

now to say that our thanks are due to the Colonial Secretary who has taken so much trouble in introducing measures to this House, and I think he has succeeded most admirably. I am not going to say that he does not make mistakes, I think he made a couple of mistakes yesterday, but apart from those mistakes the Colonial Secretary deserves the commendation of hon. members for the capable manner in which he has discharged the duties of leader of the House, and for the trouble he has always taken in seeing that all the measures are put before members in a clear manner. I have much pleasure in saying that we all appreciate the way in which he has dealt with the Bills which have been placed before us. The Colonial Secretary has had the able assistance of the Honorary Minister. I am quite certain that Mr. McKenzie is aspiring in the course of time to fill the position now occupied by the Colonial Secretary, and if he attains to that position, I am sure, having seen the successful way in which he has introduced the few Bills of which he has been in charge this session, it will be with credit to himself and to this House. I have pleasure, therefore, in putting on record our appreciation of the services which the Colonial Secretary and the Honorary Minister have rendered to this House.

The COLONIAL SECRETARY: I appreciate very much the kind remarks made by Sir Edward Wittenoom, and I trust that in the future my relations with the House will be as pleasing as they have been in the past. Naturally, of course, there is a good deal of work thrown on one occupying the position of leader of the House, but, as Sir Edward Wittenoom said, it has been lightened very considerably this session by the assistance of my colleague, Mr. McKenzie. That assistance I very much appreciate, and anyone who has occupied this position will readily understand that to be relieved of a number of Bills during the stress of work at the end of the session is a very great help. I again thank Sir Edward Wittenoom for the kindly wishes he has expressed.

Hon. R. D. McKENZIE (the Honorary Minister): I, too, wish to express

my gratitude for the generous remarks of Sir Edward Wittenoom. I do not know that I am aspiring to the position occupied by the Colonial Secretary; indeed, I had no idea of the amount of work he had to do until I became an Honorary Minister. Now I am able to appreciate the very strenuous nature of the position he occupies, and the tremendous amount of energy and application he has to give to his work in order to put the numerous Bills before the Chamber in the way he has done. Sir Edward Wittenoom stated that the men who work hardest in Parliament are the leader of the Opposition and the leader of this House. I think we may say that the leader of this House is worked very much harder than the leader of the Opposition, and, therefore, he is the hardest worked man in the Parliament of Western Australia.

*House adjourned at 7.45 p.m.*

## Legislative Assembly, Friday, 3rd February, 1911.

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The SPEAKER took the Chair at 10.30 a.m., and read prayers.

# URGENCY MOTION—RAILWAY FATALITY, MARRINUP.

Mr. GEORGE (Murray): I desire to move the adjournment of the House on a matter of urgency.

Mr. SPEAKER: The hon. member has placed in my hands his reasons for wishing to move the adjournment of the House.

Seven members having risen in their places,

Mr. GEORGE said: From the newspapers of this morning and other information to hand, I find there has been a railway accident on the Pinjarra-Marrinup line by which the driver of the engine lost his life. I have no desire to ask hon. members to prejudge the case, because the information before us is too meagre to do more than justify us in expressing an opinion as a direction to the Government in regard to their policy of railway construction. This particular railway was built principally for the purpose of conveying timber. Those of us who have been connected with the timber trade know perfectly well that in addition to sawn timber, long piles and heavy beams have to be carried, and we know that bringing timber of that description down steep grades and round heavy curves can scarcely be regarded as coming within the margin of safety. On private timber lines the bringing down of piles is regarded as of such serious importance that extra precautions are taken by experienced men to see there is no undue possibility of accident. As I say, the particulars we have of this accident are so meagre that it is impossible to form any judgment in connection with it, and my object is more particularly to point out that this is the first toll of death taken by the policy of building light lines where nothing but heavy lines and the best that can be given should be placed at the disposal of those who have to drive the trains. Hon. members will remember that when the Bill was before the House the attention of the Government was drawn to the fact that 45 pound rails, short sleepers, scanty earthworks, sharp curves, and heavy grades were the characteristics of this

line. Since I have been in the House I have, not for personal notoriety, but as a result of my experience in connection with the running of our railways, advocated a strict regard for safety, safety not merely for the passengers, but for those who drive the trains. When the late Mr. C. Y. O'Connor was Engineer-in-Chief, it had become an accepted factor amongst railway engineers that grades on these lines in the Darling Ranges should not be steeper than one in 60, but for the purpose of cheapness—I would call it false economy—this line was built on a ruling grade of one in 45. This railway passes up a big gorge. The material at the disposal of those who built the line was very scanty, and in consequence the banks, which are steep, are very narrow indeed; short sleepers have been used, and on a line built in a district subject to a heavy rainfall, these banks have never become consolidated and never will. True, this accident did not occur on these particular parts: still, as we know, when going down steep grades, one gets a certain amount of way on, and a certain shaping in the twist of the trucks carrying the piles, and when the train comes to something approaching a level, it displays a tendency to leave the line.

The Minister for Railways: Why form an opinion before we get the information?

Mr. GEORGE: I am trying to be dispassionate. The Minister may not feel so strongly on this as I do. It means the destruction of human life when it can be avoided. That is the point I wish to bring before the Government, and if the Minister will possess his soul in peace and his tongue in silence, he will be able to reply later. I wish to avoid any possibility of repetition of this accident. In the bringing down of these long piles a certain twist sets up along the trucks, one going one way and the other the other, with the consequence that the couplings and ties are shaken loose. It was probably this which the driver felt, and which impelled him to jump off. I am not desirous of prejudging this matter, because we

have not the particulars before us ; but seeing that we will probably close our session to-day, and that when the evidence comes forward we shall not have an opportunity of discussing it here, I say the Government should afford us a special opportunity of going into it when the time comes. Where there are steep lines to be worked it is not a fair thing to the country or to the passengers, and it is absolutely unfair to the men who have the responsibility of driving the train, that the best possible road is not provided, a strong solid road over which they can feel confidence in running. I know that on one of the projected lines, the Northampton-Ajama I think it is, they are going to have one in 40 curves. I ask the Government to consider whether that cannot be avoided. I am satisfied the House will vote the necessary money to make these lines good and solid, and I ask the Government to carry this in their minds. No hon. member would think of refusing the money to make these lines safe. Without any idea of embarrassing the Government I want to suggest that when the evidence in connection with this accident is submitted, they will allow members of the House during recess to see that evidence and determine for themselves the cause of the accident. The particulars we get in newspapers must of necessity be meagre, and have but little weight, because the writers have not had a life training at the game. I want hon. members to have an opportunity of seeing the reports of the men who have spent their lives in building and running railways. While it is desirable not to waste the funds of the State, I say let us rather run the risk of being accused of wasting money than have poor fellows killed in the execution of their duty. For that reason I feel I would not be faithful to my duty if I took no action on this occasion. I beg to move—

*That the House do now adjourn.*

The PREMIER (Hon. Frank Wilson) : While, of course, in common with the member for Murray and every member

of the Chamber I regret exceedingly the unfortunate accident which has taken place on this line, and all the more because it has resulted in the death of the engine-driver, yet I must say at once I think it would be unwise for any of us to jump to a conclusion as to the cause of the accident. More than that, I think the member for Murray, from his practical experience and knowledge of the running of such railways, will agree that we cannot for one moment, on the meagre information at our disposal, accept any idea as to the cause of this unfortunate accident. To say it is due to the lack of money voted by Parliament for the construction of the line would be absurd and unjust ; to say it is due to the grades being too steep, or the curves too sharp, would I think in the same way be unjust at the present juncture. The hon. member knows full well that lines of this description in timber country and on the Darling Range are built with sharp curves, and on steep grades. For many years after I came to this State, in common with the hon. member, I manipulated heavy traffic of this description over a road which was not a patch on this railway, and I know the hon. member dealt with very heavy traffic on a line which had a one in 3 curve, and a one in 26 grade. The sharpest curve on the Upper Darling Range line that I manipulated was one in 5, and we had a one in 6, yet we carried many thousands of tons of this heavy traffic each year when I managed that railway and during the years the hon. member managed the Jarrahdale Company's concern. The hon. member has perhaps overlooked the fact that this railway was constructed departmentally, and that the cost largely exceeded the estimate. There was no restriction of money. The railway was built well so far as I know. It cost 50 per cent. more than the first estimate, so there cannot be any idea that the Government or the Engineering Department have scamped their work, and so caused this unfortunate accident. It seems to me this morning we ought rather to refrain from jumping to any

hasty conclusions. We know that accidents happen on the very best railway systems whether they are built with 45lb. rails or 100lb. rails, or whether the sleepers are 6ft. 6in. x 8in. x 4in., or whether they are heavier. Accidents will happen, and the cause may have nothing to do with the construction of the road. It may be faulty loading; a chain may break. So I think it would be out of place this morning to discuss this matter or even to insinuate that blame is on the Railway Department or the construction branch of the Public Works Department.

Mr. George: I do not think I said anything of the sort.

The PREMIER: There seemed to be a tendency to say that it was a cheap and nasty railway that was the cause of the accident. The hon. member ran traffic with 35lb. rails on the Rockingham line and his engines jumped the rails on many occasions.

Mr. Bolton: And had fatalities.

Mr. George: Only one. A man ran along the piles and got crushed.

The PREMIER: We could have lines constructed with 35lb. rails, and have traffic carried safely over them.

Mr. Collier: And there can be accidents with 80lb. rails.

The PREMIER: Accidents will happen with any rails. I ask the House, while expressing sympathy with the family and friends of this unfortunate man and regretting the loss of life that has been occasioned through the accident, to refrain from passing judgment until we have the whole of the evidence. That evidence asked for by the hon. member will be forthcoming when the case is inquired into. It will be at the disposal of any hon. member. In fact all the information the Government obtain will be at the disposal of any hon. member who desires it. I think generally our Railway Department and those in charge of the railway system of Western Australia, more especially those in charge of the running of the system, are to be congratulated on the fact that we have been so practically immune from accidents of a fatal nature during the past years in Western Australia.

Mr. O'LOGHLEN (Forrest): I think the member for Murray must admit that the particulars are too meagre until the evidence is forthcoming to allow us to pass a definite opinion, but I take it that in the near future when the departmental experts have given their opinions the evidence will be submitted to members, and if there is any indictment to be served up against the department a different line of operation will be proposed to be adopted in the future. I believe this railway presented more engineering difficulties than any other line undertaken by the Government in recent years. As the member for Murray has pointed out, the survey 14 years ago cost £4,000, and this would indicate that difficulties were presented even to the surveyors. I have held the opinion ever since the railway was completed that it would not be too satisfactory for the reason that the grades are too steep and the curves too sharp. Engines can take heavy loads on the down grade, but they are unable on this line to pull up sufficient empty trucks to take a big load away. This indicates how very steep the grades are. I have no intention of offering an opinion as to how the accident occurred. It is wise to wait until we have the evidence before us. If that evidence shows that the line has been constructed in a faulty way, that the rails and sleepers are not of a sufficient weight and size, we should adopt the suggestion of the member for Murray and put down in mountainous country like this a different system. It is deplorable such a large number of accidents occur in the South-West country. In this morning's paper two fatal accidents are reported, the one brought under notice by the hon. member, and another which was on one of the private lines, a man having been run over by a train. It is only a few weeks since a couple of other accidents occurred on a private line. The risks of bringing down timber on the zig-zag lines are extremely great. However, while regretting that this accident has occurred. I do not think we can do more than deplore the fact. Certainly our railways have been com-

paratively free from accidents. I deeply sympathise with the relatives of the unfortunate victim in the heavy loss they have sustained.

Mr. BOLTON (North Fremantle): I think it is unfortunate on the occasion of this accident to refer to policy, as to whether a line has been built light or heavy, or with a small or big radius of curves. The member for Murray feels strongly on the point, as he has previously raised his voice against this line and against the policy; but my remarks will refer to the unfortunate victim. He was a colleague of mine, and I knew him well. He was a thoroughly capable man. I wish to ask hon. members not to pre-judge the matter. I believe a departmental inquiry will be held, and I shall be pleased to have the opportunity of perusing the result of the inquiry. I have a practical knowledge of the danger of carrying piles over three or four carriages, and I believe it will be the cause of this accident, but we should not pre-judge the matter now. I have sufficient faith in the Government to know that they will have a proper inquiry made, and that they will make provision for the relatives of this unfortunate man, although he left his engine. He may have escaped had he not left his engine; on the other hand he may not have escaped had he remained. At any rate I ask hon. members not to pre-judge the matter.

Mr. GILL (Balkatta): The Premier seems to have got into his mind that a cheap railway can be worked successfully and practically without danger.

The Premier: I said a light railway, not a cheap railway.

Mr. GILL: When we speak of light railways, we generally speak of cheap railways. The hon. member instanced one in the hills belonging to one of the timber companies. Not only in connection with that railway, but with the whole railway system 15 years ago, the fact that we were so immune from accidents in working the lines through the hills was the fact that the lines were so absolutely dangerous that the men were always on the look-out for accidents. A full investigation will be made I know,

but unfortunately in regard to many of these accidents the one object of the inquiry appears to be often to try to show that the persons working the trains are at fault. I hope there will be a full and fair inquiry in this case, so that we will get at the full facts. I do not think we should attempt here to day to judge who was at fault. It may be no one's fault, or it may be someone's fault. I hope the inquiry will not be taken up with the object of proving that the unfortunate man who was killed was at fault, as sometimes, I am sorry to say, has been the case in the past.

