# Legislative Assembly,

*Thursday, 28th August, 1902.*


| | PAGE |
|---|---|
| Questions: Spark Arrester, Trial ... ... ... | 807 |
| Police Pay, Resignation ... ... ... ... | 807 |
| Mail Steamers, Port Charges ... ... ... | 807 |
| Railway Engines, Cost ... ... ... ... | 807 |
| Railway Permanent Way, Wages ... ... | 808 |
| Collie-Boulder Railway Syndicate ... ... | 808 |
| Bills: Railway and Theatre Refreshment Rooms Licensing Amendment, third reading ... | 808 |
| Railway Acts Amendment, second reading resumed, division ... ... ... ... | 808 |
| Elementary Education (District Boards), in Committee, progress ... ... ... | 825 |
| Droving, second reading resumed ... ... | 832 |
| City of Perth Building Fees Validation, recommittal, progress ... ... ... | 832 |
| Chairman of Committees, Deputies ... ... ... | 825 |


THE SPEAKER took the Chair at 4·30 o'clock, p.m.

PRAYERS.

## QUESTION—SPARK ARRESTER, TRIAL.

MR. J. EWING: I desire to ask the Minister for Works and Railways, by leave without notice, whether engines 276 and 279, class F, recently imported into the State and now in traffic, are fitted with the Drummond patent spark arrester; and if not, what engines will be so fitted?

THE MINISTER FOR WORKS AND RAILWAYS: In reply to the hon. member, I beg to state that those two engines are not fitted with the Drummond spark arrester, but that it is proposed to fit two class E engines with the arrester.

## QUESTION—POLICE PAY, RESIGNATION.

MR. F. C. MONGER asked the Colonial Secretary: Why ex-Police Constable Casserley was not entitled to full remuneration for services rendered upon his resigning from the force.

THE COLONIAL SECRETARY replied: The Police Benefit Fund Board in this instance granted an amount which, in their opinion, was merited by the ex-constable's record of service under the regulations.

## QUESTIONS (2)—MAIL STEAMERS, PORT CHARGES.

MR. HASSELL asked the Premier: What amount (if any) do the P. & O. and Orient Steam Navigation Companies pay for pilotage, light dues, and tugs at Fremantle.

THE PREMIER replied: The above companies pay £30 each per steamer in lieu of tonnage dues, light dues, and pilotage. A tug, if available, is provided by the State at £5 per trip, which arrangement terminates on 31st October next, after which date the companies will have to provide their own tugs. Previous to 31st July, the date of present arrangement, the steamers had the services of two tugs free of charge.

### S.S. "SOPHOCLES."

MR. HASSELL asked the Premier: What amount (if any) did the "Sophocles" pay for pilotage and light dues at Fremantle.

THE PREMIER replied: No charge was made; therefore nothing was paid.

## QUESTION—RAILWAY ENGINES, COST.

MR. RESIDE asked the Minister for Railways: 1, What is f.o.b. London price of the fifteen class F engines, now landing. 2, What is the additional cost per engine for putting same on traffic. 3, What is the highest price paid in any of the Australian States for a narrow gauge (3ft. 6in.) locomotive. 4, Whether the Minister is aware of any instance where over £3,000 has been paid for a 3ft. 6in. gauge locomotive engine. 5, What is the cost of putting locomotive engines on the road. (*a.*) Now. (*b.*) Prior to 1900. 6, Is it a fact that the new F class engines recently introduced will not carry sufficient water in their tenders to take a full load from Midland Junction to Chidlow's Well.

THE MINISTER FOR RAILWAYS replied: 1, £69,975. 2, Freight, insurance, erection, etc., £1,648, including £933 for duty. 3, No information available to answer this question. 4, Yes, class O engines, imported, weighing 58½ tons in running order, in 1897, cost £3,156 each on traffic; the Compounds, weighing 73 tons in running order, cost, with erection, £3,236 each. 5, (*a.*) Class C, 1902, weight in working trim 64¾ tons, £2,998 per engine, which includes £411 duty; class E, 1901, 73 tons, £3,236; class F, 1902, 81½ tons, £6,313, which includes £933 duty; class N, 1901, 44¼ tons, £3,074: (*b.*) class A, year 1885, 30 tons, £2,010; class B, year 1884, 32 tons,

£2,202; class B, year 1897, 32 tons, £2,394; class G, year 1893, 42 tons, £2,228; class G, year 1895, 42 tons, £1,921; class G, year 1896, 43¾ tons, £2,520: Martin—class G, year 1894-99, 42 tons, £2,835; class H, year 1887, 14 tons, £945; class J, year 1891, 49 tons, £2,552; class K, year 1893, 53 tons, £2,129; class K, year 1893, 53 tons, £2,228; class K, year 1896, 53 tons, £2,646; class K, year 1897, 53 tons, £2,836; class N, year 1895, 44¼ tons, £2,272; class N, year 1897, 44¼ tons, £2,602; class O, year 1896, 58½ tons, £2,774; class O, year 1897, 58½ tons, £3,156; class Q, year 1895, 39 tons, £2,514; class R, year 1896, 55¾ tons, £2,362; class R, year 1896, 55¾ tons, £2,937; class R, year 1897, 55¾ tons, £2,746. 6, I am informed it is not a fact.

### QUESTION—RAILWAY PERMANENT WAY, WAGES.

MR. DAGLISH asked the Minister for Railways: 1, Whether his attention has been called to the statement made in the Press that the Commissioner proposes to reduce the pay of permanent-way men who are over 44 years of age by one shilling per day. 2, Whether there is any truth in this statement. 3, If not, what are the facts which have led to its publication.

THE MINISTER FOR RAILWAYS replied: 1, Yes. 2 and 3, I am informed the facts of the case are as follows:—There were a number of repairers who were not up to the required standard, and who were not rendering to the department a fair return for the 8s. per diem, the minimum rate which we are now paying. Many of them would, however, be worth 7s. a day, and negotiations are now in progress between the department and the W.A.G. Railway Association in regard thereto. There is no truth in the statement regarding the age limit, and I am at a loss to understand how it got into the Press, and what prompted its insertion.

### QUESTION—COLLIE-BOULDER RAILWAY.

MR. NANSON asked the Minister for Railways, without notice: Whether he will place on the table of the House all papers in connection with the Collie-Boulder line, including a list of the members of the syndicate for whom the line is being built.

THE MINISTER FOR RAILWAYS answered: I shall be glad to place on the table all the files, but I do not know whether they contain a list of members of the syndicate.

THE PREMIER: If it be an English company, there will not be any list.

MR. NANSON: I understand it is a local syndicate.

### RAILWAY AND THEATRE REFRESHMENT ROOMS LICENSING AMENDMENT BILL.

Read a third time, and transmitted to the Legislative Council.

### RAILWAYS ACTS AMENDMENT BILL.

#### SECOND READING.

Debate resumed from the 21st August.

MR. F. WALLACE (Mount Magnet): I think the majority of members are agreed on the advisableness of passing the second reading of the Bill, and attacking it in Committee, because there are several clauses which do not meet with their approval. I should like to refer to a newspaper statement of this morning regarding this Bill. As Government Whip, I would say that on Tuesday evening it was understood that as soon as the member for West Perth (Mr. Moran) had finished his speech, the opportunity for moving the adjournment of the debate would be given to the member for Boulder (Mr. Hopkins). I make this explanation in order to show that the Government had no intention of rushing the Bill through on that evening.

MR. MORAN: That was not known on this (Opposition) side of the House.

MR. NANSON: I understood the Premier refused to adjourn.

MR. WALLACE: Your appeal was too early. In speaking on this subject, the member for West Perth (Mr. Moran) endeavoured to elicit from me, by way of interjection, whether I would support the Bill, even as a Government measure, if it did not meet my views. I had already marked certain clauses in the Bill. Clause 3 empowers the Government to appoint three commissioners, and I wish, like other members, that we had

known from the leader of the Government in the earlier stages of the Bill that it was not his intention to immediately appoint the other two commissioners. I think if that had been known a lot of the debate would have been saved. There is no doubt that for some years past it has been realised, and long before this Government came into office, that there is some necessity for a change in the management of our railways. The Government, actuated by a desire to give to this State the best management procurable, have in their wisdom selected one gentleman, whose ability to fill the position has been questioned by many in this House, but I was pleased to hear the member for Beverley (Mr. Harper) express his views so openly and frankly with regard to that gentleman. I agree with him that it is not necessary that a man should be an expert in the line of business he takes up in order to become a successful manager. In my opinion what is wanted in relation to the appointment of Mr. George is that we should give him an opportunity of showing to the public that he is capable, with his experience, of managing these railways. There are many others who are desirous of giving Mr. George the opportunity to demonstrate that he is capable of managing the work. But, as has been pointed out, if in any concern whatever you put a person in charge of your business, you have to give him sole control of that business, otherwise you must not hold him responsible. In this particular Bill the duties are divided between Mr. George, the commissioner, and the Minister for Railways. Probably with regard to the policy of the railways, it would be right for the Minister to retain that authority. But the one part of the measure that does not meet with my approval in regard to this dual control is that in relation to the employees. I believe that if Mr. George is given the control of these railways, and is expected to come to this Parliament next year with a report showing that the railways are paying, it will be necessary for him to have control of the employees. I dare say the Government will realise the difficulties in which they have placed Mr. George, and will amend that part of the Bill which does not give him such control. To me the big difference between the cost of working the Government railways and that of the little railway so much dragged through this House during the years I have been here, seems strange. I know there is a difference in the management of the two works; but how is it that there is such a difference between the working expenses per mile on the Government railways and the working expenses per mile on the Midland railway? I know members will say it is not fair to compare the two works. I want to point out that in my opinion, if the working expenses were reduced 20 per cent., the margin would still be surprising. I understand that according to the last railway report the relation of working expenses to gross earnings on the Government railways was 77·19 per cent., whereas in the case of the Midland Railway Company the working expenses were 43·54 per cent. It appears to me that the difference between our working expenses and the working expenses of that company is too much, and it was wise for some change to be made in the management. How are we going to give Mr. George an opportunity of bringing about measures which we believe to be in the best interests of this State, if we tie his hands? As to the question raised by some members with regard to Clause 22, which has reference to deputations being headed by members of Parliament, I see no reason whatever to object to that clause, unless it be that I wish that members of Parliament were prohibited entirely from going on a deputation. But whether the members can go to the Minister or to the commissioner, I care not. I do not see that it would do any harm or any good. I see that the House has power to deal with the commissioner if he is suspended. But though the House could deal with a report which would be laid on the table immediately after the assembling of Parliament, it would have to do so within twenty-one days. Probably twenty-one days will not be sufficient time, if we have other measures of great importance before us, and it may be as well to extend the time to beyond twenty-one days. In three weeks there are only nine parliamentary days, and that number is not sufficient, in my opinion, for both Houses to decide how the Commissioner shall be dealt with.

Perhaps when we are in Committee, the Government will deal with this subject. I intend to vote for the second reading, and I join with other members in hoping there will be an amendment for altering the number of commissioners, and also an amendment of the clause dealing with the control of employees.

MR. J. L. NANSON (Murchison): It is with a certain amount of apprehension I rise to take part in this debate, bearing in mind the fate which the other night befel the member for West Perth (Mr. Moran). But fortunately I am in some respects more favourably circumstanced than that hon. member was. I am speaking as the clock begins to strike 5, and the member for West Perth began to speak, because he could not get an adjournment of the debate, after the clock had struck 10. It is a peculiar and somewhat regrettable circumstance in this House that if members on this side of the House—especially a member who is in direct opposition, and therefore necessarily takes a more strenuous part than those who call themselves independent—happens in the exercise of his duty as a member of the Opposition to strenuously oppose a measure, he is liable under every and any circumstance to be accused of obstructing and abusing the forms of the House. But if a member of the Opposition incurs that risk under any and every circumstance, he incurs it in a tenfold degree if he happens to rise any time after 10 o'clock in the evening; because there are a considerable number of members in this House who are wedded, and wedded very strongly, to the principle of early going to bed: they evidently think it is a grievance, and a very serious grievance, if their legislative duties so detain them that they cannot be in bed, or somewhere else than in the House, by midnight. We therefore found the other night, when the member for West Perth was speaking, there was signalling in the direction of taking out watches and other signs continually flashed across from the Government side to this side of the House to persuade the hon. member to conclude his remarks. I do not know if I am altogether in order in expressing an opinion on the speech of that gentleman, but seeing that he has, inside the House and out of it, been accused of obstruction, I should like at any rate to have my opinion placed on record that in what the hon. member did he had my fullest sympathy and my fullest support. Why, those hon. members who talk about obstruction in the House can have little idea of the difficulties that confront those in a House when the members of a dominant majority are not doing precisely as those in Opposition like; that to try and keep that portion of the House silent and drag the matter to a division because it has been inadequately debated is an impossibility. I may also point out that in accordance with the ruling which you, Mr. Speaker, have given, a ruling which we all submit to because we all desire, however much we disagree with that ruling, to at any rate respect your authority as Speaker of the House—you have ruled——

THE SPEAKER: I do not know what this has to do with the question under discussion.

