children up to the age of three at least. Of course we may differ as to the best system; but although I know the Colonial Secretary is inclined to be somewhat intolerant of differences of opinion, still, I ask him to look on this matter in all its bearings.

*The Colonial Secretary*: That is what I have been doing for twelve months.

Hon. W. KINGSMILL: Quite so. Well, some of us have been doing it for years. I ask him to reconsider the decision at which he appears to have arrived. The next difference of opinion which occurred in the select committee was over Clause 80 of the Bill, the opening clause of Part VI. Clause 80 practically lays down that children may be committed to the care of private persons or societies, provided those persons or societies do not receive any aid, subsidy or benefit from the consolidated revenue fund. It was proposed to excise from Clause 80 the words "without subsidy or aid from the consolidated revenue fund"; and I hope before this Bill gets through Committee—although I shall not have the opportunity of moving the amendment myself—this provision will be altered.

*The Colonial Secretary*: There was no need to introduce the Bill if those words be struck out. There is provision for these institutions in Part VI.

Hon. W. KINGSMILL: I have heard it said before that these are the governing words of the Bill; but it has never been satisfactorily explained to me why they are so, and I shall be glad to hear when the Bill is in Committee what these "governing words" are and what is the meaning of the phrase. It is all very well to say these words "govern" the Bill, but until it is explained in what way they govern the Bill the statement is not likely to carry much weight.

*Hon. J. W. Hackett*: Is there a clause applying to such institutions as the Waifs' Home?

*The Colonial Secretary*: Yes: it comes under the Bill in another part, the same as other institutions, under the capitation grants.

Hon. W. KINGSMILL: By "capitation grant" I presume is meant that instead of receiving any sum in the way of subsidy to be expended at their discretion, societies and persons to whom children are committed under this Bill are to be entirely and absolutely subject to the will of the secretary to the department, acting under the Minister. That, I take it, is what is meant; and I do not think it a fair position to put these institutions in. If they are fit to be entrusted with the control of children as proposed——

*The Colonial Secretary*: How otherwise are you to arrive at the sum you are to give them?

Hon. W. KINGSMILL: That is an easy matter. The Minister knows he has given the Waifs' Home a certain sum for the last two years and surely on the basis of their expenditure—because these societies and persons, the societies especially, are bound to keep books—it should be an easy matter to arrive at a fair subsidy. Let us take the position of the institution just mentioned, the Waifs' Home at Parkerville, it has at the present time the care of some 60 children. Up to within two years ago this institution received no Government aid; but during the last two years it has received, for the first year £500 and for last year £800. Under this clause it

would be impossible that this institution should receive anything in the way of subsidy. That I maintain is not desirable, and is not a position in which the Waifs' Home should be placed. Furthermore the institution has a great struggle to get along even with the help of the £800 received from the Government. What is to keep it going if this clause be passed as printed I do not know. In regard to the other society, which I do not wish to mention too often, that is in a far better position, because though it has been working for some twelve months it has received from the Government only £9 7s. 6d.; all its other expenditure having been met either by those people concerned in the care of the children or from funds of the society provided by private persons. The operations of the society since its inception 18 months ago have been conducted at an expense to the Government of only £9 7s. 6d.

*Hon. J. W. Langsford*: A good thing for the Government.

*Hon. W. T. Loton*: And a good thing for the State.