The MINISTER FOR RAILWAYS (Hon. H. Gregory): I just wish to say in connection with this matter that the fullest inquiry will be made, and there will be no objection to making all the evidence as public as possible. However, I ask that there will be nothing done to pre-judge the case. We know nothing of the accident except that one of the staff has been killed, and we all deplore it. On the other hand until we receive the fullest information we should not pre-judge the case.

Mr. GEORGE (in reply): I thank the Premier and the Minister that members will have an opportunity of seeing all the evidence and documents in connection with this matter. I am sorry that in the course of my remarks which were naturally unprepared, I gave the impression that I was anxious to get hon. members to pre-judge the matter; I was not anxious to do that; but, seeing we have passed railways with grades of one in 40, I wanted the Government to be impressed with the necessity of seeing that the roads on these particular railways are built strongly and well. I cast no reflection whatever on the Working Railways, or on the Public Works Department. If there is any man who should know the work that the officers in connection with railway construction have done, without egotism I think I can lay claim to be that man, and I say that in the Working Railways, and as far as I have come into contact with it, the Public Works Department, we have the pick of railway engineers

and railway contractors to be found in the whole of Australasia, and there are men there who were in business again, I would not hesitate to take into my employment.

Mr. Bolton: That applies to the staff, too.

Mr. GEORGE: As my friend points out, it applies to the staff as well. The Government should not be afraid of this House or the country endorsing expenditure when there is a difficult line to build. The Government should always ask for sufficient money and give us the best. I hope the House will not take it that I have tried to prejudice the matter; I have only endeavoured to indicate the desirability of giving the men a decent row to hoe. With the assurance that I have received from the Government I think I have done sufficient, and, with the permission of the House, I will withdraw the motion.

Motion by leave withdrawn.

#### QUESTION—RUTHERGLEN FLY AT COLLIE.

Mr. JACOBY asked the Minister for Agriculture: 1, Is it true as reported that Rutherglen fly has been discovered at Collie? 2, If so, when did the Department of Agriculture learn of the discovery, and by whom was it made? 3, What steps are being taken in connection with the matter?

The MINISTER FOR LANDS replied: 1, Yes. 2, In this year on 17th January the Department received a specimen from Mr. W. H. Bradbury, Barrier, *via* Collie. The pest has however been known to exist in the State for at least 8 years. 3, In every case brought under notice detailed advice is given how to cope with the pest. An inspector will be sent to the district at once.

#### PERSONAL EXPLANATION.

##### *Incorrect Press Report.*

Mr. UNDERWOOD (Pilbara): It is not often that I trouble the House on a matter of privilege, but I desire to do so to-day, just to call attention to a paragraph which appears in yesterday's

issue of the *Daily News* in the report of the proceedings of this House of the night before last.

Mr. Collier: The *Daily News* again.

Mr. UNDERWOOD: It is in regard to the question of barmaids, and the paragraph to which I take exception reads—

Mr. Underwood spoke to this . . . .

He opined that the bar was not the place for a respectable woman.

That is the sentence to which I take exception. Further down in the report it goes on to say—

Mr. Troy held up Mr. Underwood, who he said had made out a case for the removal of women from an undesirable environment; he, however, did not condemn barmaids, in fact, some of the noblest women he had known had served in such a capacity. I have never in the course of any public or private statement declared that the women behind the bars were not respectable. I have always held that among the women serving in the bars were to be found the best we have, morally, physically, and intellectually, and I certainly do not desire to father such a sweeping assertion as the *Daily News* would lead its readers to believe I made. I just wish to say that the *West Australian*, although it only gave me two or three lines, in recording my remarks on this question, gave its readers a fair idea of what I did say. I only wish to call attention to this and to most emphatically deny that I ever made the assertion that the women behind the bars in Western Australia are not respectable. I trust that the public will see this contradiction, and I have not the slightest hesitation in thinking that they will prefer to believe me rather than the *Daily News*.

#### QUESTION—RAILWAY ADVISORY BOARD, WONGAN HILLS—MUL- LEWA RAILWAY.

Mr. ANGWIN (without notice) asked the Premier: Whether before the close of the session he will report to the House the result of his inquiries as to the statements which were supposed

to have been made by a member of the Railway Advisory Board with regard to the Wongan Hills-Mullewa railway?

The PREMIER replied: I regret it will be impossible for me to do as the hon. member asked. I have not been able to get a reply from Mr. Johnston, who is away in the Eastern States, or from Mr. Muir, who is in the back country. I am afraid it will be quite impossible to get the report asked for and communicate it to the House before the end of the session.

Mr. Angwin: It is a serious matter.

The PREMIER: I will promise the hon. member that I will advise him as soon as I receive the information.

## BILL—ROADS CLOSURE.

### *All Stages.*

The MINISTER FOR LANDS (Hon. J. Mitchell) moved—

*That leave be given to introduce a Bill to close certain roads.*

Mr. SCADDAN: Seeing that this is a new Bill it would be advisable for the Minister for Lands to state the object of it. We could decide then whether it was worth while to go on with it.

The MINISTER FOR LANDS: The object of this Bill is to close certain streets. It always happens that a municipal council desires to close or alter certain streets and in this case it is a matter which concerns various municipal councils, probably a good deal more than the House. It is desired to introduce this Bill and we can better deal with it in Committee than at this stage or on the second reading. I can assure hon. members that the fullest information will be given regarding it.

Mr. Scaddan: Which municipal councils are interested?

The MINISTER FOR LANDS: Albany, Broome, Bunbury, Cottesloe, Perth, and York.

Leave given; Bill introduced and read a first time.

### *Second Reading.*

The MINISTER FOR LANDS in moving the second reading said: This is the usual Streets Closure Bill which

it is the practice to hold back till late in the session so that everything necessary may be included in it. The first street it is desired to close is the whole of Spring-street, Albany. This is done at the request of the municipal council of Albany and the desire is to open another street a couple of chains from it. The owners of the adjoining block and the municipal council agree that this street should be closed. The next proposal is that a portion of Russell Esplanade in the municipality of Bunbury be closed. Mr. Beigel has been in occupation of portion of Russell Esplanade and this he desires to acquire as well as a small portion of Park Lands Reserve A4991 which has already been excluded from the park lands for the purpose. The council is fully in accord with the proposal to grant portion of the esplanade to Mr. Beigel, and before anything further can be done it is necessary to obtain the sanction of Parliament to the closure. At Broome it is desired to reduce the width of Dampier-street from two chains to  $1\frac{1}{2}$  chains. Hon. members will agree that it is unnecessary in a place like Broome to have streets two chains in width. At Cottesloe, at the request of the municipal council, the foreshore is required for other than street purposes. This refers to the beach at Cottesloe, which is at present included in Swanbourne-terrace. The portion to be excluded is required by the public for recreation, etcetera, and, as the street will still be two chains wide, it will not be impaired, and as a reserve the council will be better able to control the beach for the purposes for which it is used.

Mr. Bolton: Is this a portion of the road that goes through the golf links?

The MINISTER FOR LANDS: No; it has nothing to do with the golf links. At York it is desired to close portions of Brunswick and Maud-streets, at the request of the municipal council. The owners of adjoining blocks do not object. The streets are not suitable for traffic on account of the excavations. A new road is to be opened in lieu of the portions closed. At Perth it is proposed to close portions of Dyer

and Marquis-streets. This closure is required by the Railway Department in connection with the proposed railway alterations. The Minister for Railways will, if the House desires, explain more fully the necessity for the closure of these streets. The traffic will be taken into Havelock-street where we now have a subway. The portion of the road which we propose to close is at the present time a level crossing. I am told that the proposed connections with the goods yards will render this level crossing impossible. The convenience of the public will, of course, be interfered with to some extent by the closure of this street, but the Railway Department assure me that ample provision will be made for the accommodation of the public at Havelock-street. The yards have to be extended, and it is absolutely necessary that this street should be closed. Another provision in the Bill relates to a street in York between Brunswick and Maud-streets. The municipality and holders of adjoining blocks both ask that the street shall be closed, and it is no good for traffic owing to the excavations. It is proposed that another street shall be provided to take the place of the one being closed, so that the people will be in no risk of being inconvenienced. I beg to move—

*That the Bill be now read a second time.*

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Mr. Taylor in the Chair; the Minister for Lands in charge of the Bill.

Clause 1—agreed to.

Clause 2—Closure of certain roads:

Mr. FOULKES: Had a request been made by the mayor and councillors of Cottesloe that portion of Swanbourne-terrace should be closed? He did not know whether the council were in favour of the proposal.

The MINISTER FOR LANDS: Action was being taken at the request of the council.

Mr. HAYWARD: Were the provisions relating to Bunbury streets introduced with the concurrence of the municipality?

The MINISTER FOR LANDS: These alterations had been requested by the municipality on several occasions.

Clause put and passed.

Schedule—agreed to.

Bill reported without amendment, and the report adopted.

Read a third time and transmitted to the Legislative Council.

## BILL—ROADS.

### *Council's Amendments.*

Bill returned from the Legislative Council with thirty-four amendments which were now considered.

### *In Committee.*

Mr. Taylor in the Chair; the Minister for Works in charge of the Bill.

No. 1, Clause 5.—Strike out interpretation of "owner" and insert—"Owner as applied to land means:—1, Any person who is in possession or entitled to possession of the land, or in receipt or entitled to the receipt of rents and profits of the land, as—(a) The holder of a legal or equitable estate of freehold in possession therein, or (b) The holder of an estate less than freehold under a lease or agreement granted or made with the Crown, or (c) A mortgagee of the land, or (d) The trustee, Attorney, or authorised agent of any such holder or mortgagee, or 2, Any person who—(a) is in the unauthorised occupation of any Crown land, or (b) Under a license or concession relating to any specific Crown Land has the right of taking any profit of the land, or (c) Is in the actual occupation (with or without title) of the surface or any portion of the surface of a mining tenement within the meaning of 'The Mining Act, 1903.'"

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

This amendment had been thought necessary in view of the amendment made in the Bill giving the owner the right to vote, and it was designed to make the definition clearer.

Mr. Bath: At whose instance is it made?

The MINISTER FOR WORKS: It was made at the instance of the Parliamentary draftsman.



Question passed : the Council's amendment agreed to.

No. 2, Clause 29, Subclause (2).—Strike out the second and third provisos (lines 25 to 30) and insert:—"Provided also that the occupier shall not be entitled to be registered as an elector unless, under the provisions hereinafter contained, he applies to the Board to have his name inserted in the electoral list; but if such application is made and sustained the occupier shall be registered in lieu of the owner."

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

This was really consequential on the amendment recently made by the Legislative Assembly. The Committee had decided that the owner should be the voter. It had been decided that under certain conditions the occupier should be the voter, but it did not take away the priority of right of the owner.

Mr. ANGIN: This amendment would mean that the occupier every year would have to make a claim to have his name placed on the roll. The roads boards were in a different position from the municipalities. In municipalities a large percentage of the occupiers of property were not the owners, while in a roads board districts 90 per cent. were owners. It was not the intention of Parliament to make the occupier every year claim to be registered.

Mr. BATH: The amendment made the position more complex. He did not see the advantage of it.

The MINISTER FOR WORKS: The fears of members were unwarranted. Once a man's name was on the roll it remained until his removal; there was not the slightest fear of continual annual applications. Neither the roads board officer nor the revision court had the power to alter the electoral list until actual applications were made to do so.

Question passed; the Council's amendment agreed to.

No. 3 (consequential) agreed to.

No. 4, Clause 64, Subclause (1).—Strike out at the end "together with the names of their nominators."

The MINISTER FOR WORKS: This was a consequential amendment. The law as it stood provided that any person desiring to become a candidate must be nominated by certain ratepayers; this clause related to his nominators. When passing the amendment it was framed under the conditions in the Municipalities Act that the candidate nominated himself. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

No. 5, Clause 67.—Strike out the words after "Ballot paper" in line 3, down to the words "face and" in line 5.

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

This was to guarantee more effectually the secrecy of the ballot.

Question passed; the Council's amendment agreed to.

Nos. 6, 7, and 8 (consequential) agreed to.

No. 9, Clause 144, Paragraph (14).—Strike out this paragraph and insert—(14.) Subsidise any district nursing system, or hospital, public or private, for the reception of the sick, established within or without its district, or any duly qualified medical practitioner, but any expenditure under this subsection shall not exceed seven and a half per centum of the ordinary revenue of the Board in any financial year.

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

This amendment provided that certain roads boards should subsidise any district nursing system or hospital, public or private, for the reception of the sick, established within or without its district, or any duly qualified medical practitioner, but any expenditure under this subsection should not exceed seven and a half per centum of the ordinary revenue of the board in any financial year. This was proposed by the Colonial Secretary at his (the Minister's) request. Since passing the Bill through this

Chamber applications had been made to him by certain roads boards to jointly subsidise a medical practitioner. There were two or three roads boards that waited on him who had no medical officer. The Bill as introduced provided for their subsidising a resident medical officer, but the deputation pointed out that this was no use. It would be necessary for them to retain some doctor who was not resident in the district. He (the Minister) promised to ask the Committee to give them the authority. As to the power of subsidising hospitals and a nursing scheme, this brought the measure into conformity with the provisions of the Health Act.