MR. NANSON: I was only attempting to justify the line taken by the member for West Perth, and the line I intend to take in regard to the Bill. I was going to point out that a ruling has been given that a debate may continue in the House whether a quorum be present or not; and if a debate may continue it follows that a debate may close without a quorum being present; and it is therefore the more necessary that those of us who have strong convictions in regard to this measure and other measures which the Government bring forward, those who feel strongly on these matters should be prepared at the risk of a certain amount of obloquy and hostile criticism, at the risk of even your displeasure, Mr. Speaker, to carry out what we conceive to be our duty and our honest convictions. I say that much purely by way of introduction; that if it should be my lot to meet with the same fate which has fallen to the lot of the member for West Perth, a fate that casts not the least degree of discredit on him, it may be understood by the members of the House and the public outside who take an interest in the Railways Bill that they should understand what are my motives. If I err in my judgment I act from honesty and from a sense of my duty. What so far has been the feature of the debate in regard to the Bill? We have had members getting up on both

sides of the House, and although they look on the question of railway administration from more than one point of view, we find them absolutely unanimous on one point; we find all, except the members of the Government, the member for South Fremantle, and perhaps the member for Wellington, who have spoken on the subject, have united in condemning this Bill. There is not a member of the House, with the exception of those I have named, who can find a good word to say of the Bill; who has not raked the Bill fore and aft with criticism; who is ready to see it go into Committee, only consenting to that course so that members may take the very vitals out of the Bill, and when in Committee members will commence the work of reconstruction and give to the House a Bill which in all essentials will be an absolutely new measure. Yet when the member for West Perth takes a stand that duty demands and criticises the Bill at length, he is accused of obstruction, and has to undergo a considerable amount of obloquy because he has the courage to stand against the Government in this matter in vindication of well-known parliamentary and constitutional principles. Because we may take this as a well-established rule: if the Bill is so faulty that all its essential parts have to be torn to pieces and other parts put in their places, it is the duty of the House, and the duty of those members who have that opinion of the Bill, to refuse to allow it to pass the second reading; to throw it out in order to mark their sense of the faulty draftsmanship and the faulty statesmanship which framed a Bill of that description. I can quite understand that some objection would be taken if it were proposed that the Bill should be read this day six months. I am open to correction, but I believe that if that course were taken it would not be possible to re-introduce the Bill in any shape or form during the present session. But if this House is content merely with negativing the second reading, it will be possible for the Government to bring in another Railway Bill. I only hope this Bill will be thrown out; and that having learned from members of the House what their ideas are regarding railway administration, the Government will be more fortunate in regard to their second attempt at drafting a Railway Bill than in their first attempt. It would be possible to go through the speech of every hon. member who has spoken in regard to this Bill, to go through those speeches in detail and point out that, with the exception of the members of the Ministry, the member for South Fremantle, and the member for Wellington, all have condemned the measure in one particular or another. Let me by way of illustration take the speech which the last speaker, the member for Mount Magnet (Mr. Wallace), delivered. That hon. member takes exception to the want of control given to the commissioner under the Bill, because more control should be given to that commissioner; that Mr. George should have the fullest opportunity of having his capabilities not only as a railway manager, but as a manager of men, put to the test. I was somewhat surprised when the hon. member gave expression to views of that kind, because it is fresh in my memory the opinion that hon. member had of the capabilities of Mr. George during the last session of Parliament. The hon. member for Mount Magnet wishes that Mr. George should be given full control over the railway employees. What is the kind of man, according to the member for Mount Magnet's opinion, who is to be given full control over the railway employees of the State? I will quote from the words of the hon. member himself; words uttered seriously, I take it, in the House; words which I suppose he meant at any rate, because the hon. member has never withdrawn them, therefore we must assume they were the words which expressed his honest conviction. He told us Mr. George was an individual who had descended to the lowest depths of degradation. That is pretty strong to begin with. That is the gentleman who should be given absolute control and management; a kind of despotism—absolute control over the men of the railway service of Western Australia. That is the man, according to the opinion of the member for Mount Magnet—not my opinion, his opinion, for it has never been denied; he meant it—that is the kind of man who should be placed in full control of the men on the Government railways. The hon. member was not content with going so far as to say that Mr. George was an individual who had

descended to the lowest depths of degradation, yet he should be given full control over the State employees on the railways, but the hon. member also told us he himself regretted that he had to sit in the House with a man of the calibre of Mr. George, and he described him as having recourse to tactics too degrading for the lowest man in any particular party in the world. It is the same Mr. George, because I do not know that the hon. member, since he has become Commissioner of Railways, has received a new nature altogether; I do not know whether the fact of a member of the House having received a Government appointment takes on the garment of grace or not, and becomes a different individual altogether; but there we have the hon. member for Mt. Magnet's opinion of the Commissioner of Railways, never contradicted, never denied or apologised for—that is the kind of man who he says should have absolute control over the railway men of the State. Yet that member is prepared to support the second reading of the Bill, although he does not agree with that Bill because it does not give Mr. George enough control. I should have thought, if there was any consistency in the hon. member's argument, if he believed that was the strongest feature in the Bill, its best feature would be that it limited the control of a man over the men—limited Mr. George's control, seeing that the hon. member had such a poor opinion of Mr. George.

MEMBER: That was when he was under your influence.

MR. NANSON: At that time, when Mr. George sat on the Opposition side, I sat on the other side. I was one of the few members at that time who deprecated the extreme language used, and I ventured to suggest that he should be taken roundly to task for it afterwards—I do not know that it was in the House but outside—for suggesting that if a man brings forward matters of that kind he should not receive that amount of strong criticism which he was subjected to by the member for Mount Magnet. We have yet to learn exactly what the action of the Government is going to be if this Bill goes into Committee, if it is allowed to go into Committee. One thing is very clear, that it would be a very lengthy process before the Bill evolved into such a shape as would commend it to a majority of members of the House. I contend, therefore, it would conduce to that economy of time which the Government profess themselves so anxious to insure if this Bill, which has been called by a much less flattering title, which is a rank failure anyhow, and has been termed an abortion, were withdrawn, and the Government introduced, by the light of experience gained during this debate, another Bill which would command a fair amount of support, and perhaps would not necessitate, as there is every likelihood of the present Bill necessitating, interminable wrangling and contention in the Committee stage. The Minister for Railways states that the Bill is intended to bring about better management of the railways, and he has expressed his fervent belief in the commissioner system. What the hon. gentleman, however, did not tell us, what no member on the Government side has yet told us, is how this Bill is to achieve what we are told it will achieve. We want something more than bare assertion on the point. The measure has been assailed in one of the ablest speeches ever delivered in the House: I refer to the utterance of the member for Cue (Mr. Illingworth). One might have expected, at the least, that a speech so abounding in destructive criticism would receive some adequate answer from the Treasury bench. But no; we are treated to a mere profession of political faith, a profession given, after all, in somewhat faltering accents, by the members of the Ministry that the Bill will somehow do some good. Ministers believe the Bill will achieve some good; but they are absolutely incapable of giving any solid reason for the faith that is in them that it will result in any good whatever. For my own part, I conceive there is a certain basis for the belief that the Government, feeling they had made a mistake in appointing Mr. George as Commissioner of Railways, introduced this Bill, embodying the three commissioner system, with the idea of preventing Mr. George from committing any great mischief in his new position; for we find that, under the Bill, Mr. George may be out-voted on any and every occasion by his two colleagues. If Mr. George should have associated with him—as it is possible he may have—two

colleagues who are experts in railway management, two colleagues taken from within the railway service, it is possible that the two expert men—this experience has often been made in other walks of life—will find it difficult to agree with the amateur, and unconsciously perhaps may take a certain degree of pleasure, without being aware that they are taking pleasure, in differing from their chairman. The two expert commissioners, I say, may display a tendency to differ from their chairman; and we certainly must admit that, if there be a difference of opinion, it is more likely that the two railway experts will be in accord with each other and opposed to Mr. George, than that Mr. George, with one of the experts, will be opposed to the remaining commissioner. At any rate, the Bill declares in the most emphatic fashion the principle that responsibility is not to be fastened on any single individual. It would be possible, under the Bill, to battledore and shuttlecock responsibility from one side to the other. If any criticism should be passed on the management, one commissioner will be able to declare that the two other commissioners were against him and that he was out-voted. If eventually something should go seriously wrong with the commissioner control, it will be open to the commissioners to attempt to foist the responsibility on the Minister, and the Minister, in his turn, if he be criticised in the House, may hand the responsibility back to the commissioners. And so the process will go on, and we shall be faced in this House with the same difficulty as we experienced in the past; the difficulty of ascertaining who is responsible and who is not responsible, should there be mismanagement; and there is every possibility of mismanagement occurring under a control of the description proposed. Our difficulty will be, as it has been, to find out who is actually the responsible party. The Colonial Secretary, who is in a more special sense, I suppose, than any other member of the Government, the godfather of the Bill, the sponsor for it, told us with a high degree of unction that he thoroughly believed in the commissioner system. But what one would like to know, and what neither the Colonial Secretary nor his colleagues on the Treasury bench have yet told us, is why, if they believe in the commissioner system, they have given us but a shadow, a simulacrum of that system. For surely, if Ministers have that abounding faith in the commissioner system as it obtains in the Eastern States, or in that form of the commissioner system which obtains in New South Wales, they would have given us a commissioner system based on the example of New South Wales, or the example of another Eastern State. We of this House know very well why they have not given us such a Bill. We know that the Ministry feel, and have felt all through, that they had the Labour party to reckon with. On this Bill there has been a significant silence on the Labour bench; at any rate, so far as the leader of the party is concerned. We know well enough that the Government, in bringing down this Bill, have attempted the impossible. They have sought on the one hand to please those who believe in absolute non-political control of the railways, while seeking on the other hand to please the Labour party and those other members who, with the Labour party, believe that the railways should remain under political control. I venture to contend that when an Administration shows such timidity, so lamentable a want of vigour in dealing with a great question like this, when an Administration embodies its own fears, its own hesitations, its own lack of decision in a Bill of this nature, then the plain duty of the House is to show its sense of such timidity, such facing-both-ways, by throwing out the Bill and so telling Ministers to bring in another Bill which will at least express honest conviction, whether the conviction be right or be wrong. It is difficult to understand how members who believe in political control of the railways can support such a Bill as this, or even vote for its second reading; and it is surprising that members who believe in the system of non-political control can see their way to support the Bill. What the Government have never yet been able to tell us, what apparently they have no intention of telling us, is whether this Bill is a measure designed to bring about non-political management of the railways, or whether it is a measure designed to perpetuate the system of political management of the railways. What is it? Is

it one thing or the other, or is this a Bill which simply baffles description, a Bill which starts, as I have already said, by attempting to please both sides, and ends by pleasing neither? If it be a Bill to establish non-political control of the railways, then the Labour members, if they are true to their pledges, should be the first to oppose the Bill; but I assume, from the attitude of the Labour party, that they regard the Bill as one which will continue the system of political control. If I am right in my assumption, then I shall be glad to know why hon. members who are opposed to political control and political management of the railways are found supporting a measure of this description? One side or the other to this controversy finds itself on the horns of a dilemma; one side or the other must experience difficulty in giving an adequate explanation of its action in supporting the second reading of the Bill. The explanation or excuse which may be given, that it is intended to amend the Bill in Committee, is not an explanation or excuse which is generally regarded as holding good in respect of a measure which, in all its essential principles, meets with unsparing condemnation. For if you take out of the Bill the principle of control by three commissioners, what, after all, is left? I think it was the member for Subiaco (Mr. Daglish) who pointed out that the only principle affirmed by the Bill is that there must be some change in the management of the railways. If that can be called a principle, it is, at best, but a principle of a most attenuated character. I can hardly understand how the hon. member can dignify by the term of principle a mere affirmation of the necessity for a change in the railway administration, unaccompanied by any statement of the form which that change shall take. But the hon. member, of course, did not care to come to the point by declaring what the change should be. No doubt that will come if this Bill should happen to reach the Committee stage through the determination of those members who support the Government to avoid what, after all, would be but a very temporary humiliation of Ministers—the throwing out of the Bill on the second reading. If the second reading were negatived, the Government would have an opportunity of bringing in another Bill. But owing to the desire of Ministerial supporters to "save the face" of the Government, so to speak, the time of the House is to be occupied during the Committee stage in interminable wrangling over the Bill. If the measure does get into Committee in its present form, I very much doubt whether it will ever get out; if it should get out, it will do so in a practically unrecognisable form. And here I have to draw attention to the accepted principle that if a Bill stand in need of such radical alteration as to become unrecognisable by reason of passing through Committee, if it cannot, at the conclusion of the Committee stage, be recognised as the same Bill which went into Committee, then it is the bounden duty of the House to throw the measure out and demand that another shall be introduced. The member for Hannans (Mr. Reside), I notice, declares that he supports the Bill because it will place responsibility on the commissioners, and will thus change a condition of affairs to which he takes exception. The hon. member stated that no responsibility had been placed on the shoulders of the late general manager of railways, Mr. John Davies. If it be true that no responsibility rested on the late general manager, how came it that that gentleman was treated to the criticism to which he was subjected in this House? How came it that he was suspended from duty, and that ultimately his services were dispensed with, if he was not responsible for the administration of the railways during his term of office? I venture to say—and I believe my memory serves me aright—that a very different story was told last session, that then every attempt was made to show that the general manager was responsible, and that no members were more insistent on the general manager's responsibility than the occupants of the Labour bench. Now it appears that those hon. members made Mr. John Davies the scapegoat, that they poured over his head all the vials of their denunciation, whilst, if we are to accept the member for Hannans as an exponent of Labour opinion, they did not believe Mr. Davies was responsible for his own administration.

