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

Clause put and passed.

Progress reported.

House adjourned at 11.14 p.m.

PAIRS.

After 6 p.m.

Sir Newton Moore | Mr. W. Price

Legislative Assembly,

Thursday, 10th November, 1910.

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

QUESTION—WARSHIPS, VISIT OF SCHOOL CHILDREN.

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

The MINISTER FOR EDUCATION replied: 1, The boys were allowed to visit the warships under the charge of two assistants. Also girls in charge of parents or friends were allowed to visit the ships, but the teacher in charge of the 110 girls from the school did not feel justified in accepting responsibility for their safety on the crowded quay and ships. 2, It is not proposed to do so.

QUESTION—FIRE BRIGADES, EASTERN GOLDFIELDS.

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

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

QUESTION—ESTATES AT BOLGART.

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

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

QUESTION—MARBLE BAR RAILWAY CONTRACT, EXTRAS.

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

been paid, or approved for payment, to the contractor for Marble Bar Railway, for extras?

The MINISTER FOR WORKS replied: The contract price has been increased by £22,000 due to washaways, indicating the necessity of varying materially the specifications under which the work has been started so far as the low-lying country is concerned.

QUESTION—PUBLIC WORKS, DEPARTMENTAL CONSTRUCTION.

Mr. HEITMANN asked the Minister for Works: When public works are carried out departmentally is the department allowed payment for extras, the same as a private contractor?

The MINISTER FOR WORKS replied: Yes.

QUESTIONS—RAILWAY CONSTRUCTION WORKS.

Probable Earnings.

Mr. HEITMANN asked the Minister for Works: In framing estimates for railway construction works, is the Public Works Department allowed to take into consideration the probable earnings from passenger traffic, freight, etc?

The MINISTER FOR WORKS replied: The departmental estimates represent approximately only the anticipated cost of the work.

Consideration of Tenders.

Mr. HEITMANN asked the Minister for Works: 1, Are tenders for railway construction and other public works dealt with by the Tender Board? 2, When dealing with tenders of private contractors, is consideration given to the cost of departmental supervision over the contractor?

The MINISTER FOR WORKS replied: 1, No. 2, Yes.

QUESTION—LOAN TO MR. LYALL HALL.

Mr. GILL asked the Premier: 1, Did he grant a loan to Mr. Lyall Hall on a property at Osborne Park? If so, when, and what was the amount? 2, Has the property since fallen into the hands of the Government? 3, Have the Government tried to dispose of the property? If so, what was the best offer received?

The PREMIER replied: 1. Yes. 2, In May and November, 1907. Total amount, £1,500. 3, Yes. 4, Yes. 5, The property was put up for sale by public auction, but no offer was received. Negotiations are now proceeding for letting the property.

BILL—PERTH MUNICIPAL GAS AND ELECTRIC LIGHTING.

Read a third time and transmitted to the Legislative Council.

BILL—HEALTH.

In Committee.

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

Clause 125—Local authority may act in default of owner:

Mr. McDOWALL: The clause provided that when an owner failed to comply with the notice served on him he would be liable to a penalty, and the local authority would have power to carry out the terms of the notice and recover expenses from the owner, and the proviso was that the local authority could sell or dispose of the material taken from a demolished or amended building, but the proceeds of the sale should be applied towards the expenses of carrying out the terms of the notice. It was perfectly clear that the expenses could be recovered from the owner, but it was not clear to whom the surplus should go in the event of there being a surplus. Naturally it would be returned to the owner, but in order to make the clause clear he moved an amendment—

That the following words be added to the proviso:—"The surplus, if any, to be paid to the owner."

The MINISTER FOR MINES: There was no objection to the amendment.

Amendment passed; the clause as amended agreed to.

Clauses 126, 127—agreed to.

Clause 128—Plans of buildings to be submitted to local authority:

Mr. ANGWIN: It was his intention to ask the Committee not to agree to this clause, because it might be the means of creating a hardship to persons who were not in a position to pay for the preparation of plans and specifications. In a large number of our municipalities members would know that in the first instance the ratepayers who owned their own small blocks of land had built their houses room by room; but at the present time, a better condition of affairs prevailed. The Municipalities Act provided that where the Building Act was not in force, it was necessary to submit plans before any building could be erected. In outlying districts, however, there was no necessity to compel people to submit plans to the health board. Section 296 of the Municipalities Act contained the provision with regard to the submission of plans and specifications. The clause was altogether unnecessary.

The MINISTER FOR MINES: Surely the hon. member was well aware that under the Municipalities Act all plans for new buildings had to be submitted to the municipal council.

Mr. Angwin: No; that is wrong.

The MINISTER FOR MINES: At all events, according to the notes furnished him all plans had in the first place to be submitted to the municipal council.

Mr. ANGWIN: The system of submitting plans was never adopted until some time after the establishment of a municipality. To introduce it too early would be disastrous. For an example of this he could tell the Committee that Cottesloe Beach had been built up largely owing to the fact that North Fremantle had enforced the Building Act before the time was ripe for such enforcement. On the establishment of a new town it should be left to the people to say whether or not the provisions of the Building Act should be enforced.

The MINISTER FOR MINES: It might be, as the hon. member said, that in the case of new settlements, in some instances difficulty might be experienced in obtaining architects' plans and specifications and submitting them to the local authority, as provided for under the Building Act. In this case, however, it was necessary that plans should be submitted in order to ensure proper ventilation and sanitary conveniences. Therefore there was no reason why plans submitted under the Municipalities Act should not at the same time be submitted for the purposes of health. That might meet the views of the hon. member, but in any case he (the Minister) could not agree to the deletion of the clause. Possibly it ought to be amended with the view to making special provision for new settlements, and if the hon. member would agree to passing the clause he (the Minister) would undertake to recommit it.

Mr. ANGWIN: That plan would be satisfactory to him. However, it was to be remembered that in the larger towns the Building Act was already in force and in such places it was compulsory to provide the plans.

Mr. OSBORN: The clause only applied to municipalities, and in those centres the Municipalities Act was in force. Why, then, should it not be made necessary under the Bill to submit the plans and specifications of new buildings? In outlying districts the local authorities never enforced rigidly the provisions relating to the preparation of plans and specifications by an architect; rather did they do everything they could to facilitate the erection of new buildings. At the same time it was necessary that local authorities should be notified of intention to erect a new building. He hoped the clause would be allowed to remain as printed.

The MINISTER FOR MINES: What we were asking under the Health Bill was not more than was already the law under the Municipalities Act. We were only asking that plans and specifications should be submitted to the local authority; in other words, that the plans which

under the Building Act had to be certified to by the engineer of the municipality should also have to be approved by the health officer. On reconsideration he (the Minister) had decided to withdraw his offer to recommit the clause, for the reason that the power was already provided under the Municipalities Act, and so ought to be inserted here.

Mr. ANGWIN: The same power was not provided in the Municipalities Act. It was all very well for the member for Roebourne to pass the matter over lightly, but Midland Junction was not the only district to be considered. In many instances where new towns sprang up it should not be compulsory that every person about to build should go to the expense of having special plans and specifications prepared. When the town of East Fremantle was first established 17 or 18 years ago nearly all the buildings were erected room by room. If it had been necessary to pay for the preparation of plans and specifications, and submit them to the local authority, very few of those buildings would have been erected.

Mr. Heitmann: You can have good sanitary conditions in connection with a poor class of building.

Mr. ANGWIN: That was so, but other clauses in the Bill provided for the necessary sanitary conditions. Under the clause before the Committee the local authority would have power to object to any person on the goldfields building a hessian camp until plans and specifications of the proposed structure had been submitted.

Mr. HEITMANN: We could not help being struck with the insanitary conditions attaching to many buildings in Perth and suburbs. The clause should go further. It should stipulate the area of land for a building. It was almost impossible to bring about the standard of hygiene necessary for public health. The hon. member should not object to the Health Department trying to set a good example to the people in the building of houses.

Mr. UNDERWOOD: If Bullfinch was in such a stage that it could be proclaimed a municipality, it was high time it was seen that proper buildings were constructed, though the health board might allow humpies and bough sheds in the outer districts.

Mr. Angwin: But you block the poor man from building a home for himself.

Mr. Heitmann: Not at all. You make him build it under hygienic conditions.

Mr. BATH: One could understand a clause like this applying to established areas like Perth and Fremantle, but the provision was already in the Municipalities Act. What the member for East Fremantle claimed was that its general application in the Health Act to other centres would work a hardship.

Mr. Underwood: The clause applies to municipalities only.

Mr. BATH: Clause 87 dealt with the erection of buildings and insisted on sanitary conveniences being provided.

Mr. Underwood: We cannot insist on it too often.

Mr. BATH: This clause did not insist on sanitary conditions, but insisted on a standard of building which might be outside the reach of some persons desiring to erect homes for themselves and compel them to rent houses. A local authority with a desire to make a certain district fashionable could order that all buildings should be of a certain standard in value. Thus a small building which might be sanitary in every respect could not be put up.

Mr. Osborn: The local authorities are elected by the people.

Mr. BATH: They were elected by property instead of by the people. The provision could be exercised in a harsh fashion so as to prevent people from building unless they put up a house of some particular standard as to cost.

Mr. OSBORN: In municipalities the authorities should know the class of building to be erected. The clause would not prevent people in out-camps from building what they liked.

Mr. WALKER: The clause should find a place in the Building Act. In some municipalities the people were content to have healthy tin houses or hessian houses.