Question passed ; the Council's amendment agreed to.

No. 10, Clause 167, Subclause (2), line 8.—Strike out "immediately make good such fence or."

The MINISTER FOR WORKS: This amendment related to the entrance by the board on private land in order to get material for road construction, and it required that the board, during the term for which the land was used, should erect a swing gate and keep it closed. At present it was optional to erect a fence or a swing gate. The amendment would do no injury. He moved—

*That the amendment be agreed to.*

Question passed ; the Council's amendment agreed to.

No. 11 (consequential) agreed to.

No. 12, Clause 168, Subclause 6, line 4.—Strike out "as and for an equivalent" and insert "in."

The MINISTER FOR WORKS: It would be seen in the clause as it stood provision was made that the old road was given as a complete exchange and equivalent for the new road. The amendment had to be read in conjunction with amendment No. 13, providing that it was subject to assessment of values as provided for in Section 164. That would mean that anyone whose land was resumed for a road might accept in exchange the closed road, and if the value of the land used for the new road was greater than that of the closed

road they should, in addition, have the value assessed, if necessary, under the provisions of the Public Works Act. He moved—

*That amendments Nos. 12 and 13 be agreed to.*

Mr. ANGWIN: There should not be a greater difference between the value of one road and another. He would like to know from members representing country boards whether there was any difficulty on this point.

Mr. PIESSE: The amendment was very necessary. In many instances a new road might be made through a portion of a man's property and seriously affect the value of the property.

Question passed ; the Council's amendments agreed to.

No. 14, Clause 175, Subclause (1), line 5.—After "substantial" add "sheep-proof."

The MINISTER FOR WORKS: This amendment gave the board power to order that the land should be fenced with a substantial sheep-proof fence. The object was to protect the land owner against the ravages that might be created by stock. He moved—

*That the amendment be agreed to.*

Mr. SCADDAN: Did not the clause already give power to the roads board to order a sheep-proof fence if they so desired?

The Minister for Works: That is an arguable point.

Mr. SCADDAN: Under the clause as originally drafted the board had power to prescribe a sheep-proof fence. In many districts where there were no sheep there was no need for the erection of a sheep-proof fence. If the amendment were carried the board would have no alternative to ordering a sheep-proof fence whether it was required or not.

Question put and negatived ; the Council's amendment not agreed to.

No. 15, Clause 117, Subclause 3, line 1.—Strike out "driven" and insert "found."

The MINISTER FOR WORKS: This was merely a redrafting amendment. He moved—

*That the amendment be agreed to.*

Mr. BATH: This was another amendment proposing to give a too arbitrary power; it was one thing to give a board power to impound cattle which were being driven for the purpose of grazing on a public road, and it was quite another thing to give the board power to impound cattle which might have strayed there without the knowledge of the owner.

Mr. Hudson: I think they should have that power.

Mr. Piesse: The cattle are sometimes turned out to graze on the road.

Mr. ANGWIN: It might be necessary in townships, but he could not see any good reason for the amendment as applied to country roads. The amendment ought to be restricted to township areas.

The MINISTER FOR WORKS: This merely gave a power to roads boards, and it was essential the boards should have that power. The ratepayers would require that these bodies exercised their powers with discretion. Most members of roads boards were themselves owners of stock, and so it was unlikely that harm would follow the giving of the proposed power.

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

No. 16, Clause 179.—After paragraph (19) insert two new paragraphs to stand as Nos. (20) and (21), as follows:—(20.) Requiring the annual registration of camels and providing for the seizure and sale or destruction of every un-registered camel; but no person shall be required to register the same camel in more than one district. (21.) Providing for the issue by the board, on the registration of any animal, of a registration disc inscribed with the name of the district, and the registration number, and requiring every person in charge of the animal to keep the disc attached to its neck.

The MINISTER FOR WORKS: This provided for the re-imposition of the existing law in regard to the registration of camels. The provision had been omitted in error. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

No. 17, Clause 194, Subclause (3), line 2.—After "orphanage" insert "public school, private school (being the property of a religious body)."

The MINISTER FOR WORKS: This was in relation to the rateable land which would be exempted from rating under the provisions of the Bill. The amendment would bring the Bill into conformity with the Municipal Institutions Act.

Question passed; the Council's amendment agreed to.

No. 18, Clause 194, Subclause 8, line 4.—Strike out "three years" and insert "two years."

The MINISTER FOR WORKS: This related to the exemption of conditional purchase holders from rating for a term of three years. The amendment proposed to reduce the term to two years, not in any hostile spirit towards land settlement, but for the reason that many of the new settlers desired to exercise the full privilege of citizenship as soon as possible. He moved—

*That the amendment be agreed to.*

Mr. BATH: Under the original position there was no need to prevent any settler paying rates, if he so desired, as early as he liked.

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

Ayes	..	..	..	19
Noes	..	..	..	18

Majority for .. .. 1

#### AYES.

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

#### NOES.

Mr. Angwin	Mr. Scaddan
Mr. Bath	Mr. Swan
Mr. Bolton	Mr. Troy
Mr. Coiller	Mr. Underwood
Mr. Gill	Mr. Walker
Mr. Gourley	Mr. Ware
Mr. Holman	Mr. A. A. Wilson
Mr. Horan	Mr. O'Loghlen
Mr. Hudson	(Teller).
Mr. McDowall	

Question thus passed, the Council's amendment agreed to.

No. 19, Clause 196.—Strike out paragraph (c).

The MINISTER FOR WORKS: This applied to the valuation of separate blocks in one holding. There was a conflict between the paragraph and Clause 204. The amendment was made in the Council at his request. He moved—

*That the amendment be agreed to.*

Mr. ANGWIN: It would be well not to agree to the amendment because it would allow separate valuations to be made, which would show a better value of the land. There was another provision, that the valuations must not exceed the total valuation if the blocks are rated as one holding.

Question passed; the Council's amendment agreed to.

No. 20, Clause 197, Subparagraph (c).—Strike out "seven pounds ten shillings" and insert "five pounds."

The MINISTER FOR WORKS: The amendment proposed to reduce the minimum value of unimproved land in townships from £7 10s. per cent. to £5 per cent. The amendment could safely be accepted. He moved—

*That the amendment be agreed to.*

Mr. ANGWIN: In the Municipal Act the provision was £7 10s. per cent., and we should make the roads boards rating in this regard uniform. Reducing the valuation of unimproved lands would be of benefit merely to the speculator. It was the first time in Western Australia there had been any attempt to reduce the value put on unimproved land. If it was done in this case no doubt it would be done in others.

The MINISTER FOR WORKS: This was not an attempt to reduce, but merely an attempt to keep the value at the present rate. As the promise was made that if exception was taken to a pronounced change in the law he would not attempt, in the circumstances in which the Bill was dealt with, to force it through, he had no alternative but to agree to the amendment proposing that things should remain as they were in the original Act.

Mr. ANGWIN: The effect would be that where a road divided a municipality from a roads board, there would be different values on land on either side of the road. Although five per cent. was the minimum it would become the maximum.

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

Ayes	..	..	20
Noes	..	..	19

Majority for	..	..	1
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#### AYES.

Mr. Carson	Mr. Mitchell
Mr. Daglish	Mr. Monger
Mr. Davies	Mr. S. F. Moore
Mr. Foulkes	Mr. Murphy
Mr. George	Mr. Nanson
Mr. Gordon	Mr. Osborn
Mr. Gregory	Mr. Plesse
Mr. Hardwick	Mr. F. Willson
Mr. Harper	Mr. Layman
Mr. Hayward	(Teller).
Mr. Male	

#### NOES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. O'Loughlen
Mr. Bolton	Mr. Price
Mr. Brown	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Gill	Mr. Underwood
Mr. Gourley	Mr. Ware
Mr. Heltmann	Mr. A. A. Willson
Mr. Holman	Mr. Troy
Mr. Hudson	(Teller).

Question passed; the Council's amendment agreed to.

On motion by the MINISTER FOR WORKS, Nos. 21, 22, and 23 agreed to.

No. 24, Clause 230.—Strike out "eight" and insert "five."

The MINISTER FOR WORKS: This related to the interest that was to be charged on overdue rates. The amendment proposed to reduce the amount that might be charged from eight per cent. to five per cent. The provision was higher in the Municipalities Act, but he had heard of a few cases in which it had been enforced or in which an attempt had been made to enforce it by the local bodies. The amount of five per cent. was adequate, and he therefore moved—

*That the amendment be agreed to.*

Mr. UNDERWOOD: Considering that the Bill was passed without discussion with the view of getting it through, he thought it was a breach of faith for all these amendments to be made to it. He entered an emphatic protest against conduct such as that, in fact, he would call it an insult to members of the Assembly.

The MINISTER FOR WORKS: The hon. member was under a misapprehension. The only amendments the Government had caused to be made in another place were really drafting amendments. No hon. member would be so unreasonable as to say that if it was found that a clause was faulty it should not be improved. When he ventured to suggest that the Bill might be dealt with in its entirety he was very seriously lectured for that suggestion by members on the Ministerial side, and with members opposite the Committee had insisted on the right of members to do as they thought fit. He assured the hon. member that the attitude of the Government in both Houses was alike.

Mr. Bolton: Do you propose to accept the amendment at the bottom of the sheet?

The MINISTER FOR WORKS: Yes. He had promised that the Bill would be brought up next session and, in fact, the last amendment on the sheet before hon. members would make it essential that the Bill should be brought up again before 1912.

Question passed; the Council's amendment agreed to.

On motion by the MINISTER FOR WORKS, Nos. 25 and 26 agreed to.

No. 27, Clause 238.—Strike out ~~this~~ clause.

The MINISTER FOR WORKS: Personally, he would rather see the clause retained, but for the purpose of getting the Bill through he would not insist upon it. The banishment of the clause would make the task of the roads board when proceeding against defaulters a little more difficult, and force upon them the onus of proof of all notices. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

No. 28, Clause 258, Subparagraph (a).—Strike out "ten" and insert "seven."

The MINISTER FOR WORKS: This provision reduced the borrowing powers of roads boards. At present they had no borrowing powers and the Bill proposed to give them such powers and put them on the same footing as municipalities. The amendment proposed to reduced the borrowing powers by striking out "ten" and inserting "seven," and the alteration would mean that the amount borrowed should not exceed seven times the average ordinary revenue of the board. The Bill would have to come up again for review in a little more than a year's time, and in the meantime the power would be sufficient to enable the boards to carry on. He moved—

*That the amendment be agreed to.*

Mr. ANGWIN: When the Bill had become law it would be a difficult matter to alter it. The intention when introducing this measure was to do away with small municipalities. The inducement offered was that borrowing powers would be given to roads boards to enable them to improve their townships; yet it was found with their small revenue their borrowing powers were to be considerably curtailed.

Question passed; the Council's amendment agreed to.

On motion by the MINISTER FOR WORKS, Nos. 29 to 32 agreed to.

No. 33.—Clause 330, Subclause 3, strike out "any such plan to the Board," and insert "a plan of land within a townsite or suburban area or which shows any allotments of less than one acre in area."

The MINISTER FOR WORKS moved—

*That the amendment be agreed to.*

The object of the amendment was apparently to reduce the minimum charge to be paid by persons who lodged subdivisional plans with the board in regard to lands outside a townsite.

Mr. Angwin: If it is a small area the owner will have to pay.

The MINISTER FOR WORKS: No matter how small a subdivision may be he would have to pay £3. but the board were given the option of reducing the deposit in circumstances where £3 per chain was not necessary.

Mr. BROWN: It was to be hoped that the amendment would not be agreed to because the clause in the Bill was the first attempt made by the Government to assist the boards to get something from owners for making and clearing their roads. The proposed amendment would simply play into the hands of large owners. In and around Perth and Fremantle land jobbers cut up large blocks, and scores of miles of roads were thrown on the hands of the local authority, without a penny being paid by the owners of the subdivided land. There was no chance of improving the roads because the rates derivable were so small. When any of these large landholders deposited a sub-divisional plan throwing miles of roads upon the local authority, the least they should be asked to do was to make a deposit of £3 per chain.

Question put and negatived; the Council's amendment not agreed to.

No. 34 (consequential) not agreed to. On motion by the MINISTER FOR WORKS No. 35 agreed to.

Resolutions reported; and the report adopted.

Reasons for disagreeing with two of the Council's amendments adopted, and a Message accordingly transmitted to the Legislative Council.

#### BILL—LOAN, £2,100,000.

Returned from the Legislative Council without amendment.

#### PAPERS PRESENTED.

By the Premier: Annual Report of the Board of Governors of the High School for the year ended 30th June, 1910.

By the Minister for Mines: Papers in connection with the fatal accident at the Proprietary Mine, Collie.

#### BILL—UNIVERSITY.

##### *Council's Amendments.*

Schedule of five amendments made by the Legislative Council now considered.

##### *In Committee.*

Mr. Taylor in the Chair; the Premier in charge of the Bill.

No. 1, Clause 35, Subclause (2).—Strike out "at the commencement of this Act" and after "shall" in line 3 insert "on the appointment of the Senate."

The PREMIER moved—

*That the amendment be agreed to.*

Until the senate of the University was constituted, there would be no body to receive the trust property.