MR. RESIDE: Yes; but will you kindly give the proper sense of what the member for Hannans said?

MR. NANSON: I give the literal sense of what the member for Hannans said: it is for the member himself to expound the proper sense. I give the plain English of his words: if they have a different meaning, then the hon. member should state that meaning.

MR. RESIDE (in explanation): The member for the Murchison has stated that I said no responsibility whatever rested on the late general manager of railways, Mr. John Davies. I distinctly deny having said so. What I did say was that there was not sufficient responsibility cast on that gentleman. I may observe that the board which inquired into the charges against Mr. John Davies came to the same conclusion, since it stated that it could not deal with the charges because Mr. Davies was not responsible in the manner in which he ought to have been responsible.

MR. NANSON: I accept the hon. member's explanation, of course. I made a note of his remarks at the time they were uttered, and I have those notes before me; but I quite realise that the hon. member may not, in the first instance, have expressed himself with the same clearness as just now. I shall turn to another exponent of Labour principles, the member for Subiaco (Mr. Daglish), who declares that there has been no demand from the people for this Bill, or—I may correct myself—no demand from the people for the appointment of commissioners; and yet that hon. member also intends to vote for a Bill designed to introduce the commissioner system. He is prepared to vote for the second reading of a Bill which, if he has voiced his honest convictions, is a Bill for which, in his opinion, no demand has been made by the people. Again and again we have been appealed to in this House to look at this question from a non-party point of view. The sentiment is fired at us by members on the Government side that we must altogether disregard party considerations; and I admit that sentiment is very admirable under certain conditions. But I wish members on the Labour bench, and Government supporters generally, when they appeal to us to disregard party considerations, would themselves make some little effort so to do. Why, it does not matter how slight might be the slur cast upon the Government if they took a line of action not approved by Opposition members, no matter how justifiable may be the criticism by members on this side, yet if our suggestion seem in the smallest degree likely to put the Government in a position of humiliation, due in the first place to their own blundering, the result is that we find Labour members rallying round the Government, promptly responding to the call of the Premier. When it becomes a question of party on the Government side, their supporters are always ready to vote on party lines. It is only the Opposition who are to vote according to their convictions. On the other side, members can always rally to the cry of party, can always be reckoned on to support the Government, even if they have to say one thing and to vote in direct opposition to their speeches. If we look at the Bill somewhat more in detail, we shall see good reason for the attitude of those members on both sides who have declared it a discredit to the Government who introduced it, showing as it does an absolute lack of grasp of the intricacies of railway problems, or an astonishing timidity and unreadiness to face those problems in a courageous spirit. The Bill seems to carry with it the idea that as originally drafted it was intended to give the commissioners absolute non-political control; and then when this Premier came into office, and when the Labour members had begun to show that their support of the Government was a conditional support, Ministers decided to insert provisions which would make it neither a Bill giving complete non-political control, nor one in every respect perpetuating the political control of the past. Clause 11 provides that the commissioners shall have the management, maintenance, and control of all Government railways open for traffic. That is a very comprehensive description. When we declare that the commissioners have the management of the railways, then in ordinary circumstances, if we take the words in their usual significance, that would give them the absolute management in every particular, not of the railways merely, but of all the men who work those railways; not merely of the small details of administration, but of the great question of policy involved in fixing the rates. And there can be no doubt we should have had a

Bill of that sort had the Government given effect to what I understand to be the convictions of the Colonial Secretary (Hon. W. Kingsmill). But the Government, halting as they are inclined to halt when it is a question of losing some support of members on the back benches—halting as they did between two opinions—after framing Clause 11, which gives absolute non-political control, insert farther clauses which altogether destroy its significance. Again, we have Clause 15, which states that the commissioners may requisition for rolling-stock. Now, what difference is there between that power, and the power hitherto enjoyed by the General Manager of Railways? Do we not know, as was pointed out by the member for West Perth (Mr. Moran), that Mr. John Davies again and again requisitioned for railway stores, and that his requisitions were frequently disregarded? Why, it is one of the great indictments against the past system of management—one of the indictments upon which I believe Ministerial members rely more than on any other—that when the general manager wanted additional rolling-stock he could not get it from Sir John Forrest's Administration. And knowing of the existence of such a difficulty, one would have thought that some provision would be inserted here to prevent its again arising; yet we find in the Bill, which we are told is to introduce the commissioner system to this State, that the commissioners in requisitioning for new stores are to have not an atom of power more than was enjoyed by the general manager. Yet this is the Bill that is to give us commissioner control! No wonder the Labour party laugh up their sleeves when they look at this Bill. No wonder that from their point of view they are prepared to support it. They are doubtless prepared to support any sham of this kind which the Government introduce, so long as Ministers will refrain from assailing the Labour party's own particular stronghold, and will give the party that free hand they require in dealing with labour problems. Clause 22, the Premier told us, was inserted by himself. It was hardly necessary to tell us that, because the clause bears unmistakable marks of his handiwork. It is a brilliant piece of draftsmanship, providing that any deputation in which a member of Parliament takes part, or at which he is present, may interview the Minister but not the commissioners. That may or may not embody a good principle: that is a matter of opinion. But was there ever a more futile clause attempted to be introduced in an Act of Parliament? I wonder that the Premier, with his great liking for imposing penalties on every possible occasion, did not attach a penalty here, so that he might punish members of Parliament who waited on the commissioners. It is not for me to suggest what that penalty should be; but I have no doubt the Premier's ingenuity can rise to the occasion, and that he may yet be able, possibly in Committee, to find a punishment that will fit the crime. Possibly he may suspend from attendance in the House an hon. member who waits on the commissioners; but on that point I imagine the member's constituents would have something to say. However, my main objection to this clause, apart from its ridiculous nature and from the fact that it must be quite inoperative, is that instead of preventing the political influence it is intended to prevent, it helps more than anything else possibly can help to create that most undesirable form of influence, namely backstairs influence. If a member of Parliament wish to go before the commissioner, he should go before him openly, instead of buttonholing him in the street or seeing him privately in his office. At any rate, if a member of Parliament is abusing his influence by going before a commissioner, we may depend upon it that he will not do so in the open light of day, when he is liable to be reported by the Press, when his actions are open to criticism; but he will find innumerable opportunities of coming in contact with the commissioner, whether at a club, in the street, or even in the commissioner's own office. We cannot, by inserting such a provision, prevent a member's coming in contact with the commissioner, if he think proper to do so. All we can do is to appeal to the sense of duty possessed by hon. members, and to ask them to go to the Minister in preference to the commissioner. Whether that appeal will be efficacious, it is not for me to say. But it is merely playing with the Bill to put in it a clause prohibiting a member from heading a deputation, and yet making no

attempt, because no such attempt could be successfully made, to prevent that member from seeing the commissioner in a less public manner I do not think I need longer detain the House, because the Bill has been most exhaustively criticised by other speakers. I will only in conclusion state that although personally I should like to see a good Railway Bill introduced, and although my personal conviction is against handing over the railways to a dictatorship, as has been proposed by the member for East Fremantle (Mr. Holmes), yet I, in common with other members, shall be pleased to give the Bill, if it reach the Committee stage, the consideration it deserves. But I contend that the duty of hon. members who cannot see any good in the Bill, who are opposed to the principle of three commissioners — a point on which I had forgotten to touch beyond saying that it is one of the vital principles in the Bill— I contend that it is the duty of those who are opposed to three-fourths of what is in the Bill, or are opposed to all its important points, not to vote for the second reading, but to negative the second reading, and give the Government an opportunity of re-drafting the measure, and of bringing it down in a different form. There can be no question that if the principle of allowing Bills of which the House disapproves, to pass the second reading be encouraged, we shall set up a very evil precedent, which will mean simply that the Government may be as slovenly and careless as they like in drafting their Bills, feeling sure that the measures will invariably pass the second reading, and that the labour will then devolve upon the House sitting in Committee of the whole of licking the Bills into shape. I contend it is the duty of the House to endeavour to imbue the Government with a higher sense of their responsibility than they have shown in regard to this measure. Here we have a matter of principle involved regarding the administration of the railways, the question of political or non-political control; and the Government should take one or other course, and be prepared to stand or fall by that course. With complete non-political control I do not personally agree. My own views were ably expressed by the member for Cue. Yet I am inclined to believe that if the Government would affirm the principle of absolute non-political control, they would have behind them a majority of hon. members. And at any rate, even if they had not a majority behind them, they would have shown what is very much needed at present, an example of courage and of fidelity to their convictions. But we do not yet know in any official manner what are on this question the convictions of Ministers who refuse to pin themselves to one or other principle; and yet it is impossible, in the interests of the country, that they can for long halt between two opinions, because if we attempt to compromise this question, to have a hybrid system of partly political and partly non-political control, it is certain that the condition of the railways, instead of being improved, will be made worse. Whatever success New South Wales attained under her system was not attained by halting between two opinions; and I contend that if the Government had a full sense of their responsibility, they would set members of this House an example by showing the courage of their convictions, and would not leave it to the House to frame a policy, but would frame a policy by which the Government would stand or fall, no matter what might be the opinion of other members.

MR. R. HASTIE (Kanowna): The hon. member who has just sat down mentioned something about the deliberate silence I maintain upon this Bill; but I am bound to admit I do not understand exactly his position. I have already in this House indicated that not only myself but the members of the party with which I am associated would take the first opportunity of speaking in regard to the idea of having three commissioners; and, so far as I have seen in this debate, no member has yet said that by voting for the second reading of this Bill we affirm the principle of having three commissioners. In the latter part of his speech the hon. member also said he did not believe in it. But one thing strikes me as being very peculiar about this debate. In my experience of parliamentary debates I have often heard two contrary views—usually one view from one side of the House and the other from the other side; but in the case of the great majority of speakers here, we find their speeches are divided into two. First they tell us, as

the members for West Perth and the Murchison told us, that this Bill is a most important one, that we are now asked to take a great step in railway administration. From that point of view the member for West Perth tried to persuade us that, before taking the step, we ought to appeal to the country and give the electors an opportunity of saying whether we should do so or not. But shortly afterwards the members for West Perth and the Murchison both told us there is no change whatever being made by this Bill. In the words of the member for the Murchison, a few moments ago, "The late general manager, Mr. John Davies, had all the powers which this Bill seeks to confer on the commissioner." If that be so, if the latter part of the hon. member's speech be the correct idea of the meaning of the Bill, what is all the trouble about? I am at a loss to understand which side I ought to take in the matter, from their particular criticism. I, like most of the others who addressed the House, think our best way in this case is to pass the second reading, and in Committee consider the various points involved. Then, as such matters as having three commissioners and other subjects which have been mentioned come up, it will be for the Committee to decide what ought to be done with them. The member for the Murchison, in his particularly interesting address just now, pointed out that the Premier was inviting the House not to consider this measure from a party point of view, and he complained that those who sat on this (Labour) bench ought to show the example of treating things in a non-party way. So far as I have observed, if you put this session and last together, the members of this bench have voted a great deal oftener against the Government than has the member for the Murchison himself.

MR. TAYLOR: On labour questions.