Hon. W. KINGSMILL: A good thing for the Government, and also a good thing for the State. The society has now 66 children in its care, and has had a larger number through its hands. Societies that can point to work of this sort may well say they are entitled to the administration of whatever Government subsidy is deemed fair to them, instead of having this system of capitation grants, which means that their every action financially is to be subject to the will of the secretary of the State Children's Department. I do not think that is fair; it is a most humiliating position to place these people in. And although I have no warrant for saying this, I should not be surprised if it prove a position which they find incompatible with their existence. I hope the Bill will be amended in this particular. As the select committee state—and this I heartily endorse, for I look on the Bill as it stands, with the exception of these words, as a great improvement on existing legislation—the Bill contains valuable and badly-needed provisions; but at the same time I hope this amendment will be made. Members will notice a schedule of amendments attached to the committee's report which I should like briefly to touch upon. The first amendment is to Clause 27, providing that "a child brought before the court charged by an officer of the department with being an uncontrollable and incorrigible child," etcetera. It is proposed by the committee, on the suggestion of Inspector Sellinger, that in addition to an officer of the department making such charge, police officers shall be permitted to do so. As police officers do to a greater extent move among a class of people likely to have uncontrollable and incorrigible children. I think this a valuable amendment. In Clause 47 the following provision appears at the end of the clause: "Any debt due to the department in respect of such apprenticed child shall be a first charge on the money so deposited, and shall be paid to the department on demand." It has been explained by the Colonial Secretary that this provision found a place at the end of the clause by mistake, and that the words now proposed to be inserted "on the death of any child," express the intention of the Bill; that is to say, it is only when a child dies that any debts due to the department should be a first charge on any assets left by the child. In Clause 56 two or three amendments are also suggested. The clause deals with the visiting of placed-out children, and provides that they shall be visited once in three months by an officer of the department. It was pointed out to the committee by the managers of some of the institutions that it would be advisable, in addition to visits by an officer of the department, that visits be paid by an officer of the institution from which the child was apprenticed out; and the good sense of this being recognised, and also the fact that bi-yearly visits would be sufficient, the committee suggested an amendment limiting the number of statutory visits to two a year, one every six months, and added to the visits by an officer of the department visits by persons authorised by the department, who may be officers of the institution from which the child was placed out. The

next amendment is in Clause 94, which deals with the licensing of children for the purpose of street trading. As the Bill is drawn, this clause applies only to male children. It is as important that female children be controlled in this regard; hence the word "male" has been struck out, and in order to make the clause more effective the following words have been added at the end: "Any child so trading without a license, or in contravention of the conditions under which same has been granted, shall be guilty of an offence against this Act." The next amendment is to Clause 120, dealing with the carriage of State children free on Government railways. It was represented by officers of the institutions that it would be unfair to differentiate between State children and those who might be placed in the care of societies or persons under Part VI.; and in order that they should be put on the same level the following words have been added after "State children," "and children committed under Part VI. of this Act." So that those children will have as much right to travel free on the railways as State children. Another amendment is in the last clause, in which the words "or efficient" are inserted after "public." Public schools have a statutory meaning, which does not apply to denominational schools, and it was pointed out by a representative of the Roman Catholic denomination that this would exclude Roman Catholic children. In order to meet that objection the words "or efficient" have been inserted between "public" and "schools." Those are minor amendments, and although they are perhaps not important, they have made the Bill better than it was when it came into the hands of the committee. I am extremely sorry that any action of mine has delayed the passage of this Bill, because I look upon its passage, especially in the form as amended by the select committee, as a considerable improvement on existing legislation. I regret that the evidence was not forthcoming on the previous occasion, and that the Colonial Secretary did not approve my action in asking for the farther adjournment. I may explain that I did not then know he had made arrangements with some members not to go on with the Health Bill, but to agree to adjourn till the Thursday. Had I known that, possibly I should not have taken the action I did on that occasion. But if members have read the evidence submitted to the select committee, they will agree that the delay which has occurred has not been unprofitable, and that a good deal more information has been elicited on the subject than was at the command of members when the Bill was first introduced. With the alterations I have referred to, particularly that to Clause 80, I think the Bill is practically perfect; and even as printed it contains many extremely good points, and points badly needed in connection with the administration of the control of our children. I beg to move the adoption of the report.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I had not intended speaking on the report. It is scarcely necessary, I think, that I should do so, having explained the Bill at length when introducing it and again in replying before the second reading was agreed to; and as the Bill has since been submitted to a select committee, we can at any rate say that it has been fully discussed, there having been practically two second readings, the second reading proper and the present discussion. I do not intend to say much on the present occasion, because the points raised by the hon. member (Mr. Kingsmill) I have already dealt with, and I shall have another opportunity when the Bill is in Committee of the whole House. One point, however, was raised by the hon. member when he said I somehow claimed a monopoly of interest in this matter.

