I am so strongly opposed to the more important clauses of the measure. For that reason I do not propose to discuss that clause. I will ask the House to be careful before tampering with the system which, in spite of all drawbacks, has worked substantial justice; and above all not to do so until at any rate some real substantial reason has been put forward, and wholly different from the very slight reasons which are submitted in support this Bill.

MR. A. C. GULL (Swan): I intend to support the motion, and I want to point out that the able arguments used by the Attorney General are on a side issue. This is not a question of doing away with the jury system, but simply of modifying it. I have watched the question for years, and there is scarcely any measure that has been before this House with which I am more in accord than this. I have recognised for years that it was possible for one man—a biased man, and in some cases, I regret to say, a man who has been got at—to hold out, refusing to come to a decision, and thereby forcing a new trial at a cost of thousands of pounds to both sides. And in many cases this has been an absolute waste of money, there having been no justification whatever for the jury to disagree. As I said just now, it is not a question of attacking the jury system, but of providing that ten men out of twelve shall decide the issue, and shall not be subservient to or under the dominance of one or two in arriving at a decision. With regard to the argument that if this principle be good in civil cases it should be good in criminal cases also, I am not going to controvert that contention. If in practice the principle is found to be good in civil cases, I do not see why it should not be carried a step farther and made to apply to other cases as well. The Bill merely limits the principle to civil cases, in which it has repeatedly occurred that the jury has disagreed, the case has been sent to a new trial, the jury has disagreed again, and eventually in some cases the action has been abandoned simply because it was found to be impossible to get a jury to agree. Cases are on record here where a couple of trials have ended in this way, a big majority of the jury having been in favour of a verdict, and one or two men opposed it. I intend to support the Bill.

On motion by MR. TAYLOR, debate adjourned.

ADJOURNMENT.

The House adjourned at 10·34 o'clock, until the next day.

Legislative Council,

Thursday, 13th September, 1906.

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

PRAYERS.

PRIVILEGE—SELECT COMMITTEE'S POWERS TO CALL FOR PAPERS.

FEDERAL TELEGRAMS NOT PRODUCED.

HON. J. M. DREW (Central): I hope I shall be permitted to make a statement which I think is very necessary for this House to hear, as to a development that occurred during the taking of evidence by the select committee appointed to inquire into the outbreak of bubonic plague in Geraldton. The committee was appointed some weeks ago, and consists of Mr. Maley, Mr. Langsford, and

myself. We were given by this House full power, as we thought, to call for persons and papers in the course of our investigations into the conduct of the Central Board of Health in connection with that outbreak. About a fortnight ago, I as chairman of the committee concluded that it was necessary to examine an official of the telegraph department, Perth, with reference to certain telegrams which passed between the Central Board of Health and the Geraldton Local Board of Health; and I wrote to Mr. Langsford stating my views, and asking him, if he held the same opinion as I, to interview the Deputy Postmaster General with regard to the matter. Mr. Langsford did interview that officer, and made an informal request that an official be sent with the original telegrams, for production before the committee. On the 6th September, Mr. Langsford received the following letter from the Deputy Postmaster General:—

> Sir,—With reference to your interview with me on the 4th instant, relative to the production of telegrams before a select committee, I beg to inform you that the following is a copy of the Commonwealth Crown Solicitor's opinion in connection therewith:—
>
> "I am of opinion that the select committee cannot require the production of the telegrams, and that they need not be produced. If the parties consent it could be done. If not, and the telegrams are necessary, the chairman should, I think, ask for the appointment of a Royal Commission."
>
> I may add that, should the production of the telegrams be asked for by the president of a Royal Commission, the necessary subpœna forms are on hand at this office, and I shall be pleased to supply same when required. A copy is forwarded herewith for your information.—R. HARDMAN.

As I stated, the request made was an informal one; but the select committee have not thought it advisable to make a request in accordance with the Standing Orders until satisfied of their powers. I deem it my duty to bring the matter forward in order that the House may determine whether the ruling of the Federal authorities should or should not be accepted.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): I am much surprised to hear the remarks of Mr. Drew. All I can say is, if he will give me the correspondence I will ask the Premier to bring the matter under the notice of the Prime Minister of the Commonwealth, and will also consult the Attorney General as to the powers of a select committee to demand the production of such documents.

HON. M. L. MOSS (West): Is there any motion before the House?

THE PRESIDENT: Not at present.

HON. M. L. MOSS: I will ask leave of the House to move a motion, with the object of allowing this very important matter to be discussed. The matter referred to by Mr. Drew is, I think, of great importance. The position taken up by a very responsible officer of the Commonwealth is that the powers of a select committee of this House are less than the powers possessed by a Royal Commission. Now the Royal Commission may be appointed at any time by the Government of the day; but a select committee can be appointed only by the express resolution of Parliament; and I for one do not at all approve of the position taken up by the Deputy Postmaster General, in refusing to give the fullest information to a select committee of this Council, when called upon in the regular and proper manner so to do.