Mr. BATH: In view of the way in which the Bill had been carried through this House, the amendment was necessary. He regretted that the House had passed the clause by which the university endowment trust was determined. Members had been very unwise in removing that trust until they had had some experience as to the way in which the university was conducted. As a matter of fact the land belonged to the people, and was set apart for the purpose of university education. So long as the land was in the hands of trustees appointed by the Governor in Council, so long were the people able to exercise some control over the expenditure of the moneys received from that land. A very great mistake was made, and he regretted that the Premier, and Ministers, and others did not protect the interests of the people sufficiently to retain the trust, at least for a year or two, until we had a university in practical working order, to see if it realised the ideas of the Bill. We had not secured direct control under the University Bill.

The Premier: We have done that very well.

Mr. BATH: We had not secured direct control, and so far as the lands under the control of the University Endowment Trustees were concerned we were not loyal to our trust in allowing it to be handed over by the Bill. When the Commission discussed the report it was practically understood by the members of the Commission that he (Mr.

Bath) was to move for the deletion of the clause when the Bill was before the Committee, but it was his own fault that he was not present. He expressed regret that that clause was permitted to pass in the measure, but having passed the clause the amendment now moved was essential.

Question passed; the Council's amendment made.

No. 2.—(Clause 41, line 2, strike out "in December.")

The PREMIER moved—

*That the amendment be made.*

It provided that the Senate should within three months of the close of the University year, send a report to the Governor.

Question passed; the Council's amendment made.

On motion by the PREMIER Nos. 3, 4, and 5 made.

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

## BILL—CRIMINAL CODE ACT AMENDMENT.

### *Council's Amendments.*

Bill returned from the Legislative Council with two amendments which were now considered.

### *In Committee.*

No. 1, Clause 3.—Strike out in line three the words "one hundred and eighty-five, one hundred and eighty-seven."

The ATTORNEY GENERAL: The effect of the amendments made by the Council was that the offences of the defilement of a girl under 13 years of age and of attempting to abuse girls under 10 years of age a whipping in addition to a sentence of imprisonment should be compulsory whether for the first or any subsequent offence. At the present time for both of these offences it was within the power of the court to order a whipping. What the Council suggested was that the court should not have the power to order a whipping, but should order the whipping. Both offences were of a serious character, and he moved—

*That the amendment be agreed to.*

Mr. SCADDAN: It was to be hoped the Committee would not agree to the amendment. It was continually urged when members were considering the Bill in Committee that we were not making it mandatory that a whipping should be inflicted except on a second offence, and when the second offence was committed there should be no discretion to the judge or jury but that a whipping should be ordered. His (Mr. Scaddan's) strongest objection was that we would have great difficulty in getting magistrates, juries, and judges to find persons guilty, because it was hard to get absolutely definite evidence. Evidence of children had to be taken, and judges and juries were diffident about taking evidence of small children, except their evidence was corroborated from some other quarter. When faced with the position that they must inflict a whipping they would discharge the accused. The provision would have the very reverse effect to what was desired. We would be making a huge blunder by providing that this whipping should be mandatory for the first offence. The judges had the power to order a whipping now. There would be greater difficulty in sheeting home charges of this description, because a whipping in a large measure depended on the evidence of young children, and if we agreed to the amendment of the Council we should be undoing what we had already done, and these crimes would increase.

Mr. BATH: It was astonishing to him that in these days we should find members of the Committee so ignorant of criminology as to support a clause of this kind. This Bill should be called an Act for the encouragement of these offences. When punishments were severe and whipping was inflicted for a large number of offences, severe offences were ten times more prevalent than they were to-day. We should deal with these offences in a proper way, and the only way was to say these offenders were a menace to society and we should segregate them, make them work and keep themselves, and keep them in confinement for an indeterminate time, but the brutalising

effect of flogging was calculated to increase the brutal instincts. If a man was flogged, and after imprisonment he was turned loose again he was more likely to commit the offence than before. The more scientific treatment of making it impossible to commit the offence again, by keeping the offender away, and keeping him in confinement if necessary, until those who were in a position to display scientific knowledge said that it was safe to let him out again, and compel him to maintain himself, that was the only way to prevent offences of this kind. The history of flogging in the army and navy, and in gaols, showed that it was inhuman treatment and increased crime rather than decreased it.

*Sitting suspended from 1 to 2.30 p.m.*

Mr. JACOBY: The most astonishing thing in connection with the refusal of some members to agree to the amendments made by another place was that they viewed the position entirely from the point of the man accused of this particular offence, whereas we should give equal, if not more consideration to the position of the children subjected to these attacks. It was extraordinary that the leader of the Opposition and the member for Brown Hill should both look at this question purely from the point of view of the accused person. It was to be remembered the child was practically ruined for life. The member for Brown Hill had made a strong plea on behalf of those brutal offenders. Even if the proposed punishment were brutal, it was not so brutal as the conduct of the offenders. If, witnessing one of these atrocious assaults, a man were to take the law into his own hands and slaughter the offender no jury in the land would find him guilty. Hanging would not be too great a punishment for these brutes.

Mr. BATH: As usual, the hon. member had credited him with statements never made. We were not here to enact legislation merely for the purpose of revenge; we should try, rather, to prevent crime in the future. He abhorred the crime just as much as did the hon. member, but he desired to avoid repetitions of

that crime. The hon. member did not care about the possibilities of repetition so long as he had his revenge: that was where they differed. Flogging had not had the effect of diminishing crime, but, rather, had increased it.

Mr. Jacoby: Then the punishment is not severe enough.

Mr. BATH: The only way to prevent this crime was to make it impossible for the individual who committed the offence to do so again, namely, by segregating those sexual degenerates from society. Prevention could not be attained by mere flogging. There were in Western Australia conditions of life largely responsible for the development of these sexual degenerates. He had found in Western Australia numbers of employers who employed men under conditions which rendered it almost impossible for them to live a decent life. In the first place the wages paid made it absolutely impossible for them to maintain wives. On the farms of wealthy landholders he had seen accommodation for farm labourers consisting merely of a place partitioned off by a bag screen from a stable.

Mr. George: They are not the class of men who commit the crime.

Mr. BATH: But it helped to create that class of man. If we had employers who would give the men what would enable them to marry and live decently, it would have a great influence on minimising this and other crimes. The conditions under which men lived led to the development of this kind of crime. Not only did we require to punish the offender, but also to try to render it impossible by placing them in such a position that it would be impossible to repeat the offence. Prison authorities agreed the only remedy was to keep these people apart from society, and that it was no remedy to adopt a brutal form of punishment.

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

Ayes	..	..	..	21
Noes	..	..	..	16

Majority for .. .. 5



## AYES.

Mr. Brown	Mr. Jacoby
Mr. Carson	Mr. Male
Mr. Cowcher	Mr. Mitchell
Mr. Daglish	Mr. Monger
Mr. Foulkes	Mr. S. F. Moore
Mr. George	Mr. Murphy
Mr. Gordon	Mr. Nanson
Mr. Gregory	Mr. Plesse
Mr. Hardwick	Mr. F. Willson
Mr. Harper	Mr. Layman
Mr. Hayward	(Teller).

## NOES.

Mr. Angwin	Mr. Osborn
Mr. Bath	Mr. Scaddan
Mr. Bolton	Mr. Swan
Mr. Collier	Mr. Troy
Mr. Gill	Mr. Underwood
Mr. Gourley	Mr. Ware
Mr. Heitmann	Mr. O'Loughlen
Mr. Holman	(Teller).
Mr. McDowall	

Question thus passed; the Council's amendment agreed to.

No. 2 (consequential)—agreed to.

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

## BILL—CONSTITUTION ACT AMENDMENT.

### *Council's Amendment.*

Bill returned from the Legislative Council with an amendment which was now considered.

### *In Committee.*

Mr. Taylor in the Chair; the Premier in charge of the Bill.

No. 1.—Clause 2, subparagraph (b), line 2, strike out "fifteen" and insert "seventeen" in lieu.

The PREMIER: The amendment made by the Council was to reduce the franchise not to £15, as originally proposed in the Bill, but to £17. This was a fair compromise, which he proposed to accept. On more than one occasion we advocated that the franchise for the Council should be reduced to £15, but there were a large number of members of another place pledged to resist any reduction.

Mr. O'Loughlen: They are going to their political doom in doing so.

The PREMIER: Probably, or rather, possibly; but we had succeeded in in-

ducing them to drop from that attitude, and when they come down to £17 we could accept it as a fair compromise in some respects. There was a big battle in South Australia to reduce the franchise, and they only succeeded in that State in getting it down to £17 10s.

Mr. O'Loughlen: You wage the same battle here and we will be behind you.

The PREMIER: Better results were obtained here without that big battle. The compromise suggested was a fair solution of the question; there was very little difference between what we asked and what the Council agreed to give. He moved—

*That the amendment be agreed to.*

Mr. SCADDAN: It was to be hoped the Committee would not agree to the amendment. Members continually objected to the amount of reform the Government proposed, even in the Bill. They believed in adult suffrage for any House supposed to represent the people; but in the circumstances they were prepared even to support the Government's proposal to reduce the franchise to £15, not because they were satisfied by any means. Members considered that accepting a proposal to reduce the franchise to £15 was quite sufficient for them to compromise between the present franchise and household suffrage. If this amendment were accepted it would be tantamount to no reduction, and it would stop genuine reform of the Council for many years. It would be better to allow the Bill to go, and permit the people at the forthcoming general election to again express their opinion on the point. It did not follow that because other States had not been successful in getting all that was desired in this connection we should be satisfied.

The Premier: You cannot get an expression of opinion on the point.

Mr. SCADDAN: It would have been in the best interests of the State if the Assembly, representing the people on adult suffrage, had dissolved when the Bill was lost last session in order to get an expression of opinion on that point, and that point only.

Mr. Bath: In April on the referenda there will be an expression of opinion.

Mr. SCADDAN: Yes; but not only would it affect the Council, it would affect the whole of the affairs of the State. People would look to obtain what they desired from the quarter from which they could obtain it.

The Attorney General: You are pledged to support the referendums.

Mr. SCADDAN: It was news to hear that from the Attorney General. The Attorney General, perhaps, had some information from quarters which he (Mr. Scaddan) was not aware of. It was simply because we had recognised the right all along the line that the people were not making that progress in legislation they really desired as long as the Legislative Council was constituted as at present, and it was only prolonging the day when the Council would be abolished or when Parliament would be abolished, if we continued in this way. Under the Federal Constitution there was power by means of the referendum to take control of all matters.

The Premier: They are doing that in any case.

Mr. SCADDAN: The Premier ought to say, "Let us save all trouble and expense and close up the State Parliament at once." Was that what the Premier wanted to do by accepting the amendment of the Legislative Council?

The Premier: I said that your party would do that if they had the power.

Mr. SCADDAN: The people, not the party. The Labour Party in the Federal Parliament had no control over these matters; they could only submit matters to the people and allow people to decide by means of a referendum. The action of the Legislative Council on this matter would compel those of the people who hoped to obtain this reform to rush to the Federal Parliament. We would get an expression of opinion in April, and it was to be hoped that the Premier and the Legislative Council would take notice of that expression of opinion, and if the referendums were carried it would be because of the Constitution of our State Parliament. We should compel the Legislative Council to conform to the wishes of the people. The Premier, however, was

asking Parliament to tell the people to look somewhere else.

Mr. GILL: This question might be put to the Attorney General. The general impression if one was to judge from the expressions of opinion in another place, was that the franchise would be £17, plus rates and taxes. Was there anything definite with regard to that matter?

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

Ayes	..	..	..	23
Noes	..	..	..	15

Majority for .. .. 8

#### AYES.

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

#### NOES.

Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Troy
Mr. Gill	Mr. Ware
Mr. Gourley	Mr. A. A. Wilson
Mr. Heilmann	Mr. O'Loughlen
Mr. Holman	(Teller).

Question thus passed: the Council's amendment agreed to.

### BILL—ABORIGINES.

#### *Council's Message.*

Reason for the Council disagreeing with one amendment made by the Assembly now considered.

#### *In Committee.*

Mr. Taylor in the Chair; the Minister for Mines in charge of the Bill.

Clause 2, line 3, strike out "Governor" and insert "Chief Protector." Reason—this is contrary to Section 74 of the Constitution Act, 1889:

The MINISTER FOR MINES: Clause 2 originally provided that the Governor might appoint any person to be deputy

to the Chief Protector. When in Committee in the Legislative Assembly an amendment was carried that the word "Governor" should be struck out and "Chief Protector" inserted. That gave the Chief Protector the right to appoint a deputy. It was found, however, that that amendment was not constitutional and an amendment had therefore been made by the Legislative Council to strike out "Chief Protector" and again insert "Governor." It was absolutely necessary that that should be done. He moved—

*That the amendment be agreed to.*

Mr. GILL: The member for Gascoyne had asked him to move an amendment when the Bill was returned from the Legislative Council. That hon. member's suggestion was that the clause might be altered to read "That the Governor at the request of the Chief Protector might appoint a deputy protector." He just mentioned the matter to clear himself with regard to this position because of the promise he made to the member for Gascoyne.

Question passed; the Council's amendment agreed to.

