

THE SPEAKER: But afterwards the hon. member spoke on the amendment. An hon. member who proposes or seconds an amendment cannot speak again.

Question—that the Address-in-Reply be agreed to—put, and passed without dissent.

THE SPEAKER: I think it will be convenient, perhaps, if we present the Address-in-Reply as soon as the House assembles on Tuesday afternoon. I will communicate with the Governor, and I have no doubt he will then be ready to receive us.

PAPERS PRESENTED.

By the PREMIER: Perth Park By-laws; also Report of Royal Commission on Mining, with Appendices.

By the MINISTER OF MINES: Correspondence *re* Accident to Miner at Peak Hill. Ordered to lie on the table.

ADJOURNMENT.

The House adjourned at 8.50 p.m. until the next Tuesday.

Legislative Assembly,

Tuesday, 5th July, 1898.

Address-in-Reply: Presentation—Papers presented—Question: Sale of Goldfields Land to a limited depth—Question: Widening of Beaufort-street Bridge, Perth—Question: William-street Railway Crossing, Perth—Question: Perth Water Supply and Revenue therefrom—Question: Bonded Store for Kalgoorlie—Question: Paris Exhibition and Representation of the Colony—Question: Perth Coroner and the Murder and Suicide at Subiaco—Public Education Bill; second reading—Fire Brigades Bill; second reading (moved)—Jury Bill; second reading—Bills of Sale Act Amendment Bill; first reading—Return ordered: Bridgetown Railway, Supervision etc.—Motions: Withdrawal and Postponement—Business Procedure and Suspension of Standing Orders—Adjournment.

THE SPEAKER took the chair at 4.30 o'clock, p.m.

PRAYERS.

ADDRESS-IN-REPLY: PRESENTATION.

At 4.40 o'clock MR. SPEAKER, accompanied by members of the Assembly, proceeded to Government House to present the Address-in-Reply to the Governor's Opening Speech; and, having returned,

MR. SPEAKER reported that he had, with members of the Assembly, waited upon His Excellency, and presented the Address of the Legislative Assembly; and that His Excellency had been pleased to reply as follows:—

MR. SPEAKER AND GENTLEMEN OF THE LEGISLATIVE ASSEMBLY:

I thank you for your Address-in-Reply to the Speech with which I opened Parliament, and am glad to be assured of your continued loyalty and devotion to the Person and Throne of our Most Gracious Sovereign.

I receive with satisfaction your assurance that your most careful consideration will be given to all matters that may be submitted to you, so that your labours may result in the permanent advancement and prosperity of the colony.

Government House, Perth, 5th July, 1898.

PAPERS PRESENTED.

By the PREMIER: (1) Report on Gaols and Prisoners of the Colony, 1897; (2) Report on Rottnest Prison, 1897; (3) Map showing the Railway System of the Colony, also the Extensions proposed in the Governor's Speech; (4) Return showing Issue, etc., of Treasury Bills, as ordered on motion of Mr. Illingworth.

By the ATTORNEY-GENERAL: Papers *re* Imprisonment of Barrett and Delaney, as ordered on motion by Mr. Vosper.

Ordered to lie on the table.

QUESTION: SALE OF GOLDFIELDS LAND TO A LIMITED DEPTH.

MR. MITCHELL asked the Commissioner of Crown Lands:—(1) Whether his attention had been directed to the inconvenience that was likely to arise from a notice published in the *Government Gazette* of 14th January last, which provided that no land shall be sold within a goldfield and a mining district to a depth exceeding 20 feet. (2) Whether he was aware that in scores of instances in these districts water was not found at that

depth. (3) Whether he would reconsider the matter with a view to altering the said regulation so as to give the right to go to a depth of, say, 12 feet below water level, whatever that level might prove to be.

THE COMMISSIONER OF CROWN LANDS (Hon. G. Throssell) replied:—(1) Yes. (2) Yes. (3) The Consolidation Lands Bill, which it is intended to introduce, makes the following provision:—"Notwithstanding such limitation of depth and reservation, the grantee, his heirs and assigns, shall have the right to enjoy all wells and springs of water which may at any time be upon the land, and to bore and sink wells for water through such land to any depth, and to enjoy the same."

QUESTION: WIDENING OF BEAUFORT-STREET BRIDGE, PERTH.

MR. HALL asked the Commissioner for Railways, When a commencement would be made with the widening of the Beaufort-street bridge; and whether it was intended to widen the bridge so as to be in as direct a line as possible with Beaufort-street.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied, as follows:—"The preparation of plans in connection with this work is in hand, but is not yet completed. The intention is to widen the bridge on the east side. It was not possible, owing to the grade, to widen it on the west side so as to bring it in as direct a line as possible with Beaufort-street."

QUESTION: WILLIAM-STREET RAILWAY CROSSING, PERTH.

MR. HALL asked the Commissioner of Railways, What was being done in the matter of the William-street Railway Crossing, to obviate as early as possible the delay to vehicular traffic and consequent injury to business in William-street.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied that it was not intended at present to do more than provide footbridges on either side, and to make every effort to keep the gates open as long as possible to avoid any inconvenience to vehicular traffic.

QUESTION: PERTH WATER SUPPLY AND REVENUE THEREFROM.

MR. HALL asked the Premier, What was the total consumption of water in the city of Perth for the past 12 months, and what was the total income for the same period.

THE PREMIER (Right Hon. Sir J. Forrest) replied:—1, The total delivery of water in gallons from July 1st, 1897, to June 30, 1898, was 336,361,000, of which the Victoria Reservoir contributed 239,288,000 gallons, and the bore in Wellington-street 97,073,000 gallons. 2, The total revenue from all sources for same period was £21,828 18s. 7d.

QUESTION: BONDED STORE FOR KALGOORLIE.

MR. MORAN asked the Premier, Whether he would establish a bonded store or give facilities for its establishment in a convenient centre on the Kalgoorlie goldfield.

THE PREMIER (Right Hon. Sir J. Forrest) replied that the Customs Department was very strongly opposed to the proposal, and under existing circumstances the Government considered that the decision might be deferred for a time, as the question is a far-reaching one, and would involve a large expenditure in several parts of the colony.

QUESTION: PARIS EXHIBITION AND REPRESENTATION OF THE COLONY.

MR. VOSPER asked the Premier:—1, Whether it was the intention of the Government that the agricultural, mineral, and arboreal resources of Western Australia should be advertised by the colony being represented at the Paris Exhibition of 1900. 2, If so, whether the Government would forthwith cause collections to be made illustrative of our mineral resources. 3, What steps, if any, had been taken to secure the representation of the colony if such were intended.

THE PREMIER (Right Hon. Sir J. Forrest) replied:—1, The Government propose to ask Parliament to vote a sum on the Estimates for the representation of the colony at the Paris Exhibition. 2, As soon as the question of representation is settled, and the vote agreed to, all necessary steps will be taken. 3, No decided steps have yet been taken.

QUESTION: PERTH CORONER AND THE MURDER AND SUICIDE AT SUBIACO.

MR. HALL asked the Premier, Whether it was the intention of the Government to take any steps in reference to the action of the City Coroner in respect to that official's recent order, whereby the two bodies, in an alleged case of murder and suicide, were left in the bush at Subiaco for some considerable time after discovery.

THE PREMIER (Right Hon. Sir J. Forrest) replied:—The attention of the Coroner has been drawn to the Police Regulations on the subject of inquests. In the case referred to, in the exceptional circumstance of an absence of any other evidence of the cause of death, the Coroner deemed it necessary that the police should allow the bodies to remain undisturbed until viewed by the jury. The Government do not think that in this case the precaution was necessary.

PUBLIC EDUCATION BILL.**SECOND READING.**

THE MINISTER OF MINES (lately Minister of Education, Hon. H. B. Lefroy): The Public Education Bill, the second reading of which I now move, is virtually the same as that which was introduced by me in the last session. It is desired by the Government that education in this colony should be made as free as possible. The Government also desire to frame a Bill consolidating all the existing laws with regard to education in the colony, and to make the system as efficient as possible. The most important points in the Bill are those which provide for the abolition of fees, the compulsory attendance of the children every time school is open, under certain conditions; that non-Government schools must prove themselves efficient, and keep registers when required; and that children of compulsory age are not to be employed during school hours. The Bill as at present drafted provides that children of compulsory age shall not be employed; but I propose to make an alteration in this clause to the effect that children of compulsory age shall not be employed during school hours. The Bill also provides that an educational census may be taken of all children within any district, and that, where district boards

do not exist, power shall be given to establish them, as also to establish technical training schools and high schools.

MR. VOSPER: Does the Bill provide for a School of Mines?

THE MINISTER OF MINES: No.

A MEMBER: What is the present amount of fees?

THE MINISTER OF MINES: I suppose the amount of fees received during the past year would be something like £3,000, though I am not prepared with the exact figures at the present moment. The first clauses of this Bill are virtually the same as those which appear in the present Act. Hon. members will notice in the margin of the Bill references stating the sections from which particular provisions are derived in the existing Act. Clause 26 is important, and provides that—

Any district board may, subject to the approval of the Minister, delegate to such one or more persons as they may please any of their powers under this Act, so far as relates to the control or management of any school under their supervision, and such person or persons shall exercise those powers till withdrawn by such district board.

A MEMBER: What is the object of that clause?