Mr. Underwood: That is all dealt with in the Building Act.

Mr. WALKER: Then why have it repeated in this Bill? We should not prevent people building their homes according to their own taste, so long as they observed sanitary conditions, and that matter was already provided for in Clause 87.

Mr. Heitmann: Is this clause not necessary to give effect to Clause 87?

Mr. WALKER: I do not think so.

Mr. UNDERWOOD: Clause 87 provided that houses should not be built unless they were healthy structures, and this clause now provided that before houses were built plans and specifications must be sent to the local authorities. How could the health authorities judge of the sort of house that was to be built unless they saw the plans and specifications? The two clauses must be read together. There was nothing provided in Clause 87 for sending plans and specifications. Municipalities could instruct a man as to the material to be used in building; that was already provided for in the Building Act; but this Bill went further and provided that, though the house was built of the material ordered to be used, nevertheless it must be built on hygienic conditions. The clause was necessary to carry out the provision in Clause 87.

Mr. BATH: The member was absolutely wrong in his contention, because the clause had no reference whatever to Clause 87, or the provision would state that the plans and specifications must be presented to say whether the buildings complied with Clause 87. The other power remained to give the local authority absolute right to prohibit the erection of buildings unless they came up to some expensive standard fixed by themselves. We had no right to make a prohibitive standard. The clause could be very well termed a clause in the Health Bill for the encouragement of landlords, for if we passed it in its present form that was exactly what it would be.

The MINISTER FOR MINES: It was impossible to see how a provision of this sort could be held to be in the interests of landlords. He was quite willing to add in line 5, after "approved," the words: "in relation to ventilation, lighting, and sanitary construction." He did not wish to place disabilities on outside places, or impose any expense on the poorer classes of the people. The Municipalities Act was quite clear on this matter. We were only asking in the clause that not only should there be the approval of the engineer of the municipality, but the health officer as well, so that some care and attention should be shown to the sanitary conditions of a house.

Mr. KEENAN moved an amendment—

That in line 2, after "municipal district," the words "or roads board district, or part thereof within any townsite proclaimed by the Governor as coming under this part of the Act," be inserted.

That was to provide for the case where a roads board district was within a townsite, but being outside the municipal district. It was in the same neighbourhood as the town itself, and therefore the same conditions should apply to both.

Mr. GEORGE: In this State there were numbers of initial townsites where people bought blocks of land and put up a couple of rooms so as to make a camp, and these rooms were made of slabs, or bark, or hessian. Would the amendment affect such places as these, because they were within roads board districts, and within townsites? These people could not afford to put up more expensive places.

Mr. BATH: There were some styles of architecture which were fashionable, and which he had known local authorities to insist upon. There was the Elizabethian style with all gables, and little provision for verandahs. Such buildings, from a health point of view, were insanitary because in our summer months they were hot as hades. He had known people put up hessian buildings, whitewashed, with good verandahs, and which were as healthy as could be, but, under the clause, the health authorities would approve of the plans of the first kind of building he had mentioned, and refuse to approve of the other. The member

for Pilbara wanted people to build expensive houses.

Mr. UNDERWOOD: The member for Brown Hill was deliberately drawing a herring across the track, and had made out that he (Mr. Underwood) was in favour of expensive buildings. Such a thing had never been said by him, and the clause could not be interpreted to mean that; anyone who read it that way had a twisted kind of intellect. The clause did not say one word about the material that had to be put into a house, and all these terrible things that were to happen had not happened under the Municipalities Act.

Mr. Bath: Yes, they have.

Mr. UNDERWOOD: Having lived in Melbourne some years ago, during the time of the land boom, when there was no Health Act in existence and no specifications were required, he knew that landlords there, by the buildings that they erected, killed thousands of people. There was nothing that we should look after more carefully than the buildings the people had to live in.

Mr. Bath: You are doing it in this clause.

Mr. UNDERWOOD: The hon. member did not want that done. He (Mr. Underwood) desired to attempt to do it. It was better to have attempted and failed than not to have attempted at all. We should see that healthy houses were built.

Mr. ANGWIN: The member for Pilbara had failed to realise that the clause included the words "and have been approved by the local authority." There was a good deal of truth in what the member for Brown Hill had said; everything possible had been done in the municipalities at the outset for the purpose of preventing the poor man from putting up his home. An instance might be given at Fremantle where, owing to the large rents which were demanded some years ago, the late Mr. Throssell threw open a number of lots under the leasing system and the people who were living in that district——

Mr. Underwood: And lived in hovels.

Mr. ANGWIN: The people lived in tents before they were able to get this ground, which was given to them on lease. Of course there was an outcry on the part of some of the landlords because the people were allowed to put up these tents. Today that locality was a credit to the municipality. East Fremantle and North Fremantle were at one time in the same position. At the present time it was not possible to erect a wooden house in any municipality, except for a certain period; in other words a license had first to be obtained. If the clause were passed the local authority would look to the Municipalities Act, and the provisions of that Act would be enforced under the clause in the Health Bill.

Mr. SCADDAN: While agreeing to some extent with the remarks of hon. members he could not altogether agree that the clause should be struck out.

Mr. Bath: The Minister's amendment is suitable.

Mr. SCADDAN: There should be some power given to the local authority to see the plans and specifications in order that they might satisfy themselves that from a health standpoint the material used was satisfactory.

Mr. Bolton: That is provided for already.

Mr. SCADDAN: Not altogether. Under the existing law the local authorities undoubtedly did compel residents to construct houses that were not suitable in any way, and in many cases the material that was put into the construction of the houses was of such a class that in a few years the houses were no longer of any value. He was speaking from personal experience. Some 18 months ago he built a house at Guildford at a cost of between £400 and £500, and the authorities there compelled him to construct it of brick. Anyone who knew anything about Guildford would be aware of the absurdity of building brick houses there. The ground was of that nature that after the winter rains, no matter how it was drained, it was responsible for the walls of the brick building cracking. Moreover his conten-

tion was that brick buildings were not suitable for the Australian climate.

Mr. GEORGE: The amendment would not receive his support. In country districts, where the people desired to whip in as much as they could, they extended their boundaries very far, and embraced all kinds of timber areas, where people perforce put up houses to live in, and the houses were of such a character that they would not come under the clause which was being discussed. According to the clause, before a humpy could be erected it would be necessary to submit plans. That was legislation run mad. Another silly aspect was that a great number of the houses in these timber districts were only temporarily constructed, but because they were in a roads board district they had to be built according to specification, or the people would have to do without. There was no camp that could be formed in the forest that was likely to have a life of more than two or three, or four years at the most. Was it fair then that the people living in these camps should be asked to erect buildings according to plans and specifications? It was well known that the conditions of living in such places meant that a man had to put up a building which while it gave him cover would not, perhaps, comply with the provisions of the Bill. It was farcical to pass legislation that would inflict hardship upon a large number of deserving people.

Mr. KEENAN: The member for Murray had been doing little more than beating the air, for his reasoning was foreign to the amendment, the object of which was simply to apply the clause to that part of a roads board district which was within a townsite and which had been proclaimed as coming within the Act. What the Committee was asked to consider was that in a townsite containing a large population the circumstances might be such that it was advisable the same rules should apply to the people living in a district immediately adjoining the municipality as to those living within the municipality itself, in which case, of course, a proclamation would be issued bringing the contiguous district within the provisions of the Act.

The MINISTER FOR MINES: The Government had no desire to impose any additional penalties by the clause. The Municipalities Act made it clear that when a district was brought under the scope of the Building Act plans of any proposed building had to be submitted to and approved by the municipality. All that the clause asked was that the same body should examine those plans with the view to seeing that they provided for proper sanitation. He was quite willing to add to the clause words which would make it clear that the municipality had nothing whatever to do with the building apart from the aspects of sanitation and ventilation.

Mr. SCADDAN objected to the local authority being given power to specify the material to be used in the construction of the building.

The MINISTER FOR MINES: It was not desired to give the local authority any such power. He was prepared to move an amendment making that clear.

Amendment put and negatived.

The MINISTER FOR MINES moved a further amendment—

That after "approved" in line 5 the words "in relation to ventilation, lighting, and sanitary construction" be inserted.

Mr. GEORGE: How far did the word "lighting" go? It might be made to apply in many directions. Why not specify natural lighting?

Amendment put and passed.

Mr. ANGWIN: Even with the words included he would again enter his protest against embodying so unnecessary a clause in the Bill. He saw no necessity for insisting upon the special preparation of plans and specifications for buildings intended to be erected outside of proclaimed districts. Many municipalities insisted upon properly prepared plans for buildings in outlying districts.

Clause as amended agreed to.

Clause 129—agreed to.

Clause 130—Registration:

Mr. O'LOGHLEN: Would the Minister give the Committee a definition of lodg-

ing-house? He desired to know if the clause would apply to numerous houses utilised as lodging-houses in a small way in different parts of the State. For instance, would it be necessary for a person to be registered who, perhaps, took in a friend or relative as a lodger? Surely in such cases it should not be made compulsory for such people to register their premises.

Mr. FOULKES: Under the definition of "lodging-house" in the interpretation clause registration would be necessary even where there was only one boarder received into the house. He moved an amendment—

That after "receive" in line 2 the words "a lodger" be struck out and "more than four lodgers" inserted in lieu.

Clause 132 provided that every keeper of a lodging-house should fix to his house a notice bearing the words "registered lodging-house." This, of course, would be intolerable to a large number of people concerned.