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

## BILL—MINES AND MACHINERY INSPECTION.

### *Second Reading.*

The MINISTER FOR MINES (Hon. H. Gregory) in moving the second reading said: This is a small Bill introduced for the purpose of giving powers to enable inspectors of mines to carry out the duties of inspectors of machinery, or *vice versa*. This has been urged on many occasions by the Public Service Commissioner. We are at great expense indeed in being compelled to send inspectors to outlying places to perform duties which either inspectors of mines or inspectors of machinery could carry out. I have been giving consideration to the amalgamation of the two departments, and if this is brought about I think it will result in great economy. I do not, however, propose to do that until I have had the opportunity of consulting members, and

members will be able to say whether they think the amalgamation should or should not take place. If this Bill is carried, all I propose to do is to give instructions that in the back country, inspectors of mines shall carry out the duties of inspectors of machinery, and if it is found advisable inspectors of machinery will be asked to perform the duties of inspectors of mines. I beg to move—

*That the Bill be now read a second time.*

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Read a third time and transmitted to the Legislative Council.

## BILL—DISTRICT FIRE BRIGADES ACT AMENDMENT.

### *Second Reading.*

The MINISTER FOR WORKS (Hon. H. Daglish), in moving the second reading, said: This is a very short measure and one with which hon. members will, I believe, see their way to agree. I shall give an explanation of the few clauses in it in almost as few words. At present there is power in the principal Act for the Governor-in-Council to exempt from the operation of the Fire Brigades Act any municipality or roads board or part of a roads board. The power in regard to the exemption of a municipality relates to the whole of that municipality, but power is given to the Governor to restrict the rating for fire brigades purposes to part of a roads board area. The principal clause in this Bill proposes to give the Governor the same power in regard to municipalities as already exists in regard to roads boards, that is, the Governor may exempt a prescribed area in a municipality from liability to contribute to the upkeep of fire brigades. There are a few municipalities in Western Australia in which the population is centred comparatively in one small area, whilst at the same time there may be a large outlying area so thinly populated that it is impos-

sible to provide adequate protection from fire, even if there was any necessity to do so. If the present Act remains unaltered it will be necessary for the Government to consider whether one or two municipalities will not have to be removed from the powers contained in the Act, but if this Bill is passed it will be only necessary to exempt portion of the municipalities from liability to contribute to the upkeep of the fire brigades. It may be imagined that any such proposition will increase the taxation of those portions of the district which are not exempted, but that will not be so to any great extent. The estimated expenditure on fire brigades for this year is £26,000, of which three-eighths is contributed by the local bodies. This represents £9,750, and it is estimated that at the outside any exemption of portions of municipalities can only result in a loss of £300 in revenue out of the total of £9,750. Hon. members will therefore see that the adoption and application by the Government of this amendment is not likely to impose a heavy burden on any of the municipalities. The next amendment is simply a proposition to change one term for another, namely omit "municipality" and insert "local authorities" so as to include both municipalities and roads boards in the operation of Section 443 of the principal Act. The third clause in the Bill, which proposes an amendment of Section 45, is consequential on the preceding amendment to Section 43. In the fourth clause is an amendment of Section 40 which provides that regulations made under a District Fire Brigades Act must be laid before Parliament within one month of being gazetted, or, if Parliament is not sitting, within fourteen days after the session commences. This clause proposes to give to either House of Parliament power to annul the regulations after they have been laid on the table, and hon. members will agree that it is wise to give this power. The final clause relates to proclamations, and makes it necessary for all proclamations under the Act to be made before Parliament in the same fashion as regulations are, and again gives Parliament power to practically annul any

proclamation with which either House disagrees. I think this small measure will commend itself to the majority of members, and I beg to move—

*That the Bill be now read a second time.*

Mr. FOULKES (Claremont): There is a very strong feeling in many parts of the State in regard to the exemptions made by this Bill. I can speak particularly of my own district of Claremont and Cottesloe, where the people complain very strongly of the contributions required under the Fire Brigades Act, and I feel sure we shall have requests to the Government from many of the districts to be exempted from the operations of the Act. I believe also that at the next general election this matter will have to be considered by every candidate, and I will not be surprised to hear of a demand for the repeal of the original Act.

Mr. ANGWIN (East Fremantle): I had hoped that when the Government proposed to deal with the Fire Brigades Act they would bring in a measure to repeal it. There is no Bill that has ever become law in this State that is more unsatisfactory than this Act. It has caused an increase of rates throughout the State, and almost all municipalities, when sending out their rate notices, have caused a special slip of paper to be printed pointing out that the increase of rates is brought about owing to the operations of the District Fire Brigades Act. I intend, if it will be in order to do so, to move that the Act be repealed. I think it will be better to repeal the Act than to amend it. The Minister for Works in introducing the Bill said that the exemptions would mean a loss of only £300, and that the loss would not be felt severely by the unexempted portions of the municipalities, but as a matter of fact the loss will be about £800, because there will be so much from the Government and so much from the insurance companies, apart from the loss from the municipalities. I want to get rid of the fallacy that the local authority only subscribes so much, for we forget that the people subscribe the lot. They have to pay by way of taxation to the local authority and to the State, and

they have to pay increased insurance rates to the insurance companies.

The Minister for Works: It does not affect the rate of insurance at all.

Mr. ANGWIN: If the hon. member was in my district he would know that it does. The rate was increased by 1s. per hundred immediately the Act came into force. The insurance companies are not philanthropists. I think the best thing we can do is to repeal the Act, and if we enact another measure for the control of fire brigades we should have it under a different constitution than at present. The system of volunteerism has not been adopted in such a manner that will lessen the expense. The cost is beyond doubt far greater than anyone anticipated. In some of the districts the three-eighths contribution is about trebled compared with the cost under the volunteer system. If I am in order I shall move to repeal the existing Act.

Mr. GILL (Balkatta): I hope the hon. member will be successful in moving the amendment, and I hope he will carry it. No legislation has been passed that has caused so much feeling and friction as the District Fire Brigades Act. I shall oppose the amending Bill brought forward this afternoon. If anything, it will increase the present rates and, therefore, it is my duty to oppose it. I am satisfied there is not a member in the House who anticipated that the rates would be increased by the fire brigades board, and the increases have been abnormal. The board may be justified in imposing the rate they have done, but undoubtedly the rates seem out of all proportion to what should be required to manage a fire brigade system. In North Perth and Leederville the rate is excessive, and these municipalities are in no worse position than many other localities throughout the State. Take Leederville as an example. They had an up-to-date fire brigade in that municipality, well equipped with all necessary plant, and it cost them £95 per annum for the upkeep. They had a splendid station there, and the board stepped in like a bailiff and took possession of the station, and to-day, instead of costing the municipality £95 it is costing

them £205 per annum. In North Perth they had a good fire brigade costing them £50 per annum; at the present time the cost to them is £240. They are in a worse position than Leederville. Victoria Park, Cottesloe, and other places—I could mention them one after another, in fact, most municipalities are in the same position. I consider it my duty to oppose anything which will inflict an increase of rates on a municipality. I am satisfied that the proposal will mean more than £300 increased rates to the municipalities that come under the Bill. I would like to ask the Minister for Works about the deputation which waited on the Colonial Secretary lately. I introduced the deputation consisting of representatives from most of the municipalities in the metropolitan area in connection with the rate imposed by the Fire Brigades Board, and the Colonial Secretary promised at the time that there would be a reduction and that the rates would be considerably reduced. On the strength of that the deputation went away somewhat satisfied, but since then there has been a reduction certainly, but the reduction is not worth the name. Leederville has been reduced £4, and North Perth by about the same amount. I do not know what has happened in the other municipalities, but judging from these two nothing practical has been done, and it is time something was done in the matter, or the Act repealed.

The MINISTER FOR WORKS (in reply): I hope the hon. member will not press his opposition to the Bill. He may object to the main Act if he has any doubts about the advantage of it, but his opposition is utterly unjustified for that reason to this amending Bill. It is gratifying to know of the unselfishness of the hon. member, because the representatives of many of the municipalities will profit by this Bill when it becomes law. I am very glad he puts his opinion above the interests of his district.

Mr. Gill: I take exception to that remark. Both municipalities mentioned by me have asked me to protest against this amending Bill.

The MINISTER FOR WORKS: If the hon. member objects to the remark I hasten to withdraw it. I had no intention of saying anything which would leave a wrong impression. If he has been asked to oppose this Bill it is probably because those who asked him to do so had not a full knowledge of its contents. I hope the opposition of the hon. member will be withdrawn. With regard to the principal Act I am very sorry indeed to see this Bill used as an opportunity for attacking that measure at a juncture when the House cannot give proper consideration to its merits or demerits. I am aware there has been some complaint in regard to the taxation suffered by local bodies. I have had that complaint made in my own electoral district. At the same time one can hope that a new body like the fire brigades board will, as it gains experience, be able to carry out the work of fire protection much more economically than it has been possible to do so far. Under the powers given him by the Act the Colonial Secretary has been able to materially reduce the amount of revenue collected by the board, and, therefore, substantially to reduce the taxation of local bodies. I think when the last estimate was framed it was reduced by £8,000 or £9,000. Hon. members will realise, therefore, that as far as possible every effort is being made by the Minister administering the Act to reduce the taxation to the minimum compatible with efficiency. I hope the hon. members for East Fremantle and Bulkatta will not persist in their intention to attack the main Act, using this Bill as a vehicle for their onslaught.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

Mr. Jacoby in the Chair; the Minister for Works in charge of the Bill.

Clause 1—Short title:

Mr. ANGWIN moved an amendment—

*That in line 2 the word "amendment" be struck out and "repeal" inserted in lieu.*

The CHAIRMAN: The amendment could not be accepted; it was not relevant to the Bill.

Mr. ANGWIN: In that case he would move in another way presently.

Clause put and passed.

Clause 2—Amendment of Section 43:

Mr. ANGWIN: This clause gave power to the Governor to order the exemption of certain portions of municipalities. He moved an amendment—

*That the following stand as paragraph (c):—"Provided also that if any local authority shall desire to be exempted from the operation of the District Fire Brigades Act the Governor shall order accordingly."*

This would leave it optional with the municipalities to continue under the present Act. He understood the ratepayers of Leederville had this year to pay a rate of 2½d. in the pound for fire brigade purposes. Such a thing had not previously been known; it went to show the matter was becoming serious. If the ratepayers could provide for themselves a well-equipped brigade at less cost than was entailed under the Bill they should have an opportunity of doing so.

The MINISTER FOR WORKS: It was to be hoped the amendment would not be persisted in, because it would make the Fire Brigades Act so much waste paper. It would be a purely voluntary association of local bodies for fire protection purposes for just so long as they were all satisfied and did not quarrel with each other. The member for East Fremantle would not be willing to have an arrangement made under which any ward of the East Fremantle municipality could, at its desire, be severed from that municipality. Again, who had ever heard of making the Governor subordinate to the expression of a mere desire by a local governing body? There might be some grounds for complaint that the working of the Act was not yet as economical as it might be. He hoped that in the near future there would be considerable improvement in this direction. If, as time passed, it was found there was no improvement, it would be possible to amend the Act. If the hon. member intended seriously to bring this amendment before the Committee, why had he not given notice of it? The hon. member had had

time to take legal and constitutional advice on the subject, and therefore he could have framed his amendment and put it on the Notice Paper. The member for Balkatta had complained of the likelihood of increased taxation if the Bill were carried; but that hon. member should know that the Governor had power to exempt the whole of a municipality.

Mr. BROWN: It was to be hoped the hon. member would withdraw the amendment. No doubt the board had received a great deal of abuse, but members would admit that the Workers' Compensation Act and the Public Service Act were not yet entirely satisfactory notwithstanding that they had been in force for some years. The Fire Brigades Act had been in force for only a few months. In the past the fire brigades had been absolutely starved of funds. There were on the board keen business men who went carefully into every penny of expenditure. Previously the expense had fallen on the generous few, but now it was distributed through the rates over the whole of the municipalities. The insurance companies were prepared to pay the whole expense of the fire brigades of the State and so relieve the Government of any responsibility; but the public would have to pay it indirectly, whether the responsibility were carried by the Government or by the insurance companies. For the first two years the expense would, of necessity, be heavy, but the estimates this year would be £2,000 or £3,000 less than they had been last year.

Mr. ANGWIN: It was admitted there was dissatisfaction with the Fire Brigades Board. The amendment simply provided that if a district believed it could maintain its own fire affairs better it should be permitted to do so.

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

Ayes	..	..	..	17
Noes	..	..	..	22
				—
Majority against	..			5

## AYES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Murphy
Mr. Bolton	Mr. O'Loghlen
Mr. Cowcher	Mr. Price
Mr. Foulkes	Mr. Troy
Mr. George	Mr. Ware
Mr. Gill	Mr. A. A. Wilson
Mr. Heltmann	Mr. Underwood
Mr. Holman	(Teller).

## NOES.

Mr. Brown	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Collier	Mr. S. F. Moore
Mr. Daglish	Mr. Nanson
Mr. Davies	Mr. Osborn
Mr. Gordon	Mr. Plesse
Mr. Gourley	Mr. Scaddan
Mr. Gregory	Mr. Swan
Mr. Harper	Mr. F. Wilson
Mr. Hayward	Mr. Layman
Mr. Horan	(Teller).
Mr. Hudson	

Amendment thus negatived.

Clause put and passed.