MR. HASTIE: If you take all the questions. During last session we voted against the Government at least twice as often as the hon. member, and I was not aware until he represented it so strongly to-night that we had not expressed our opinions where we disagreed either with the Government or with any other body of men in this House. I entirely agree with the suggestion made by the hon member before he closed, namely that we should when in Committee on this Bill try to lick it into real shape, and to make it an ideal Bill, because like every other member in the House I do not find everything contained in this Bill that I should like, and probably if we discuss it in Committee we will be able to make improvements so that the Government themselves will not be able to understand it. While the discussion on this measure was proceeding on Tuesday night and on the previous occasion, I could not help being surprised at the manner in which this word "commissioner" was spoken of. With many people that word is tabooed, and I cannot help thinking, that, if in Committee we have an amendment to strike out the word "commissioner" and insert some other word, the same opposition is not likely to be brought forward. In thinking over the names of different officers we have in this State I remembered that this is not the only man called commissioner. For instance, we have a Commissioner of Police, and a Commissioner of Titles, but to my mind we have a lot of better names than that. The member for Cue in speaking on this Bill said that "commissioner" was a misnomer; that it really ought to be a glorified general manager. If the House think that is a better name, I would have no objection to give it, but I would suggest for serious consideration that we should get a really good name.

MEMBER: Call him "boss."

MR. HASTIE: "Boss" is too short. We may go to the other extreme and call him "administrator." And I believe that if administrator were substituted for commissioner there would not be so much fault found with the name. We have Comptroller General and Inspector General, and if the fastidious taste of many members is to be consulted it may be just as well to change the name in the direction I have indicated. At this stage I do not intend to go into the particulars of the Bill. I hope that in spite of the fact that some members have already anticipated many speeches that would otherwise be made in Committee, when the Bill is in Committee we shall do our best to improve it in the direction we would like.

MR. J. M. HOPKINS (Boulder): One of the pledges I made to my constituents was that I would support the introduction of a system of independent commissioners to conduct the railways of this country. I am pleased to say that up to the present I have seen no reason to alter the position which I then assumed. I think it is admitted that the railways of this State have for a considerable time been in almost a chaotic condition, and in fact they have been going from bad to worse; but I believe that recently there have been indications of some slight improvement. We have had a good trial of ministerial or parliamentary control; and, speaking from an independent point of view, I do not think any person will say it has been so successful that we will be wedded to that system for ever. The member for Cue (Mr. Illingworth), in speaking on this Bill, condemned severely the control by commissioners as evidenced in the history of Victoria; yet I see a forecast given in to-day's newspaper that Victoria still adheres to the system of railway commissioners, or that the report of the Royal Commission is likely to point in the direction of having three railway commissioners, I believe independent of political control. To blame the railway commissioners of Victoria for the disasters which came upon that country is little less than altogether absurd. We know that Victoria at that period had gone "on the spree," as West Australians have been doing; borrowing all the money they could get, and spending it freely. A time will come when money will not be available, for a reverse may occur here, and we may expect to feel some of the same distress as existed in Victoria at that particular time. Members know that several banking institutions closed their doors, and that leading companies, such as Goldsbrough, Mort, & Company, had to close down. It is well known that the products of the country had fallen off considerably, that the export trade was practically nothing, and that the price ruling for produce in the capital was not sufficient to pay cost. I saw consignments of potatoes which were sent 100 miles, and they would not pay freight. I saw cattle, cows and bullocks, sold at 20s. and 30s. per head, which to-day are realising from £8 to £12 per head. That is an example of what was experienced in Victoria. Perhaps one of the strongest indictments made against the railway commissioners in Victoria at the time was that they had established staff-stations, two and a half miles apart, in connection with the Great Southern line, in mountainous country, highly productive country, but country in which roads were impossible. That was one of the indictments, where every station I think supplied a market pretty well as big as Perth. In Victoria we find staff-stations five miles apart on railways running through a desert, where passengers neither come nor go, and whither consignments of produce are not sent. During the boom period, at one time it took 38 men to work Prince's Bridge station; and 12 months afterwards I saw that station worked by eight men. Are the railway commissioners to be blamed for that falling off in traffic? It is an absurd illustration by the member for Cue to tell us that the railway commissioners in Victoria are to blame for the whole trouble that was experienced with the railway department.

MR. ILLINGWORTH: The biggest loss was in the most prosperous year.

MR. HOPKINS: And in all probability the whole of it could be traced to the borrowing policy of the Deakin-Gillies Government. I will give an instance of what took place in regard to a comparatively small affair, but what holds good in relation to a small matter may also hold good in the case of a bigger one In Boulder they had a municipal lighting plant, and for some time it ran very successfully. It was managed by Splatt, Wall, & Company's representative. The council then took it over and appointed another man to manage it, and at every meeting of the council councillors took upon themselves the management. Every councillor had a complaint to make that every man working at the lighting station was working overtime or had to get extra consideration. After six months the plant was showing a loss of something like £100 a week. The council, recognising the difficulty, took the bull by the horns in time and appointed a manager to take control of their electric light station. There were then no more complaints. He reduced the charges to the public and increased the revenue, and affairs progressed so well

that to-day Boulder is one of the best lighted towns for its size in Australia. I do not hesitate to say that it is lighted immeasurably better than the city of Perth, and in addition a profit of something like £2,500 a year over interest and sinking fund is shown. That is an illustration of what can be done apart from political control and interference. Instead of the measure that has been laid on the table—perhaps I am wrong in this matter—I think it would have been better to have had a consolidating measure that would have embodied all the legislation.

THE PREMIER: There was no time.

MR. HOPKINS: Of course that is a very good reason. It struck me at the time that it would have been much better and much easier for members in discussing the question to have had one Bill, and in future there would have been less trouble in referring to it. I notice that Clause 23 says, "a commissioner may be suspended." The New Zealand Act says, "a commissioner may be removed." I think that is the better way of putting it; it sounds more business-like to say that a man, for certain reasons, may be removed rather than that he be suspended. There is another thing with regard to Clause 21, that "the commissioners shall prepare an annual report of their proceedings, and an account of all moneys received and expended during the preceding year." I think the statement should be audited by the Government auditor. I am prepared to give all the assistance that I have at my command to the member for East Fremantle to bring about the amendment of the Bill in the manner he has indicated, because I say if there is one man in the House who has appealed to me as to sincerity and capability for dealing with the railway problem it is the member for East Fremantle. I do believe, if we follow him in the matter of making amendments, we shall be able to arrive at a conclusion satisfactory to the country. So far as I am concerned, and I took the opportunity of saying so at the time, and I say even now, that I am not convinced that the appointment of Mr. George is to be a satisfactory one. If I can be convinced in that direction, I shall be pleased to know that it will be in the interests of the country, but up to the present time I have seen no reason to alter my views. I thought at the time, and I still think, that if there be one or three commissioners, these men should be experts in every branch of railway administration. I think whatever work of life we go into, if it be only a general store, there should be a storekeeper to manage it; if it be only a butcher's shop, then there should be a man trained to the butchering trade to manage it; and if it be a banking institution, it should be the same. I would like to see provision made for telegraphic communication between all stations. In Victoria all the railway stations have telegraphic instruments, and all officers are taught to operate. This enables people, when travelling, to send telegrams, no matter where they may be. I do not think throughout the Victorian system one could find a railway station that is not supplied with a telegraphic instrument or that has not telephonic communication with a station where there is a telegraphic instrument.

MR. JACOBY: That is a Commonwealth affair.

MR. HOPKINS: It can easily be arranged with the Commonwealth, because if it has been arranged in Victoria, the same thing could be arranged in Western Australia, both places being a portion of the Commonwealth. In Victoria there is a department which deals exclusively with regulating the trains. They can tell at a moment's notice where every train in Victoria is at any hour of the day or night. They can tell on what section that train should be.

THE COLONIAL SECRETARY: They can tell where it ought to be here.

MR. HOPKINS: They have the ability to tell where it ought to be here, but in Victoria they can say where it is. That is the difference between Victoria and this country. They can tell where a train is, and if the train is not there, precaution is taken to find out why the train was not on its proper section. When the fireman, the guard, and the driver agree together to put in a report as to why a train is late, the department can find out the circumstances. So well is this department managed that those in charge are able to discern where the weakness of the report lies, and they can tell the driver, fireman,

and guard that had they not adjourned to a certain hotel down the line they could have kept to time. At a depôt station when a train comes in, if it is late, an inspector steps on to the engine and asks the driver if anything is wrong with the engine. If he says yes, then it is attended to at once, and if there is nothing the matter with the engine, then the driver has to give good reason why he happened to be late. The same thing should exist here. In the Victorian system we find for years past as matters have gone on, they have improved in the running of the trains during that period, and every year there has been a gradual improvement in the working of that system. I do not desire to take up the time of the House farther, except to say that when this measure goes into Committee I hope that both sides of the House will endeavour to bring about an arrangement which will be satisfactory to all interested.

THE COLONIAL SECRETARY (in reply): If no other member is desirous of addressing himself to the question, I should like to make a few remarks in reply to some of the observations which have been made during the course of the debate. I should like, although it may seem to the member for the Murchison (Mr. Nanson) somewhat paradoxical, to thank members for the frank criticisms which have taken place in regard to the Bill. I will remind the member for the Murchison, even although there have been several and various expressions of opinion given in regard to the Bill, nevertheless the majority of members have said that the measure should be read a second time. It is practically impossible, with any Bill which deals with any great public interest, and I maintain that this Bill deals with an item of great public interest, not to have a diversity of opinion. In this discussion the diversity of opinion which has been expressed by members does not deal altogether with the main principles. In only one or two instances has the principle of commissionership been challenged, principally by the member for Cue, and his case I will deal with somewhat later on. That hon. member has held up the instance of Victoria as the awful experience of the commissionership system. The House, as a whole, has affirmed the principle that the appointment of a commissioner or commissioners is desirable at the present juncture for the better management of the railways of this State. The points upon which diversity of opinion seems to arise are: in the first place, in regard to the number of commissioners to be appointed; in the second place with regard to the control of the rates, either by the commissioners or by Parliament; and in the third place, as to the control of the men as bodies by the commissioner or Parliament. Dealing in a few words with the first divergence of opinion with which we have been met, the number of commissioners, I have seen no reason to alter the opinion which has found vent in the expressions in the body of the Bill we are now discussing, and I still think the number of commissioners should be three. My reasons for so doing are, that in the first place I consider there is too much work for one man to do. Unless he can delegate some of the work to his fellow-commissioners, I do not think it is possible for him to get through the work successfully. To make these delegations easy, it is proposed that the commissioners shall be experts in particular directions, so that the delegation of the work falls naturally into grooves worked out by the individuality of those commissioners. Again, we find objection has been taken to the commissioners being heads of departments. I cannot see that any reason has been brought forward why this objection should be taken. It is very easy to speak in disparaging tones and contemptuous accents of any course proposed to be followed; but in regard to those disparaging tones and contemptuous accents, I think this House will pass them by unless members think there is some solid argument behind, and in this case no solid argument has been brought forward. Again, from the history of railway administration which I gave to the House, and which not for worlds would I repeat, I think it will be found the best results have been obtained under the *régime* of three commissioners. In the first instance, three commissioners were appointed for the purpose of straightening up the railway systems, and when those systems had been straightened up and put on a better footing, perhaps from motives of economy or