The MINISTER FOR MINES: The clause would apply all through the State, no matter what the conditions. Any person who lodged others, even though it were but one person for a single night, or who obtained payment for lodging such person would require to be registered under the clause. But the term "lodger" was not to be confounded with "boarder." The clause would not apply to a person who took in any number of boarders fewer than six. If the boarders exceeded that number the keeper of the house would have to register it as a boarding-house; but the person who let beds to lodgers, no matter to what number, must register. The object of the clause was to ensure proper conditions of cleanliness. It would not interfere in any sense with the ordinary householder who desired to take in a boarder. According to the interpretation clause a boarding-house was a building in which more than six persons exclusive of the family of the keeper were lodged or boarded from week to week or for more than a week. On the other hand a lodging-house was a building in which persons were harboured or lodged for hire for a single night or for less than a week at one time. If members desired to alter the definition of lodging-house and make it apply to four persons, the Bill could be recommitted, but while he might agree to recommit the Bill he would oppose any amendment in the direction indicated.

Mr. FOULKES: If a seaside resident took a couple of people into a house for a few days, it would make the place a lodging-house, but registration should not be necessary in a case of that kind. It would be well if the Minister would recommit the definition of lodging-house with a view to seeing that it did not cover these places.

The MINISTER FOR MINES: Certainly the interpretation clause could be recommitted. In the meantime the point raised would be looked into by the health authorities.

Amendment by leave withdrawn.

Clause put and passed.

Clauses 131 to 133—agreed to.

Clause 134—Limewashing:

Mr. BATH: This was a very necessary provision but it was not observed. It was useless having provisions of this kind unless a greater attempt was made to administer them.

The MINISTER FOR MINES: This clause was perfectly new. The provision was not in the existing Act. It gave the local authorities additional power.

Clause put and passed.

Clause 135—Notification of disease:

Mr. FOULKES: According to this clause the keeper of a boarding-house or lodging-house, when a person in the house was affected with any infectious disease, must give immediate notice to the medical officer of health and to the secretary of the local authority. The Minister should consider the advisability of some public notice being given of the existence of infectious diseases in such places. There were many people suffering from consumption in these boarding-houses.

Mr. WALKER: By this clause we would be placing upon the boarding-house keeper a responsibility altogether unde-

served; we would make the boarding-house keeper the judge as to when anybody was affected with an infectious disease. How was the boarding-house keeper to know when a person was suffering from a disease? Even doctors differed as to whether persons had a particular form of infection. We might as well insist that boarding-house keepers should pass examinations, or ultimately it would come about that persons could not get lodging unless they went to a place with clean bills of health. The proper procedure was to make those persons responsible who had the disease. To make the innocent responsible would be unwise. If those who had the disease were compelled to state the fact when they applied for lodging, probably no one would take them in; but then it would be the duty of the Government to provide accommodation for them. One State of Australasia had gone so far as to absolutely prohibit persons suspected of having certain diseases from landing in the State. At any rate we should be very careful about passing a clause which would fix a crime on people who were perfectly innocent.

Mr. GEORGE: A person in a boarding-house might have a disease unknown to the boarding-house keeper; and if the fact came to light afterwards, the boarding-house keeper would be punished. That should not be the case. The clause would read better if it provided that the keeper of the boarding-house, immediately it came to his knowledge that a person was suffering, should give notice. He moved an amendment—

That in line 1 the word "when" be struck out and "immediately it becomes within his knowledge that" inserted in lieu; also that in line 2 the word "immediate" be struck out.

Sitting suspended from 6.15 to 7.30 p.m.

Amendment passed; the clause as amended agreed to.

Clauses 136 to 140 agreed to.

Clauses 141—By-laws (Dwellings):

Mr. BATH: By Subclause (c) power was given to make by-laws in respect of the cleansing, limewashing, or painting of the premises, and the paving of the courts and courtyards thereof. When reference was made to this matter on Clause 134, the Minister misled the Committee in stating that this was a new provision. In Section 87 of the existing Health Act provision was already made in this direction. When Ministers showed such sublime ignorance in regard to Acts under their control, the complaint which he (Mr. Bath) made was justified, that the Act was not being administered.

The MINISTER FOR MINES: In the notes which he had in regard to this clause, it was stated that it was new, and it was new to this extent that while examination might be made twice a year under the Act, according to the clause inspection might be made at any time.

Mr. KEENAN: Power should be given to the local authority to compel lodging house keepers to provide facilities for escape in case of fire, and for the maintenance of fire extinguishing appliances. Under Clause 148 the central authority had that power, but the clause giving power to local authorities did not give them power of this character. He moved an amendment—

That the following paragraph be added to Subclause 2:—(g.) Enforcing the construction of approved facilities for escape in case of fire, and the maintenance in approved places of fire extinguishing appliances approved by the local authority."

This would give the local authority the same power as was given to the central authority. It was more advisable to give the authority to those who were likely to know the conditions than to a body less likely to know.

The MINISTER FOR MINES: There was no objection to the amendment.

Amendment passed; the clause as amended agreed to.

Clauses 142, 143—agreed to.

Clause 144—Notice to be given of intention to build or open public buildings:

Mr. KEENAN moved an amendment—

That after the word "commissioner" in line 5, the words "and local authority" be inserted.

Mr. BOLTON: If the amendment were carried it would be necessary to provide a double set of plans. If, instead of giving notice to the central authority, notice was given to the local authority, that would do all that was necessary. No provision was made in this clause for notifying the local authority, yet in the next clause a provision was made that the local authority should notify the central authority. It should not be necessary to notify both bodies.

The MINISTER FOR MINES: In the present circumstances the commissioner or the central board never retained plans; after the plans were approved they were returned.

Mr. BOLTON: The local authorities met once a fortnight, or sometimes once a month, and it was provided specially in the clause that the notice should be accompanied by plans and specifications. If the local authorities had notice, and the plans and specifications were submitted to them, and they approved of them, and then, under Clause 145, sent them to the commissioner, that should be all that was necessary. It was quite possible for 29 days to elapse between the lodging of the notice and the plans, and in the meantime it would not be possible to notify the commissioner, because the notification would not be accompanied by the plans and specifications, unless a duplicate copy had been made out. The member for Kalgoorlie might withdraw his amendment in order to allow of a previous one to be moved.

Mr. Keenan: I will withdraw my amendment to enable the hon. member to move his.

Amendment by leave withdrawn.

Mr. BOLTON moved an amendment—

That in line 5 the words "commissioner" be struck out, and "local authority" inserted in lieu.

Mr. COLLIER: The amendment would defeat the object of the clause. The object in providing that the plans should be forwarded to the central board was that the central board might approve of them or otherwise. In Clause 145, while the local authority would be compelled to give notice to the central board, it was not provided that the central board should be furnished with plans of the proposed buildings. His desire was to provide that the central board should be provided with plans so that it might be in the position of approving or disapproving of the proposed buildings.

Mr. OSBORN: For some time past the central board had dealt with public buildings, and no local authority could give permission to an architect to commence the erection of a building intended to be used as a public building before obtaining the signature and consent of the president of the Central Board of Health. Clause 144 was only to safeguard the builder himself. That was to say, if anyone was stupid enough to commence a building without the consent of the commissioner, the local authority would be bound to inform the commissioner that a certain person had commenced to erect a building; then the commissioner would immediately take steps to ascertain whether the plans had been approved or not. If they had not been approved, notice would be served on the person, and it would be necessary to immediately submit plans. The local authority had no control at the present time over any plans of public buildings. There could be no reason for altering this clause. If we gave local authorities the power to approve of plans and specifications for public buildings there would be the danger of these local authorities who would not be possessed of the necessary knowledge, giving their consent to a person to erect a public building. If in such a case plans had been submitted to the commissioner quite a different view might have been taken, and, perhaps, the plans might have been condemned. In such circumstances a loss would be inflicted on the person concerned. The clause as it stood was what was required, and it was to be hoped no amendment would be inserted.

Mr. BOLTON: If either amendment was carried, Clause 145 would have to be altered. The clause provided that it would be the duty of the local authority of any district wherein the erection of a public building was commenced, to forthwith give notice in writing to the central

board. It would be necessary to alter that clause to make it read, "Before the erection of a public building was commenced," thus the sanction of the commissioner would have to be obtained.

Mr. ANGWIN: It was necessary that these plans should be sent on to the commissioner.

Mr. Bolton: We all say the same thing.

Mr. ANGWIN: It was known from past experience that the central board never gave these plans much attention at all, and it would be necessary for someone to look over them after they had left the central board. The plans might be passed on to the Architectural Department.

Amendment put and negatived.

Mr. KEENAN moved a further amendment—

That after "commissioner" in line 5, the words "and local authority" be inserted.

Mr. BOLTON: If the amendment were carried would it be necessary to provide duplicate plans? If so, it seemed to him to be an altogether unnecessary expense. Again, if the amendment were carried which authority would get the plans and specifications first?

The MINISTER FOR MINES: There had already been a lengthy discussion on Clause 128, providing that no building be erected without plans being first approved by the local authority; and during that discussion the corresponding section in the Municipalities Act had been freely referred to. Having regard to the existence of these provisions he thought the amendment was unnecessary.

Mr. Bolton: But would Clause 128 apply to public buildings?

The MINISTER FOR MINES: Yes; the clause included all buildings in the municipality. He had no objection to the plans being sent from one authority to the other, but that would be a matter of administration.

Mr. Angwin: We want it in here.