THE MINISTER OF MINES: The object is that in large districts the district board may delegate to some gentlemen certain powers, so that they can deal with matters relating to the school. The difference between this clause and the existing Act is that, under the present Bill, when these powers are delegated, the approval of the Minister will first have to be obtained. Clause 29 deals with the appointment of persons where no school board exists. This is done to meet cases where population is very scattered and shifting, and some local supervision is needed; that is to say, where it is not considered advisable to go to the trouble and expense of bringing to bear the machinery for electing a district board, the Governor may have the power to appoint certain gentlemen—perhaps three in number—to advise the department with regard to school matters in certain portions of the colony where no district board exists. Clause 31 provides that the Minister may establish certain schools. That power is given under existing legislation; but this Bill also provides power to establish training schools for the education of

teachers engaged in carrying out the provisions of the Act. This is much wanted in this colony. I think every hon. member will see clearly that, before a teacher is able to teach, he requires a certain amount of training. The number of children in this colony increases very rapidly. Last year it increased about 3,000. That would mean, probably, that 6½ additional teachers would have to be appointed in the colony. A great deal of difficulty has been found in getting efficient teachers to carry on the work. It is therefore thought a wise thing by the Government to train teachers for the service. The manner in which that training is to be carried on will be provided for, and the Education Department has a scheme in hand to establish a training school for teachers. When I gave up the control of the department some little time ago everything was arranged, with land and money found to establish such a training school as is here contemplated. This Bill also empowers the Government to establish a high school, in which instruction shall be given in one or more languages, history, music, the elements of mathematics and physical science, together with such other subjects as are prescribed by the regulations.

MR. VOSPER: What will be the mode of admission to the high schools?

THE MINISTER OF MINES: The payment of fees. Children are admitted free only to purely Government or State schools.

MR. SIMPSON: You mean schools for primary education?

THE MINISTER OF MINES: Certainly; schools for primary education.

MR. VOSPER: Is there any power given to found scholarships?

THE MINISTER OF MINES: The Bill gives power—although I do not say it is proposed to do anything at the present time—to establish scholarships.

MR. VOSPER: Is power given to the Government for endowing scholarships?

THE MINISTER OF MINES: No; such power is not given, but it can be done by a regulation.

MR. MORAN: It is done by law. What about clause 6?

THE MINISTER OF MINES: If the hon. member will wait, I shall go through the Bill, and will be happy

to answer any questions in committee. At the present time I only ask members to allow me to deal with the Bill in my own way. Clause 32 deals with the question of "fees for instruction," and states that "No fees shall be paid by or for children between six and fourteen years of age attending State or provisional schools." Fees will be paid for children who remain at school after the age of fourteen, as is now done in Victoria and South Australia; but education will be made free and compulsory for children between the ages of six and fourteen.

MR. ILLINGWORTH: Why six? Young children should not be paid for.

THE MINISTER OF MINES: Children are not really admitted to the schools until they are six years of age. That, I think, is early enough for a child to go to school. Before that age children are better running about outside, and the Government would not wish to compel children under that age to attend school.

MR. EWING: Are children under six prohibited from attending school?

THE MINISTER OF MINES: Children under six are not prohibited, but fees will have to be paid for them.

MR. EWING: Are such children prohibited?

THE MINISTER OF MINES: As a matter of fact, the Government do not admit children of a younger age to the State schools.

MR. VOSPER: The attendance of young children is discouraged, anyhow.

THE MINISTER OF MINES: At all events, the Government intend to discourage the attendance of such very young children. Clause 37 deals with "hours of instruction," and in this are involved the hours devoted to religious instruction in every Government school. It is provided in this clause that "four hours during each school day shall be devoted to secular instruction exclusively." The present Act provides that religious teachers can enter a school at certain times, and give religious instruction to children belonging to any particular denomination, on any day of the week for half an hour. It is now provided in this Bill that a teacher of any denomination shall not be allowed

in the school more than three times a week for three-quarters of an hour to give religious instruction. This provision is made because most time-tables are formed on the plan of forty minutes for each lesson, rather than half-an-hour. It is therefore found more convenient to allow religious instruction for three-quarters of an hour on three days a week than half an hour every day in the week. Members will notice that at the end of the clause it is provided "that this special instruction shall not be given to the same children more than three times a week."

MR. MORAN: That is as much as they can stand.

THE MINISTER OF MINES: For ordinary school purposes, the secular clauses are by this Bill left as at present; and the object of the clause I have just alluded to is to prevent the various religious teachers going at any time and breaking into the work of the responsible teacher of the school. Clause 41 is precisely the same as appears in the present Act, and as appears in the Act now in force in South Australia. That clause provides that "The proprietor, headmaster, or principal teacher of any school, not being a State or other school, established under this Act may apply to the Minister in writing to have such school found 'efficient' for the purposes of this Act." The State determines that every child shall be educated, and that every child shall go to school a certain number of hours every day, so long as the child is not ill, or there are no other circumstances to prevent its attendance. When the State says that every child shall go to school, the desire is that the education received shall be efficient. This clause provides that a parent, if a child does not attend a Government school, shall prove the child is attending an efficient school. Every head of a private school must, therefore, have a certificate from the Minister of Education showing that his school is an efficient school; and every such private school must be subject to an examination by the Government inspector of schools. The Minister of Education may give such a certificate with or without an examination, as he thinks fit; but, if the Minister does not give such

a certificate, he will send an inspector to examine the school, and then it lies with the inspector, in his discretion, to give or withhold a certificate. If a certificate is not given to a private school, then the children attending such school are liable to be called upon to attend a Government school. Clause 42 deals with "compulsory attendance." This clause is very nearly the same as that in the present Act, except that at the end it provides that a child shall attend school on such days as the school shall be open. At the present time every child is required to attend school for a certain number of days, namely, half the number of days during a term. It will be seen that before the term is over it is really impossible at present to find out whether a child has complied with the Act or not in the matter of attendance.

MR. MITCHELL: Are there not returns every month?

THE MINISTER OF MINES: The compulsory clause of the Act cannot be enforced unless it is proved the child has not attended so many days in the term, and until the end of the term it cannot really be ascertained whether the child has properly attended school or not. The Fremantle and Perth District Boards some years ago prepared a by-law dealing with this matter, and that by-law, I think, is the best law we can adopt. The same provision appears in the English and all European Education Acts. It is introduced to prevent a few irregulars interfering with the progress of the majority, and with the standard of education in the schools. The clause also provides that a continuous attendance of two hours for secular instruction by any such child is half a day's attendance.

MR. LEAKE: Why is that to be in the clause? I cannot understand this two hours a day.

THE MINISTER OF MINES: The hon. member will see that 50 half days in school would make up 25 whole days. If a child attended two hours every day for 50 days he could be held to have attended school for 25 whole days. The reasons set out in clause 43 may be reasonable excuses for a child not attending school. If a child is under efficient instruction at home or elsewhere

that will be a reasonable excuse for not attending a State school. The Bill distinctly provides what "efficient instruction" shall mean, and the question of the "efficiency" is a matter for the decision of the Minister of Education, who may require a report from the inspector of schools. Clause 43 also provides: "If a child has been prevented from attending school by sickness, danger of infection, temporary or permanent infirmity," and so on, that shall be deemed a reasonable excuse. It is further provided in the clause that in certain cases a medical certificate must be provided if the Minister requires it. The reason for adding these words providing for a medical certificate must be obvious to members. There may be numbers of people who will say their children are sick, when really the children are in health; and under this clause, if the Minister thinks the word of the parent is not to be relied on, he may demand a medical certificate. Clause 44 is a new law, according to which "the Minister may, at his discretion, excuse children who are required to help in the fields at harvest time or other special periods of the year." I am sure the members of the goldfields party will fully appreciate this clause. These members are, I know, anxious that the agricultural development of the colony shall be pushed forward as much as possible, and will readily agree in the provision to excuse children from attending school who are required to help in the fields at the harvest time. Clause 46 deals with the penalties for neglect. This clause contains the alteration of a few words as compared with the present Act. Members will see that this clause provides that "the parent of any child within school age who neglects to cause such child to attend a State, provisional, or other efficient school may be summoned in the name of the Minister or of any person authorised by the Minister." In the present Act the words are: "Neglects to cause such child to attend a State school." It is very difficult to prove that a parent neglects to send a child to school. The parent may go into court and say: "I sent my child to school, but he will not go." We want the onus of proof to rest

upon the parent. The parent has to see that the child does go, and the parent will thus be prevented from going into court and saying: "I sent my child to school." Clause 47 is the next clause with which it is necessary for me to deal. This clause lays down that:

A certificate purporting to be under the hand of the principal teacher of a State or provisional school, stating that a child is or is not attending such school, or stating the particulars of attendance of a child at such school, shall be evidence of the facts stated in such certificate.

That is to say, it shall not be necessary for a teacher to go into court to prove that a child did not attend school. If the teacher forwards the certificate, that is proof that the child has not attended. Under the present Act teachers have been forced to attend court, and to close their schools, because of the non-attendance of one child. Hon. members will see that that is not a good thing. If a teacher has to close a school to attend the court, it interferes with the teaching. I do not think such a circumstance would arise in a large town, because there would be many teachers in the schools there; but where there is only one teacher, if that teacher has to attend the court, the school may have to be closed. Clause 48 deals with the employment of children under the compulsory age. Last session there was some objection to this clause, which provides that a person shall not take into his employment any child who by reason of its age is not exempt from school attendance. It is my intention to ask the House to insert in the clause the words "during school hours." I do not think the Act should deal with a child out of school hours. This Bill provides that children should attend the school during school hours, and I do not think it right that we should deal with the children after school hours.

MR. MORAN: Some boys have more intelligence at ten years of age than others have at fourteen.

THE MINISTER OF MINES: This clause also provides:

Every person who takes a child into his employment in contravention of this Act shall be liable, on summary conviction before two Justices in Petty Sessions, to a penalty not exceeding forty shillings.

To fine the employer is the only just and merciful way of dealing with the question, or the only absolutely efficient way of forcing compulsion. At the end of clause 48 there is this provision:

The Minister may, at his discretion, give special exemption for children between the ages of twelve and fourteen in cases of great poverty or sickness of the parents.

Under the Bill, children are obliged to remain at school until they reach the age of fourteen, but this clause gives special exemption between the ages of twelve and fourteen, in consequence of the poverty or sickness of the parent. At any time any child may be exempted from attendance on account of its own sickness, but not on account of the sickness or poverty of the parents. If parents are found to be poor or in sickness, after a child has arrived at the age of twelve or fourteen years, he or she may be allowed exemption. The reason for putting the clause in this way is this: It is not expected that a child below the age of twelve years would be of much use at home to its parents, but after that age it may be of considerable use to the parents. In Germany I find that a similar provision to this exists in the laws dealing with education, but the age is thirteen years, and not between the ages of twelve and fourteen. Clause 49 deals with children beyond the control of their parents, and provides that:

If a justice is satisfied by the parent or guardian that he has used all reasonable efforts to cause the child to attend school, but that the child is beyond his control, the justice may, without inflicting a penalty, order the child to be sent to a certified Industrial School till the age of 14. . . . Provided that any two justices in petty sessions may, from time to time, vary the amount in accordance with the means of the person so ordered to contribute, but so as his contribution shall not exceed ten shillings a week.