from other causes the number of commissioners has been reduced. Again we find, in one glaring instance that has been mentioned by several members where the commissioner system has been chopped and changed, and the railways have apparently suffered thereby, that according to a forecast which has been published in this morning's newspapers the State of Victoria is about to return to the control of the railways by three commissioners. That is not in any sense a political move. It is going to be the report of a Royal Commission which has sat for months and months and made exhaustive inquiry into the subject, and is absolutely unaffected by any political consideration whatever. I would point out, too, it is not proposed to make commissioners of three experts. In the first place, prominence is given to the necessity that one of the gentlemen should be a man of sound business experience. In the second place, it is proposed to appoint an experienced accountant; and in the third place, if I read correctly, to appoint a mechanical engineer. If that is the result of the careful consideration of the railway difficulties in Victoria by a Royal Commission appointed for that purpose, I say we have very successfully forestalled in our Bill the experience of Victoria in dealing with her railways. Dealing with the next question, that of the power of commissioners or the power of Parliament over the fixing of rates, the member for Dundas made use of an analogy so strangely false that I cannot help remarking about it. He said were he the owner of a mine he would give the sole control of that mine to a manager. I would like to bear out the suggestion of the hon. member's argument in so far as that goes—I most certainly would take the same course; but when the hon. member begins to frame an analogy between a mine and a railway system of a State, he comes to unutterable grief. A mine is a self-contained piece of business; it has no influence on the destinies of anything beyond itself. But hon. members will admit that the railways have an influence over the destinies of the State they serve, as well as over the destinies of the business concern which they constitute. That being so, I say it should be within the power of Parliament to pass an opinion on the rates ruling, ruling for good or evil. Of course, it is possible for one party or one section of Parliament to take the view that the railways shall be considered as a purely business concern, and it is equally possible that another party or section of Parliament may take the view that the railways shall be used as a sort of subsidiary custom-house, for the purpose of protecting and fostering the industries of the country, even perhaps to a greater extent sometimes than those industries should, in justice, be protected and fostered. On that ground again, bearing in mind the arguments used by some members in opposition to the Bill, I see no legitimate reason for altering the control which the measure proposes to leave with Parliament over the railway rates. It must be freely admitted that any responsibility which attaches in this connection, as to the payability of the railways, attaches to Parliament and not to the commissioners, who have their policy marked out for them by Parliament. The next point dwelt on was the control of the men; and I think hon. members who examine Clause 13 will see that it is necessary to retain the clause intact, and that what is proposed is, after all, not so very awful and not so exceedingly redolent of political control as several members have tried to make out. I maintain that all through the conduct of the railway system of Western Australia the great difficulty has been, not to deal with the men as a body, but to deal with individual men. Where political influence has been most deadly, it has been exercised in connection with individual cases; and that is what we seek by this Bill to avoid. Hon. members will see that all railway employees, except the clerical staff, are to be subject to the provisions of any Classification Act for the time being in force. Whether we have the system of control by commissioners or not, and whether we have one commissioner or three commissioners in control of the railways, it might be necessary, and possibly it would be necessary in the interests of justice, to bring in a Classification Bill dealing with the railway employees. That, I maintain, is not an abuse of the privileges of Parliament to the detriment of the powers of the commissioners. What I

do strongly object to, however, and what I always have strongly objected to, is political interference in individual cases. I may mention that the railway servants of this State are particularly well protected by their own associations. Hon. members may take it from me that the time of the Commissioner of Railways, when the commissioner was a political head, was greatly taken up, and will be greatly taken up now that he is a non-political head, in dealing, not with questions affecting large bodies of men, but with individual cases. It is a peculiar thing, but a fact nevertheless, that the individual cases, cases involving dismissal for real or alleged misconduct on the part of a servant, are frequently much harder to settle, frequently give rise to far more heated controversy and personal bitterness, than questions involving the interests of large bodies of men in the service. It is for the purpose of removing questions of individual grievance from political control that the Bill has been brought forward. There is one important point which hon. members who have spoken against the commissioner system and have referred to its alleged failure in Victoria have altogether omitted to state, and that point is that the Victorian railway commissioners had control over construction works. To them was delegated a power in that respect which I maintain never should have been delegated to them. They were not only arbiters of the fate of the railways themselves, but also the practical arbiters on the question of what lines of railway should be constructed.

MR. MORAN: They had no executive power.

THE COLONIAL SECRETARY: True, they had no absolute executive power, but they had pretty nearly executive power. They had to approve and recommend the construction of railways before those railways could be built. I maintain—the member for Boulder (Mr. Hopkins) has lately pointed this out—the unfortunate commercial fluctuations which occurred in Victoria after the failure, if it was a failure, of the commissioner system were largely the cause——

MR. ILLINGWORTH: How was it that the biggest loss the Victorian railways made occurred during the time of the greatest prosperity?

THE COLONIAL SECRETARY: I quite admit the validity of the hon. member's argument, but I would also point out to him that the loss was possibly due to the construction of non-paying lines. Indeed, the loss was not merely possibly due, but was actually and in point of fact due to the construction of non-payable railways. Those non-payable railways brought about the downfall of the Victorian commissioners. That is an undoubted fact.

MR. ILLINGWORTH: There could be no construction of railways until Parliament had voted the money. That is parliamentary control over the commissioners.

THE COLONIAL SECRETARY: The commissioners had to make recommendations to Parliament; and those recommendations, I submit, were given too lavishly by the commissioners and accepted too eagerly by Parliament. Another point which has been raised in this discussion is as to the difference between commissioners or a commissioner on the one hand, and a general manager on the other. I was indeed pleased with the humorous suggestion of the member for Kanowna (Mr. Hastie) in this connection. That hon. member proposed that we should call the commissioner in this Bill "the glorified general manager." While I am prepared to admit that the letters G.G.M. would look very well at the bottom of an official document, still I scarcely think those letters meet the difficulty. The reason why the term "commissioner" was adopted is that the commissioners to be appointed under this Bill are practically on the same level with commissioners in the other States, and that the term "commissioner" is the usual one for persons acting in such a capacity.

MR. MORAN: Your commissioners will be on the same level, but with none of the powers. The two sets of commissioners will be alike in name only.

THE COLONIAL SECRETARY: Again, a general manager, as I have already pointed out—and of this the House has within the last year or so had a striking exemplification—has practically no responsibility. There is nothing to bind a general manager; you cannot pin him down. I shall never forget, in this

connection, the action taken by the member for the Williams (Hon. F. H. Piesse) when the gentleman who for a term of years acted as his general manager was, to some extent, in trouble. Instead of responsibility attaching to Mr. John Davies, instead of the responsibility being sheeted home to him for what were thought to be certain misdeeds of his, what did we find? We found that his Minister, the member for the Williams, was in a position to take over all the responsibilities of the general manager, thereby greatly detracting from the force of any accusations brought against the general manager. Again, I maintain that it is not a natural or a proper position for anyone to hold powers which are not vested in him. For, be it noted, no powers are vested in the general manager of railways, though certain powers have gradually accrued. I maintain that such a position is absolutely wrong, and should not for a moment be encouraged. The general manager is not mentioned in any Act of Parliament. He is at liberty simply to say, "I am acting under instructions from the Minister, either written instructions or verbal instructions, and all the responsibility incurred by reason of any action I may take attaches to the Minister, and not to myself." I maintain that statutory powers and powers which are well defined, powers of administration—and, after all, administration is what we want —are given by this Bill, and that the line between the province of the commissioners and that of the political head is clearly and sharply drawn. It has been pointed out to me by the Premier that the general manager will have charge of details, such as the construction of time tables and the arrival and departure of trains. Under this Bill it will not be possible for the Minister to interfere in such matters. But interference of the kind was possible before. In that connection, I do not think ——

MR. MORAN: Is the interference not possible now?

THE COLONIAL SECRETARY: It is not possible now, because under this Bill the commissioners have sole control of the railways. This Bill proposes to vest the sole control of the administration of the railways in commissioners.

MR. MORAN: I am glad to find there is something the commissioners will have to attend to, if it is only the time table.

THE COLONIAL SECRETARY: Quite so. If the hon. member will take the trouble to read the Bill—and I must say that his speech on a recent evening did not convey to me the impression that he had devoted much time to the consideration of the measure—he will find that there are various other important matters placed under the control of the commissioners. I still submit, in spite of all the arguments we have heard to the contrary, that nothing has been adduced which should cause me to alter my opinion on any point of the Bill. Again, a most useful provision has been introduced relative to the powers of commissioners over lines in construction. The commissioners, be it noted, are not given the power to construct lines, but are given merely certain powers over lines in construction. Hitherto it has been within the province of the Commissioner of Railways, or the Director of Public Works—and we know that in the past both those functions have been exercised by one man—at his own sweet will to alter the positions of stations, of crossings, of practically everything connected with the railways, independently of the business aspect of the matter, and regardless of what is best for the efficient working of the railway system. By Clause 14, that power is handed over —and it is high time it was handed over—to the commissioners. Hon. members who have travelled through the country will know of some gorgeous, elaborate stations to be met with at places——

MEMBER: At Menzies.

THE COLONIAL SECRETARY: I was about to say, on the road to Menzies; such places as Goongarrie and Bardoc. Nobody regrets more than myself the fact that the glory hath departed from those places; but when we remember that the glory had practically departed before these elaborate stations were built, we must agree, I think, that it is high time a new control should be exercised over the location of the stations, and the delimitation of their scope.

At 6·29, the SPEAKER left the Chair.
At 7·30, Chair resumed.

THE COLONIAL SECRETARY (continuing): I would ask hon. members to recollect that we are attempting to deal with a most complex question, a question fraught with perhaps as much interest to the State as any question that could be introduced to this House, and a question upon which it is absolutely inevitable that great differences of opinion will arise. I would therefore ask hon. members to go into Committee actuated by one impulse—to advance the good of the State, and to attain the best results possible in this great earning and spending department. I commend the Bill to the House. I hope members will pass the second reading, and give full and free vent, while in Committee, to their individual opinions on the merits of the various questions raised in the Bill.

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

| | | | |
|---|---|---|---|
| Ayes | ... | ... | 22 |
| Noes | ... | ... | 11 |
| Majority for | ... | ... | 11 |

| AYES. | NOES. |
|---|---|
| Mr. Daglish | Mr. Butcher |
| Mr. Diamond | Mr. Harper |
| Mr. Ewing | Mr. Hicks |
| Mr. Foulkes | Mr Holman |
| Mr. Gardiner | Mr. Moran |
| Mr. Gordon | Mr. Nanson |
| Mr. Gregory | Mr. Stone |
| Mr. Hassell | Mr. Taylor |
| Mr. Hastie | Mr. Throssell |
| Mr. Hayward | Mr. Yelverton |
| Mr. Higham | Mr. Jacoby (*Teller*). |
| Mr. Hopkins | |
| Mr. Hutchinson | |
| Mr. Illingworth | |
| Mr. James | |
| Mr. Kingsmill | |
| Mr. Monger | |
| Mr. Purkiss | |
| Mr. Quinlan | |
| Mr. Rason | |
| Mr. Reside | |
| Mr. Wallace (*Teller*). | |

Question thus passed.

Bill read a second time.

## ELEMENTARY EDUCATION (DISTRICT BOARDS) BILL.

### DEPUTY CHAIRMEN OF COMMITTEES.

THE COLONIAL SECRETARY: I move that the Speaker do leave the Chair for the purpose of going into Committee on the Bill.

THE SPEAKER: I should like to state, before I leave the Chair, that in accordance with the new Standing Order, I have nominated the member for Cue (Mr. F. Illingworth) and the member for Toodyay (Mr. T. F. Quinlan) to be the Chairmen of Committees in the absence of the Chairman of Committees (Mr. C. Harper).

Question put and passed.

### IN COMMITTEE.

MR. HARPER in the Chair; the COLONIAL SECRETARY in charge of the Bill.

Resumed from the 19th August.

Clause 5—Members to be appointed by Governor:

THE COLONIAL SECRETARY: As the result of the expressions of opinion when the Bill was last considered, he had tabled a series of amendments. He moved that Clauses 5 to 9, inclusive, be struck out.

Amendment put and passed, and the clauses struck out.

Clause 10—agreed to.

Clause 11—Schools may be added to or removed from supervision of board:

MR. ILLINGWORTH moved that the word "appointed," in line 2, be struck out, with a view of inserting "elected" in lieu. His object was to test the Committee upon the main question. There should be no boards in connection with the schools except those which were elective, and if they were elected by the parents and guardians of children attending the schools, publicity being given through the children, they would prove effective. If the Committee were in favour of giving power to the Government to make appointments, that power should only operate on failure to get a board elected. He did not think that such failure would come about. The member for Perth (Mr. Purkiss) informed him that in New Zealand a public meeting was called at the end of the year, and a board selected at that public meeting. The election of these boards need not be of the cumbersome character of the ordinary election for a member of a council or of Parliament, the position being entirely different.

MR. HAYWARD suggested the words "elected or" be inserted before "appointed."

THE COLONIAL SECRETARY: The majority of members having a desire that, where sufficient interest was taken in a board to render elections successful, those elections should take place, it was with that object the amendments on the Notice Paper had been produced. There

was every reason to believe that in some parts elections would not take place; and it was with the object of getting some sort of guarantee that interest should be taken in elections if elections took place, that he had introduced a new clause which premised that before any election was held there should be a petition to the Governor-in-Council, signed not by a majority, as was suggested the last time the Bill was considered in Committee, but only by a third of the parents and guardians of the children attending the schools or group of schools within the board district, and upon that petition being presented, six weeks, or if members liked it better two months or even longer, after the school or group of schools had been notified in, the *Government Gazette*, the necessary provisions for election would be made, and the board would be elected. He hoped members would support him in making these amendments.