The MINISTER FOR MINES: It was not desirable that two sets of plans should be made compulsory. The difficulty could be overcome by sending the plans from the commissioner to the local authority.

Mr. KEENAN: We were now dealing with the particular part of the Bill governing the erection of public buildings, and no clause previously dealt with had any bearing upon the point. Clause 128 simply referred to private dwellings.

The Minister for Works: It relates to all public buildings.

Mr. KEENAN: It related to dwellings alone. If it related to all public buildings then these provisions should have been inserted in that clause. It was mere folly to say that Clause 128 related to all buildings. The object he had in view was not that there should be any collision of authority, but that those who were on the spot and who were best acquainted with the nature of the building to be erected should advise the commissioner. When the plans went to the local authority the local authority would criticise the plans and send them on, with their criticism, to the commissioner. Even supposing that Clause 128 related to all buildings, it would still be advisable to have these provisions.

The Minister for Mines: It would be absolutely necessary for the municipal bodies to have the information.

Mr. KEENAN: We were not dealing with the duties of a municipality, but with those of a board of health. The Minister would surely recognise that "local authority" might be any authority created to administer the Act. He hoped the Committee would accept the amendment.

Mr. ANGWIN: It should be pointed out that Clause 128 referred only to municipal districts; in the case of a roads board district the clause would not apply.

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

Ayes	..	..	24
Noes	..	..	18
Majority for	..	..	6

AYES.

Mr. Angwin	Mr. Keenan
Mr. Bath	Mr. McDowall
Mr. Bolton	Mr. O'Loghlen
Mr. Collier	Mr. Osborn
Mr. Foulkes	Mr. Scaddan
Mr. Gill	Mr. Swan
Mr. Gourley	Mr. Troy
Mr. Heitmann	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Horan	Mr. A. A. Wilson
Mr. Hudson	Mr. Underwood (*Teller*).
Mr. Jacoby	
Mr. Johnson	

NOES.

Mr. Brown	Mr. Male
Mr. Butcher	Mr. Mitchell
Mr. Cowcher	Mr. Monger
Mr. Daglish	Mr. S. F. Moore
Mr. Davies	Mr. Nanson
Mr. Draper	Mr. Plesse
Mr. George	Mr. F. Wilson
Mr. Gregory	Mr. Harper (*Teller*).
Mr. Hardwick	
Mr. Layman	

Amendment thus passed.

Mr. KEENAN moved a further amendment—

That at the end of paragraph (b) of Subclause 2 the words "and showing the position and distribution of sanitary conveniences in connection with such building" be added.

Obviously it was necessary that these details should be furnished.

Amendment passed.

Mr. KEENAN moved a further amendment—

That the words "or local authority" be added at the end of Subclause 3.

This would provide that detailed plans could be required by the local authority as well as by the commissioner.

Amendment passed.

Mr. KEENAN moved a further amendment—

That the words "and the local authority" be added at the end of Subclause 5.

Approval had been given by the commissioner, under Subclause 4, the local authority should, under Subclause 5, be the watch dog for the commissioner in seeing that the building was put up in accordance with the approved plans.

The MINISTER FOR MINES: This amendment could not be accepted because it would mean that a building could not be commenced until plans were approved by the commissioner and by the local authority. This would mean dual authority.

Mr. KEENAN: A mistake was made in submitting the amendment. It was intended to add the words "and lodged with the local authority."

Amendment by leave withdrawn.

Mr. KEENAN moved a further amendment—

That the words "and lodged with the local authority" be added at the end of Subclause 5.

The Minister for Mines: I agree to that.

Mr. ANGWIN: It was regrettable the hon. member had altered the amendment, because in very many cases it was necessary that the local authority should have a say in the approval of plans. There were several instances to prove the Minister's statement that plans were not delayed when submitted to the central authority. The instances showed that the plans were not properly inspected by the central authority. The local authorities, on the other hand, would inspect plans and see that provision was made for the public safety.

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

Clauses 145 to 150—(consequentially amended)—agreed to.

Clause 151—agreed to.

Clause 152—Definition of nuisances:

Mr. BROWN: Subclause 4 provided that a nuisance was created when any houses or premises were in such a state as to be injurious or dangerous to health, but there was no power given to the local authority over premises owned by the Crown. In Perth the Crown put up wood and iron buildings and let them get into disrepair. The Crown should have no more right than private individuals in this respect. He moved an amendment—

That after "premises" in Subclause 4 the words "including any house or premises belonging to the Crown" be inserted.

The MINISTER FOR WORKS: Without giving a legal opinion in regard to the possibility of enforcing the subclause if the words were added, it would be novel to have the Crown proceeding against the Crown for an order to enforce a penalty under the Health Act. The hon. member was asking us to take a step for which there was no precedent.

Mr. Jacoby: It is unconstitutional.

The MINISTER FOR WORKS: Parliament had the fullest powers to control the actions of the Crown and to see that all public buildings were kept in a proper condition, and that the laws imposed by Parliament on private individuals were complied with by representatives of the Crown in buildings owned by the Crown. However, there was no need for the amendment.

Mr. BROWN: The Crown flouted the local authorities and allowed houses to get into a state of disrepair. The local authorities should be able to compel the Crown to keep premises in exactly the same condition as the central authority compelled private individuals to do.

Mr. O'LOGHLEN: It should be possible to include gardens. Some of the Chinese gardens in Perth were just as offensive as houses might be. They were the one blot on Perth. Many of the gardens should be removed from the City.

Mr. Jacoby: You would have to remove all gardens irrespective of who cultivated them.

Mr. O'LOGHLEN: The local authorities declined to take action against these gardens. The Government should follow public opinion and make provision so that the local authorities could deal with these nuisances as they arose.

Amendment put and negatived.

The MINISTER FOR WORKS: Subclause 4 met the wishes of the member for Forrest. It gave power to the local authority to take the necessary proceedings in regard to any gardens which were a nuisance. The word "premises" covered the whole precincts of a building as well as the building itself.

Mr. O'Loghlen: The difficulty would be compensation.

The MINISTER FOR WORKS: There need be no compensation where a nuisance existed. The nuisance must be removed.

Clause put and passed.

Clauses 153 to 155—agreed to.

Clause 156—Power of individual to complain to justice of nuisance:

Mr. WALKER: This seemed to be creating a new authority in addition to the local authority and the commissioner. Was it to enable a person to make a complaint more forcible or more direct?

The MINISTER FOR WORKS: The object was to give a private person if aggrieved by the existence of a nuisance, which perhaps there had been a failing on the part of the local officer for the local authority to remedy, for a person to go to a justice to get it remedied. The power existed in the present Act. It was desirable to prevent by this method, if possible, cases of neglect on the part of local inspectors. So far no hardship had been caused by the provision.

Mr. WALKER: We were creating a new tribunal, so to speak. The commissioner under the Minister was a sort of commanding officer all over the State, who had to keep in order all the local authorities. If the local authorities failed to do their duty they could be brought to task by the commissioner. Although there had been provision, under other conditions, of complaint to local justices, we were now allowing an outside tribunal to come in. The whole matter should be left to the local authority under the supervision of the commissioner. Sometimes this provision might work a hardship by a person unnecessarily making complaint about a neighbour. If a complaint was made to a local authority, and that authority took no steps, and the complaint was made to the central authority, and no step was taken, this Bill was a farce, or the machinery broke down. If provision were made of complaint to the central authority when no action was taken by the local authority, the onus of administering the Bill was placed on the central authority, and we could see what we were doing.

We ought to rely on our health authorities.

Mr. KEENAN: The member for Kanowna was quite right in his contention. According to Clause 154 a report was made by an inspector to a local authority, or the commissioner; it was not limited to the inspector. If a person was under the impression that a nuisance existed, he could make his complaint just as well as an inspector could. If a complaint was made to the local authority, and no action was taken the complaint could be made to the commissioner who could require the local authority to take action. If a person failed to convince the authorities, was it at all wise that the person should be allowed to go to a magistrate and put the whole machinery of the law in action. It seemed to be inviting trouble. A man in this way could worry his neighbours. The clause instructed the magistrate to proceed as if he were the local authority. If the power were given authorising a magistrate to award costs, which it was not, he would still object to the provision. He hoped the clause would be struck out.

Mr. FOULKES: The clause was a most useful one. Many cases arose in which the central authority and the local authority would have some doubt as to whether a grievance brought forward by a resident was a genuine one or not. Then the person would appeal to the Minister. How could a Minister set himself up as a competent judge? He would have no time to find out if the nuisance existed. There might be a nuisance arising from a smoky chimney. How could the Minister decide, sitting in his office, whether the chimney was emitting too much smoke? The Minister had no power to summon witnesses before him, and we knew well enough that people would not sue one another; as a rule people tried to live in peace and harmony with each other.

The MINISTER FOR WORKS: There had been no case in which this provision had led to undue litigation, or had been the means of one neighbour showing his spite against another. The member for Kalgoorlie, and the member for Kanowna, seemed to imagine that all local authorities were quite within the power of the commissioner, and that if there were default on the part of the local authority it could at once be remedied by the intervention of the commissioner. That was not so. However anxious the Health Department might be to remedy a nuisance, the State was so large that it was impossible for immediate effect to be given to the action of the commissioner when the locality of the complaint was hundreds of miles away from the head quarters of the Health Department. In the meantime if the nuisance was of such a nature as to be dangerous to the health of the people in the immediate neighbourhood, if the clause was not embodied in the Bill, there would be no remedy whatever where a local inspector was neglectful. The member for Kalgoorlie said that the inspector was not the only man who had the right to make complaint. We knew that, and we knew also that in a large number of districts the word of the local inspector practically carried with it the decision of the local authority. If that were the case once the inspector denied that the nuisance existed, the local authority would decline to take action.