*Hon. W. Kingsmill*: Because you reiterated the statement so many times.

The COLONIAL SECRETARY: As this is only the third occasion on which I have spoken in this House on the subject, I can only liken the hon. member's remark to that of the juryman who said he had never met eleven such obstinate men as were on the jury with him. I do not entirely agree with the hon. member when he says I am obstinate.

*Hon. W. Kingsmill*: Perhaps we are both obstinate.

The COLONIAL SECRETARY: There is one little matter I would like to set right because I fear if the words of the hon. member go forth they may have a wrong construction placed on them and on the intention of the Government in regard to the Bill. I refer to the Waifs' Home. Up to two years ago the Waifs' Home did not receive any State aid. Nobody admires more than I do the work of that noble institution. I have a particular interest in it; I know the sisters who conduct it; I have been to the institution several times and only to-day I had a letter from the sister-in-charge in reference to the home. But the hon. member spoke of the institution being put on a capitation grant. That is how institutions are dealt with to-day, a sum of money being paid for each child so that as the number of children increases the amount increases automatically. The Waifs' Home is not an institution under the Act, but it will be under the Bill, therefore it will come in in the regular way. The hon. member assumed that the institution was to be cut off altogether, and said he rather trembled for the institution when this Bill became law. Let me assure the House such is not the case at all. I anticipate the Waifs' Home will receive more under this Bill than it does at present.

*Hon. J. W. Hackett*: What is the capitation grant?

The COLONIAL SECRETARY: A shilling a day for the infants and one and sixpence a day for the older children in the reformatories, which includes the cost of education. The Waifs' Home will not, and I should be sorry if it were the case, suffer under this Bill at all. I anticipate they will get a larger grant, and if they do get the same as other institutions receive they will have about £800, because it is probable for the children they deal with, the infants, they will receive more than the ordinary orphanages because children under three years of age are more expensive to look after and the institution ought to receive more for those children than for those over three years. Mr. Kingsmill spoke on the question of the children's council. It is not to be expected I could accept the amendment which alters the whole principle of the Bill. The hon. member states that certain ladies and gentlemen could be got together to take charge of this work. Possibly that is right. The hon. member instanced the case of South Australia. I would refer hon. members to certain evidence that was given by witnesses before the select committee. Take the evidence of the Rev. Mr. Burton in charge of the Boys' Orphanage on the Swan and the Redhill institution; he clearly explained, having had long experience in South Australia, the way that South Australia succeeded, and why such a system would not succeed here. The position is entirely different. In 1872 there were really no proper institutions in South Australia. There was a general destitute home or Government home, which, according to the evidence I have read about it, was nothing like the institutions here to-day. At that time the Government appointed advisory committees exactly like those to be appointed under the Bill. These committees did not control the finances but they adopted the boarding-out system and after 14 years were merged into a State children's council. As the Rev. Mr. Burton stated, even in 1872 South Australia had an advantage, for there were some exceptional people there. Miss Clarke who had devoted a lifetime to this work and to a study of the question, is well-known to members. Then there is Miss Spence who wrote an excellent work on the subject, and Mr. Rhodes who has been president of the State children's council for many years. We are starting on a different basis here to-day. We have more established institutions, notwithstanding what the member said, that deal with 90 per cent. or even more, perhaps 95 per cent., of the neglected children of the State. We cannot alter the management that these institutions have been under for years, and place them under an honorary board. It may be possible to get ten or twelve ladies and gentlemen who would control those institutions, but we should be running a very great risk. Side by side with that we are instituting

the boarding-out system, although it has been objected to, as the member said, by some managers of the institutions, principally the gentlemen mentioned. It is a system I thoroughly believe in and I wish to give it a fair trial. Side by side with the institutions of to-day we are instituting the boarding-out system. If on top of that we give the control of the expenditure of the department, which amounts to £16,000 a year, over to a committee we shall have trouble. Let us go step by step as they did in South Australia.

*Hon. W. Kingsmill*: Do not take 14 years over it.