It also provides that a special Industrial School shall be set apart for such cases, and may be under the control and inspection of the Education Department. This is provided to prevent the herding of truant children with criminal children. A proviso of that kind is very useful for the sake of humanity, at any rate. After a child has been two months in an Industrial School, if it behaves itself, it may be licensed out; but it will be taken back

if it does not continue to behave itself. Clause 50 provides:

The Minister may refuse the admission of any child to any State or provisional school in the case of any child for whom accommodation has been provided in another State or provisional school nearer to the dwelling place of the said child, or if there is more suitable accommodation in some other school within the prescribed distance.

"Nearer to the dwelling place of the child" is provided for, so as to prevent any undue overcrowding of one school, owing, perhaps, to the temporary popularity of a teacher. The proviso as to the suitability of the accommodation is to enable children who have reached the highest standard to be gathered in one centre, so that they may obtain better teaching. That proviso is obviously useful. Clause 51 provides that a census may be taken of a school. This is a useful provision, because it enables the State to enforce compulsion more readily, and it enables the Government to find out where increased accommodation is necessary and the number of children to be provided for. Clause 52 provides that schools other than Government establishments shall keep a register of attendance. That will be obvious to hon. members. If we make education compulsory we must make a private school keep a register, so that, if an officer wishes to gain any information as to the attendance of any child at that school, he will be enabled to do so at any time, and to examine the register to see if the child is attending or not. I think I have explained the chief provisions of this Bill; at any rate, all those provisions which are new. The only other clause to which I will allude is clause 56, which provides for a penalty for the disturbance of any State school or other school established under the Bill. The clause says:

Any person who wilfully disturbs any State or other school established under this Act, or who upbraids, insults, or abuses any teacher in the presence or hearing of the pupils assembled in such school, shall be guilty of an offence against this Act, summarily punishable upon conviction before a Justice of the Peace, and shall be liable to a penalty not exceeding forty shillings and not less than ten shillings.

That clause is essential to establish the authority of the teacher over the pupils. I think I have explained the Bill to hon. members, and I now commend it to them

for consideration. I hope it will meet with approval. I shall be happy to go into any clause hon. members wish to discuss, when in committee. I now commend the Bill to hon. members.

MR. LEAKE (Albany): I may at once say, so far as I am concerned, and I believe I may state the same for those with me on this side of the House, that no attempt will be made to oppose the passage of this Bill. We are all agreed, I think, in the principle of free, secular, and compulsory education as the best thing we can have in this colony. I notice with some degree of pleasure that one or two clauses which might possibly have led to a lengthy discussion, and which were before the House last session, have been omitted from this Bill. I have gone through the measure very carefully, and find there is really nothing to cavil at, in particular. Possibly during the passage through committee we may be able to make one or two trifling alterations, which the Minister will no doubt readily accede to. The object I have in view is to make the Bill as good a one as it is possible to do. Not much was said by the Minister in regard to the proposals for the carrying out of the measure. The Minister said that certain power was to be given to the Minister in certain directions, and particularly with regard to the training schools for the education of teachers and for technical education generally. My individual opinion is that this system of technical education, if carried out systematically, will do an infinite amount of good to the rising generation. I should be glad if the Government would inform us at far greater length, before long, what particular schemes they have in view. We know this might involve a considerable expenditure of money. At the same time we must not be too niggardly with regard to providing the expenses for this very important branch of education. I have always had a very strong idea that knowledge is acquired more readily through the eyes and ears than by books. If a child is well trained in his powers of observation, and also listens to what is told him, that child will derive far more instruction than poring through volumes for any length of time. While on this question of technical education, I may say I presume it

will embrace all the elementary portions of the different practical sciences, and, amongst other things, I should like to think that in these schools children may be taught what is known as "first aid to the injured." I presume that will come under the technical branch. I suppose, also, children will be taught the elementary working of trades, and so forth. This is a matter that we cannot do more than refer to here, because we do not know what the Government policy is in regard to giving effect to these proposals. One point I wish hon. members to consider, and it is this: whether, in view of the fact that we have compulsory education, that compulsion should apply to a child who is only six years of age. The age of six is very young for a child to be forced for four hours a day, or, it may be, for four hours and three-quarters, on five days a week, to attend school; and I hesitate myself to give my assent to a child being compelled to go to school until it is more than six years of age. [MR. GEORGE: Say seven.] I do not mention any particular age. I ask hon. members to consider the question. I have children of my own, and I hesitate before I should send a little boy of six years to school for five days a week for four hours or more. The suggested prohibition against the employment of children under the school age is one which we may fairly well support. What seems to be quite a new idea in the Bill is that portion dealing with—I suppose it means truant children—those beyond the control of their parents. These children, it seems, may be sent to an Industrial School specially set apart for the purpose. Fortunately, such children will not be dealt with as offenders, but the idea is to carry out the compulsory element of this system and see, if these children cannot be controlled by their parents, if the State can control them. That is a suggestion I shall fall in with, and, on the whole, I will give my support readily to this measure. Any criticism which may be made on this side, I am satisfied, will not be with a view of hampering legislation in this direction, but to assist the Minister in making the proposed measure one that is workable and one that will commend itself to the community.

MR. MORAN (East Coolgardie): In clause 31 the Minister has power to establish Agricultural Schools, and I shall be in favour of excising this provision when the Bill is in Committee. This is a very big subject, and it is giving to the Education Department powers which are altogether foreign to a Bill of this kind.

THE MINISTER OF MINES: We can establish High Schools under this Bill.

MR. MORAN: I am in favour of Agricultural Schools and Schools of Mines. I am decidedly in favour of them at this moment; one school of each kind. I am a warm advocate of such schools, and I think the importance of mining in this colony warrants the establishment of a good School of Mines, or a School of Mines no matter how large or how small. The School of Mines at Ballarat has done a wonderful amount of good in Victoria, and its influence is felt all over Australia. But I think these questions are rather too big to be considered in an Education Bill. If we are to have an Agricultural School or a Mining School, I should like to see special legislation to deal with them. The present Education Department is not competent to deal with the establishment of an Agricultural School or a Mining School. It is a new departure, and the department knows nothing at all about Agricultural or Mining Schools. The department is not to be expected to know anything about them. These are matters for experts; and, as far as I am concerned, they are matters for immediate consideration. I should like to see these subjects dealt with under separate headings. The only other point that strikes me as being rather peculiar, is that portion of the Bill which presumes that all boys have equal intelligence, and which provides that a boy must stop at school until he is fourteen years of age. Every member of the House knows it to be a complete fallacy that all boys are of equal intelligence. We all know of boys who have far more knowledge and intelligence at twelve years of age than others have at fourteen years. Yet we are making a cast-iron law that all boys are to attend a school until they are fourteen years old. I should like to see a standard of efficiency in which a boy may achieve a certain standard before leaving school, rather than have a

fixed age, which is an arbitrary rule. I congratulate the Government on the clause in reference to religious instruction. I have seen the system carried out in Queensland. I cannot help remembering the arrival and departure of the clergyman, and I think it took him a good half-an-hour to get the children together. He had to pull them out from under the school buildings and so forth. I do not think this will be a brilliant scheme here; but as such a provision exists in the Acts of the other colonies, there is no reason why it should not be inserted here. But I do not expect very much from the clause. I intend to support the Bill as a whole.

MR. WALTER JAMES (East Perth): I feel certain every member of the House will give his warm support to this Bill. There may, perhaps, be some questions of detail in which members will require some information; but everyone will recognise that the time has arrived when the ancient legislation we have had in connection with education in this colony requires some alteration. The time has arrived when the machinery which our old legislation provides should be replaced with machinery more in touch with the present day. In supporting this Bill I may say I do not expect that the measure itself will bring into life any new factors in the Education Department of the colony. The Bill affords means by which education can be made effective. I hope the Minister, in bringing forward this Bill, is satisfied that within the four corners of it there is all that is required to make education as advanced as it should be at this period of the nineteenth century. I am by no means satisfied that the present system of education is as advanced as it should be. I may say that at least we have an Under-Secretary who knows his business, who is thoroughly competent, and, what is more, is a thorough enthusiast in carrying out the principles of proper education. It is much to be regretted that steps were not taken earlier for the proper control of the Education Department. I use the word "control" in no disrespect to the Minister. But the control has now been placed in the hands of a man who knows his business. We do not want a man as Under-Secretary who can only sign let-

ters. That is a simple matter, and might be done by an automatic india-rubber stamping machine. I think we now have a man as Under-Secretary whom we can thoroughly trust, a man in whom we all feel great confidence; and we should give him the utmost power. I differ from the hon. member for East Coolgardie (Mr. Moran) in regard to the establishment of Technical Schools, which, of course, include Schools of Mines. I should think that Technical Schools should include Schools of Mines, and that they should be established under the Bill; but I do not think the Minister would establish such schools without first consulting those who are competent to guide him in the matter. I do not for a moment say that we can expect a Minister of Education to know all about everything connected with education in every possible walk of life; but surely those who occupy that responsible position will exercise a reasonable discretion. Before they make an experiment of this nature they will take the advice of those who are qualified to give it. I shall have very great pleasure in supporting the Bill as a whole. There are some parts which, I think, will require amendment—not, however, in the direction of limiting the control or the power of the Minister of Education. I believe that in connection with education we must have an autocrat. We must give him the fullest and amplest powers to deal with all questions relating to education. Speaking from a short experience on the District Board of Perth, I may say that I have found the powers of the existing Act entirely inadequate. Under that Act you are hampered on every hand. We should place the fullest possible power in the hands of the Minister of Education, holding him strictly responsible to the House for the way in which those powers are carried out. I think that the Education Department of South Australia is, above all others, one which should be copied by us. Theirs is a far more effective system, the strength and effectiveness of which have been due, I might almost say, to the efforts of the late Inspector of Schools. It shows the wisdom of entrusting very wide powers to a Minister, or to the person who, for the time being, represents him. I do not altogether agree with the member for Albany in thinking