Clauses 3 to 5—agreed to.

Title—agreed to.

Bill reported without amendment; and the report adopted.

Read a third time and passed.

## BILL—PARLIAMENTARY ALLOWANCES.

### *Council's Amendments.*

Schedule of two amendments requested by the Legislative Council now considered.

### *In Committee.*

Mr. Jacoby in the Chair: the Premier in charge of the Bill.

No. 1.—Clause 7, strike out and insert in lieu, "This Act shall have effect as from the 1st day of January, 1911, and the first allowances at the rates prescribed by this Act shall be reckoned as from that date."

The PREMIER: The first request was to strike out Clause 7 and insert a new clause. It was simply a matter of re-drafting, the same thing in better wording. He moved—

*That the amendment be made.*

Question passed; the Council's amendment made.

Mr. MONGER: With the intention of moving an amendment he had risen to his feet before the question was put.

The CHAIRMAN: The question had now been disposed of. The hon. member should have made himself heard.

Mr. MONGER: In the circumstances the Chairman might allow him to move his amendment.

The CHAIRMAN: The hon. member was not in order. The question had been put to the House and disposed of.

No. 2—Clause 3, paragraph (a)—Strike out "two" and insert "three."

The PREMIER: The object of this was to enable members of the Legislative Council to draw the same salary as members of the Legislative Assembly. The members of the Council having decided that they were entitled to the same remuneration as the members of the Assembly, he was not going to oppose their decision. It was within the province of the members of the Council to say the same remuneration should be paid to them as to members of the Assembly. He moved—

*That the amendment be made.*

Mr. GEORGE: Some reasons should be forthcoming as to why £300 a year should be paid to members of the Council.

Mr. Scaddan: You give reasons for opposing it.

Mr. GEORGE: One good reason was that the amount of work accomplished by members of the Council was very little as compared with what was done in the Assembly.

The PREMIER: One conclusive reason why this amount should be paid to members of the Council was that ten years ago, when the members of the Council were being paid £100 and the Assembly members £200, the matter was fully debated and it was agreed that all members of Parliament, no matter in which House, should be treated alike. That principle had since been ratified time after time by the country.

Mr. George: Why did you not fix it so in the Bill?

The PREMIER: Because he had left to members of another place the responsibility of deciding that they were entitled to a rise in their salary. Now they had expressed the opinion that they were

so entitled and he was not going to deny it.

Mr. FOULKES: For the reason that he had been in the Chair previously when the matter was discussed he had not had an opportunity of expressing his views. He was opposed to this increase.

Mr. Collier: You are just making yourself square with your constituents.

Mr. MONGER moved an amendment—

*That any member of the Legislative Council accepting emoluments of office be no longer entitled to the prefix of "honourable" or to take precedence over members of the Legislative Assembly at State functions.*

The CHAIRMAN: The amendment was not in order. It should have been moved when the Bill itself was before the House, and not now when hon. members were considering an amendment requested by the Legislative Council.

Mr. GEORGE: We were discussing the Legislative Council and therefore it was open to any hon. member to move an amendment relevant to the question.

The CHAIRMAN: The question before the Committee was the Council's requested amendment to Clause 3. Consequently the amendment moved by the member for York was out of order and could not be accepted.

Mr. GEORGE: In his opinion the amendment was perfectly in order. He must dissent from the ruling on the ground that the amendment was relevant and that the member for York had the right to make such amendment.

*Dissent from ruling.*

Mr. Speaker took the Chair.

The Chairman reported the dissent.

Mr. Speaker: I must uphold the ruling; the amendment is not relevant.

Mr. George: I would like to say—

Mr. Walker: Is there any other point? I submit there can be no debate unless there is.

Mr. Speaker: There can be no discussion.

Mr. George: It is only my respect for the Chair that compels me to accept the ruling, because you did not have the facts placed before you.



Mr. Scaddan: Is it right that the hon. member can reflect on the Chair in making that statement?

Mr. Speaker: I have taken the dissent as it is written, and I rule that the hon. member, unless he dissents from my ruling, can make no further remarks.

Mr. Scaddan: My objection is to the reflection that the Deputy Chairman did not place the facts before you.

Mr. Speaker: The member for Murray must certainly withdraw that reflection.

Mr. George: Certainly. No man desires to show more respect than myself to the Chairman and Mr. Speaker. What I mean—

Mr. Walker: I must take the point. You have given a definite ruling, and no other point has arisen, or can arise, and, therefore, no debate is in order.

Mr. Speaker: That is so.

Mr. Monger: May I ask if it is possible during the debate on this Bill to bring in the clause I have suggested?

Mr. Speaker: The hon. member has raised a protest, and properly so, and I have decided the point, and I have no further duty but to leave the Chair.

#### *Committee resumed.*

Mr. Jacoby in the Chair.

Question (that the Council's amendment be made) put and a division taken with the following result:—

Ayes .. ..	31
Noes .. ..	8

Majority for .. 23

#### AYES.

Mr. Angwin	Mr. McDowall
Mr. Bath	Mr. Male
Mr. Bolton	Mr. Mitchell
Mr. Carson	Mr. Murphy
Mr. Collier	Mr. Nanson
Mr. Cowcher	Mr. O'Loughlen
Mr. Daglish	Mr. Osborn
Mr. Gill	Mr. Price
Mr. Gordon	Mr. Scaddan
Mr. Gourley	Mr. Swan
Mr. Gregory	Mr. Troy
Mr. Heitmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Underwood
Mr. Layman	(Teller.)

#### NOES.

Mr. Brown	Mr. Monger
Mr. Foulkes	Mr. Osborn
Mr. George	Mr. S. F. Moore
Mr. Harper	(Teller.)
Mr. Hayward	

Question thus passed; the Council's amendment made.

Resolutions reported; and the report adopted.

Message from the Governor received and read recommending appropriation for the purpose of the amendments made to the Bill.

Message returned to the Legislative Council notifying that the Assembly had made the amendments requested.

### BILL—LICENSING.

#### *Council's Message.*

Schedule of amendments pressed by the Legislative Council now considered.

#### *In Committee.*

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

No. 4, Clause 8, Subclause (2).—Strike out all the words after "persons" in line two of subclause and insert "to be appointed from time to time by the Governor."

The ATTORNEY GENERAL: This requested amendment asked that the bench be nominative instead of elective. The subsequent amendments were all consequential. The Legislative Council had adopted all the amendments made by the Assembly with the exception of that dealing with the constitution of the licensing benches. On three previous occasions this House had affirmed the principle of elective benches as against benches wholly nominee. The Council had considered this matter also, and he feared at this stage to intimate that the Assembly would not accept the suggested amendment. He was afraid that if the Assembly insisted upon elective benches it would prevent this important measure becoming law during the present session. There came a time when the truest wisdom was to compromise, and in the circumstances he thought it would be unwise to persist in our opposition to the wishes of the Council. If

the Committee refused to make this requested amendment and the Bill should be lost, the position would be that we should still have nominated benches in existence, and would have lost the advisable reforms provided in the Bill. He moved—

*That the amendments 4, 5, 6, 119, 120, and 127 be made.*

*(Hon. T. F. Quinlan took the Chair.)*

Mr. SCADDAN: It was to be hoped the Committee would insist upon the system of elective benches, even at the risk of losing the Bill. The Attorney General had asked that we should show some spirit of compromise in the matter in order that the Bill might become law. We had shown some spirit of compromise in that we only asked that two members of the bench be elective, while the third would consist of the resident magistrate, nominated as chairman. This surely was a compromise between wholly nominee and wholly elective benches. This being so, the responsibility of losing the Bill, if it were to be lost, would rest with another place.

Mr. GEORGE: The question had been fully debated and this Committee had expressed their views in an unmistakable fashion. Members had already compromised by agreeing to the proposal that a resident magistrate should be chairman, with two elective members. He had a great belief in the necessity for a second Chamber, but if, time after time, members of the Assembly were to have their matured views cast on one side the thinking men throughout the State would ask whether or not we should retain a second Chamber. The Attorney General had suggested that if we insisted upon elective benches the Bill would be thrown out. There were times when self-respect called for insistence. The House would be stultifying itself if elective benches were not insisted upon. Expediency was not always advisable when the question of self-respect came into consideration. If the matter came to a vote he intended to support the original recommendation of the Assembly. Nor did he think the Bill would be lost if we refused to make the

requested amendment, for there was such a thing as a conference between the two Houses. He hoped hon. members would refuse to make the amendment requested by another place.

Mr. FOULKES: In his opinion an attempt had been made to put him in the Chair in order that he might have no opportunity of expressing his views on this question. So strongly did he feel on this point, however, that he would have left the Chair rather than be deprived of his rights. It was apparent the liquor trade influenced the Whips, and that was why the Government party had taken up that attitude towards this amendment.

The CHAIRMAN: The hon. member must withdraw that.

Mr. FOULKES withdrew. If the referenda were carried in April next the control of the liquor traffic would be under the Federal Parliament, according to such an authority as Sir John Quick; and already the temperance societies in New South Wales had passed resolutions dealing with that aspect of the question. Therefore, if this Bill passed, it would be of no value, because the moment the referenda were carried the liquor traffic would come under the control of the Federal Parliament. So we were beating the air in passing this Bill.

The ATTORNEY GENERAL: The Bill was never regarded by the Government in the light of a strict party measure, and the appeal to make the amendments suggested was not an appeal based on party grounds, but was based upon saving the Bill because of the important reforms it would effect. One could understand members refusing to make the amendment if it was vital to the Bill, but it was not. The vital point of the Bill was local option.

Mr. Scaddan: Why call it local option?

The ATTORNEY GENERAL: So it is.

Mr. Scaddan: Keep on saying it often enough and we will believe you.

The ATTORNEY GENERAL: Does not the hon. member call it local option?

Mr. Scaddan: I want it to be more so.

The ATTORNEY GENERAL: The Bill originally contained more local option than it now gave, but it was the votes of

hon. members opposite that had deprived the Bill of many of its local option features. The Bill originally provided immediate reduction of licenses and most advanced temperance legislation; but it was on the motion of the member for East Fremantle, who was supported by the leader of the Opposition and other members on the Opposition side, that the full measure of reform the Government hoped for was prevented.

Mr. Scaddan: I did not vote with the hon. member.

The ATTORNEY GENERAL: At any rate a certain number of the Opposition supported the member for East Fremantle. The leader of the Opposition tried to have public houses opened on Sundays, and again and again was the foremost champion of the reactionary proposition. He (the Attorney General) joined issue with those who, for party purposes, tried to create the impression that the Labour party were on the side of temperance reform. They were on the side of the nationalisation of the drink traffic, and hoped to make what revenue they possibly could out of it. Their desire was not to abolish the drink traffic, but to make it a source of revenue and to obtain wealth. It was merest hypocrisy on the part of the Labour party to attempt to persuade the electors that they were on the side of temperance reform. As regarded the Federal referenda, we had to deal with the position as it was today and not with the possibility mentioned by the member for Claremont. But the hon. member was mistaken; the electors of Australia would not allow the Federal Constitution to be turned inside out. However, the important question before members now was whether we should imperil the Bill by refusing to make this amendment.

Mr. BATH: The hon. member spoke with warmth, rudeness, and inaccuracy on matters entirely foreign to the amendment. Members of the Opposition at this stage were not going to justify their sincerity on local option. At the same time the power given of electing two representatives on the licensing bench was essentially a part

of local option. Nominated benches and local option were diametrically opposed. In the United States efforts towards temperance reform were defeated by the fact that the measures were administered by officials out of sympathy with the aspirations of the people for temperance reform. We could not have satisfaction from nominee boards, nor from the administration of the law by unsympathetic benches. There was no desire on the part of the Labour party to nationalise the drink traffic in order to make profit out of it. The desire was to have popular control so that there would be no vested interests to fight when the people wished for a greater instalment of reform. Evidently the Attorney General was seeking at this early stage to put in a little electioneering business, but members would wait for a later opportunity to attest to the desires of the Labour party to minimise the drink traffic. By consenting to the amendment of the Legislative Council we consented to a mutilation of the principle of local option which would have a great influence in preventing it from having any practical effect.

Mr. Murphy: Will people nominated to licensing benches be opposed to temperance principles?

Mr. BATH: Undoubtedly.

Mr. Murphy: The present licensing benches do not show it.

Mr. ANGWIN: It was to be hoped the Committee would insist upon the principle of elective benches. The provision was a considerable improvement on the Bill as originally drafted. Under this system the people would have power to remove the members of a bench who refused to carry out the wishes expressed by the electors at a local option poll.

Mr. MURPHY: For his part he was in favour of the original proposal for nominee benches. He was sorry the members for Brown Hill and East Fremantle thought that because gentlemen might be appointed by the Government to administer the Act they would of necessity do anything contrary to the wishes of a particular district. The member for Brown Hill had inferred that in appointing nominees the Government would be careful to

see that the gentlemen appointed were opposed to the views of the temperance party. Extreme opinion had ever been a bar to appointments to the licensing bench. For the purity of the bench it was necessary to see that extremists were not put on the bench.