Mr. Walker: So would the justice, in all probability.

The MINISTER FOR WORKS: Why should not this local court of appeal, as it might be called, be granted especially in localities where a higher court could not be readily reached.

Mr. Bath: Have any instances ever arisen where a complaint has been made to a justice?

The MINISTER FOR WORKS: That could not be said.

Mr. Walker: It is a dead letter.

The MINISTER FOR WORKS: If it were a dead letter why all the complaint; it had done no harm. There was always a possibility that a case might arise where it might do good. Perhaps all local boards had been doing their duty; this was, after all, only an additional safeguard. Why should it be discarded when it had not worked evil during the time it had been in our Act? In any case the clause was a safeguard, and those members who had objected to it had not given

a single instance in which it had done harm.

Mr. KEENAN: It was to be hoped the Committee would not be led away by the plausible remarks of the Minister that it had done no harm. Let us see what harm it could do. A justice was vested with all powers of a local authority; under this clause he could make an order requiring that within a specified time the owner or occupier could carry out a specific work in connection with a building, and if he did not do that the person was liable to a penalty of £5 a day. The powers were very extensive, and there was no court of appeal. Here was a local authority having the powers only of a local authority and not judicial, and there would be no appeal. Some person made a complaint about a supposed nuisance, and the local authority having examined it refused to take action because it did not believe that the nuisance existed. Then this person could start on all the magistrates in the district, beginning with the letter A, and he could go on until he found one magistrate who did think it was a nuisance, and then set the law in motion and make himself a perfect pest. There was one matter which the Minister urged and which it was admitted required to be dealt with. The Minister said that a case might arise for sudden action, and therefore, he thought it was wise to leave some authority of this character under which an appeal could be made to a magistrate. But provision had been made for emergencies in Clause 153; there was, therefore, no necessity to provide for a set of circumstances that the Minister alone set up as justifying this clause. By allowing the clause to go we would be creating the power permitting an individual to worry his neighbours when there would be no cause for doing so.

Mr. BATH: As far as the discussion on this particular clause had gone, the objections urged by the members for Kanowna and Kalgoorlie seemed to be very pertinent. In connection with other clauses in the Bill the assurance had been given by the Minister that they had not been utilised, but being in the Bill it was thought that they would do no harm. The Bill reminded him of a gun with many barrels; some of the barrels were for work, and others were for show purposes. Throughout the discussion members had debated various clauses, and had been assured that something in a particular clause was provided for in one or more clauses. In such circumstances the clauses being discussed were absolutely unnecessary. In connection with the clause under review, the Committee had been told that as far as the Minister knew it had not been put into practice, but that the clause might be necessary, and the occasion might arise when it might be put into force, and being in the Bill it might be left there. We should protest against cumbering a Bill with unnecessary provisions. A Bill should be made as complete, and at the same time as compact as possible. If as the Minister assured the Committee, the provision was not likely to be made use of the clause should be struck out.

Mr. HOLMAN: On looking through the Bill it was found that nearly every clause had been taken from an Act in force in one of the other States. All the laws in our State were patched up in this way regardless of the fact that the conditions in the other States were not similar to those existing in our own. That was where a grave mistake was made. With regard to the clause in question, the only information which could be obtained from the Minister was that it could do no harm. It had been proved that in the past it had done no good, and as far as he was concerned he would follow the lead of those members who had shown that there would be a grave danger in passing the clause, and he would, therefore, oppose it.

Mr. FOULKES: The member for Kalgoorlie said that Clause 153 gave power to the commisioner to take immediate action with respect to nuisances, but that only dealt with the prevention of the spread of infectious diseases. There was no reason why people should be obliged to go before a Minister and state their case when more reasonable facilties would be offered to attend before a magistrate. If members were afraid of letting an hon-

orary justice deal with these cases a provision might be inserted in the clause that the cases should be dealt with by a stipendiary magistrate.

The MINISTER FOR WORKS: I am not going to press the clause.

Clause put and negatived.

Clause 157—agreed to.

Clause 158—(consequentially amended)—agreed to.

Clauses 159, 60—agreed to.

Clauses 161—(consequentially amended)—agreed to.

Clause 162—agreed to.

Clause 163—(consequentially amended)—agreed to.

Clause 164—agreed to.

Clause 165—(consequentially amended)—agreed to.

Clauses 166, 167—agreed to.

Clause 168—By-laws (Noxious and offensive trades):

Mr. BATH: Paragraph (5) of the clause seemed to be absurdly worded. It provided that the local authority might make by-laws for "the removal and destruction of dead, dying, or diseased animals found upon any street or land under the control of the local authority, or any land not securely fenced off from such street or land." He had never yet met a smell from an offensive animal which could not climb over a 6ft. fence. If it was necessary to remove and destroy a dead, dying, or diseased animal then the question of a fence intervening should not limit the power of the local authority in that respect.

The MINISTER FOR WORKS: While, perhaps, at first sight it seemed to be a peculiar provision, it dealt not only with dead animals, but dying or diseased animals, and the secure fencing was not required to prevent the passage of any effluvia, but was rather aimed at keeping within the boundary, and away from contact with other animals, any animal liable to spread disease, but which might have a hope of recovery, and which was being kept in an enclosed ground for the purpose of treatment. If the paragraph related merely to dead animals the hon. member's remarks would apply. While the wording appeared peculiar it would enable the purpose aimed at to be achieved, namely, the making of provision for the segregation of diseased animals so that they might not spread disease amongst others of their kind. It was necessary, however, that the local authority should have power to direct the burial of any dead animal.

Mr. BATH: No interpretation of the paragraph could be construed to mean the segregation of a diseased animal within the area of land fenced, because the paragraph only provided for the removal and destruction of dead, dying, or diseased animals; so no matter in which category they might be placed they were to be removed and destroyed. The reading of the paragraph was such that if a fence intervened the powers of the local authority were absolutely nullified. He hoped that if the Minister could not himself suggest an amendment he would look into the matter with the view to altering it on recommittal.

Mr. McDOWALL: The clause did not provide for anything on private property or within a building. A diseased animal might spread disease in these places just as well as upon any street or land under the control of the local authority. He moved an amendment—

> *That the following stand as a new paragraph:—"Compelling any owner of a diseased dog or other animal to forthwith destroy same, or in default the local authority may enter upon any premises and seize and destroy such animal."*

That would deal with the objection raised by the member for Brown Hill, while if it was not complete it might be added to and improved upon.

The MINISTER FOR WORKS: In reply to the member for Brown Hill, it might be pointed out that that hon. member in his criticism had overlooked the fact that the paragraph was governed by the provision that the local authority should have power to make by-laws dealing with the removal and destruction, etcetera. The paragraph it-

self did not pretend to be a law, but merely gave power to the local authority to make a law.

Mr. Bath: But if they could not go on to private land——

The MINISTER FOR WORKS: Just now he was dealing with the hon. member's objection that the local authority was required to destroy dying or diseased animals. In regard to power to go on to private land the general power the local authority possessed to deal with any case where a nuisance existed on private land was quite ample, and this paragraph was intended rather to give them powers in regard to private animals on public land. As for the amendment, he would ask the Committee not to accept it. The power held by the local authority was ample for such cases, in addition to which there were other powers in regard to stock, which were administered under another department. He hoped the hon. member would not press the amendment, because it would have a tendency to make the whole clause ridiculous.

Mr. McDOWALL: In what way would it make the clause ridiculous? Would it not rather serve to make the clause clearer? There was nothing either funny or ridiculous about the amendment, for it would tend to enable the local authority to preserve the health of the community.

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

Ayes	20
Noes	18
Majority for	2

AYES.

Mr. Angwin	Mr. O'Loghlen
Mr. Bath	Mr. Piesse
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Draper	Mr. Troy
Mr. Gill	Mr. Walker
Mr. Gourley	Mr. Ware
Mr. Holman	Mr. A. A. Wilson
Mr. Hudson	Mr. Underwood
Mr. Johnson	(*Teller*).
Mr. McDowall	

NOES.

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

Amendment thus passed.

Mr. O'LOGHLEN: Sufficient power was not given to the local authorities to prohibit the exhibition of different food stuffs. In the City meat was exhibited in many shops so that during the summer the wind could sweep all sorts of germs off the streets on to the carcases.

The Minister for Works: Clause 174 gave power to make by-laws to deal with that.

Mr. DRAPER moved a further amendment—

That the following be added as a subclause:—"Defining a place to which all unbranded meat shall be brought for the purpose of inspection and fixing the fees for the inspection."

The commissioner had power to prescribe that all meat should be branded with certain marks, but the local authority should be allowed to arrange the place within its district to which the unbranded meat should be brought.

The Minister for Works: That is provided for in Clause 206.

Mr. DRAPER: The commissioner had the power in Clause 206, but the local authority should choose the place.

Mr. ANGWIN: Under Clause 174 power was given to make by-laws prescribing the place where meat must be produced for inspection before being offered for sale.

Mr. DRAPER: That did not quite meet the case. If the amendment were passed he proposed to add another subclause prohibiting the sale of unbranded meat in a district.

The MINISTER FOR WORKS: The hon. member should move to add this subclause to Clause 174 which dealt more particularly with the subject. Possibly Clause 174 met the case.