The COLONIAL SECRETARY: Let us establish the boarding-out system, and let the department deal with it, and I have no doubt it will be a success. After 34 years of boarding-out in South Australia, if we take the last report of the children's council of that State, we find that 33 homes were found not to be suitable. So members will see that it requires a good deal of care to obtain suitable homes for children. It will be quite impossible at the present time to find ten per cent. proper homes that would be required to house the State or neglected children as now contained in the institutions. The hon. member touched on one point, and in justice to the institutions I ought to set him right. He said the institutions seemed to have a dread of inspection. These institutions are inspected by the school inspector, they have to keep up to the standard of the State schools, and they are inspected by the inspector of industrial and reformatory schools. They are open to visitors, yet the hon. member conveyed the idea that these institutions resented inspection and that really there was no inspection.

*Hon. W. Kingsmill*: No.

The COLONIAL SECRETARY: Anyone listening to the hon. member would draw that conclusion. These institutions can deal with the department as to finances and management. They say, "If we have an honorary committee to deal with them we do not know where we shall be. We have a department now that we understand, but if we have a lot of ladies and gentlemen to deal with who want to interfere in the management, there will be trouble." I need not say anything farther, but shall be prepared to deal with any question that may crop up when the Bill is in Committee.

Hon. J. W. LANGSFORD (Metropolitan-Suburban): On reading the report of the committee, members must express disappointment. We generally look to the committees of the House to give us our leading on questions submitted to them, but all they have told us is that they are divided. There are six clauses of the brief report submitted by the committee, and the sum and substance of the report is that they cannot agree. They have given us no leading or light on the question; and so far as submitting the question to the select committee is concerned, not much has been gained after reading the report which we have before us. On reading through the evidence however one can gain some information. I always think that a committee is in a better position to sum up points of evidence than ordinary members of the House. In this case the committee were divided and we are left in the dark as to the proper course to pursue. That only goes to show perhaps how difficult is the position and how complex the whole question in dealing with these children. On reading the report and the Bill together I should have preferred to have called the Bill a Bill for the Abolition of the Children's Protection Society, because I think it will have that effect and I should be very sorry indeed if it were so, because the main movers in bringing that Bill into existence have been that society. It was not until they moved in the question that Mr. Longmore was sent to the Eastern States to study the whole question. That society and the police court proceedings in the Mitchell case were the main instruments in inducing the Government to take up this question, and I think that unless some responsibility is given them of looking after the infants until they are three years of age the Bill may cause these people to lose interest in the splendid work they have already done. I quite understand the objections taken by the managers of the

institutions. Personally I do not think at this juncture that any society is capable of managing the institutions as they are managed at the present time. That can only come by experience and that experience we have not had. In regard to the infants I hope the clause that refers to financial assistance to the societies will be struck out in Committee. Grants of money are made to institutions and no question is asked as to how they will administer the funds or what ability they have for treating with this money. I notice the Premier promised £1,000 the other day to the Children's Hospital. How does he know how that money will be expended, or who are to be the managers of the institution? If the principle applies in one case and if £1,000 is promised in the dark before we know who are to be the governing authorities of the hospital, then in the interests of those who do know and those who are doing work in the interests of the infant children, provision ought not to be put in the Bill depriving them of the subsidy from the Government. I hope when the Bill is in Committee that clause will be amended.

Question put and passed, the report adopted.

*In Committee of the House.*

The Bill was now considered in Committee of the House, in connection with amendments recommended by the select committee.

Clauses 1 to 26—agreed to.

Clause 27—Uncontrollable children may be charged by department:

On motion by the *Colonial Secretary*, the clause was amended, in accordance with the select committee's report, by adding after "department," in line two, the words "or a police officer."

Clause as amended agreed to.

Clauses 28 to 46—agreed to.

Clause 47—Moneys banked may be expended for the child's benefit:

The COLONIAL SECRETARY moved an amendment—

*That the words "on the death of any such child" be inserted between "that" and "any debt" in line one of the proviso.*

As the clause was printed it would mean that the State could recover from the child, on completing its term of apprenticeship, any debt incurred to the State in its maintenance, but that was not intended. The intention was that should a child die during its apprenticeship any money banked to its credit could be used by the State as a set-off against any debt incurred during the maintenance of the child.