that six is too early an age for children to go to school. It might be so if we provided that at that early age children should have the same curriculum as the older children; but the Bill should be sufficiently elastic to allow of the adoption of a new curriculum for children of that tender age. It would be well if we could do something to attract these children to school. It must not be overlooked that the great majority of children of that age would be benefited if they had an opportunity of going to a school where the curriculum adopted was one which, instead of thrusting knowledge down their throats, rather—as was suggested by one member—made school amusing to them, and gave them knowledge in small and homœopathic doses. The idea should be to combine instruction with amusement. The younger you get children to go to school the better, so long as it is recognised that the children of a tender age are to be amused at the same time that they are being instructed. We do not want to force them to learn, or to make the time they devote to education wearisome to them. This is a matter which, I think, we may safely trust to those who are responsible to the House for carrying out the system of education. The department should insist that its officers should keep themselves thoroughly in touch with the educational systems throughout the world. Such gentlemen would surely be more able to judge of what was required than members of the House. We reserve to ourselves the right of insisting that those who are responsible for carrying out the system of education should give a true and faithful account of the manner in which they have fulfilled the duties entrusted to them. I am not aware whether it is proposed to give power to the Minister to enact regulations for the purpose of introducing military discipline into schools; but, if not, I think it would be advisable to do so. If we could have compulsory volunteering, if I may use the term, far beyond the age at which children attend school, it would be a great advantage. It would tend to create among the youthful portion of the community that spirit of discipline and respect which at present is lacking. It would tend to check larrikinism. It is because I realise the

want of it myself that I should be very glad to see this system carried out efficiently—not as it is carried out now, when there is a certain amount of opposition to it existing in the minds of teachers. The teachers should understand that it is part of their duty to see that this system is properly enforced. If the teachers themselves are not competent to do it, surely we have sufficient money to get good teachers? I do hope that when the Treasurer deals with the Estimates in connection with education he will do so in the most liberal manner. We cannot possibly go wrong, I think, in spending money on education. We can go wrong in spending money in educational buildings. No colony has spent too much on education, but many colonies have spent too much on educational buildings. I hope the Education Department will check that tendency—I believe they have checked it. If the Government will give the Education Department all the money they want, not a penny will be wasted so long as it is spent on education, and so long as they keep clear of the Public Works Department.

THE COMMISSIONER OF RAILWAYS: What about our standard?

MR. JAMES: I am glad the Director of Public Works has made that remark. I want to assure him of this: if he wants to bring about a failure in connection with the Education Department, the best thing he can do is to enforce the standard of the Public Works Department. That will bring ruin on the Education Department. The great complaint that is made in connection with this matter is not that the Public Works Department cannot carry out their plans, but that the specifications upon which the tenders are based are too elaborate. If a school of four rooms is to be built, I do not say that the Public Works Department cannot build it, but it costs so much to build under the system at present adopted that we could build four schools of four rooms each at the same price if a proper system were adopted. The cause of the expense is the specifications upon which the tenders are based. Surely the right hon. gentleman will agree with me that an enormous amount of money has been wasted in Victoria. In

that colony there are most elaborate schools, far in advance of what is required.

MR. ILLINGWORTH: There has been more money wasted here.

MR. JAMES: The waste in Victoria resulted simply from the fact that the Education Department submitted itself blindly and foolishly to the Works Department. It is from such submission I want the Education Department in Western Australia to free itself. This Education Bill has the warmest sympathy of every member of the House. If the Education Department does not want to enjoy a continuance of that sympathy, the best thing that department can do is to submit itself wholly to the tender mercies of the Works Department. If the Education Department does wish to enjoy a continuance of the sympathy of hon. members, the best thing it can do is to administer the Act; not grudging money so far as it tends to secure good education, but only grudging it where it tends to the erection of schools far in advance of what is required or demanded. The trouble I have indicated is a trouble that has fallen on other colonies, and I regret to say that it is the trouble that has been experienced in this colony up to the present. Even on some of the goldfields there are schools built and a lot of money spent where there is now not one scholar in attendance.

THE DIRECTOR OF PUBLIC WORKS: Who is responsible for that?

MR. JAMES: I do not say the Works Department is responsible.

THE DIRECTOR OF PUBLIC WORKS: Then you destroy your own argument.

MR. JAMES: I am glad of the interjection. It seems to me that free education means that every person who asks for a school gets one.

THE MINISTER OF MINES: You are wrong there.

MR. JAMES: That might have been before your time.

MR. GEORGE: There will be a school for Engineers-in-Chief, directly.

MR. JAMES: What I complain of is that schools have been built where there was no certainty of population. If small or removable schools had been built, sufficient for the needs of the varying localities, there would not have been much

to complain of; but, if the Education Department hands itself over to the Works Department, these economical works cannot be carried out. Instead of erecting schools for £10,000, buildings might be put up for £1,000, sufficient for all requirements, though, of course, these might not reflect the same credit on the architect which results from public establishments put up at large cost for some questionable object. I may be wrong in my details. The Minister of Mines may, perhaps, have good reason for saying that in some of these examples I am wrong. But I feel confident that, unless the Education Department keeps itself free from the toils of the Public Works Department, we shall have an enormous debt growing up, and no adequate return for the money expended. So long as the money is expended in supplying teachers, and in giving a good education, no member will begrudge the Bill; but members will begrudge money spent in connection with schools such as those of which we have had some experience. I have very great pleasure in supporting the Bill, and in doing all I possibly can to give the Minister the fullest and amplest power. At the same time I shall hold the Minister responsible, according to the strictest and highest standard, for seeing that these powers are carried out for the purpose of securing in this colony the education we have a right to expect, bearing in mind the wealth we have, and how much good we can do for future generations at this present period in the history of the colony.

Mr. GEORGE (Murray): My words will be very few. I have to express my satisfaction that at last the Government have given to the children in this country the right to free education. When it is known throughout the colony that the Government have done this, the people will be prepared to forgive them some of the misdeeds for which they would otherwise be held responsible. I do not propose to follow in the steps of the hon. member for East Perth (Mr. James) in maligning the Works Department.

Mr. SIMPSON: Maligning?

Mr. GEORGE: Yes, maligning.

Mr. SIMPSON: It is not possible to malign them.

Mr. GEORGE: If it is not possible to malign the Works Department, then that department must be in a terrible state. I do not mean to take this opportunity of throwing mud at that department; but I will say there has been a school built at Drakesbrook, and—whether the department is responsible for that or not—it is a very convenient school.

Mr. SIMPSON: The department did not build it.

Mr. GEORGE: At any rate it is a most convenient school, and meets the requirements of the neighbourhood in every respect. The little cottage built for the schoolmaster is certainly a model residence. If the department has not built that school, then I would recommend that officers who are responsible for schools should be sent down to Drakesbrook in order to see what can be done. There is only one other matter to which I wish to draw attention, although, during the progress of the Bill, I shall have something further to say on its provisions. Clause 3 provides that a "State school" means an elementary school established under this Act where an average attendance of twenty (20) children between the ages of four and sixteen years is maintained." Later on I see that it is provided that no fees shall be paid for children between the ages of six and fourteen years. Now, in my opinion, four years of age is altogether too young for a child to attend school, and I, myself, should be inclined to make the age seven. At any rate the Bill proposes that the age shall be four, and I would suggest to the Minister to consider this matter before the Bill gets into committee. I again thank the Government for free education, which is what all the children in the colony have a right to, and what now, I hope, all the children of the colony will get.

THE MINISTER OF MINES (lately Minister of Education, Hon. H. P. Jeffroy): I have to thank hon. members for their reception of this Bill, in which I have personally taken a great deal of interest. I am happy to say I had most excellent advice in framing the Bill from Mr. Jackson, the Inspector-General of Schools. During the time I occupied the position of Minister of Education, that gentleman's advice was always of the greatest assistance to me. The relation-

ship between myself and the Inspector-General was always of the most pleasing kind. Although he was Inspector-General of Schools, he, at the same time, recognised that I was the Minister in control of the department, and responsible to Parliament. The member for Albany (Mr. Leake) made some remark in regard to children being compelled to attend school at six years of age. I may mention, however, that the teaching of such children is of a very elementary kind. The Kindergarten system is being established in the colony, and this means the schools are simply playgrounds, in which the intellect and minds of these young children are trained.

MR. ILLINGWORTH: Can you explain why it is that, while children are admitted to the schools at four years of age, they are only entitled to free education at six?

THE MINISTER OF MINES: Children are not admitted before six years of age.

MR. ILLINGWORTH: In the Bill the age is given as four.

THE MINISTER OF MINES: I do not say four years of age.

MR. GEORGE: But the Bill says four years of age.

THE MINISTER OF MINES: In any case, that is a matter which can be dealt with in committee. The member for East Coolgardie (Mr. Moran) objected to Agricultural Schools being included in the Bill. That member evidently considers that the Minister of Education is not a competent person to deal with such schools. But the hon. member must remember that Agricultural Schools are placed under the Minister of Education in nearly all the colonies. It is not necessary for the Minister controlling the Agricultural Department to be able to follow the plough, or to manage a threshing machine, seeing that he has practical officers under him, and that he himself simply administers the department as its head.

MR. MORAN: Would you put Schools of Mines under the Education Department?

THE MINISTER OF MINES: In regard to the word "technical" referred to by the member for East Perth (Mr. James), I do not think it was intended that that term should apply to a School of Mines. I myself think that "technical" would really embrace a School of Mines as well as any other school of a technical character. At

the same time, if the Government thought of establishing a School of Mines, they would place it under the control of the Minister of Mines. [MR. MORAN: Hear, hear.] As to religious instruction in schools, which the hon. member for East Coolgardie (Mr. Moran) seems to think very light of, I may tell the House that this instruction is very much availed of. Registers are kept as to the attendance of the clergymen and others, and I think the parents of the children are very glad to avail themselves of instruction of the kind. This regulation is by no means a dead letter.