Mr. DRAPER would move the amendment at a later stage.

Amendment by leave withdrawn.

Clause as amended (also consequentially) agreed to.

Clause 169—Power to inspect food offered for sale:

The MINISTER FOR WORKS moved an amendment—

That the words "all reasonable times" in line 2 be struck out, and "any time" inserted in lieu.

Mr. ANGWIN: If the amendment were carried the inspector might wish to enter a shop after the closing hour when possibly the shopkeeper had left for his suburban home.

The MINISTER FOR WORKS: The object of the amendment was to remove all possible quibble in regard to the power of an inspector to make an inspection at any time it was necessary to do so. The point in regard to reasonable time had been argued in one or two cases. The point might arise in regard to the admission of an inspector to a cold-storage chamber where the inspector knew bad meat was stored and where perhaps there was some degree of risk of that meat depreciating the quality of other meat in the same chamber. It was recently held to be unreasonable for an inspector to demand admission to premises on a Wednesday afternoon on the ground that it was a time at which no trade could be lawfully carried on. There could be no reason for refusing an inspector the fullest possible powers. There would be no likelihood of an inspector going in at an unreasonable hour for the purpose of annoying anyone. The Committee would be perfectly safe in making the amendment.

Amendment put and passed.

Mr. McDOWALL: Paragraph (b) of the clause gave an inspector power to inspect any food exposed and offered for sale, but it did not go far enough. It was his intention, therefore, to move the following amendment—

That a new paragraph be inserted as follows:—"Inspect any food especially meat stored in ice chambers or chilling rooms or other places, even if not actually on offer for sale at the time, but which it is reasonable to suppose is being kept or stored for human consumption."

The Minister could not well oppose this paragraph because he had stated there was nothing like giving an inspector the fullest possible power.

Mr. COLLIER: There was full power given in Clause 171 to do what the hon. member desired.

The Minister for Works: This clause gives the necessary power.

Mr. COLLIER: Even if the clause under discussion did not do so, there was sufficient power contained in Clause 171.

The MINISTER FOR WORKS: There would be no hesitation about accepting the amendment if it was thought it was necessary, but the clause seemed to be so clear that the amendment would be mere redundancy. The words in paragraph (b) were "Inspect, take samples of, and examine any food exposed or offered for sale, or deposited for the purpose of sale, or of preparation for sale, or that has recently been sold for human consumption," and so on. There was no doubt about the inspector having the necessary power under those words. The amendment, therefore, could not be accepted. It would simply cumber the clause.

Mr. McDowall: There is no reference to ice or chilling works.

The MINISTER FOR WORKS: The clause provided that any medical officer or inspector could at any time enter into or upon any house, land, or premises. Surely that was enough.

Mr. WALKER: If the member for Coolgardie was going to specify places, it would be necessary to have a lot more subclauses, and specify every possible place in the world.

Mr. Underwood: You could insert the words "in every place whatsoever."

Mr. WALKER: There would be no necessity, because the clause covered every place that the hon. member could think of.

Amendment put and negatived.

Clause as previously amended put and passed.

Clause 170—Diseased or unsound food may be seized and destroyed:

Mr. BATH moved an amendment—

That Subclause 2 be struck out.

It would be absolutely impossible to administer such provisions as those contained in the subclause. The inspector had power to seize an animal, or food, that he had reasonable grounds to suspect was unsound or unfit for human consumption, but we limited his power in cases where it might be presumed a doubt would arise. Take the case of meat or fish. When it was seized, if there was a doubt about it then after 48 hours there would be no shadow of doubt about its unwholesomeness, and the inspector would be bound to win. It was preferable to do as the Minister said with regard to a previous clause, and that was vest the power in the inspector and rely on his discretion as to the exercise of that power.

The MINISTER FOR WORKS: The clause, in addition to meat in its fresh condition, applied also to food preserved in tins, and it was desirable that there should be something definite in the clause with regard to such food. We would be helping the inspector by giving him the authority of independent justices where he did not have the authority of a doctor to act upon. There could be no doubt whatever with regard to this class of food. As far as canned fish and fruit, and canned meats were concerned, there might be some degree of doubt, and there might arise necessity for examination. It would not be wise to strike out the subclause. If the inspector had any doubt whatever with regard to the quality of the food that came under his notice, he ought in pursuance of that doubt, to have an investigation by a health officer or justice as provided in the subclause.

Mr. BATH: The clause was not limited in any way in the direction mentioned. If it referred only to canned foods that could be kept for 48 hours without deterioration, the Minister's arguments would be sound, but it applied to all food, and animal food was specially mentioned.

The Minister for Works: Canned meat is animal food.

Mr. BATH: The Minister should recognise that fresh meat, or fish, or fruit, was included in the operation of the clause, but, as far as the clause provided, it referred to all, whether canned or fresh food. There was no doubt that the inspector would exercise discretion, but there was the tendency to be regarded that that person who might be the defendant in a case, or whose food was seized under Subclause 2 if it were retained in the Bill, might be able to harass the department by instituting legal proceedings, and so in a large measure by expensive legal proceedings and the loss of cases under Subclause 2 render the whole clause abortive, and make its adminstration a dead letter. This was the contingency he feared if Subclause 2 were retained in the Bill. In regard to tinned food, if the Minister for Works had had any experience with tinned articles he would know that an inspector could pretty soon determine the quality of the food; because all that was necessary was to insert the end of a tin-opener into the tin, when if unwholesome the contents would speak for themselves. Under these circumstances he thought Subclause 2 was not only unnecessary but might give opportunity for harassing actions.

The MINISTER FOR WORKS: In regard to food about which there was no doubt, food which was utterly unfit for human consumption, it would be destroyed immediately. Was there to be no power to deal with food about which there might be a doubt?

Mr. Underwood: The inspector is judge of the doubt.

The MINISTER FOR WORKS: No, when an inspector seized food he would refer it to the medical officer, and the medical officer, if convinced of its unfitness, would order its destruction and the matter would be finished; but if the medical officer were not convinced he would decide that the food should be held under this provision at the expense of the owner. If in the meantime the food became obviously unfit for consumption it would at once come within the provisions of Subclause 1, and be destroyed. But there might be cases where food, though not

altogether unfit for human consumption, would be doubtful. There were gradations in regard to the process of decomposition. In any case there must often arise doubts when food was just on the balance. It was desirable that opportunity should be given to prevent such food coming into consumption without the fullest consideration. He contended the retention of the subclause would have a tendency to keep from human consumption food that otherwise might not be sufficiently bad to lead an officer to condemn it in the first instance. He was quite willing to have an inquiry made in regard to any risk such as that referred to by the member for Brown Hill, and if it were found necessary to the removal of that risk he would agree to a slight alteration in the wording of the clause.

Mr. UNDERWOOD: It was provided that if the medical officer was satisfied that the animal or food was utterly unfit for human consumption he might cause it to be destroyed accordingly. There were no gradations of unfitness for human consumption. The food was either fit or unfit. If the medical officer were not satisfied that the food was unfit it would be better to leave the food there until he was so satisfied. The idea of giving the owner of the food the right to go to a justice of the peace and incur legal costs seemed to be a wrong one, and possibly had only been devised in the interests of costs. After all, the decision was entirely with the medical inspector, and it did not matter what case the owner might bing; in the end the decision was still with the officer, and consequently we should leave it in his hands, and not overload the Bill with unnecessary verbiage. He hoped the subclause would be struck out.

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

Ayes	18
Noes	20
Majority against ..	2

AYES.

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

NOES.

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

Amendment thus negatived.

The MINISTER FOR WORKS moved a further amendment—

That in line 5 of Subclause 5 the words "analytical or bacteriological" be struck out.

Mr. Bath: What is the object of the amendment?

The MINISTER FOR WORKS: The object was merely to give the larger power and an opportunity of making an examination of a different type.

Amendment passed; the clause as amended agreed to.

Clause 171—Penalty for selling unwholesome food:

Mr. UNDERWOOD: Would the Minister explain the various terms contained in the clause in regard to meat? What did "spouted, greased, stuffed or pricked" mean?

The MINISTER FOR MINES: It was understood that these were trade terms. The department advised that these words were necessary in cases of prosecution.

Mr. BATH: The attention of the Minister should be called to the fact that the marginal note was misleading and should be altered. The penalty was not prescribed in the clause. The marginal note should be "offence of selling unwholesome food"; then it would really represent

what the clause referred to. He moved an amendment—

That "for" in the marginal note be struck out and "of" inserted in lieu.

The CHAIRMAN: The hon. member cannot move an amendment to alter the marginal note.

The Minister for Mines: I will have it amended.

Clause put and passed.

Clauses 172 and 173 (consequentially amended)—agreed to.

(*Mr. Brown took the Chair.*)

Clause 174—Food inspection, by-laws:

Mr. BOLTON moved an amendment—

That after "meat," in line 4 of Subclause 1, the words "fish and poultry" be inserted.

The MINISTER FOR MINES: There was no objection to inserting the word "fish," but the interpretation clause showed that meat included poultry.

Mr. Walker: The amendment was absurd. Meat included both fish and poultry.

The MINISTER FOR MINES: The matter would be gone into to see if it was necessary to insert the word "fish."

Amendment by leave withdrawn.

Mr. ANGWIN moved a further amendment—

That after "meat," in line 4 of Subclause 1, the words "fruit and confectionery" be inserted.