MR. ILLINGWORTH: The practical working of these amendments would be that the Government would appoint all these boards, unless some active persons got up a petition, which petition must be signed by a third of the parents or guardians of the children attending the school. The result would be that the real appointment of these boards would be in the hands of the Government. The Government ought not to have power to appoint until the people themselves had failed. The most effective board would be one elected by the parents and guardians of children attending school, and we ought to sacrifice a good deal to secure that end. The proposal that parents and guardians of children should have power of election had never been tried. The present system failed because it threw the responsibility upon persons not interested.

MR. EWING: In his district a board was appointed by the Government, and the outcome was that the board resigned, because the people resented interference by the Government. If boards were made elective and only elective, the result would be satisfactory, but he went farther than the member for Cue, as he was in favour of allowing all those on the parliamentary roll to vote.

MR. ILLINGWORTH: That system had failed.

MR. JOHNSON: The elective system only should be adopted, and the power of election should be confined to parents and guardians of the children. In New Zealand they had a system of elective boards. In some of the country districts it was found difficult to get the parents or guardians of the children to come and take part. It was decided in relation to a number of country schools to have an entertainment at the end of the year. The children took part in the entertainment, and the parents came to witness it. Before the entertainment commenced, the election of a school-board took place, and as far as he knew—and he went to school there in a country district—the system worked well, and there was no difficulty in having boards elected for three years.

MR. NANSON: The amendments by the Minister for Education were introduced in response to a very generally expressed wish on both sides of the House. As reasonable, common-sense men, members had to deal with matters not as they should be, but as they were, and it was impossible not to recognise that in many parts of the State very little interest was taken in regard to the election of the boards. The machinery provided by the Minister for Education would permit of an election in every district where the slightest vestige of interest was taken. To insist upon an election whether people wanted it or not was simply a quibble. The amendments by the Minister for Education gave full power of election, and those amendments had the merit of being so elastic that if an election was not desired the Government could step into the breach and appoint a board. That was a common-sense and reasonable proposal, and could not be said in any way to strike at the principle of electing public bodies.

MR. DAGLISH: There was no need for the Minister to adopt the firm attitude he seemed to be assuming. The duty should not be thrown on people in a district to make a demand for an election. So long as the power was given to the Minister to appoint in the event of a district failing to elect, that was all that was needed. The objection he had to an application in the form of a petition was that it turned a privilege into something to be sought after. It entailed on individuals the work of canvassing for

signatures to a petition, a very unpleasant task which in scattered districts took up very much time if it was not impossible altogether. The petition was valueless because if a person was asked to sign it and agreed to do so, that did not indicate that the person was wedded to the system the petition represented. The Minister would be under no disadvantage if he gave power to elect, and took upon himself power to appoint in the event of no election taking place.

THE COLONIAL SECRETARY: If the amendment moved by the member for Cue and consequential amendments were carried, the power would be taken away from the Government of appointing a body in case there was no election. He was willing to accept the amendment of the member for Bunbury, but he could not accept the amendment of the member for Cue.

MR. ILLINGWORTH: The Government had control of the schools and the teachers, and the Government declared themselves in favour of a nominee board. It would depend on the Government what publicity was given of an election. What would follow? The Government could appoint the boards. He objected to the assumption that people would not take an interest in the education of their children. If the franchise was reduced to persons who took an interest in a school, then interest would be taken in an election. The reason of the failure of elective boards in the past had been that the franchise had been too wide, and people who were not interested in the school outnumbered the persons who were. The Bill should confine the franchise to people who were interested in the school. What was the use of having a board that the parents of the children were not satisfied with? If in the first instance the school was so well conducted that people were not sufficiently interested to appoint a board, what necessity was there for the Minister to appoint a board, because the department did not want a board? If notices were sent out that there was to be an election of a school board at a certain time, then a board would be elected. There was no reason to doubt that. It was no answer to say that elective boards had failed in the past because proper publicity had not been given. On the goldfields the people who were not interested in the schools outvoted those who were. If later on the elective system failed, that would be time enough for the Government to ask for the power of appointment.

MR. JACOBY: While in accord with the Government in this matter, he would like to see a system of elective boards, and if a district failed to elect a board, the Government should then have the right of appointment. If the Government had not the power to nominate, and if the power of nomination were struck out of the Bill, many districts would remain without a board.

MR. HIGHAM: Elections might be right in theory; but those who had watched the operation of the present Act must have come to the conclusion that the system was a failure. In Fremantle, candidates had been elected by only five or ten voters. The proposition of the Government would meet the case. In some districts, if sufficient interest were displayed, the people could demand that a board be elected.

THE PREMIER: For years there had been a system by which elections could be held and were held, and very exciting elections had taken place at some periods. Latterly, although the elective system had been in force, it had not been availed of to a great extent. It was now said there were reasons why the elective system had not been availed of; that there had been difficulties in the preparation of the rolls, and that there was a want of knowledge of the fact that boards were elective. But why should members assume that reason to be true? Assuming the reason to be true, that an elective system was provided and had failed, and assuming that no provision was made for an alternative system as suggested by the Bill, then there would be no boards. No member could really think that in the majority of districts there would be a serious election and a contest. An election that consisted in the nomination of the exact number of persons to fill vacancies was no election at all, and the system was worse than nomination. The element of a contest was the only ele
that made electioneering contests at a valuable. Unless there was a contest, and unless a person represented a great number of people, persons in the district would become indifferent as to

what the boards did. The great virtue of electioneering contests consisted in the fact that there was a fight. The suggestion of holding elections in any case and resorting to nomination only when election had failed, would be perfectly good if we could provide that all elections should be real, and not merely nominal. But the danger of unrestricted election was that four or five candidates might nominate for four or five vacancies and be returned without a contest, thus practically nominating themselves to the position; and that kind of thing was to be apprehended in connection with the great majority of elections. At present there was great difficulty in getting men and women to take a position on the boards and discharge the duties. The guarantee afforded by the Bill, that not less than one-third of the electors, namely the parents and guardians of the children, should apply to the Governor-in-Council for the holding of an election, was safe and satisfactory. If the electors were too weary to ask for an election, they were too weary to work up an election.

MR. ILLINGWORTH: The electors might be perfectly satisfied with the persons nominated, as the East Perth electors had recently been.

THE PREMIER: That might or might not be so; but it did not alter the fact that in such cases the principle was not elective but entirely nominative. If membership of the boards were worth fighting for, there would be a fight for membership. There had been a time in the history of this State when a seat on the board was worth struggling for, and when in consequence there was a struggle for it. If the people concerned really desired elective school boards, they would soon discover that there was power to hold elections. Hon. members should look at the experience of the past as a fact. Why should we assume the reason put forward for the apathy displayed to be the correct one, and modify the whole Bill because of that alleged reason, when, without in any way abrogating the elective principle, we could adopt a system under which the operation of the elective principle would depend entirely on those who had the right to vote? If a third of the electors in any locality could not be induced to ask that the elective principle should be put in operation, then a great want of interest in the schools of that locality was indicated. The Government would not press this matter, did they not strongly disagree from the member for Cue as to the reason for the apathy hitherto displayed. The real reason of the apathy was that the powers of the school boards were not worth an electoral contest; and, unless we had the proposed electoral test, we were simply reduced to self-nominated boards. The amendments proposed in the Bill would not in any way curtail the rights of electors, but would work smoothly, and allow of adequate expression of opinion in connection with schools or groups of schools in a district where active interest in educational matters was evinced, at the same time giving the necessary power of nomination in districts where the electors showed themselves indifferent.

MR. HOPKINS: No doubt unintentionally, the Premier had misstated the case. The hon. gentleman had said that school boards had in the past been elected throughout the State. In connection with the goldfields schools, there had been no school boards, but merely school committees, which were usually nominated by the local municipal council and approved by the Minister. There was no possibility of holding elections under that system. If the boards were only given power to do something or break something, there would soon be active interest shown in the elections. The boards, however, might naturally tire of making recommendations fated only to be pigeon-holed.

MR. HASSELL: The present Bill would result in the perpetration of a worse farce than obtained under the old system. We had to remember that under the old system elections were held and school boards were constituted. The recommendation of the boards were, however, simply thrown aside by the Inspector General of Schools.

MR. HAYWARD: The Bill did not define the duties of boards, and that defect was the root of the whole trouble. To give an instance of how things were being done now, he might mention that when he was last in Bunbury, the secretary of the local school board brought under his notice the following circum-

stances. The lock of the school door was broken; the teacher wrote to the secretary informing him of the fact; the secretary communicated with the central board; the central board applied to a contractor for an estimate of the cost of repairing the lock; the contractor furnished an estimate to the central board; the central board communicated with the local board; and then the local board instructed the contractor to repair the lock.

MR. TAYLOR: By supporting the amendment of the member for Cue, we should be supporting the main principle, that of the elective system. The Premier was not justified in saying that opportunities for election had prevailed for a long time throughout the State, and that the electors had not availed themselves of those opportunities. Certainly, the goldfields residents knew nothing of the elective principle. Indeed, he did not believe the Minister in charge of the Bill could point to any elective machinery. The Government had no right to condemn people unheard. One of the oldest inhabitants of Western Australia in this House, the member for Plantagenet (Mr. Hassell), had stated that the reason for the prevailing apathy was that the boards had no power but to recommend, and were tired of seeing their recommendations disregarded by the Inspector General of Schools.

THE MINISTER FOR WORKS: It was unfair for hon. members to say that the Government had shown a strong inclination to have nominated boards only. The Government merely desired to assure that there should be a board for each district. Whether that board was elected or nominated was to the Government a matter of perfect indifference. Experience, however, had shown that the power to elect boards had not been exercised in the past, and it was absolutely necessary that there should be some provision for nominating boards if none were elected. No stronger proof of the charge of apathy, which charge had been denied, could be furnished than was afforded by the arguments of the member for Cue and those who supported that hon. member. If sufficient interest were not taken in the conduct of a school to induce one-third of the parents and guardians of the children attending the school to ask that there might be an elective board, the charge of apathy was conclusively proved.

MR. ILLINGWORTH: People did not like to go begging for their rights.

THE MINISTER FOR WORKS: The people had only to ask for an election, and one must and would be held.

MR. DAGLISH: The real point at issue was whether the educational system of this State was to be controlled by the people interested, or by the Inspector General of Schools. The Ministry were now simply acting under instructions from the Inspector General. Had that official not objected to the existence of any bodies which were not under his thumb, we should not have had this hard fight over what, according to the Premier's own explanation, was after all only a petty matter. If the boards were of use, they were worth electing; and the objection to parents being elected arose from the fear that the boards would then take too much interest in the schools, when there would not be in the hands of Mr. Cyril Jackson the amount of patronage he had hitherto exercised.

THE COLONIAL SECRETARY protested against the statement that the Government objected to other than nominee boards.

MR. ILLINGWORTH: The Bill proved that.

THE COLONIAL SECRETARY: It was purely owing to the lack of interest taken in elections that the Government were forced to have boards nominated; and by the new clauses, where the parents showed any interest, the boards would be elective. If necessary, extend the time for petitioning to three months, and advertise the fact. The Government wished boards to be elected by parents and guardians.

MR. ILLINGWORTH: That contention might pass had not the Government brought in a Bill devoid of any elective principle, while the election clauses now proposed were the result of a strong expression of feeling in the House. As soon as the boards had been made inoperative by the failure of the Leake Government to renew the Act, there was an outcry from boards throughout the country, showing that in at least some districts interest was not exhausted. The Premier had gained much influence in East Perth through his ability in

working on a school board, yet now maintained the boards were ineffective, and propounded the strange doctrine that for a school-board member to be returned unopposed was a doubtful honour. What greater honour could a candidate have than a walkover? Strong interest would in future be taken, for the whole principle would be altered by confining the franchise to parents and guardians. Hitherto from two-thirds to nine-tenths of the electors had no children attending school, and were consequently uninterested, while the parents, being in a minority, could be outvoted.

MR. HOPKINS: What power would the Bill give the board?

MR. ILLINGWORTH: Power to deal with teachers, one of whom had recently been intoxicated for a week, and not interfered with till reported by a local clergyman. The teacher's conduct was material to parents, but not to other people; consequently boards elected by parents would give valuable assistance. True, they could not effect repairs.

THE COLONIAL SECRETARY: Yes; by Regulation 198.

MR. YELVERTON supported the amendment. Without petitioning, the parents should have the right to elect the board. Hitherto, whatever lack of interest existed was due to denying boards financial powers, making them mere advisory boards, and ignoring their advice. Give them rights, and they would be elected by the people.

THE PREMIER: In South Australia, until 1891 there was a nominee system; and it was then decided that half the members should be elected by the parents, and half nominated by the central authority.

MR. HOPKINS: Clause 11 stated the Governor might place other schools under the supervision of a board. Would Perth High School be included? To that school some attention must be devoted, if only to ascertain why it received a subsidy of £1,000.