MR. MORAN: Not in the country?

THE MINISTER OF MINES: The regulation is not carried out so much in the country, where it is difficult for teachers of religion to attend.

MR. MORAN: In Perth?

THE MINISTER OF MINES: In Perth the regulation is most decidedly availed of. As to the standard school buildings, I am sorry members have thought fit to make remarks disparaging to the Works Department. The Director of Public Works has always been very glad to assist the Education Department in making the schools as inexpensive as possible.

MR. GEORGE: It is not the schools, but the officers.

THE MINISTER OF MINES: The standards are not those of the Public Works Department, but those of the Education Department.

MR. MORAN: They are too elaborate.

THE MINISTER OF MINES: The plans have all to be approved by the Education Department. If the member for East Perth were to make himself acquainted with the plans as drawn out for the last twelve months, he would be satisfied that the standards now are excellent in every way. The Director of Public Works would, I am sure, agree that it is well not to elaborate the buildings too much, but simply to make them strong and substantial. The member for East Perth (Mr. James) has spoken of some schools which are empty, and I would have been glad if he had named them.

THE PREMIER: He does not know them.

THE MINISTER OF MINES: It is a pity the hon. member for East Perth should generalise in this way. Had he named the schools, it would have been

easier for the Minister to reply and deal with the matter.

MR. JAMES: There is such a school.

THE MINISTER OF MINES: I regret myself that when at the head of the Education Department I was not in a position to have enlarged some schools where necessary. There was a school in East Coolgardie district, which I regret very much was not enlarged at an earlier date. The school I refer to is that at the Boulder.

MR. MORAN: It is only a shanty, anyhow.

THE MINISTER OF MINES: I was surprised to see the number of children at the Boulder, and I am sure the Government will take active measures to have the school accommodation there increased. When I was there, there were about 300 children attending the school, and it is pleasing to see that parents are bringing their children to reside with them in the goldfields towns. I can also testify that the children attending the school at the Boulder looked most healthy; indeed, in my opinion, they looked much healthier than the children about Perth. They all had a healthy and most respectable appearance.

MR. GEORGE: Even without the water scheme.

THE MINISTER OF MINES: I must express my thanks to members for the manner in which they have dealt with this Bill. I shall be glad to assist in every possible way, and to explain any clauses of which members are not seized at the present time.

Question put and passed.

Bill read a second time.

At 6.30 p.m. the SPEAKER left the chair.

At 7.30 p.m. the SPEAKER resumed the chair.

FIRE BRIGADES BILL.

SECOND READING (MOVED).

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in moving the second reading, said: This is the same Bill, with some slight alterations, that was introduced into the Assembly at the close of last session. The Bill is intitled "An Act to provide for the Extinction of Fires

in Municipalities and their Suburbs." The real object of this measure is to protect life and property from destruction by fire. The measure is based partly on the Queensland Act and on the Act of South Australia. The policy underlying this Bill is the constitution of a board, which shall have the control of all fire brigades that are in existence in Perth and Fremantle, and in any other municipality that chooses to come under its operation.

MR. ILLINGWORTH: Is the choice voluntary?

THE ATTORNEY GENERAL: It is voluntary for municipalities outside of Perth to come under the operation of this Bill; but, once they do come under its operation, the board, of which the incorporation and constitution will be found in clause 5 of this Bill, will then assume control. The board is to consist of seven persons, and three of these persons shall form a quorum. All property, by this Bill, will be vested in the board; and I intend, when the time comes in committee, to ask the House to agree to an amendment of clause 15. That clause provides for the vesting in the board of all property which it may take on lease or otherwise acquire; and I intend to ask the House to agree to an amendment of the clause, by extending its provisions so that all the property of the fire brigades now in existence, and which will come under the operation of the Bill, shall also vest in the board.

MR. GEORGE: That is, all present property?

THE ATTORNEY GENERAL: Yes; all present property. The board is to be appointed, according to clause 7, by the Governor-in-Council, on the nomination of certain parties. Its members continue in office until the appointment of their successors, and will be eligible for re-election yearly. Clause 8 provides that "One shall be appointed on the nomination of the council of the municipality of each town in which the provisions of the Act have been declared as aforesaid to be in force." According to the clause preceding, any municipality, if it so please, may by recommendation to the Governor ask that the provisions of this Bill shall come into operation in such municipality. Then the Governor

may, by proclamation, *Gazette* the granting of such request; and, when that is done, the fresh municipality which has so asked to be brought under the power of the board shall immediately become part and parcel of the municipalities which are subject to the board's control in this matter.

MR. ILLINGWORTH: Does that increase the number of members of the board?

THE ATTORNEY GENERAL: No; the number of members remains constant and uniform—seven.

MR. ILLINGWORTH: Supposing you have fourteen municipalities?

THE ATTORNEY GENERAL: Then we will have to amend the statute by giving additional representation; but at present it is not contemplated that more than three or four municipalities, or at the outside five, will avail themselves of its provisions.

MR. GEORGE: Why not provide in time?

THE ATTORNEY GENERAL: Well, that may be done. Then there is a provision that one member may be appointed by the Governor, irrespective of any nomination; all the other appointments being on the nomination of the interested parties. Three members are to be appointed on the nomination of the fire insurance companies carrying on business in Perth. These nominations, and the nominations by municipalities, are to be certified to the Governor on or before the fifteenth day of January in each year; in the case of nominations by the council of a municipality, by a certificate signed by the mayor or town clerk, and in the case of an insurance company, "by a certificate signed by the chairman of the general meeting to be held as hereinafter provided." If the parties interested fail to exercise their right of nomination according to this last provision, then the Governor can step in and fill the vacancies. The next clause is a kind of convention clause, calling together, practically at the inception of this Act when it is passed, the various parties affected by its provisions, enabling them to elect their own chairman, and fixing the representation of each body at the meeting. The representation given to each insurance company is according

to the value of the premiums earned by it. The Governor may make, amend, and alter rules or regulations, and such rules and regulations when *gazetted* become law.

MR. ILLINGWORTH: The Governor is the Governor-in-Council, I presume?

THE ATTORNEY GENERAL: Yes.

MR. ILLINGWORTH: There is no interpretation clause.

THE ATTORNEY GENERAL: The interpretation of "Governor" will be found in the general Act. The next clause provides that no insolvent person shall be a member of the board. The next provision gives power to the Governor-in-Council to remove, for certain reasons, any member from the board who, it is thought fit, should be removed. The duties of the board are defined in Clause 13, namely "extinguishing fires and protecting life and property in a case of fire." Under that clause also the board has the right to acquire property—to carry out the objects for which the board is brought into existence, it can acquire plant or property. The next clause deals with the meetings of the board. Clause 15 deals with the right of the board to acquire property, particularly *in futuro*. As I pointed out just now, I shall ask the House to amend this clause by giving the board the right to take over the existing plant. Clause 16 gives the board power to mortgage its property, but with this qualification, that "the power to sell real property shall not be exercised without the consent of the Colonial Treasurer." That is a provision which I dare say hon. members will readily have suggested to themselves should be given, in case the board be over-zealous to hypothecate its property.

MR. GEORGE: It has too much power, at any rate.

THE ATTORNEY GENERAL: It is a good, healthy, controlling power.

MR. GEORGE: I did not mean that. It has too much power for a board.

THE ATTORNEY GENERAL: Then comes the provision dealing with the board making any arrangements it pleases with the authorities for the use of the telegraph wire or the telephone. Clause 19 gives power to the board to delegate its functions to a committee consisting of not less than three of the members of the

board. That is a kind of working committee to represent the board. Clause 20 is a general clause dealing with the right of the board to make by-laws and regulations affecting a number of matters; first, as regards the meetings, and, secondly, as regards payments of fees to the board or the committee thereof. Then there is a qualification in that clause that the amount so appropriated shall not exceed £182 per annum—which is equal to about £26 per member, as there are seven members. The next provision relates to the salaries and wages of members of the brigade. There is another clause which will commend itself, I am sure, to the House. It is payment of compensation in cases of accident, where an officer or member of any brigade is either injured or killed, in which latter case compensation is given to the family.

MR. ILLINGWORTH: Who pays the compensation?

THE ATTORNEY GENERAL: The board. Then there is a provision to allow the board to pay compensation where the brigade receives some assistance from persons outside the control of the board. Then comes sub-clause 6, as to the maintenance and discipline of the officers. That is a necessary power, and sub-clause 7 provides for the method of registering a fire brigade. These are brigades which volunteer without payment for their services. Sub-clause 8 deals with the regulations and meetings and general business of the board. Then there is a provision that an annual report shall be prepared and laid upon the table of the House. The accounts of the board are to be audited by the Auditor General. Clause 23 deals with the salvage corps—men skilled particularly in salvage service. The board are empowered to raise and maintain such a corps for that purpose. A proviso is put at the close of section 24 which provides that where services are rendered by salvage corps established by insurance companies, such services shall not be entitled to any payment out of the funds of the board. The next clause deals with the volunteer fire brigades. These are made amenable to discipline in the same way as if they were paid. This is absolutely necessary, because somebody must be in charge of the operations at a fire, and

whether the brigades are volunteers or whether they are paid they must obey the superintendent just the same. Then comes the clause dealing with the powers of the superintendent of fire brigades. He is, so to speak, commander-in-chief, under whom everybody is placed who has anything to do with the regulation or control of fires. By section 27 it will be seen that the fire brigade or brigades for the municipality of Perth will be under the command of the superintendent. If he at any time goes outside the municipality he is still the supreme power. The reason for this is that the superintendent for Perth is supposed to have had greater experience in the extinguishing of fires than any other officer in a similar capacity elsewhere.

MR. GEORGE: It depends on the sort of man you get.