Mr. BOLTON: The Committee having on three occasions decided against the proposals of the Government it should be sufficient for the Government to accept the wishes of the majority of the Chamber. It being the last few minutes of the session so many members had left that possibly the Government, through the Legislative Council, would get their own way in this matter. It would be a standing disgrace if such tactics were adopted. No member who had voted for elective benches could with any self-respect now reverse his vote. There must have been some intrigue to arrange for the debate to be kept going and for this question to be brought up at such a time. It seemed to him the Government thought the most vital point in the Bill was that the bench should be nominated. It was undignified in the Government to ask us to back down because another place set store by this amendment. He did not think the measure would be thrown out, nor did he think the Attorney General thought it would be thrown out, if we refused to make the amendment. In any case, the onus of defeating the measure would not rest on this Chamber. He appealed to hon. members to refuse to make the amendment requested by another place.

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

Ayes	..	..	..	21
Noes	..	..	..	20

Majority for .. 1

AYES.	
Mr. Brown	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Murphy
Mr. Gregory	Mr. Nanson
Mr. Hardwick	Mr. Osborn
Mr. Harper	Mr. Piesse
Mr. Hayward	Mr. F. Wilson
Mr. Jacoby	Mr. Gordon
Mr. Layman	

(Teller).

# NOES.

Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. Price
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Foulkes	Mr. Troy
Mr. George	Mr. Underwood
Mr. Gill	Mr. Ware
Mr. Gourley	Mr. A. A. Wilson
Mr. Heitmann	Mr. O'Loughlin
Mr. Holman	
Mr. Horan	

(Teller).

Question passed; the Council's amendment made.

Mr. GEORGE: Am I in order in moving that the numbers of the division be sent to the Legislative Council by Message so that they may have an opportunity of seeing how the decision has been arrived at.

The CHAIRMAN: No.

Resolution reported.

The ATTORNEY GENERAL moved—

*That the report be adopted.*

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

Ayes	..	..	..	21
Noes	..	..	..	20

Majority for .. 1

# AYES.

Mr. Brown	Mr. Male
Mr. Carson	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Murphy
Mr. Gordon	Mr. Nanson
Mr. Gregory	Mr. Osborn
Mr. Hardwick	Mr. Piesse
Mr. Harper	Mr. F. Wilson
Mr. Hayward	Mr. Layman
Mr. Jacoby	

(Teller).

# NOES.

Mr. Angwin	Mr. Hudson
Mr. Bath	Mr. Price
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Foulkes	Mr. Troy
Mr. George	Mr. Underwood
Mr. Gill	Mr. Ware
Mr. Gourley	Mr. A. A. Wilson
Mr. Heitmann	Mr. O'Loughlin
Mr. Holman	
Mr. Horan	

(Teller.)

Question thus passed; the report adopted.

The ATTORNEY GENERAL moved—

*That a Message be sent to the Legislative Council acquainting them accordingly.*

Mr. SPEAKER: Before putting this motion I wish to point out that in considering the Council's Message on this Bill the House has on this occasion departed from the principle of refusing to consider Messages in which requested amendments are pressed. Without going into the question at length, I would suggest that the House should follow the example of the House of Representatives in declaring by resolution that it is for the sake of carrying on the business of the people that it refrains from insisting upon its rights. I shall quote the procedure of the Commonwealth on the 26th May, 1908. A Message was then before the House and Mr. Deakin moved by leave—

That having regard to the fact that the public welfare demands the early enactment of the Tariff, and pending the adoption of Joint Standing Orders, this House refrains from the determination of its constitutional rights or obligations in respect to the Message No. 28 received from the Senate in reference to the Customs Tariff Bill (1907), and resolves to consider it forthwith.

Question put and passed; Message accordingly sent.

#### BILL—COTTESLOE BEACH RATES VALIDATION.

##### *Second Reading.*

Mr. FOULKES (Claremont) in moving the second reading said: As I set forth in asking for leave to introduce this Bill, various pages of the ratebook of the Cottesloe Beach board of health were not properly signed by the chairman, and owing to the irregularity the rate could not be enforced. A number of ratepayers have paid voluntarily, but a certain number have refrained from paying. It is necessary in order to carry on the work of the local authority in regard to the sanitation of the district that these rates should be collected, and this Bill is to validate the striking

of the rate and to cover the irregularity. I move—

*That the Bill be now read a second time.*

Mr. HUDSON (Dundas): I do not know what occult influence the member for Claremont has over the Government—I would not dare to suggest it has anything to do with the elections—that he should have the privilege of bringing in Bills at this stage, when other private members have not that opportunity. I would not suggest it had anything to do with the elections, because it would send the hon. member into a fit of melancholia. Some time ago when a Bill of a similar description was introduced into the House, it was introduced by the Minister for Works, and it was passed for exactly a similar reason as obtains in this case, that owing to technicalities, technical objections raised by those beastly lawyers, they were able to advise their clients to avoid paying their just dues. However, as we do not allow lawyers to rule, we should see that those who are under the obligation to pay health rates should be made to pay them. This is a corresponding measure to that passed in regard to the Cottesloe Beach roads board a couple of years ago. It is purely to assist the roads board in collecting health rates which certain individuals refuse to pay through a technical error in the books of the local board of health.

Mr. GEORGE (Murray): I understand this Bill has to do with rates levied five or six years ago. The hon. member can convey it to his constituents, I think, that they are grossly neglecting their duty in taking this course of action. If these rates were struck five or six years ago, where is the justice of coming on the present occupiers for the rates due by their predecessors?

Mr. Hudson: It is their duty to inquire what rates have been paid.

Mr. GEORGE: Anyone who knows his duty inquires, but many do not inquire and fall in. While it is right rates should be paid, still, I think this body or any other body which neglects its duty is deserving of reprimand for not

taking earlier action. Why did they not put it before the House two or three years ago, when the question of validating their rates could have been better discussed than it can be at this late period? There have been a number of these Bills brought forward. I think it is about time these local authorities understood distinctly that if they make an error they will have to foot the Bill.

Mr. Hudson: Yet you supported a measure like the Roads Bill, making for all sorts of informalities.

Mr. GEORGE: If there should be any informality it should be possible to get these matters put into proper form.

Mr. Scadden: What do we pay auditors for?

Mr. GEORGE: I do not know. Why do we pay a lot of members on your side of the House? I rose for the express purpose of impressing on the member for Claremont, who seems to have all this unpleasant work to do, the necessity for bucking up against these boards, and telling them that if they do not keep up to the scratch he will not assist them in matters of this kind.

Question put and passed.

Bill read a second time.

*In Committee, etc.*

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

Read a third time and transmitted to the Legislative Council.

**BILL—PERMANENT RESERVES  
REDEDICATION (No. 3).**

*Council's Amendment.*

Bill returned from the Legislative Council with an amendment which was now considered.

*In Committee.*

Mr. Jacoby in the Chair.

No. 1, Title.—Strike out from "and" in line 3 to <sup>AA</sup> in line 4.  
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The MINISTER FOR LANDS: The amendment was of no importance, as it contained no principle. It represented

simply an alteration in the Title. He moved—

*That the amendment be agreed to.*

Question passed; the Council's amendment agreed to.

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

**PARLIAMENTARY DINING ROOM,  
ATTENDANCE.**

Mr. HUDSON (Dundas): During the last few months the attendance in the dining room had come under his notice. He had no fault to find with the attendance in the Assembly, but there was fault in connection with the dining room. It did not lie with the attendants, but with somebody who had control over them; and as Mr. Speaker was the head of the House Committee, he would like to draw attention to the fact that the stewards, during the strenuous time in Parliament for some months, were not treated as they should be treated. There was no desire to make any reflection on the House Committee, but the House Committee had a secretary, and if they exercised more control over their secretary things might be better. Mr. Speaker would, no doubt, see that the men were not overworked and underpaid.

Mr. SPEAKER: The House Committee was composed of representatives of both Houses. Effect would be given to the hon. member's remarks. Already he (Mr. Speaker) had taken the responsibility of telling the secretary to the House Committee that during the heavy all-night sittings the caterer must employ extra hands, and not have the men worked as they were being worked. The House would endorse that action. However, he would be glad to convey to the secretary of the House Committee the desire of the hon. member, and probably the desire of all members, that the waiters should be well treated and not overworked, as he believed they had been this session.

Mr. Hudson: And not underpaid.

Mr. SPEAKER: Yes; and not underpaid.

## CLOSE OF SESSION—STATE OF BUSINESS.

The PREMIER (Hon. Frank Wilson): There seemed to be some doubt as to whether the business between the two Houses had been cleared up. Mr. Speaker might leave the Chair until 7.30, and in the meantime the Clerks would get into communication with one another and see that the business was all in order. The House could meet for a few minutes after tea and then adjourn.

Mr. SPEAKER: I am sure there will be no objection to my leaving the Chair until 7.30 p.m.

*Sitting suspended from 6.10 to 7.30 p.m.*

## BILLS (4)—RETURNED FROM COUNCIL.

1. Roads Closure (without amendment).
2. Roman Catholic Church Property (without amendment).
3. Mines and Machinery Inspection (without amendment).
4. Cottesloe Beach Rates Validation (without amendment).

## ADJOURNMENT—COMPLIMENTARY REMARKS.

The PREMIER (Hon. Frank Wilson): I beg to move—

*That the House at its rising adjourn until 4.30 p.m. on Tuesday, 21st February.*

In moving this I wish to explain that it is not the intention to meet on that date, but it is the intention that the House shall be prorogued by proclamation in the interim. This will give His Excellency the Governor an opportunity of perusing the measures we have passed during the later days of the session, and of attending to them before the issue of the proclamation proroguing Parliament. I may perhaps be permitted to take this opportunity of expressing my sincere thanks to hon. members for the strenuous work they have put in during this session, at any rate since I took office as Premier, and also for having so

generously agreed that I shall represent Western Australia at the forthcoming Coronation ceremony to be held in London in June next. I shall, of course, proceed to London, all being well, with the full consciousness of my responsibility to the State I have the honour to represent, not as a leader of any party of political thought in Western Australia but, I hope, as a representative of the State, as representing all classes of the State. And I shall be able to assure His Majesty the King, if I get the opportunity, that in Western Australia he has many loyal subjects, subjects as loyal as are to be found in any portion of the British Empire, and that they belong to all classes of the community and all shades of political thought. I have to express my regret that you, Sir, purpose retiring from public life, and to say how I appreciate the very long services you have rendered to your native State in a public capacity. You, I believe, are the father of the House at the present time. I do not think there is another member who has served more continuously or longer than you have in the Chamber, and notwithstanding that perhaps hon. members may at times have taken exception to your rulings, I think I am voicing the opinion, at any rate of all members on this side of the House and, I believe, on the other side also, when I say they appreciate the fact that you have conscientiously endeavoured to carry out the responsible duties of the position you occupy. To you I extend my heartfelt thanks for your kindness and consideration at all times during the period I have been a responsible Minister of the Crown. I have to thank the Chairman of Committees and also the Deputy Chairman for the zeal displayed in the positions they occupy. To the Clerks of the House my thanks go out unstintedly, and to the members of the *Hansard* Staff, and the attendants; because it is undoubted we have had a most strenuous session and they, I think, of all who are connected with this Assembly must most have felt the long hours and trying sittings which we have been obliged to

endure in the interests of the country. There is one other I wish to refer to, namely, my dear old friend the member for Wellington, Mr. Hayward, a gentleman who, at an advanced age, is retiring into private life after having served his country in this Chamber for 10 years. He entered Parliament at what we might term an advanced age, and he has set an example of zeal, energy, and determination in attention to his public duties which might well be emulated by members in both Houses of Parliament. Since his serious illness he has shown unmistakably that determination and zeal I have referred to in order that his country might benefit by the self-sacrifice he has made on her behalf, and his attendance in this House has been, I think, a lesson to us all. I hope he may long live to benefit by and enjoy the rest which he undoubtedly deserves. In conclusion may I be permitted also to say that no matter what the turmoil of this session may have been, no matter how much heat may have been displayed in debate, or how much animosity at times, yet I feel we have achieved great work in the interests of the State, and I feel we part to-night on the eve of an extended recess with mutual feelings of respect. Although we may differ yet we can respect our opponents and extend mutual good wishes for the welfare of every individual member of the House. At any rate, that is my feeling to-night, and I wish every hon. member of the Assembly—

Mr. Heitmann: A safe return.

The PREMIER: A good holiday during recess, a recuperative rest and respite from the arduous labours they have been called upon to undergo, and if not a speedy return to the same positions they occupy, at any rate a speedy advancement to some better positions in some other walk of life. I hope all members may have that success and that enjoyment which, I think, the evidences of prosperity in this State warrant us expecting. Especially am I conveying that expression of goodwill to the leader of the Opposition, who has, undoubtedly, taken very great pains in order to do his best to criticise

the legislation during the present session so that we might achieve those great results, those beneficial results, in our legislation which, I am sure, we have achieved in the interests of the State of Western Australia.