THE PREMIER: The interpretation clause explained that.

MR. HASTIE: It was desirable that the particularly offensive clause requiring a petition to be presented before a school board was elected should be withdrawn. In all country districts a petition for the election of a board would be looked upon as being practically an insult to the teacher. It would look like want of confidence, and so, in very few cases, unless a teacher had offended, would people go to the trouble of signing a petition. It was said that surely a third would sign if they wanted an election; but he did not believe that if the same provision were made with regard to parliamentary elections, a third of the electors would sign in a dozen constituencies throughout the State. All wished to see as much interest as possible taken in educational matters; and would interest not be increased by people being asked to elect a board to look after the teaching of their children? So far as he had observed in the country, wherever there was a nominated board very little interest was taken in its deliberations, because everybody outside a small circle knew that no outsider had any chance of being chosen.

MR. RESIDE: It was not necessary for a petition to be got up to ask for an election. It would be more satisfactory if the Minister had said that an election should be advertised, and that in the event of there not being sufficient nominations, the Government would have power to appoint. He would like to see the elective system forced on the people of the country, and if they would not take sufficient interest to elect a board they ought to do without one. He thought that, especially on the goldfields, the parents and guardians of children attending school would feel sufficient interest to form school boards. He had suggested previously to the present Minister that the parents and guardians of children attending school should have the right to appoint two or three representatives on a school board, and the Minister agreed with the idea, but said he did not think the provision could be inserted in the Bill. The adoption of such a suggestion would sweep away the apathy which had hitherto existed.

MR. FOULKES: It was probable that throughout the whole of the largely inhabited portions of the State, such as Perth, Fremantle, the suburbs, and the goldfields, the greatest interest would be taken in the management of schools. Although he had been a resident in this State for a good number of years, he never knew before that there were any

means available for the election of school boards. He had taken some interest in educational matters. He had had a good deal of experience of school board management in England, and there the system was carried out by means of elective bodies. Unfortunately, in this State no announcement was made, either in the Press or in the schools, that it was possible for people to elect members; and he believed that if we made provision that the managers of schools should be elected, it would be a very good thing for the schools.

HON. F. H. PIESSE: No doubt apathy existed in some cases in the past in sparsely settled districts, where perhaps the people had few schools to look after and little to do; but it must not be forgotten that those districts which at one time had a very small population now had a larger population, and much greater interest was being taken in educational matters. Much of the apathy said to exist had doubtless been caused by the want of powers which the boards should have had. They should have had more power to deal with various subjects. Doubtless the recommendations they had made from time to time concerning the management of the schools had not been carried out by the authorities at the head office, who had, in fact, discouraged boards in a very great measure. Apparently, the Government recognised that there was a necessity for some change. The elective principle was the one which was most acceptable to the people and the country. If the power of election were placed in the hands of the people, interest would be taken in educational matters, and boards of management in various districts would be appointed which would be of great service to the authorities in Perth, assisting them by their advice. With the aid of the advice given by boards elected, there should be much better results in the future than there had been in the past.

MR. ATKINS: The trouble between opposing parties was as to the machinery of the Bill. The Government had agreed really to the principle that at the time of an election the schoolmaster should give notice that the election was to be held on a certain day. If an election took place, it was all right; but if not, the Minister should have the power of nomination. A good many people thought the Government mode of selection was the better.

MR. GORDON: The Government had endeavoured to meet those opposed to the Bill as it stood by agreeing to elective boards. The first interest of the Government was to see that schools were properly conducted. One of the main objects in nominating boards was to prevent a school being without a board. If the elective system was brought in first, and was not taken advantage of, a school for some time might be without a board. The objection to the Government proposal by the member for Cue was that the Government would not let the people know that they could have an elective system if they liked.

MR. ILLINGWORTH: That was not put forward by him.

MR. GORDON: The member for Subiaco had stated that Mr. Cyril Jackson was running the Government. It was nonsense for members to talk like this. The want of power by a board had been complained of by nearly every member, and that was the reason no interest had been taken in an election in the past. The Bill did not give any farther power to a board than existed in the past, therefore the claim of the Government that there would be little interest taken in the future was a good one.

MR. DIAMOND: With the amendments brought down by the Government, he would support the Bill. No argument had been used to cause him to alter his opinion. The principal concern of parents was the education of their children, and if people wished to take an interest in the schools they could elect a board. It might be possible in small country towns, where there were a lot of slow people, to find that interest was taken in the election of boards; but in towns such as Perth and Fremantle he did not think people would trouble their heads about the election of a school board. Therefore the Government should have the right of nomination. People who wished to have an elective system could get it by taking a little trouble. If people did not take an interest in school boards they must submit to the nominee system, which had worked satisfactorily. In some respects the system of nomination was superior to that of election.

MR. HOLMAN: The Minister had not explained who was to take the petition round for signature. In some districts it would mean a great deal of trouble to get a petition signed. The elective system was the only one that should be introduced.

MR. STONE: The machinery provided for election was sufficient, for anybody on a municipal or roads board roll was entitled to vote at a school board election. If the Government found that the people would not elect the boards, then the Government were prepared to nominate suitable people to the boards.

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

| | | | |
|---|---|---|---|
| Ayes | ... | ... | 19 |
| Noes | ... | ... | 15 |
| Majority for | ... | ... | 4 |

| AYES. | NOES. |
|---|---|
| Mr. Daglish | Mr. Atkins |
| Mr. Ewing | Mr. Butcher |
| Mr. Foulkes | Mr. Diamond |
| Mr. Hassell | Mr. Gardiner |
| Mr. Hastie | Mr. Gordon |
| Mr. Hayward | Mr. Gregory |
| Mr. Holman | Mr. Hicks |
| Mr. Hopkins | Mr. Higham |
| Mr. Hutchinson | Mr. James |
| Mr. Illingworth | Mr. Kingsmill |
| Mr. Johnson | Mr. Nanson |
| Mr. McDonald | Mr. O'Connor |
| Mr. Piesse | Mr. Rason |
| Mr. Reside | Mr. Stone |
| Sir J. G. Lee Steere | Mr. Wallace (*Teller*). |
| Mr. Taylor | |
| Mr. Throssell | |
| Mr. Yelverton | |
| Mr. Jacoby (*Teller*). | |

Amendment thus passed, and the word "appointed" struck out.

THE COLONIAL SECRETARY: As the amendment just carried would necessitate some slight modification of the Bill, he moved that progress be reported.

Progress reported, and leave given to sit again.

## DROVING BILL.

### SECOND READING.

Debate resumed from the 19th August.

MR. G. TAYLOR (Mt. Margaret): Since this Bill was before the House, I have conferred with the member in charge. It appears to me that, granted some slight alterations which the hon. member is quite willing to make, the operation of the measure should prove advantageous. I therefore offer no objection to the second reading.

MR. W. J. BUTCHER (in reply): If no other member desires to speak on the Bill, perhaps the House will agree to pass the second reading now. Certain amendments, which hon. members have suggested, can be dealt with in Committee.

Question put and passed.

Bill read a second time.

## CITY OF PERTH BUILDING FEES VALIDATION BILL.

Order read, for the third reading of the Bill.

MR. ILLINGWORTH moved that the Bill be recommitted for an amendment, of which notice had been given.

THE PREMIER: Could not the merits of the amendment be discussed on the motion for the third reading?

THE SPEAKER: No. The House must resolve itself into Committee.

Motion put and passed.

### RECOMMITTAL.

Clause 1—Certain fees charged by the Perth City Council under the Building Act, 1884, validated:

MR. ATKINS moved that the following be added to the clause:—"Provided that in estimating such fees the term 'floor area,' as applied to any building, shall mean the superficies of a horizontal section thereof, and shall not include the area of more floors than one."

THE PREMIER: Was this amendment in order? Perhaps the hon. member would explain its object.

MR. ATKINS: The object of the Bill apparently was to legalise certain acts of the Perth City Council which, in his opinion, were undoubtedly illegal. The amendment was practically an amendment of the by-laws of the Perth City Council.

THE PREMIER: We could not amend existing by-laws.

MR. ATKINS: The object of the amendment he had moved was to prevent injustice. The Perth City Council had thought fit to make building laws in order to prevent the erection of unsafe or unsightly houses. A by-law was passed to allow of the charging of an inspection fee. That by-law, which was made in 1898, read as follows:—

The expression "floor area" applied to a building means the superficies of a horizontal section thereof, made at the point of its greatest surface, inclusive of the external walls, and of such portions of the party walls

as belong to the building, and of all verandah and balcony floors, covered ways, and light courts.

Very soon after that by-law was passed, the City Council for some reason grew dissatisfied, and wanted something more. The council went so far as to interpret the expression "floor area" as applied to a building to mean the aggregate superficial area of so many horizontal sections thereof as there were floors in the building. This meant that if the building consisted of three or four storeys, the charge would be three or four times higher than for a one-storey building. The charge was unfair, because nowhere else in the world was it sought to make a profit out of these fees, which invariably were fixed just sufficiently high to cover the expense of machinery. There was no option in regard to the payment of the fees, because those who did not pay were simply prohibited from proceeding with building operations. The City Council were, in fact, now charging more than they had a right to charge, either under the first by-law passed, or under the by-law of 1898. The object of the Bill, therefore, was to legalise unfair and improper charges. The maximum fee in Adelaide and Fremantle was £10, and in Hobart *nil*. It was not only for the contractor he was fighting, but for all who built on their land. For five or six years, these fees had been illegally collected. Mr. Levy had recovered £56 from the council; other contractors were suing; and the Bill had been introduced to interfere with the course of justice.

THE PREMIER: Mr. Levy should refund that amount to his customer.

MR. ATKINS: What had that to do with the question? Why should the council be allowed to charge five or six times as much as was charged elsewhere?

THE PREMIER: Were the high fees still charged?

MR. ATKINS: Yes. The Bill sought to legalise them, and to indemnify the council for the past illegality.

THE PREMIER: The illegality had continued for fifteen months only, from June, 1897, to September, 1898, and not for six years.

MR. ATKINS: It was not till 1902 that they had any right to charge in respect of more than one floor, according to their own by-law; though for three or four years, people who knew no better had been paying in order to get authority to build. When one man had got a verdict and four or five others had actions pending, surely the House should not block justice by passing the Bill.

MR. TAYLOR: On inquiry he had ascertained that the illegal fees had been charged for about fifteen months. Then someone discovered the irregularity and refused to pay. The by-law was then put in order, and the Bill sought to legalise the fees charged during the fifteen months, thus indemnifying the council. Contractors pointed out the necessity for preventing the council from overcharging. The Bill provided for charging in proportion to the area of the base of a building, but the council charged in respect of each floor area, a charge which the contractors maintained was not levied elsewhere. The amendment sought to legalise a charge for one floor only. The original object of the fee was to pay expenses of inspection to insure that buildings did not encroach on city property; but the contractors held that it was sought to make revenue out of the fees, thus unfairly taxing a man who built on his land and improved the city, while the owner of unoccupied land escaped free and pocketed the unearned increment.

MR. ATKINS: The amendment would be retrospective.

MR. TAYLOR: With that he could not agree. Let it apply in future.

MR. HOPKINS: It could not apply in future. There must be another Bill.

THE PREMIER: Respecting the old by-laws, he was informed the court had held that fees could not be enacted as part of a by-law; therefore the council had repealed and re-enacted the by-law attacked by the court, intending to gazette the scale of fees. By a clerical oversight, the fees were not gazetted; but for a time they were charged and paid without protest. This scale of fees, which ought to have been gazetted in June of 1897, was not gazetted until September of 1898; so that between June of 1897 and September of 1898 these fees were not legally imposed, because of this oversight of nonpublication in the *Gazette*. The nonpublication of the *Gazette* notice was not observed by individuals in practice, or by any official of the council, because really it was simply a reinstatement of the

old by-laws which had been attacked by the Supreme Court by reason of informalities. The builders and contractors never heard about this until someone left the council, and went round and told them they had been paying between June of 1897 and September of 1898 money which ought not to have been paid. Then the trouble began. It was clearly the intention of the City Council to impose such by-laws, and they failed because of a technicality. It was clearly the intention of the builders and contractors to observe the by-laws and pay the fees, because they did pay them. It was also patent that if the builders and contractors paid, the owners in reality paid, for we had a right to conclude that in making an estimate an allowance would be made for municipal fees. The object of this Bill was to validate payments made between June of 1897 and September of 1898, and the measure ought to commend itself to the House. This measure would not make the by-laws good. Both sides admitted that the by-laws were bad.

MR. ILLINGWORTH: This would make them good.