THE ATTORNEY GENERAL: According to a later section, the superintendent for the first year will be the superintendent *de facto* of the fire brigade in Perth, but after the first year the appointment of superintendent will be in the hands of the board.

MR. VOSPER: Are all municipalities to be under the Bill?

THE ATTORNEY GENERAL: No. If a municipality does not join this little association of fire brigades it will be outside the Act altogether. The powers of the superintendent are specifically set out in clause 28. He is the commander-in-chief who can do what he pleases. Where he orders property to be pulled down the owners will have to pay for it, even though it be not insured. The object is practically to compel the public to insure. He shall at least once a month exercise the fire brigade in practice. I dare say on an average there is at least one fire in Perth a month. Independently of that, he must exercise his power once every month. Section 30 gives the superintendent the power of entering theatres and places of public entertainment to inspect them. If he thinks they are not provided with adequate means for the prevention of fire and for the free escape of the people, he may report to the board, and they may publish it in the public press. This will have a salutary effect, in that it will not encourage people to go to public entertainments given in

places where they are liable to be burnt alive. When the superintendent has reported the matter to the board, it will be the duty of the board to communicate that to the municipality, so as to put the municipality in motion to see that the Building Act is not violated.

MR. GEORGE: Should there not be some power to prevent these places from being built in such a way?

THE ATTORNEY GENERAL: Under the Municipalities Act there is such a power, but this is an additional precaution for the purpose of drawing public attention to the matter. The superintendent is all-powerful, and even the police have to obey his commands. Clause 34 provides that the fire brigade for each municipality other than that of Perth shall be under the command of a foreman, who shall exercise similar powers to those of the superintendent, except when the superintendent is present. There will be some heart-burnings between those who champion the rights of outside municipalities and those who support the rights of the municipality of Perth. The latter claim to have the major representation, and the more important title, that of superintendent.

MR. VOSPER: "Captain" would be more suitable, I think.

THE ATTORNEY GENERAL: The following clause gives power to the superintendent or foreman to have access to all premises where explosives or dangerous materials are supposed to be kept, and to remove such materials. Section 37 is somewhat new. It provides that where a fire occurs beyond the limits of any municipality or district, the owner and the occupier of the property shall be jointly and severally liable to pay all the expenses which may be incurred by the fire brigades in attending the fire. Where such property is jointly owned by an insured and an uninsured person, the one who is uninsured has to pay his share of the expenses the same as the one who is insured, a provision which will induce persons to insure.

MR. GEORGE: Are you touting for the insurance companies?

THE ATTORNEY GENERAL: I wish to impress upon hon. members that one of the objects of the Bill is to compel people to insure. That being the case, I

do not think the Government have struck an unfair proportion of the contribution to be obtained from the insurance companies in liquidating the expenses of the board. Clause 41, which is a very important one, deals with the contributions to the board. This is the point to which I have been leading up. The whole of the fund to support the board is raised in contributions on the following basis:—It is divided into ninths. One-ninth is to be paid by the Government. I wish to point out to the House that the Government constitute one of the largest insurers of property in the community. They insure to something like a half to three quarters of a million.

THE PREMIER: Over a million.

THE ATTORNEY GENERAL: So that the insurance companies reap a very good revenue from the Government. One-ninth is a fair proportion for the Government of the country to pay, considering that they have already to pay such a very heavy sum in the way of premiums to the companies. Then comes the provision for the contribution by the fire insurance companies. These companies are to pay to the board a sum of money equal to four-ninths of its expenditure. The way this four-ninths is raised is as follows:—The amount *inter se* between the companies is raised in proportion to the business they do, so that a company doing a small business will only pay a small proportion, and so on; but the sum total must not be less than four-ninths. Then there is a provision for a contribution by the municipality of two-ninths.

MR. GEORGE: Of Perth?

THE ATTORNEY GENERAL: Yes. Members will see that to enable the board to assess the contributions of the insurance companies, certain returns have to be furnished by the companies as regards the business they do.

MR. GEORGE: What about the other two-ninths?

THE PREMIER: The other municipalities will have to pay that.

THE ATTORNEY GENERAL: Section 42 provides for the returns to be supplied by the insurance companies showing the business they do on which their proportion will be based. These returns will be kept secret. This pro-

vision has been introduced since the Bill was last before the House. Representations were made to me by a deputation from the insurance companies, pointing out how unfair it would be if these returns were made public property. The representations made by the companies struck me as fair, and I have accordingly provided in the Bill that these returns shall be kept secret except when, for the purpose of justice, it is necessary to obtain this information. Then the companies have to put up with the result; but until a prosecution takes place for perjury—for that is what it amounts to under section 43—secrecy will be kept inviolate. There is a strong penalty imposed on any member of the board divulging information supplied by the companies.

MR. GEORGE: You would "sack" him, I suppose.

THE ATTORNEY GENERAL: I suppose that would follow, too.

THE PREMIER: He would be liable to three months' hard labour.

THE ATTORNEY GENERAL: Clause 46 provides that the amount of any contribution payable under this Bill may be recovered by action, or in a summary manner before two justices of the peace in petty sessions. It is provided under clause 47 that a fire brigade may be employed for special purposes at such remuneration and upon such terms as the board may determine. The board may also furnish the superintendent and men with such uniforms as they may consider necessary. The police stationed where a fire occurs may be despatched to a fire for the purpose of preserving order and assisting the brigade. Turn-cooks must also assist at fires in their special districts. Provisions are made for dealing with persons tampering with signal alarms, etc. Clause 55 provides for the payment of expenses where the house and property injured by fire are uninsured. This is another means of inducing people to insure. There is a very good proviso at the end of that clause to the effect that in the event of a fire, when the property destroyed is partly insured and partly uninsured, the board can act as a board of arbitration in allotting the proportion to be paid. Clause 56

makes it incumbent on owners of houses or buildings where a fire occurs to give every information to the superintendent, both as to the amount of property insured and any further particulars that may be necessary. I wish to draw special attention to section 57. Those who have had experience in dealing with fire insurance companies must know that it is extremely difficult to recover from the companies unless your property is absolutely destroyed by fire. This clause provides that any damage to property occasioned by any fire brigade, or by the superintendent, or any member of any brigade, shall be deemed to be damaged by fire within the meaning of any policy of insurance against the fire covering the property so damaged. This clause has been put in advisedly for the protection of those whose property may have been destroyed in extinguishing a fire.

MR. GEORGE: Can companies contract out of this Act?

THE ATTORNEY GENERAL: No. Then follows the clause which provides that the board may be represented at an inquest on a fire, and that this representative may examine witnesses and address the court. Clause 65 provides that all actions to be brought against the board, or against anyone, for anything done under the Act, shall be commenced within six months after the act complained of was committed; and no action should be commenced against the board, or against anyone under this Act, until notice of such intended action has been given, at least one month before the commencing of such action. The following clause provides that no property belonging to the board shall be liable to be seized under an execution.

MR. GEORGE: Have you a guarantee that they will pay their debts?

THE ATTORNEY GENERAL: This clause protects their property from being seized. The last clause is merely one of procedure as regards the publication of matter in the *Government Gazette*. The first schedule deals with the charges that can be made by the fire brigades against persons not insured. The second schedule refers merely to the oath to be taken, or the declaration to be made, by the insurance companies. These are the main

provisions of the Bill. I am sorry that I am suffering from a severe cold. It is with great difficulty that I have spoken at such length. I have endeavoured to point out the salient points in the Bill. It will, I think, commend itself to the House that such a Bill is necessary in the interests of the community. It will have one effect, that of making the organisation of these brigades much more perfect than it is at present. If you want a system to be effective, you must regulate it. At present it is a mere spasmodic institution. I think the Perth brigade at present has a subsidy of £200 from the Government, and of another one or two hundred pounds from the companies. This amount is totally inadequate for the maintenance of an efficient fire brigade, and for the providing of a proper plant. I commend the Bill to the consideration of the House.

MR. ILLINGWORTH: I hope the Government will consent to the adjournment of the debate for fourteen days, to allow the fire brigades to consider the Bill, and suggest any amendments they desire. I move that the debate be adjourned for fourteen days.

Put and passed, and the debate adjourned for fourteen days.

JURY BILL.

SECOND READING.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather), in moving the second reading, said: This Bill is to consolidate the laws affecting juries. There are some new provisions contained in it, and there are two others which I would ask the House to include in it, which are not in the Bill at present before the House. There is no interference in the Bill with the right of every subject to be tried at a criminal trial by twelve of his peers. That is a fundamental principle of the British constitution, with which it is not proposed to interfere. But in the regulation of civil trials, and the determining of civil issues, this Bill provides, under clause 4, that a jury shall consist of twelve persons, or at the option of the party requiring the jury—unless the court or the judge otherwise orders—of not fewer than four. A jury for the assessment of damages only

shall consist of six persons, and a jury summoned by a coroner shall consist of not more than six, and not fewer than three. I propose to ask the House to agree in committee to an alteration in clause 4, that in the trial of civil actions in the Supreme Court the jury shall consist of twelve persons, or at the option of the party requiring the jury—unless the court or the judge otherwise orders—of not less than six persons. My reason for selecting these two numbers—twelve or six—is because there is provision in the Bill giving the right to the court to accept the verdict of two-thirds of a jury after they have been locked up a certain time.

A MEMBER: That is not in the Bill.

THE ATTORNEY GENERAL: No, not yet; but I propose to insert it later on. The difficulty with which we have at present to contend will be appreciated by hon. members. One recalcitrant jurymen can keep the other eleven an unconscionable time, and prevent justice from being done. I propose under the present Bill to enable a verdict to be given by two-thirds of the jury. Two-thirds of twelve would be eight; so that if the House agree to my suggestion, eight jurymen will be able to carry the day after being locked up for three hours. In the case of a jury of six, a two-thirds majority would of course be four. Then there is a provision for coroners' juries, which shall not be more than six, nor fewer than three. Clause 5 deals with the qualification and liability to serve as common jurymen. This is the same as the law at present, and so are the qualifications for special jurymen. There is in this Bill a provision as to the disqualification of certain persons to serve on a jury. Amongst those who cannot serve on a jury is a man who has been convicted of treason or a felony or any crime that is infamous, unless he shall obtain a free pardon for his offence. Then follow the exemptions, and amongst these are nearly every man who occupies an official position or a position in the public service.