Amendment passed; the clause as amended agreed to.

Clauses 48 to 52—agreed to.

Clause 53—Notice to be given if a child absconds, becomes ill, or dies:

*Hon. J. W. Hackett*: To whom was notice to be given? The clause did not say.

The COLONIAL SECRETARY: To the department. It would be provided for by regulation.

Clause passed.

Clauses 54, 55—agreed to.

Clause 56—Apprenticed and placed-out children to be visited:

The COLONIAL SECRETARY: The select committee having recommended certain amendments to this clause, the clause had been redrafted. It would be better to have it brought more prominently under the notice of hon. members by putting it on the Notice Paper.

Clause postponed.

Clauses 57 to 79—agreed to.

At 6.15, the *Chairman* left the Chair.

At 7.30, Chair resumed.

Clause 80—Governor may approve of private persons or societies having care of children:

Hon. W. PATRICK: As the clause was drawn it would prohibit the Government in power giving any assistance to a private society. He moved an amendment—

*That the words "without subsidy or aid from the consolidated revenue fund" be struck out.*

The Government should be in the position

to give assistance to those persons or societies, if funds were available.

The COLONIAL SECRETARY: As the amendment, if carried, would alter the whole principle of the Bill, he must oppose it. If the amendment were passed, Part VI. might as well be taken out of the Bill, as the words proposed to be excised governed the whole of that portion of the measure. In the previous clause it was provided that any neglected children could be brought before the children's court or department, and be handed over either to a foster mother to be boarded out, or to an institution. The State retained the legal control of the child until it was 18 years of age. Boarding-out committees were provided for, and their duty was to find homes for the children and to visit the children in those homes. So long as the State paid for the child they retained the control. The present clause was taken, without alteration, from the Victorian Act. In Canada there was a very excellent system whereby people took charge of the children without any expense whatever to the State. We could not hope to see that here. In the sister State there were a number of societies, chiefly in connection with religious bodies, which took over the charge of these children and had control of no fewer than 2,486 of them. Under the clause power was given to hand over the control of children to any societies here which the Government might approve of. For instance, the Children's Protection Society here might have funds to keep say 12 children. If they decided to provide for these children then the State would hand over the control until the children were 18 years of age. When the society came to an end of their funds, then they could bring under the notice of the department, or the children's court, any children they thought to be neglected. The court would then inquire into the case and if thought fit the children would be sent to a foster parent. So long as the State retained the control of the child they would have to pay for it, but otherwise, if the control of the child were given to a private institution, then the State would pay nothing for it.

Hon. J. W. LANGSFORD: If the clause were passed as printed would it be illegal on the part of the State to give help of any kind to any person or society that dealt with work of this character?

The COLONIAL SECRETARY: So long as the State retained the legal control of the child they must pay for it; but if they gave over the legal control it would be illegal for the State to pay anything. Under the clause the societies were given a legal standing which they did not possess to-day.

Hon. W. PATRICK: Under the clause, as it stood, the Government were absolutely prohibited from giving assistance of any kind. A case might frequently occur where a poor woman desired to adopt a neglected child but could not afford to keep it; in such a case the State would not be able to grant her any assistance.

Hon. J. A. THOMSON: The amendment would result in the formation throughout the State of irresponsible and largely self-appointed bodies, demanding support from the Government. The majority of members of such organisations were busibodies, and even if they were not, the clause as drafted would not prevent their doing good work in rescuing neglected children.

Hon. G. RANDELL opposed the amendment. The clause would, in addition to the main part of the Bill, afford an additional opportunity for doing good work. The amendment would create confusion, and would prevent Government control of individuals and societies, especially of individuals. Some members seemed to favour the amendment out of consideration for the Children's Protection Society—an admirable institution, which, like kindred societies, the Bill would place in a better position, for such societies could through the court get legal control over the children in their care. Clause 92 would give them power to transfer children to the care of the department. The Minister was well advised when he selected this feature of Victorian legislation.

Amendment put and negatived; clause passed.

Clauses 81 to 93—agreed to.