The MINISTER FOR MINES: The next subclause, which dealt with all food, should cover fruit and confectionery.

Amendment withdrawn.

Mr. BOLTON: Subclause 4 specially mentioned "fish and meat."

Mr. WALKER: Objection was frequently taken to redundancy in our Acts. The word "food" covered fish, meat, or perishable food, the words used in the subclause.

Clause, as consequentially amended, put and passed.

Clause 175—Penalties, food inspection:

The MINISTER FOR MINES: It was desired to strike out this clause with the object of inserting a general clause at the end of this part of the Bill to provide the penalty for an offence against the provisions in relation to food.

Mr. BATH: The offences arising out of the sale of unwholesome food or food unfit for human consumption were very serious. For the first offence we provided a penalty not exceeding £20—there was no minimum fine—and for a subsequent offence a maximum fine of £50 was provided, with the alternative of six months' imprisonment. There were frequent cases of persons being convicted a second time for these offences. The penalty inflicted seemed to be no deterrent. Consequently we should strike out the fine for the second offence and make the offender liable to imprisonment not exceeding six months. He moved an amendment—

That the words "a penalty not exceeding fifty pounds or" in paragraph (b) be struck out.

The MINISTER FOR MINES: The Government's desire was to have a clause inserted to cover the whole of the penalties for offences in relation to food. The hon. member had not taken into account some of the offences that came under the division dealing with food inspection, and would inflict imprisonment for the second offence for such things as offending against the by-laws relating to the inspection of meat and prescribing the hours for slaughter. By providing a clause of this sort we made it very serious for a second offence, and that second offence might only be in connection with something trivial. Then we would expect a justice to take a serious view of the position and impose something near the maximum penalty. We ought to trust the magistrates. The hon. member was taking a too serious view of the matter, and in any case he would ask the hon. member to allow the clause to be excised and to agree to the penalty being provided for when the Committee were finishing with the division under discussion.

Mr. WALKER: It was to be hoped the member for Brown Hill would not insist upon his amendment at that stage.

On reflection the hon. member would see that the amendment might work a very serious injustice. After all we had to depend upon the inspector and sometimes on more than the inspector. He had in his mind the circumstances of the complete ruination of an innocent man. This man was a retail butcher and he ordered meat from a wholesale firm; the meat was taken to his store, and on one occasion had not been there for more than a few minutes when an inspector seized it, declared it to be unfit for human consumption, and the butcher was taken to court and fined, the result being that the butcher was ruined, and he was as innocent as any member of the Chamber. The man took the meat in good faith from the wholesale firm, and possibly through some oversight this wholesale firm supplied it wrongfully; at any rate the butcher got possession of the meat from the wholesale merchant and he was found guilty of having in his possession meat which was unfit for human food, and his reputation was gone. That kind of thing might happen at any time, and it would be hard if a man on a second occasion had to go to gaol for what he could not help. We should apportion each particular penalty to the gravity of the offence.

Mr. Collier: You can do that by having a penalty for each case.

Mr. WALKER: Even then allowance should be made for the particular circumstances of each case.

Mr. UNDERWOOD: To an extent he agreed with the remarks of the Minister and the member for Kanowna that care should be taken that practically innocent people should not be sent to gaol. There was no desire on his part to send anyone to gaol, but it was better for a dozen butchers to go to gaol than that one child should be killed. As far as these cases were concerned, one should look at the fines which had been inflicted by the present magistrate for Perth, not the honorary justices. Adulteration of milk was robbery pure and simple, it was thieving to begin with and manslaughter in the second place. These vendors were brought up repeatedly before Mr. Roe and fined from 10s. up to £5, and he did not think that Mr. Roe had ever gone beyond £5. When there was a magistrate of that sort he could not be trusted, and therefore the Committee should provide in the Bill the lowest penalty that the magistrates, who were so anxious to allow our children to be poisoned, should impose. He (Mr. Underwood) would never agree to the clause going through, until it had been laid down that where there was a clear case of adulteration imprisonment should be the penalty for the second offence. He had held that view always, and the time would come when everyone would realise it. If one picked a man's pocket he would get anything up to five years' imprisonment and a bad character, but when one injured a man's health the magistrate encouraged one to do it and cheered him on the way and sometimes he abused the inspector for bringing a person before the court because whatever had been adulterated had only been adulterated with water. Only recently a prominent publican was summoned for selling brandy which was not according to label and he was let off with a fine of 10s.

Mr. Angwin: A prominent justice of the peace was let off with a fine of one shilling.

Mr. UNDERWOOD: The publican he referred to was fined only 10s. because his brandy which was not according to label was not bad brandy, and because it was not bad brandy or was not poisonous he was fined only 10s. Another man on the same day, before this same magistrate, Mr. Roe, who belonged to the Weld Club —the Chinese club—and who passed remarks about women living with Asiatics, fined a man £5 for selling rubbish that was not brandy. It was up to the Committee to insert something in the Bill that the magistrates could not get over in the manner that they had done in the past and so encourage this form of scoundrelism as had been done.

The MINISTER FOR MINES: It was to be hoped the hon. member would allow the clause to be struck out at that juncture; then the matter could be dealt with

in connection with the provision of penalties.

Mr. BATH: If the Minister would be willing to place the penalties at the end of each clause he (Mr. Bath) would willingly withdraw the amendment.

Mr. Underwood: If the Minister will meet us with regard to imprisonment.

Mr. BATH: Yes. If we were going to have a drag-net clause and no provision for apportioning punishment in accordance with the offences he failed to see the advantage of withdrawing the amendment. The objection urged by the member for Kanowna was the very objection which had defeated many attempts to prevent this kind of thing. Where it could be said that the condemned material had been supplied by someone else a convenient escape from punishmnt would always be provided. In Germany where they exercised strictness in this particular such an explanation was not an acceptable defence. Consequently the people there were compelled to exercise caution and it had the very effect we desired, namely, the prevention of the sale of unwholesome material. In a report which was issued in connection with the administration of health matters in the Marylebone district of the London area it was found there that the number of seizures was much lower than in other parts of the district and the central authorities thought that the Health Act was not being administered there. They made inquiry and found that there was better administration there than elsewhere and that it was due to the fact that at the inception of the Act the authorities had been absolutely strict. There had been many inspections and they had been rigorous in imposing punishment with the result that people were deterred from committing these offences. If it were possible to convince people in a similar way in this State there would be effective administration. His desire was to see people prevented from committing offences.

Mr. COLLIER: While the amendment would bring in those offences mentioned in the clauses from 169 to 175. it would include many offences of a trivial nature, but the Minister wished to put the penalty clause at the end of that part which would include all the clauses from 169 to 206.

The Minister for Mines: They could be equally as serious and equally as trivial.

Mr. COLLIER: There were no offences which were so trivial as not to justify the Committee in including them in the same penalty as the others. The great difficulty in dealing with this part of the Bill lay in having a drag-net penalty clause which included the more serious offences with those of a trivial nature. If the Committee were genuinely desirous of meting out penalties in keeping with the offences, the only wise course would be to provide a penalty for each offence, or at least for each of those which were deemed to be important. While it was all very well to inflict a penalty of £20 in the case, say, of a master's liability to an agent or servant, it was absurd to provide a maximum of £20 for a clear conviction of adulteration. Such an offender should be imprisoned on the first offence. There should be no option of a fine for a man who deliberately adulterated milk. To agree to the amendment of the Minister would be to include all offences in the one penalty.

The MINSTER FOR MINES: Although there were some very serious offences, there were also others of a trivial nature and, in the circumstances, the only thing to do was to trust to the magistrate. Undoubtedly there might be instances of prosecutions of a trivial nature brought before the Bench; yet the least fine that could be imposed for any breach of the division would be £2 for the first offence, while it might be as high as £20, and for the second offence the minimum penalty would be £5.

Mr. O'Loghlen: Would you regard that as sufficient for a milkman supplying adulterated milk to invalids?

The MINISTER FOR MINES: The question of adulterated milk was dealt with in the next division. It was sometimes very difficult to prove who it was who had adulterated milk. Indeed in many of these cases after hearing all

the evidence the magistrate found himself in doubt as to the real culprit, and the extent of his offence. In these circumstance we must to a very great extent trust to the magistracy. It was to be recognised that we provided a very heavy penaly for the second offence, with a maximum of £50, or alternatively imprisonment for six months. He would ask the Committee to strongly oppose any increase in the penalty.

Mr. UNDERWOOD: The Minister's proposal was to class adulteration of milk with minor offences. He (Mr. Underwood) desired to protest against the very light penalties inflicted by magistrates in the past. In our police courts scores of men had been fined for selling adulterated milk. In many of these cases there had been clear convictions, and it was unlikely that there had been any doubt as to the guilt of the defendant in even the majority of cases.

Mr. O'Loghlen: They have been convicted of selling adulterated milk to hospitals, too.

Mr. UNDERWOOD: Yet the Minister told the Committee that we must trust the magistrates. Why could we not insert fitting penalties in the Bill and remove this power of discretion from the magistrates? We had bad magistrates just as we had indifferent Ministers. He would like the Minister to look at the seriousness of the question, and at the same time to recognise that there was some ability in the Committee to frame a Bill. He thought the least the Minister could do was to give the Committee an assurance that he would make the penalty for a second offence of a serious nature nothing less than imprisonment. If the Minister declined to do this he would lay himself open to the suspicion of being in favour of dealing leniently with those scoundrels who were endangering the lives of children and invalids. The Minister hardly realised the seriousness of the situation. It was to be hoped the Minister would try to draft a penalty clause which would make it imperative that imprisonment would be the punishment for the second of the most serious of these offences, at the same time giving discretionary power where a person was innocently selling impure food stuffs.