MR. ILLINGWORTH: Newspaper men ought to be excluded.

THE ATTORNEY GENERAL: I do not think that newspaper men are excluded in this Bill.

MR. ILLINGWORTH: Are they not?

THE ATTORNEY GENERAL: I think not.

MR. ILLINGWORTH: They ought to be.

THE ATTORNEY GENERAL: We can discuss that point in committee. Then come the usual clauses dealing with the making out of the jury lists; and the procedure is that which has always been in existence. The whole of the clauses dealing with the compilation of the jurors' list are a mere matter of procedure and routine. Then we come to the clauses dealing with the summoning of jurors. This, again, is simply the law as we at present have it—indeed, these clauses are a mere consolidation of the present law. No innovation is made in the matter of challenges and objections to jurors. There is a regulation about the fees to be paid on striking special juries. The hon. member for the Swan (Mr. Ewing) has furnished me during the evening with a new clause on this point, which I propose submitting to the House in committee. The object of that clause is to so fix the fees as to make a special jury, or even a common jury, fairly accessible to the people who want them. In other words, under this Bill the fees for a jury will not be too much for litigants, who will not be called upon to deposit more than a day's fees, instead of at present being liable to be called on for an amount to cover the whole trial.

MR. LEAKE: It is the jurymen who runs the risk of not getting the money.

THE ATTORNEY GENERAL: Yes. The jurymen has Hobson's choice, which is none other than to obey. From clauses 34 and 35 members will see that common jurymen are remunerated at the rate of 10s. per day, and special jurors at the rate of one guinea per day. There are special penalties provided for jurors who do not obey the summons to attend court. The last clause to which I need call attention is clause 39, which deals with persons who attempt to unfairly bias juries. Power is given to the Supreme Court to make regulations for carrying out the objects of the Bill. The two clauses I am about to read are new, and do not appear in the Bill as printed and handed to members. I ask the attention of the House to these clauses, which provide that juries shall consist of either twelve or six, so as to make

it possible to get a two-thirds majority. One of these new clauses reads as follows:—

In all civil actions, where the jury shall have retired to consider their verdict, and shall not have agreed upon their verdict after the lapse of three hours, the verdict of a majority of two-thirds of the jurors shall be deemed to be the verdict of the jury.

From this clause it will be apparent to members that juries, if they disagree for three hours, may give a two-thirds verdict, which will be received as the verdict of the whole jury. There is much to commend this provision, which, I may inform hon. members, obtains in most of the colonies with which I have any acquaintance.

A MEMBER: Is that on the first or second trial?

THE ATTORNEY GENERAL: On the first trial. I know that the same rule obtains in the colony of Victoria, from which I came. Under the law as it now stands in this colony, a jury might practically be imprisoned for six hours, or until such time as the judge thought fit to release them. When it is known to a recalcitrant juror, who goes with his mind made up beforehand to stem the tide of justice, that he will be released directly three hours are up, he will see that factious opposition is vain. Such a law would only be fair to jurymen, the majority of whom may be presumed to be men of common sense, with proper and direct motives. Then we come to another provision dealing with criminal trials. In another place, a Bill has been introduced dealing with this subject, and I propose, if I may be allowed to do so, to steal the fire of Prometheus. It is not desirable that there should be more Acts than one on any given subject. It is far better to have the law in a consolidated form, and, therefore, I propose to insert the following provision:—

Jurors for the trial of a person charged upon an information for an indictable offence not punishable with death, may, after having been sworn, separate during the intervals of the trial, except when otherwise ordered by the judge.

That, I propose, should be the law, excepting in capital cases. In capital cases it is necessary to have due regard to the fact that jurymen's minds should not be biassed or swayed by people outside the court, and that, for the greater safety of

justice, jurymen should be placed in no temptation. But, with that exception, it is desirable that juries should be allowed to go, either at the luncheon hour, or when the court adjourns in the evening, until the following morning.

MR. EWING: That is a matter of discretion now with the judges.

THE ATTORNEY GENERAL: Yes. I am told that in all cases, except where capital offences are involved, the judge may allow a jury to go. But members seem to think that the practice of detaining juries has been so closely followed here that nothing but an Act of Parliament can make the alteration.

MR. EWING: They have been crystallised.

THE ATTORNEY GENERAL: Yes. These are the principal provisions in the Bill, which I submit with great confidence for the consideration of the House.

MR. EWING (Swan): I have looked very carefully through the provisions of this measure, which, on the whole, is a very great improvement on our present jury system. Taking them on the whole, the amendments of the Attorney General will certainly bring the law up to the present standard of legislation in the other colonies. One clause especially to which we ought to direct attention is that which provides for a two-thirds majority on a jury. I have had some little experience in jury trials. Of course, this two-thirds majority would not affect criminal trials, in which there must be an unanimous verdict in order to secure a conviction or an acquittal. But say in a case where a bank is concerned, and where, perhaps, wealthy individuals are interested, pressure—I will not say undue pressure—but pressure brought to bear on certain persons may induce one of the jurymen to hold out to the bitter end against the better judgment of eleven of his fellows. It is time there was some legislation to put an end to such a state of things.

THE PREMIER: The rich man generally goes to the wall.

MR. EWING: A two-thirds majority of a jury is very likely to be right. It is improper and unfair to allow one man out of twelve to prevent a verdict being given for one party or the other. The

consequence of the action of one jurymen may be very serious to the parties concerned. It compels people to go to litigation time after time on one issue; but if juries knew that there was such a law as is now proposed in this Bill to prevent this holding out unreasonably, they would be very slow to prove obstinate. The provision suggested by the Attorney General is an excellent one, and I trust it will be embodied in the Bill. There is one matter I would like to submit to the Attorney General, and that is as to the inclusion of newspaper men on juries. Newspapers are much mixed up and closely connected with public matters and with the publication of proceedings in court. Newspapers and newspaper men are very closely connected with the events in many of the cases of public interest; and, under these circumstances, it is desirable, if we possibly can—and I see no reason why we should not—to exclude newspaper men and persons connected with the conduct of newspapers from juries. To do this would tend towards fairer and better trials. I notice there is still a distinction drawn between special and common juries, and I have always been unable to understand such distinction. In this distinction we are no doubt following an established rule; but could the Government not set a precedent in the right direction in this particular? A man who cannot read and write ought not to be competent to serve on a jury, and the property qualification should be abolished. There ought to be one class of juror if possible, and I think it is possible.

MR. LAKE: In civil cases.

MR. EWING: Yes. All men who are unable to read or write should be excluded from service on juries, and if we exclude the grossly ignorant there will probably be no necessity for special juries. I therefore submit it would be desirable to make a departure, and abolish the distinction between the common and special juries; a distinction which to my mind is one without a difference. The only difference is that a special juror is supposed to have property and be a fairly well-to-do man, while a common juror is a person who is regarded as having nothing more than his common sense to commend him.

MR. VOSPER: There is a property qualification for common jurors of £50 sterling in real estate, or £150 in personal estate.

MR. EWING: That is just what is troubling me. I did not expect to find a property qualification in this Bill. I am at a loss to understand how the fact of a man's owning a larger portion of land than some other man can show his greater ability to act on a jury. The consequence in practice is that, if a rich man is litigating, he can, by merely paying a little more money, obtain a jury of rich men to try his case; and I think that is undesirable. We should have a law that is the same for all persons. We can have a competent set of persons qualified to sit on juries; and we should not have a provision that enables a rich litigant to obtain the attendance of other rich men on a jury to try his case. I do hope the Government will seriously consider this matter when the Bill goes into committee. With regard to the last clause which the Attorney General has indicated his intention to add to the Bill, I think it is an extremely desirable provision; because a judge has power already to allow the jury to separate in all trials, except for certain offences, and yet it is so exceptional to do this that judges almost invariably refuse to allow juries in criminal cases to separate; consequently a jury may be locked up on unimportant cases when there is no practical necessity for that extreme course. If, in all important cases, the right were to be still reserved to the judge under this Bill, if he think fit, to prevent the jury from separating until a verdict had been found, I think that would meet the requirements. I hope that, above all other points I have mentioned, the Government will consider the desirability of abolishing the distinction between special and common juries; and that they will, as a member suggests, make them all special jurors in this respect, that as a man is no better juror because he happens to have a little more land or money than another, therefore all jurors should be on the same level, having the education necessary to qualify them for the position.

MR. HUBBLE (Gascayne): There is one provision I should like to see inserted in the Bill, and that is for regulating the selection of common jurors alphabetically.

The present practice is that a person may be on a jury two or three times in one year, while other persons, equally eligible, may escape from being summoned for several years. It does seem a hardship, especially in the case of business men, to have to spend nine or ten days at a time attending on juries, while other people are not called upon for years together to serve in this capacity. I know that in the other colonies the practice is to summon jurors alphabetically, from A to Z, and I think there is ample room for the same practice to be introduced here. I hope the Attorney General will see his way to add this provision to the Bill. I have been on a jury three times in one year within this colony; and it really is hard on business people to be treated in this way, while so many other persons are not summoned to serve on juries at all, or very rarely.