Clause 94—Issue of licenses:

The COLONIAL SECRETARY moved an amendment—

*That the word "male," in line 1, be struck out.*

Amendment passed.

Hon. J. W. HACKETT: The clause provided for the licensing of children of ten years or over engaged in a specified description of street trading. Was this the age-limit in the South Australian or the Victorian Act?

*The Colonial Secretary*: No; this was taken from the New South Wales Act.

Hon. J. W. HACKETT: Many small boys between the ages of eight and ten years added materially to the family earnings by delivering papers. They were quite competent to deliver papers in the early morning without interfering with their school work. He moved an amendment—

*That the word "ten," in line 2, be struck out, and "nine" inserted in lieu.*

Hon. G. RANDELL: All children should be prohibited from following this most disreputable occupation. Few children engaged in it came scathless out of the ordeal. It was deplorable that mere children should be permitted by their parents to be contaminated by older boys, and perhaps by the undesirable class of men with whom they competed in selling newspapers.

*Hon. J. W. Hackett*: That was simply wild talk.

Hon. G. RANDELL: The remarks made were the result of great consideration. It was a melancholy spectacle to have young boys and girls selling papers about the streets. It was true this was a phase of modern society; but its tendency was to blunt the morals of young persons. Provision should be made to gather these boys and girls into some institution which would improve them by moral training, for if this were not done as a corrective to what these boys and girls learnt in trading on the streets, the results would be serious, as was known to be the case in other parts of the world where this practice went on. The results could easily be observed as one walked along the streets and noted the conduct of boys who earned some money by selling newspapers to passers-by, especially in the evenings. It could be seen that the boys engaged in this kind of occupation were utterly without control, either by parents, by the managers of newspapers, or by other parties. If the practice was to continue, there should be some kind of moral training in suitable institutions.

Hon. C. SOMMERS agreed with Mr. Randell's view of the practice; and if newspapers were to be sold by young persons on the streets at night, the hours should be restricted under the form of license by which they were to be permitted to sell if the Bill passed. The selling of evening papers gave to boys an excuse for being away from home long after reasonable hours. The regulations to be framed under this Bill should amongst other things forbid children to trade on Sundays.

*Hon. W. Patrick*: That was in the Bill.

Hon. C. SOMMERS was glad to hear it was so. He hoped the amendment for reducing the age to nine years would not pass.

Hon. R. LAURIE agreed with Mr. Randell's view; for there was no more melancholy sight than to see a number of young children selling newspapers in the streets. Yet it would be a serious hardship to prevent a boy from assisting a family in needy circumstances. One case with which he was acquainted at Fremantle was that of a boy under the age of 12 years, who had been selling newspapers during the last three years and earning latterly from 16s. to £1 a week to help his mother, a widow left with a family of young children, and this boy the only one able to assist in maintaining them. Such cases of hardship were distressing; therefore the law should not prevent the selling of newspapers by boys, as many poor families would feel the hardship greatly if this means of earning a small sum through the work of a boy were taken from them.

Hon. W. PATRICK was also in sympathy with Mr. Randell's view. The

clause would permit any boy or girl above ten years of age to sell papers or any other article in the streets under the form of license to be granted. But there should be a limit as to the extent of the license. It was true young children might sometimes help poor parents by this kind of trade, but the whole tendency of legislation in Australia was to prevent the necessity for young children doing any kind of labour, because the law sought to enable parents to earn sufficient means for maintaining their families.

Hon. J. W. HACKETT: Captain Laurie's illustration of the way a poor family was helped in one case could be multiplied by hundreds of cases in a town like Perth. In England a law was passed not long ago prohibiting the employment of young children on the stage of theatres; but this was found to be the cause of so much hardship to poor families that the law had to be repealed. Mr. Randell was not very well qualified to express an opinion on the question of permitting boys and girls to sell newspapers in the streets, because he was unacquainted with the real facts of the case. As to the employment of children in theatres, Mr. Randell probably was never inside a theatre in his life. The training of children in this occupation was not a bad means of fitting them for earning their livelihood in future; and this House should not reduce the means which enabled a poor family to earn something through the labour of a boy or girl, when necessity made it desirable. He thought it would be safe and reasonable to reduce the age-limit to nine years, so that children of poor parents might have opportunities of adding something to help poor families.