THE PREMIER: It would not make them good, but it would make the fees paid under them irrecoverable, and that was exactly what ought to be done. Building fees were really paid by the building owner; but the building owner could not avail himself of this Bill to sue for them. Unless the present measure were passed, the builder would be the only one who would have the right to recover, and he could put the money into his pocket.

MR. ILLINGWORTH: The owner could sue the builder.

THE PREMIER: The owner could not do so. A man tendered for a lump sum, and the City Council would have to pay the money back to a man who had really no moral right to it. This was a matter that ought to rest with the local body. The charge had been going on for years, and there had been no violent commotion in connection with it.

MR. ILLINGWORTH: Why interfere either way? Why legalise the by-laws?

THE PREMIER: We ought not to interfere in cases like this. We gave the City Council certain powers, and as long as the council operated inside those powers, we ought to be satisfied. The member for the Murray (Mr. Atkins) said that the fees were excessive. The City Council either had the power or had not. If the charges were legal, we ought not to interfere. There was a great deal in favour of charging more to a man who built a six-storeyed place than to one who erected a two-storeyed building. Still, he did not know whether we ought to discuss that. He hoped that the House would pass the Bill as it stood.

MR. ILLINGWORTH: All an inspector did was to inspect plans and not the building. The question we had to consider was whether the City Council or any municipality that could bring into operation an Act with by-laws was to be permitted to make by-laws which would involve expenditure that was unnecessary and unjust. In Melbourne one could erect a ten-storeyed building, and all he had to do was to get the plans passed by the Board of Health and the Inspector of Public Buildings, a fee being charged sufficient to cover the work done. Here the by-laws were based upon the supposition of an ordinary kind of building of one or two storeys, the charge being made upon the one floor; but we had now reached a stage when there were buildings of three, four, five, and sometimes six storeys. A charge which was reasonable at a time when only the ground floor was counted ought not to be counted six times over because a building was going up. He agreed that a man who had a three-roomed cottage ought not to be charged the same as a man with a six-storeyed building, but there ought to be a reasonable limit. The proper course for the House to adopt was to do nothing. He did not see that we should be called upon to pass an Act to validate by-laws which the municipality could not enforce. The City Council was not entitled to make this charge. The Court had said, as he understood it, that this charge was irregular, and that the only charge which could be legalised was in the book coloured yellow, which permitted the council to charge on the ground floor.

THE PREMIER: All the building fees were illegal between June, 1897, and September, 1898. The member for the Murray did not wish to invalidate these fees, except the one which was excessive.

MR. ILLINGWORTH: The member for the Murray had taken the opportunity of protesting against the illegality and improper charge of these fees. There should be an amendment in regard to the schedule of fees, by which a maximum charge could be made for a building. The inspector had nothing to do with a building once he had inspected the plans. The Perth Council had no right to charge a man £7 for inspecting a plan. It was unreasonable and absurd that there should be that power. The Committee should not interfere with the power of the Supreme Court, which had declared against the excessive charges. If a person erected a large store, and divided it into four storeys, the charges would be enormous. All the Perth Council had the right to do under the by-laws, and all it was ever intended they should do, was to see that a substantial building was erected in the city, and that there should be no danger to life or limb. If an inspector authorised the plans he did not touch the building, he did not even inspect it; therefore the charge was excessive. A maximum charge should be made, which would be reasonable for a large building.

THE PREMIER: If the Bill were not passed, a contractor would be able to recover from the City Council money that belonged to the owner of the building.

MR. ILLINGWORTH: If the Court would give to the contractor a refund of the charges made, the same Court would give a refund to the owner of the building, if he asked for it. The Court settled the question as to how much was paid. It seemed to him that if the Bill were passed it would legalise existing by-laws.

THE PREMIER: The existing by-laws were right now.

MR. ILLINGWORTH: Was it desired to legalise the fees paid since? It was unfair to go on with the Bill when the member in charge was absent. It was not fair to the member who represented the City Council to pass the Bill in his absence. He suggested that progress should be reported.

MR. TAYLOR: Had the Committee power to make the Bill retrospective, because he understood that the Privy Council had decided in a Victorian case that it was not legal to make a law retrospective?

THE PREMIER: Parliament could make a Bill retrospective.

MR. TAYLOR: Contractors had told him that the Bill was only brought in to legalise the fees charged during a period of 15 months. The fees charged since 1898 were legal; but for a period between 1897 and 1898 the charges were illegal. If the Bill was not passed, there would be no farther illegalities.

MR. HOPKINS: This matter was not understood at all. It was surprising to find that the member for Cue knew so little about the duties of a municipal engineer. Were the same fees to be charged for an ordinary jarrah cottage as for an elaborate building such as had been erected at the corner of Barrack and Murray streets, which had caused, during erection, so much inconvenience to the public? Was it not the duty of the engineer to the Perth Council to preserve the safety of the public? The plans and specifications for a building such as he had mentioned, and the inspection in the first place, were a matter of serious importance, and required scientific knowledge to enable the engineer to say if the plans and specifications were suitable for the building. Having done that, the engineer had to watch the progress of the building and the scaffolding and everything else in the interest of the travelling public. Any person familiar with municipal government should know that the proposition to collect one fee for a large or small building was altogether unreasonable. The whole of the trouble arose from the unfortunate circumstance that one set of by-laws was printed in a book with a green cover, and the other set in a book with an orange cover. Hence the feud. The Premier had put the matter clearly when he said the money was provided in the first place by the man who owned the land and had the building erected, since the contractor had made an allowance for the fee. Shortly, the contractor collected the fee from the ratepayer, paid it to the City Council, and now wanted an opportunity of getting it back from the City Council, but not an opportunity of passing it back to the man who originally paid it. Municipalities ought not to be heckled in order that funds might be returned to certain persons who were not entitled to them.

MR. JOHNSON: We were not discussing whether the fees imposed by the City Council were reasonable or excessive, but whether the contractors had a right to recover moneys which did not belong to them. The proprietors of the buildings, who really had paid the fees, said nothing, and might therefore be considered as satisfied. The contractors, however, had discovered that there was a chance of getting refunds, and this amendment was introduced to enable them to recover money to which they had no just claim.

MR. FOULKES: It was important that the House should beware very much before passing retrospective legislation. Undoubtedly, the City Council had received some fees to which they were not legally entitled. Legal proceedings had taken place, and the Supreme Court had given a decision against the City Council. A technical objection was taken that a certain notice had not been gazetted, and the City Council lost the case. Small technical mistakes of the kind were frequently made, and frequently resulted in serious loss. The City Council were now practically asking the Legislative Assembly to say that no action should be allowed to be brought against them in this connection. The words "no action shall be brought or continued by any person" led one to the conclusion that an action by some contractor was now pending against the City Council.

MR. ATKINS: One action had been brought, and decided in favour of the contractor. It was understood that three farther actions were pending.

MR. FOULKES: We were then asked to pass legislation to stop actions now pending.

THE PREMIER: Quite right, too, in the circumstances.

MR. FOULKES: Where was the House to draw the line? The business of the Assembly was not to pass retrospective legislation for the benefit of dissatisfied suitors. To interfere with the functions of the Supreme Court was a most unwise and dangerous proceeding.

MR. HASTIE: Undoubtedly, retrospective legislation might involve danger, and even injustice; but in the present case injustice was more likely to result from the absence of retrospective legislation. Certain fees had been paid by the contractor; the contractor had received the amount of those fees from the owner of the building; the owner might be assumed to have sold the building and charged the fees to the new owner; the new owner had charged them to the present shopkeeper; and the shopkeeper had passed the charge on to his customers. The money, if refunded by the City Council, therefore should be paid, not to the contractor, but to the customers of the shopkeeper. To ascertain exactly who these customers were, and what proportion of the money they were entitled to, would be a difficult proceeding; and therefore the Treasurer should use his best efforts to have the money paid into the consolidated revenue.

MR. QUINLAN: It appeared that the City Council had imposed, some years ago, a certain scale of fees, which they had altered recently, and that actions were now pending in respect of that scale of fees. One action for the recovery of fees had already succeeded. The contention of the member for Kanowna (Mr. Hastie) was correct. The hoarding fees and building fees imposed on the enterprising people who were improving the city had been paid by the general public. The very same argument came home to roost in connection with the questions as to day-labour and wages raised from time to time by the Labour party. He regretted he could not support the member for the Murray. Parliament should grant municipal councils relief in such circumstances.

MR. ATKINS: Neither the contractor nor anybody else had expected to pay these fees in the first instance, because estimates of cost had been framed on the fees stated in the yellow book. Now the City Council said that the fees fixed by the green book must be paid; which meant that from three times to seven times as much as set forth in the yellow book must be paid. Consequently contractors were demanding only a refund of what they had wrongfully been compelled to pay, and what, when making up tenders, they had never expected to pay.

MR. DAGLISH: Was not the fee in accordance with the printed by-laws?

MR. ATKINS: There were two sets of by-laws; and the council had charged four times as much as the fees scheduled in the by-laws sold to the public. Who-

ever had paid the higher fees, which were illegal, should have a refund of the difference between the legal fees and the fees paid.

MR. DAGLISH: Time was required for investigation. He moved that progress be reported.

Progress reported, and leave given to sit again

ADJOURNMENT.

The House adjourned at 10·35 o'clock, until the next Tuesday.

---

# Legislative Council,

*Tuesday, 2nd September, 1902.*


| | PAGE |
|---|---|
| Questions: Helena Reservoir, particulars ... ... | 837 |
| Metropolitan Waterworks, particulars ... ... | 837 |
| Metropolitan Reservoir, Bonuses ... ... | 838 |
| Bills: Transfer of Land Amendment, third reading | 838 |
| Public Service Act Amendment, in Committee, reported ... ... ... ... ... ... | 838 |
| Children's Convalescent Home, second reading resumed, adjourned ... ... ... ... | 839 |
| Justices, first reading ... ... ... ... | 850 |
| Railway and Theatre Refreshment Rooms Licensing Amendment, first reading ... | 850 |
| Administration (probate), second reading, in Committee, progress ... ... ... ... | 850 |
| Public Notaries, second reading, in Committee, reported ... ... ... ... ... ... | 854 |


---

THE PRESIDENT took the Chair at 4·30 o'clock, p.m.

PRAYERS.

## PAPERS PRESENTED.

By the MINISTER FOR LANDS: 1, Fourth Report on working of Statistical Office; 2, Report of Department of Mines, 1901; 3, Western Australian Government Railways Alteration to Classification and Rate Book; 4, Regulations under the Industrial Conciliation and Arbitration Act, 1902; 5, Return of Exemptions granted on Gold-mining Leases; 6, Correspondence and papers, case of W. & S. Burges *v.* the Crown.

## QUESTION—HELENA RESERVOIR, PARTICULARS.

HON. W. MALEY asked the Minister for Lands: 1, What was the original estimate of the average annual inflow to the Helena Reservoir in gallons. 2, What is the actual shortage for the past twelve months in gallons. 3, What is the estimated annual loss by seepage or leakage from the reservoir. 4, What is the estimated annual loss by evaporation during the summer. 5, In view of the shortage of water, does the Government propose to abandon the project for the reticulation of the goldfields towns. 6, Does the Government propose to curtail expenditure and reduce the scheme to the limits dictated by the deficiency of water.

THE MINISTER FOR LANDS replied: 1, It was estimated that 3 per cent. of rainfall would run into the reservoir, which, with a rainfall of 20 inches, would give 4,600,000,000 gallons. The average for the past three years, 1899, 1900, and 1901, was 4,294,000,000 gallons. 2, The shortage for 12 months ending 31st July last was 3,476,000,000 gallons. 3, No separate estimate has been made, but it is included in allowance for evaporation, etc. 4, The average annual loss by evaporation, etc., has been estimated at 400,000,000 gallons. 5, No. 6, No.

## QUESTION—METROPOLITAN WATERWORKS, PARTICULARS.

HON. T. F. O. BRIMAGE asked the Minister for Lands: 1, The names of the members of the Waterworks Board. 2, The remuneration or fees received by each member during 1901-2. 3, The number of meetings attended by each member. 4, The rate each member pays for water. 5, The names of customers who receive water at less than 2s., and the reason for the reduced rate. 6, The cost of a meter to the department. 7, The cost to customers of fixing same.

THE MINISTER FOR LANDS replied: 1, The Mayor of Perth (or a substitute), and Messrs. W. Traylen, F. Craig, and E. C. Rennick (succeeded by W. H. Hargrave). 2, *See* Section 6 of "The Metropolitan Waterworks Act, 1896." 3, The Mayor of Perth, 0; Mr. W. Traylen, 46; Mr. F. Craig, 48; Mr.