MR. VOSPER (North-East Coolgardie): I notice, in connection with clause 5 of the Bill, provision is made that a common juror must be possessed of real estate to the value of £50 sterling free of all encumbrance, or be possessed of personal estate to the value of £150 sterling. I do not know why the provision has been inserted, unless it may be justified, or at least excused, by the former practice; but in actual working I know the provision is almost null and void. I understand the proceeding in summoning jurors is somewhat as follows:— If the sheriff, or the officer responsible for empanelling juries, is uncertain as to who in a particular place is possessed of £50 of real estate or £150 of personal estate, either the officer or the policeman assisting him goes round and asks various persons, who appear to be possessed of something, if they have the required amount of property; and if a wealthy man be asked the question, and if he happens also to be sufficiently acute to understand the object of the question and is desirous of avoiding the duties of a juror, he can reply that he does not possess the necessary qualification, and so he is not summoned; while, on the other hand, there are persons who, when thus addressed by a constable and having some desire to serve on a jury, may answer untruthfully that they do possess the required amount of property. The conse-

quence is that many men get on a jury panel who are not possessed of the property qualification, and others are left out who should be on the jury panel. Therefore I do not see the necessity for this provision in the Bill; and I am in favour of the suggestion made by the member for the Swan (Mr. Ewing), that the qualification should be one of education and not of property. I fail to see why a man who is possessed of £50 of real estate is thereby worth more as a juror than one who does not possess £50. We find often that men who are in a small way of business, or men who appear to be comparatively wealthy, are not always possessed of such a property qualification as is required in this Bill. On these grounds I think the clause requires amendment. The 6th clause provides that, in the case of special jurors, they must be possessed of real or personal estate to the value of £500. I would remind hon. members that before these special jurors all actions for damages must go, including actions arising under the Employers' Liability Act, and I think also under the Workmen's Lien Act. It does seem to me to be rather unjust that a man who is suing an employer, whether for wages or damages, should be compelled to go before a jury composed of employers or persons in a similar position. There seems to be no reason why such a man should have to appeal to one class exclusively, and especially that class which includes such persons as the one he may be suing—employers, bank managers, and others. If any plan can be devised by which the common jury panel and the special jury panel can be combined for this class of action, it would be more satisfactory than the present state of things; and we should also abolish the property qualification altogether in the case of jurors, and have only one general jury list. The sole qualification should be educational. Then, I think, no man could justly impugn the impartiality of such a tribunal, whereas now I know that, when working men bring actions under the Employers' Liability Act and actions of that kind, there is a feeling amongst them that they will suffer if obliged to have their case tried by persons who are managers, or bankers,

or employers of labour, and wealthy men generally.

THE COMMISSIONER OF RAILWAYS: Bank managers would be exempt.

MR. VOSPER: If one of the plans I have suggested were adopted, there would be more confidence felt in special juries than is the case at present.

THE ATTORNEY GENERAL: The difficulty would be the educational test and how to apply it.

MR. VOSPER: Yes, I thought of that when the member for the Swan (Mr. Ewing) was raising the point. For example, in the United States, when a jury is being empanelled for trying a civil action, counsel are allowed to offer all sorts of reasons why certain persons should not be empanelled on the jury; and it sometimes takes three months there to empanel a jury in a particular case, all sorts of reasons being urged against persons serving on the jury. That is a difficulty standing in the way, I admit; but it might be got over, as the hon. member suggested, by revising the list. I also desire to fully endorse what the member for the Swan has said with regard to the position of journalists in serving on juries. During the last session of this House, when a Bill similar to this one was under consideration, I suggested that journalists should be exempted from serving on juries; and I did say at the time that an addition might be made by inserting the word "journalist" in some portion of the clause then under discussion.

THE ATTORNEY GENERAL: I quite agree with you.

MR. JAMES: How do you define a journalist?

MR. VOSPER: I would not say a contributor or a compositor who sets up type is a journalist, but a man who is engaged in writing for a newspaper. We know that criminal cases especially are worked up first of all by newspaper reporters, and a large part of the information connected with the crime comes through the reporters. The same men who place that information before the public, and are sent round from day to day to collect further information, may ultimately be called on as jurors in the cases which they have been working up for newspaper purposes; and not only

should we consider the influence of the reporters, but also that the editor and other persons in a newspaper office may form opinions on the case from what they have heard a reporter say as the result of his inquiries, and so those persons in a newspaper office may be influenced in a particular way. Therefore, it is undesirable that such persons should serve on juries. There have been cases in which men have been hounded to death, in other parts of the world, by newspaper reporters writing up cases; and it is very undesirable that persons who do so much to influence public opinion should be permitted to have a hand, perhaps, in condemning a man to death. Supposing the editor of a newspaper is locked up with others in a jury-room, he would, from the nature of his position, exercise a considerable influence over his fellow jurors, because, if he took a certain line as to what verdict they ought to find, they might expect the opinion he expressed would be the opinion of the newspaper published by him next day; and, as they would not like to be held up to ridicule or scorn, they would be very loth to differ from him in the jury-room. Indeed, it is known that the very judges are sometimes affected by what the newspapers publish; and when jurors are in the presence of the great editor himself, locked up along with them to find a verdict, and knowing he is likely to inflict his castigation on them if they do not agree with him, they may be influenced in a way that is undesirable. I think there are excellent reasons why journalists should be exempted from serving on juries. As far as the rest of the Bill is concerned, I think, with the member for the Swan and the Attorney General, that it is a decided advance on the law as it stands at present, and that the passage of this Bill will prove a useful addition to the statutes of the colony.

MR. JAMES (East Perth): Will this be a proper time to move that the Bill be referred to a Select Committee?

THE SPEAKER: After I have put the question that the Bill be read a second time, that will be the proper time for such a motion.

Question—that the Bill be read a second time—put and passed.

Bill read a second time.

SELECT COMMITTEE.

MR. JAMES: I move that this Bill be referred to a Select Committee; and, as I understand from the Attorney-General that it is his intention, during the course of the session, to introduce several Bills for bringing legislation up to date, I think these Bills should be referred to a Select Committee, which could then see to what extent the proposed consolidation bears on existing legislation.

MR. QUINLAN: I second the motion. Put and passed.

A ballot having been taken, the following members were elected (in addition to Mr. James, as the mover):—Messrs. Ewing, Leake, Pennefather, and Wood; the committee to report on the 12th July.

BILLS OF SALE ACT AMENDMENT BILL.

Introduced by MR. JAMES, and read a first time.

RETURN: BRIDGETOWN RAILWAY. SUPERVISION etc.

MR. SIMPSON (Geraldton) moved that there be laid upon the table a return showing the number of resident engineers and inspectors employed in supervising the construction of the Bridgetown Railway since its commencement; salary and allowances paid to each engineer and inspector; number of cooks and grooms and other labourers attending upon the supervising staff, and amount of their wages and allowances; number of horses and carriages supplied by the Government for the supervising staff, and their cost to the Government, including keep of horses; all other costs in connection with supervision work.

Put and passed.

MOTIONS: WITHDRAWAL AND POSTPONEMENT.

MR. MORAN: In deference to the wish of Mr. Davies, the general traffic manager, who is getting out the annual report, which will contain a great deal of information for which I was about to move, I ask leave to allow the postponement of the motion standing in my name, asking for certain information respecting the traffic on the Eastern Railway between Fremantle and Northam, as I do not wish to

put the department to any extra and unnecessary clerical work.

MR. GEORGE: Withdraw it.

MR. MORAN: I have no objection. Then, if necessary, I can bring it forward afterwards.

Motion, by leave, withdrawn.

MR. VOSPER: I ask permission to withdraw the notice of motion standing in my name, that copies of all Bills intended to be introduced by the Government be laid on the table of the House without delay, for the perusal and consideration of hon. members. I am glad to see that this has been done without a motion having been made.

THE PREMIER: We will have the Bills laid on the table as soon as ever we can.

Motion, by leave, withdrawn.

MR. MONGER: I have been asked by several members to postpone the motion with reference to the removal of restrictions on East Kimberley cattle, in order that members may have an opportunity of seeing the report of the Government officer who was sent to that district to report on the tick.

Motion postponed till the next Thursday.

BUSINESS PROCEDURE AND SUSPENSION OF STANDING ORDERS.

MR. LEAKE: I move that the House, on its rising, do adjourn for a fortnight, in order that the Government may have an opportunity of bringing down some Bills for the House to consider. At present there is nothing on the Notice Paper.

THE ATTORNEY GENERAL: I ask leave to introduce a Bill at the next sitting of the House for the treatment of inebriates.

THE SPEAKER: The hon. member must give notice to-morrow that he will ask leave to introduce it next day.

THE ATTORNEY GENERAL: Cannot I do it now?

THE SPEAKER: No.

THE PREMIER: There are three Bills ready for the consideration of members. In order to get some business on the Notice Paper, I move that the Standing Order relating to the introduction of Bills be suspended, to allow of notice being given of the intention of the Government to ask leave to-morrow to introduce these Bills. One is for the consolidation of enactments

relating to the construction of Acts of Parliament; another is for the protection and recovery of Crown property, and the enforcement of claims against the Crown; and a third is a Bill for the treatment of inebriates.

Put and passed, and the Standing Order suspended.

THE ATTORNEY GENERAL: I give notice that to-morrow I will move for leave to introduce the following Bills:— (1) A Bill to consolidate the enactments relating to the construction of Acts of Parliament; (2) a Bill to facilitate the protection and recovery of Crown property and the enforcement of claims against the Crown; and (3) a Bill entitled "An Act for the Treatment of Inebriates."

ADJOURNMENT.

On the motion of the PREMIER, the House adjourned at 9.10 p.m. until the next day.

Legislative Assembly,

Wednesday, 6th July, 1898.

Paper presented—Notice of Motion Omitted from Notice Paper—Question: Mail Delivery, Delay—Question: Owen's Anchorage, Cattle Loading—Question: Police Force, Reorganisation—Question: Public Battery at Yerilla—Question: Bulong Tank, Inspection and Condition—Question: Public Batteries, Inspection at Mining Centres—Question: Asylum (Fremantle), Treatment of Lunatics—Question: Dr. Lovegrove and Institutions under his Control—Crown Suits Bill; first reading—Interpretation Bill; first reading—Inebriates Bill; first reading—Motion: Penal System and Proposed Royal Commission; Amendment (passed)—Motion: Coolgardie Water Supply, Offers to Construct, and Estimates; Amendment (passed)—Motion: Steamer at Geraldton, re Quarantine—Motion: Water Sources on Proposed Railway Route, Niagara to Leonora—Shipping Casualties Inquiry Bill; second reading—Adjournment.

THE SPEAKER took the chair at 4.30 o'clock, p.m.

PRAYERS.