The COLONIAL SECRETARY: This part was one of the most useful in the Bill. The point referred to had been mentioned by the Inspector of Industrial Schools in his report for years. There was no such provision in the South Australian Act, but there was a provision in the Victorian Act. This clause was taken from the New South Wales Act of 1905 word for word, and the age fixed was ten years. In the Victorian Act no definite age was fixed unless it was fixed by regulation. After all, ten years was a fair age, and he did not think that any hardship would be inflicted by fixing the age limit. It would be inflicting an unnecessary hardship if we deprived children from trading in the streets. The provision was hedged round with conditions and was safeguarded. If a small child asked for a license the department would no doubt inquire first what trading the child wished to take up and the license would be issued accordingly. The department would not give the same license to a boy of nine or ten that it would give to a boy of thirteen or fourteen years of age. Very few children under the age of ten traded. It would not make a great deal of difference if the clause was amended as proposed.

Hon. R. LAURIE: This clause gave entire control over children selling papers or other articles in the streets. There were very few children who sold morning papers and very few children were to be found selling papers in the streets of Perth after eight o'clock at night, or after the business people had left for their homes. If members had any doubt as to the character of the children who sold papers in the streets, let them attend one of the annual treats given to the newsboys. This provision would give the department an opportunity of seeing if a child was fit to have a license or not, and the department would be able to say whether a child should be allowed to sell papers on a day on which it should be doing something else.

Hon. J. W. LANGSFORD: This provision would enable a girl ten years of age to apply for a license for street trading. In the future, the department might be deluged with applications for licenses by girls of ten years of age or over to enable these girls to sell papers. Ten years was quite young enough.

The COLONIAL SECRETARY: It did not necessarily follow that because a girl applied for a license, she would get it. To a great extent the matter should be left in the hands of the department.

Amendment (to strike out "ten") put, and a division taken with the following result :—

| | | |
|---|---|---|
| Ayes | .. | 6 |
| Noes | .. | 7 |
| Majority against | .. | 1 |

| AYES. | NOES. |
|---|---|
| Hon. J. D. Connolly | Hon. R. Laurie |
| Hon. J. M. Drew | Hon. R. D. McKenzie |
| Hon. J. T. Glowrey | Hon. W. Patrick |
| Hon. J. W. Hackett | Hon. G. Randell |
| Hon. G. Throssell | Hon. C. Sommers |
| Hon. W. T. Loton *(Teller).* | Hon. J. W. Wright |
| | Hon. J. W. Langsford *(Teller).* |

Amendment thus negatived.

On motion by the *Colonial Secretary*, the words "within prescribed hours" after "engaged," in line 2 were struck out as superfluous ; and the following was added to the clause : "Any child so trading without a license or in contravention of the conditions on which the same is granted shall be guilty of an offence against this Act."

Clause as amended agreed to.

Clauses 95 to 98—agreed to.

Clause 99—Penalty on keeping unlicensed lying-in homes.

Hon. J. W. HACKETT : What was the difference between a lying-in home and a hospital ?

The COLONIAL SECRETARY : The intention of the Bill was that all places where lying-in cases were taken must be registered. A hospital might be a hospital, but not a lying-in home.

Clause put and passed.

Clauses 100 to 105—agreed to.

Clause 106—Register to be kept by foster mother :

The COLONIAL SECRETARY : There was a lengthy amendment to this clause which he would put on the Notice Paper. He moved :—

*That the clause be postponed.*

Motion passed, clause postponed.

Clauses 107 to 119—agreed to.

Clause 120—State children to travel free on Government Railways :

The COLONIAL SECRETARY, in accordance with the select committee's recommendation, moved an amendment :—

*That the words "and children committed under Part VI. of this Act" be inserted after "State children" in line 1.*

Part VI. dealt with children committed to some private society. They were to have the same privileges as State children.

Amendment put and passed.

Clause consequentially amended in line 4, by striking out "State" before "children" and inserting "such."