Mr. BATH: The Minister could put the penalty against each clause as was done in the next division of the Bill.

(*Mr. Taylor resumed the Chair.*)

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

Ayes	.. .. ..	17
Noes	.. .. ..	21
Majority against	..	4

AYES.

Mr. Bath	Mr. O'Loghlen
Mr. Bolton	Mr. Scaddan
Mr. Collier	Mr. Swan
Mr. Gill	Mr. Troy
Mr. Gourley	Mr. Walker
Mr. Holman	Mr. Ware
Mr. Hudson	Mr. A. A. Wilson
Mr. Johnson	Mr. Underwood
Mr. McDowall	(*Teller*).

NOES.

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

Amendment thus negatived.

Clause put and passed.

Clause 176—Contamination of milk:

Mr. BATH moved an amendment—

That the following be added after Subclause 5:—"Penalty for the first offence twenty pounds; for the second offence six months' imprisonment."

If the Minister was willing to co-operate to provide severe penalties for serious offences, the best method of doing so was, to fix the penalty to each particular clause, so that we could make the penalty proportionate to the seriousness of the offence. This clause prohibited the sale of impure and adulterated milk, and prevented persons suffering from infectious or contagious diseases from handling milk that was to be sold. These were

serious offences in all conscience, but we could not prevent them unless the punishment was made severe. A great deal of infant mortality throughout Australia was due to the vending of impure milk. The only complete remedy would be municipalisation of the retail supply, a project mooted by the health officers in Melbourne in recent years.

The MINISTER FOR MINES: The difficulty would be to determine a serious offence as against a trivial one. Against the selling of impure or unwholesome milk, and the handling of milk by a person suffering from a disease, it was provided in the clause that it should be no defence that the owner did not know the animal was diseased or that the person was suffering from a disease, unless he could show that it was not practicable to discover the fact by the exercise of reasonable diligence. The Government were endeavouring in the Bill to prevent any person making excuses and attempting to throw the onus upon the person who was carrying on the dairy. Taking all things into consideration, the penalty that it was intended to impose, namely, £20 for the first offence and £50 or imprisonment for the second offence, should be considered sufficient. The Committee would not be acting wisely if they made the penalties too severe.

Mr. ANGWIN: The amendment would receive his support. He would draw the attention of the Minister to a case at Fremantle which occurred not long ago, where a milk vendor was fined in the first instance £15, and then a few weeks afterwards he again appeared before the court, and the magistrates expressed their regret that they could not send him to gaol. It was admitted that there was a provision in the Bill to send a man to gaol, but the time had arrived when some drastic steps should be taken with regard to selling milk that was not wholesome. The inspectors in Perth were discouraged by the fact that the magistrates only inflicted penalties of 5s. If the Minister would agree to adopt a penalty clause such as that proposed the sale of adulterated milk would be stopped.

The MINISTER FOR MINES: If members allowed the clause to stand over until the Committee reached the penalty clauses the advisableness of amending it would be considered, particularly in the direction of the provision of the penalty for the second offence.

Mr. DRAPER: The Minister should state more definitely what he intended to do. This was one of the most serious matters in the Bill, and one of the causes of diseases in the metropolitan area, the origin of which was hard to trace. Undoubtedly the proper place for the penalty was the clause itself. The person who read the clause would then see at once to what penalty he was liable if he was going to infringe the clause, and that would have a good effect. The punishment suggested by the member for Brown Hill might be regarded as too stringent, but undoubtedly he was on the right track, and the Minister should seriously consider whether progress should be reported on this clause, and then inform the Committee at the next meeting what penalties it was intended to impose.

The MINISTER FOR MINES: In view of its importance there would be no objection to postponing the division.

The CHAIRMAN: Before the division could be postponed it would be necessary for the member for Brown Hill to withdraw his amendment.

Mr. BATH: Having regard to the decision of the Minister he would withdraw the amendment.

Amendment by leave withdrawn.

Clauses 176 to 183 postponed.

Clause 184—Advisory committee:

Mr. BATH: Would the Minister give the reasons actuating the department in asking for an advisory committee of this character, in view of the fact that we were constituting a sub-department of health under the control of a commissioner responsible to the Minister for the administration of the Act. At the same time he (Mr. Bath) desired to give notice to the Minister of his intention to move to strike out the word "two" in line 3 of Subclause 2, with a view to inserting the word "one." Presumably the committee

would consist of the commissioner, the the Government analyst and bacteriologist, and if there were one other person conversant with trade requirements it should be sufficient. The appointment of two outside persons would give too much likelihood of division of opinion. He would like to know whether, in view of the altered system of administration, the Minister still considered the advisory committee essential.

The MINISTER FOR MINES: Certainly the advisory committee was most essential to the good administration of the division. It was to be remembered that it would be merely an advisory committee the purpose of which would be the framing of regulations for the standards on which foods and drugs would be allowed to be sold within the State. The report of the department on this question read as follows:—

> This section follows lines adopted in the Eastern States where recent pure food legislation has been enacted. It is recognised that to set up food standards is a delicate technical matter, but while the public health interests have to be safeguarded, care must be taken that these interests are not allowed to run riot to the detriment of trade interests. In the manufacture and preparation of some articles of food condiments, et-cetera, flavouring, colouring, and other substances are used and the committee has to decide which colouring and flavouring can be used without harm to the public health and the proportion to be permitted in each case; and also has to decide whether certain harmless adulterated substances will be permitted. The committee also has to recommend the use, or rather the size, of lettering to be adopted on labels; in short, a food standards committee is a committee of experts, who are qualified to recommend in these particular directions.

That was the object of the advisory committee, and it would enable the commissioner to go beyond the departmental officers. The commissioner asked for two other persons to assist him in framing these regulations, one to have a knowledge of trade generally, and another with a special knowledge of drugs, probably a pharmaceutical chemist, who would be able to advise as to how the food standards would affect that trade. On the other hand there would be the Government analyst and the bacteriologist to assist the commissioner in framing the regulations, which, after receiving the approval of the Executive Council, would become law. It was an innovation, but he thought it would be found to be an exceedingly good innovation and one that would lead to a much higher standard in connection with the sale of food and drugs than we had in the past.

Mr. COLLIER: Notwithstanding the explanation of the Minister, he (Mr. Collier did not think it would be advisable to have these two outsiders on the advisory committee. Practically all the knowledge required would be possessed by the Government officers. For instance, the Government analyst would have all the necessary knowledge on drugs.

The Minister for Mines: He could analyse them, but he is not an expert in drugs.

Mr. COLLIER: Presumably the Government analyst would have the necessary knowledge. In any case there were two medical men on the committee, the Commissioner of Health and the bacteriologist, and surely these two would have the necessary knowledge between them. The Minister had stated that a committee of this kind was in existence in the Eastern States. For his part he had not heard of such committee. He did not think it could be in Victoria.

The Minister for Mines: They have had such a committee in Victoria for the past ten years. There are ten members on the committee.

Mr. COLLIER: At all events, from what could be gathered the committee had not put that State very far ahead of the other States in regard to pure foods. If the Bill were administered strictly and impartially we should be far ahead of any of the Eastern States in this regard.

Mr. BATH moved an amendment—

That in line 3 of Subclause 2 the word "two" be struck out and "one" inserted in lieu.

To place two outsiders on the committee would be detrimental. It would act as a drag on the department in their administration. The whole fault in the past had been that, where there were provisions dealing with the adulteration of food and drugs, those provisions were not administered. If the influence of these outsiders was used to obstruct the officers of the department the position would be parlous.

The Minister for Mines: They would not deal with the administration.

Mr. BATH: Indirectly they would. If their advice was against that of the other members of the committee it would have a great effect on the administration. It was really an experiment trying one outsider.

The MINISTER FOR MINES: The hon. member wished to have a good advisory board, and it was well to get the best advice, but seeing this was an important debate, progress might be reported at this stage.

Progress reported.

House adjourned at 11.14 p.m.

PAIRS:

Sir Newton Moore	Mr. W. Price

Legislative Assembly,

Friday, 11th November, 1910.

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

QUESTION—UPPER DARLING RANGE RAILWAY.

Mr. JACOBY asked the Premier: Will he please state when the Pickering Brook-Canning Mill section of the Upper Darling Range Railway, which was purchased by the Government some time ago from Millars' Company, will be made available for the public?

The PREMIER: I shall be glad if the hon. member will allow the question to stand over until the next meeting of the House.

Mr. JACOBY: I should like to impress upon the Premier the urgency of this matter. This line was purchased by the Government from Millars' Company some time ago, but the traffic has been suspended, and as there is no road connection between the Canning Mills and the present terminus at Pickering Brook, residents in that locality are in an extraordinary position. They can only get over the three miles by making a detour of something like 12 miles. I hope the Premier will do what he can to push the matter on.

The PREMIER: I have not been able to ascertain whether the purchase has been actually completed, but if it has been completed, I will issue instructions that the line should be made available to the public. Indeed I have already issued instructions that the traffic should be resumed at the earliest possible date.

BILL—SOUTHERN CROSS TO BULLFINCH RAILWAY.

Introduced by the MINISTER FOR WORKS and read a first time.

Mr. SCADDAN: Has the fact that the Government are selling land at Bull-