Mr. SCADDAN (Ivanhoe): With very few words I desire to express on behalf of members of the Opposition, together with myself, our thanks to the Premier, as leader of the House, for the courtesy he has from time to time extended to his opponents. The present session has probably been the most strenuous in the history of self-government in Western Australia. I believe the 1907 session was rather strenuous; but while it was strenuous to some extent, it cannot be compared with the present session. It is true that at various times there was a fair amount of warmth introduced into debates; but may I say on behalf of this side, as well as myself, if some of us have shown a little warmth it was not for the purpose of showing any direct antagonism to anyone personally, but because we believed that the matters which we were discussing at the time were not in the interests of the country generally. At the same time may I remark that what the Government have done during the session is exactly what this party would do if we were on the Treasury bench; not that we would introduce the same class of legislation, but once having set our minds upon a policy we believed to be in the interests of the country, we would endeavour by every legitimate means in our power to obtain a sufficient majority of members in the House. At times a little warmth has been shown, even to you occupying the position as Speaker of the House, but let me assure you, Mr. Speaker, that on no occasion to my knowledge has that warmth been shown to you personally. We have at times felt that the decisions from the Chair have not been in accordance with the Constitution or the Standing Orders under which we are working, and in view of that fact we undoubtedly did that which was our right, to question those decisions; but we recognised at the same time,



that so far as you were personally concerned, you endeavoured to do that which you considered was right. We also appreciate the assistance rendered, not only to the House and to the Government, but to individual members of the House and Chamber, by the Clerks and the other officers. I believe they have been at all times most courteous to members, and have never wearied in doing anything that would assist them in carrying on their work in this place. Hon. members of the Opposition, I hope, will have a speedy return, not to the places they at present occupy but just over the way; not that I think there has been anything in the way of making that side of the House more comfortable than it is.

The Minister for Works: It is not too comfortable.

Mr. SCADDAN: The hon. member should not retain any place he considers uncomfortable. I believe we are going to have one of the longest recesses on record, eight or nine months; but even during that time I hold members of Parliament are doing something of service to the State by attending to matters of administration and assisting Ministers in that direction. Members on either side of the House are always anxious to do their best in the interests of the country, not from the standpoint of gaining some temporary advantage for themselves, but for the purpose of bettering the conditions of those they are here to serve, both while Parliament is sitting and during the recess, though the latter may be long. I trust the Premier will have a pleasant trip to the old country; I believe he will. Above all, I hope his trip will not only be pleasurable to him, but of lasting benefit to the State; I believe also that will be the case. I desire again to thank the leader of the House for the courtesy he has extended from time to time; and while there has been some warmth in this Chamber, we all appreciate the fact that outside the Chamber we met just as warmly towards each other but in a totally different manner; and I hope that manner displayed during this session will continue between us.

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Some of us may not return to occupy seats in the Chamber, but others will. I have been here something approaching seven years, and during that time I have made close friendships with members—and some ex-members. I am pleased that among those who are not sitting in the Chamber to-day I made friendships in my early political career which to-day are just as closely knit as ever they were. That is one advantage of public life. If it were not for that I am certain many of us would not give it consideration. If outside the House there were to be the same divisions as there are inside, I am afraid there would be many calls for the Ayes or the Noes. It is because we can make friendships lasting outside the Chamber although we differ politically that makes political life less burdensome than it would otherwise be. Because members have their burdens; political life, after all, is a great worry, though, no doubt, many outside think it is rather pleasant work; it is a great worry, and a great responsibility, and trying to members; but we are relieved to a great extent by the fact that, though we differ in many matters, we make close friendships, and they continue for many years after we have left public life. In that regard, may I say, I regret, with the Premier, that you, Mr. Speaker, have decided to retire from public life. Though we have differed on political matters as strongly as any may do, yet we recognise that your constituents are the judges as to whether they consider you are doing what is in the best interests of the State, and we have to accept their verdict, as we have to accept the verdict of the constituents of those on this side of the House. We trust the friendship between those on this side of the House as well as those on the Government side towards yourself will long continue. We have always recognised in the member for Wellington a gentleman who has paid close attention to his Parliamentary duties, and who has been most courteous on all occasions. I trust, with the Premier, he may be long spared to enjoy the rest he is about to take.

Mr. SPEAKER (Hon. T. F. Quinlan): Mr. Premier, the leader of the Opposition, and fellow members: In the first instance I desire to thank the Premier and also the leader of the Opposition for their kindly references to myself. I was more than pleased that the leader of the Opposition, during the course of his speech, referred to the fact that there was nothing personal in regard to anything I have done. As to what I have done, although differing at times from members, I am sure I should be lacking in my duty if, when I come for the last time to address this Assembly, I should feel that I have anything to reproach myself upon so far as my conscience is concerned. Although we have differed on many occasions, although differences have arisen, the records will prove one year, or ten years, or 20 years hence, that what I have on every occasion given as my ruling has been prompted only from one source alone—that I believed I was doing right. I was glad to recognise among those in attendance to-day my friend, the member for Kanowna (Mr. Walker), who has on many occasions differed from me. I am glad to see he is again restored to health. We recognise this great ability, and I wish to pay him a special compliment; because, although on many occasions the hon. member has differed from me, he has always been a gentleman; and I think he has been an example in the manner he has controlled himself in the House while differing from the Speaker. I am delighted, indeed, to join with the Premier and the leader of the Opposition in their kindly references to my dear old friend, I am sure everyone's friend, not only in the Assembly, but throughout the State, Mr. Hayward; likewise our ex-Premier, Sir Newton Moore. I feel it is incumbent on me, on my last occasion of addressing this House, to make these references, because I know it is the feeling of hon. members and that I merely echo their sentiments. So far as my future is concerned, I am the oldest member of the Assembly by many years; there are a few others who were with me in former times many years ago, and the mantle of being the oldest member will probably fall on the shoulders of one of

them after the coming elections, because I do not intend to be a candidate. Although I have felt very keenly some of the remarks made, especially during the session, with regard to myself, I am consoled by the fact that I have the confidence of my constituents. I have verbally and in writing been assured of my return again if I chose to alter my decision. With the exception of the one who opposed me on the last occasion, I have been assured generally, and even by some of my opponent's supporters in this regard. So it will be seen that in anything I have done in the past I had no ulterior motives. My only one regret is—and I should be lacking in my duty if I did not say it, and I am sure I will be pardoned for saying it, and I hope it will not hurt the feeling of any member, but I cannot go out of public life in this Chamber without saying it—that there have been reflections cast upon reputable citizens and suspicions exhibited on men in public life in this State during the past few years. I know the gentlemen who have been referred to and I am sorry indeed. I should be wanting in my duty if I did not express my feelings. Also, gentlemen have been assailed without any right of reply, gentlemen holding responsible positions in the State, and likewise some members of the civil service. I wish also to say I am indeed very deeply indebted to many members. May I venture to hope, as the leader of the Opposition has kindly expressed it, that all those who have differed from me still believe I am worthy of their confidence while they disagree with me. I desire likewise to pay my tribute of respect to the officers of the House, Mr. Lee Steere and Mr. Grant, who have been so kind and courteous to me, and have assisted me on every possible occasion. May I also add, the same assistance, I am sure, will be guaranteed to my successor. These gentlemen have been long well known to the public and are held in high esteem. However members may disagree with the decisions, the Speaker has to consult his advisers, the two officers I have named, and I will go so far as to say there are no two gentlemen in Australia better capable of ad-

vising a Speaker of an Assembly than those two. I wish also to pay my tribute of respect to Mr. Kidson for the courtesy he has displayed in his official capacity. I desire likewise to thank the subordinate officers, the messengers, and others for their kindness and courtesy to me on every possible occasion, and they will remember I am sure, a kind friend when I leave this Assembly. And not only does it apply to the subordinate officers of the Chamber, but likewise my feelings are with those connected with the domestic department of the institution. They have ever been helped by me as a friend at all times. When their wishes have been

placed before the committee of which I am a member I have endeavoured to protect their rights, and the most subordinate of these will ever remember me as a kindly friend. I thank the Premier, the leader of the Opposition, and all members, and as I say farewell in this, my last address in the Chamber, I am reminded of a few lines—

Friends, love and money pass away,  
Mere bubbles on life's river:  
And soon for us must come the day  
When we leave all for ever.

Question put and passed.

*House adjourned at 8.3 p.m.*

By proclamation issued in a *Government Gazette* Extraordinary, on Thursday, 16th February, 1911, the following Bills, passed during the session of Parliament, in addition to those to which assent had already been reported, were assented to by His Excellency the Governor:—

1. Bill for "An Act to vest in the Municipality of York the land and other assets of the York Mechanics' Institute, freed from the trusts affecting the same; to discharge the Trustees thereof from such Trusts, and to provide for the payment by the said Municipality of all the liabilities of the said Institute."
1. Bill for "An Act to alter the boundaries of the Leederville and Cottesloe Municipal Districts, and the Peppermint Grove and Cottesloe Beach Road Districts."
1. Bill for "An Act to apply out of the Consolidated Revenue Fund and from Moneys to Credit of the General Loan Fund and from the Loan Suspense Account the sum of Three Hundred and Seventy-seven Thousand Pounds to the Service of the Year ending 30th June, 1911."
1. Bill for "An Act to authorise an Extension of the Bridgetown-Wilgarrup Railway."
1. Bill for "An Act to authorise the Construction of a Railway from Quairading to Nunajin."

1. Bill for "An Act to authorise an Extension of the Wagin-Dumbleyung Railway."
1. Bill for "An Act to authorise the Construction of a Railway from Wickpin to Merredin."
1. Bill for "An Act to authorise the construction of a Railway from Tambellup to Ongerup."
1. Bill for "An Act to authorise the construction of a railway from Northampton to Ajana."
1. Bill for "An Act to amend the Bread Act, 1903."
1. Bill for "An Act to authorise the Construction of a Railway from Katanning to Nampup."
1. Bill for "An Act to extend the powers possessed by the Municipality of Bunbury under the Electric Lighting Act, 1892; to facilitate the exercise of such powers, and for those purposes to confer additional borrowing powers on the said Municipality."
1. Bill for "An Act to authorise the Construction of a Railway from Naraling to Yuna."
1. Bill for "An Act to authorise the Construction of a Railway from Brookton to Kunjin."
1. Bill for "An Act to authorise the Construction of a Railway from Wongan Hills to Mullewa."
1. Bill for "An Act to authorise the Construction of a Railway from Dwellup to Hotham."

A Bill for "An Act to appropriate and apply out of the Consolidated Revenue Fund and from Moneys to Credit of the Trust Fund, the General Loan Fund, and the Loan Suspense Account certain sums to make good the supplies granted for the Service of the Year ending the thirtieth day of June, One thousand nine hundred and eleven, and to supplement grants made by the present Parliament during its last Sessions in adjustment of the Vote 'Advance to Treasurer, 1908-9 and 1909-10,' for charges during the years ended the 30th day of June, 1909, and the 30th day of June, 1910."

A Bill for "An Act to apply out of the Consolidated Revenue Fund and from Moneys to credit of the General Loan Fund the sum of One Million Six Hundred and Eighty-three Thousand Seven Hundred Pounds to the Service of the Year ending 30th June, 1912."

A Bill for "An Act to amend the Fertilisers and Feeding Stuffs Act, 1904."

A Bill for "An Act to amend the Cemeteries Act, 1897."

A Bill for "An Act to further amend the Game Act, 1892."

A Bill for "An Act to amend the Fisheries Act, 1905."

A Bill for "An Act to further amend the Fremantle Harbour Trust Act, 1902."

A Bill for "An Act to further amend the Transfer of Land Act, 1893."

A Bill for "An Act to provide for the appointment and incorporation of Trustees for the Public Library of Western Australia, and the Western Australian Museum and Art Gallery, and for purposes consequent on and incidental to that object."

A Bill for "An Act to amend the Criminal Code Act, 1902."

A Bill for "An Act to consolidate and amend the Law relating to Road Boards."

A Bill for "An Act to authorise the raising of a sum of Two million and

one hundred thousand pounds by Loan for the construction of certain Public Works and for other purposes, and the Re-appropriation of certain Loan Moneys."

1 Bill for "An Act to further amend the Constitution Act, 1889."

1 Bill for "An Act to consolidate and amend the Law relating to the Sale of Fermented and Spirituous Liquors."

1 Bill for "An Act relating to the allowances to Members of each House of the Parliament of Western Australia."

A Bill for "An Act to consolidate and amend the Law relating to Public Health."

A Bill for "An Act to amend the Jury Act, 1898."

1 Bill for "An Act to vest in the Roman Catholic Bishop of the Diocese of Perth, and his successors in office, all property belonging to or held on account of the said diocese, and to make further provision for disposing of such property and for other purposes connected therewith."

1 Bill for "An Act to Establish, Incorporate, and Endow the University of Western Australia."

1 Bill for "An Act relating to the administration of Certain Acts for the Inspection of Mines and Machinery."

A Bill for "An Act to change the dedication of portions of Permanent Reserves numbered A/883 and A/7686, and to authorise the sale of portions of Bunbury Town Lots 122 and 352."

A Bill for "An Act for the Closing of certain Roads or portions thereof."

1 Bill for "An Act to validate certain Rates made by the Cottesloe Beach Local Board of Health (formerly called the Buckland Hill Local Board of Health)."

A Bill for "An Act to amend the Aborigines Act, 1905."

A Bill for "An Act to amend the District Fire Brigades Act, 1909."

A Bill for "An Act to amend the Electoral Act, 1907."

A Bill for "An Act for the Redistribution of Seats at Parliamentary

Elections." [Assented to pursuant to instructions previously received from His Majesty under 7 Edw. VII., ch. 7.]

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Parliament was prorogued by proclamation issued in a *Government Gazette* Extraordinary on Thursday, 16th February, 1911, to the 31st August, 1911.