On motion by the *Colonial Secretary*, the words "or efficient" were inserted between "public" and "school," in line 6.

Clause as amended agreed to.

Clauses 121 to 123—agreed to.

Clause 124—Whipping :

Hon. J. W. LANGSFORD considered that the maximum punishment of 12 strokes was rather too high.

The COLONIAL SECRETARY : The clause was taken from the South Australian Act, and it was provided that the Bench could order up to 12 strokes. It must be remembered that was only the maximum.

Clause put and passed.

Clauses 125 to 130—agreed to.

Clause 131—Appropriation of penalties :

Hon. J. W. HACKETT asked how the money was to be voted for the administration of the Act.

The COLONIAL SECRETARY : The money would be voted by Parliament in the usual way. The cost would be greater than under the present system, as the boarding-out plan was more expensive than the institutional one. The administrative departmental expenses would also be greater. It was impossible to say at present what would be the cost of inspection, for it would depend on how much of that work would be done by honorary inspectors.

Clause put and passed.

Clause 132—agreed to.

Progress reported, and leave given to sit again.

## ADJOURNMENT.

The House adjourned at 8.50 o'clock, until the next day.

# Legislative Assembly,

*Tuesday, 19th November, 1907.*



The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

## PAPERS PRESENTED.

By *the Premier*: (1.) Trade Unions—Fifth Annual Report of Registrar of Friendly Societies.

By *the Minister for Railways*: 1, Return showing cost of repairs to Quarters of Resident Engineer and Foreman at Geraldton. 2, Papers *re* Retirement of Detective McCartney from the Railway Department.

By *the Minister for Works*: Plan of Burswood Island Filter Beds.

## QUESTION—JANDAKOT AREA FLOODS.

Mr. McLARTY asked the Minister for Lands: 1. Is he aware that during the last severe winter many of the settlers' holdings at Jandakot were flooded, serious loss and destruction to their gardens and other crops being thus occasioned? 2, Has the Government any comprehensive scheme of drainage in view for the Jandakot Area, as outlined by the Minister for Works? And is such drainage soon to be taken in hand? Is he aware that the drainage of a large portion of the Jandakot Area is into Thompson's Lake, and that the settlers have spent much time, labour, and money in cutting extensive drains leading to the Lake? 4, Is he aware that owners of property in the vicinity of Thompson's Lake objected to these drains, and have obtained an injunction from the Supreme Court under which the drains are to be closed, this meaning that now the holdings are useless to the settlers? 5, Is he aware that the cost of proceedings in the Supreme Court fell on the settlers, which means absolute ruin to some of them? 6, Will the Government consider the advisability of purchasing the private estate of Thompson's Lake, cutting up the land, and selling it for the benefit of the State, and effectually draining a great portion of the Jandakot Area?

The MINISTER FOR LANDS replied: 1, No. 2, An engineer of the Works Department has made a careful investigation and report, and the Hon. Minister for Works has requested the Chairman of the Road Board and some of the principal residents to meet and discuss the whole question with him. 3, Yes. 4, Certain owners of property in the vicinity of Thompson's Lake obtained an injunction against certain settlers for the closing of the drains, but he cannot say what effect this judgment had on the settlers. 5, The costs of the action for an injunction were ordered to be paid by the defendants. 6, It has been suggested that the Government should purchase this property, partly for a drainage area and partly for subdivision, but a decision in the matter has not yet been arrived at.

## QUESTION—RAILWAY STATION ENTRANCE, PERTH.

Mr. BREBBER asked the Minister for Railways: Is it the intention of his Department to permanently close the entrance from Beaufort Street to the Perth Railway Station?

The MINISTER FOR RAILWAYS replied: No. The notice posted at the Beaufort Street entrance states that it is closed during alterations. It will be re-opened in about three weeks' time.

## CHAIRMAN OF COMMITTEES, DEPUTY.

Mr. SPEAKER: I desire to inform the House that I have decided to nominate the member for Collie (Mr. J. Ewing), in conjunction with the members for Claremont and Dundas, as Deputy Chairman of Committees.