HON. J. W. LANGSFORD: The Deputy Postmaster General is acting on the Federal Attorney General's advice.

HON. M. L. MOSS: I am not one of those who prefer at all times to submit when any Federal Minister or a Federal Ministry as a whole attempts to curtail the rights and privileges of this branch of the Legislature. This may by some be regarded as a small matter; but on the other hand it is of the utmost importance to us that all the powers of Parliament shall be fully preserved, and that we do not allow any precedent to be created whereby the authority of Parliament can be diminished one iota by the Federal Government. Quite sufficient encroachments are now being made by the Commonwealth on the States; and though some may not think fit to protest against this encroachment, I am of an altogether different opinion. I do not believe that this matter will be properly dealt with by the Premier of this State making a representation to the Federal Prime Minister. If this House has appointed a select committee, then

that select committee and all future select committees should be clothed with sufficient authority to perform the functions delegated to them by this House. I think the subject can better be dealt with by obtaining leave to move that it be referred to the Standing Orders Committee for report, rather than by moving the adjournment of the House. If the House will give the necessary permission, I will move a motion with that object.

HON. J. M. DREW: It is necessary that the select committee should know whether it should postpone the production of its report until it can obtain this information. If the committee cannot get the information, its report can be presented on Tuesday next; but I wish the House to understand that any delay in presenting the report will not be due to the select committee, but will arise because the committee wishes to procure some information not available unless these telegrams be produced. The committee would like some intimation from the House as to what is to be done.

HON. J. W. LANGSFORD (Metropolitan-Suburban): I fancy that Mr. Moss in his speech seemed to censure Mr. Hardman for not producing the documents.

HON. M. L. MOSS: No. I am soaring very far above Mr. Hardman.

HON. J. W. LANGSFORD: Mr. Hardman is employed by the Federal Government, and must carry out the instructions of his chiefs.

THE PRESIDENT: The question is that leave be given to move a motion without notice.

Question put and passed.

MOTION.

HON. M. L. MOSS moved—

That the matter of the telegrams denied to the select committee be referred to the Standing Orders Committee, for report to the House.

He said: Let me inform Mr. Langsford that the last thing I wish to do is to cast the slightest aspersion on Mr. Hardman. I think I made it plain that we should see that the encroachments of the Federal authorities are not greater than the law permits, and particularly that the privileges of this House are preserved.

Question put and passed.

ASSENT TO BILLS (2).

Message from the Governor received and read, assenting to the Permanent Reserves Bill and the Prisons Act Amendment Bill.

BILL — BILLS OF SALE ACT AMENDMENT.

REINSTATEMENT.

The Bill having lapsed as an order in Committee, at the previous sitting, through the Chairman being moved out of the Chair—

THE COLONIAL SECRETARY now moved (without notice): That this House on Tuesday next do resolve itself into Committee of the Whole to farther consider the Bill.

Question passed.

MOTION—SCHOOL FEES, NEW REGULATIONS.

TO DISAPPROVE OF CHARGES.

HON. J. W. LANGSFORD (Metropolitan-Suburban) moved—

That in the opinion of this House the proposal to charge fees for scholars over the age of 14 years attending the public schools is uncalled for, and opposed to the public welfare.

This motion arises from the action of the Cabinet in rescinding some regulations which apply to educational matters, and in sanctioning the adoption of others. The two new regulations I will read, as published in the *Gazette* of Friday last:—

After a scholar has reached the age of fourteen years, the following fees shall be paid, unless an application has been made for the child to be placed upon the free list and such application has received the approval of the Minister. A fee of one shilling per week must be paid by all children over fourteen and under fifteen years of age in attendance at school. Children over fifteen must pay two shillings per week. The Head Teacher must collect these fees and forward them to the Department each month with the salary sheet. To facilitate the checking of the lists, the teacher of any class containing over-age children should enter on his register first the names of children over fifteen, next the names of those over fourteen, and next the names

of those who will attain the age of fourteen during the quarter.

The second regulation which has been framed and adopted is:—

No child under the age of four years can be admitted to a Government School. Children over fourteen may remain in the school until the age of sixteen, if they are of good behaviour and not likely to have a bad influence over the younger children, subject to the payment of the prescribed fees. In special cases where, owing to isolation, it has been impossible for a child to attend school at the usual age, the Minister may permit his retention in a school after he has reached the age of sixteen years.

Free compulsory education came into force in Western Australia about eight or ten years ago, and the compulsory ages were from four to fourteen years. Over sixteen years a child could attend school by paying a fee of sixpence, which at that time went to the teachers. I should have thought that the time had gone past for a retrograde movement of this character. To my mind the Government are putting back the hands of the clock. I could have understood if these fees had been charged during the past six years, having gone on since free education was introduced, a proposal being submitted to remit the fees. I could have understood if the Government had brought down a proposal granting a sum of £2,000 or £3,000 as a subsidy for the establishment of a university. But in this year of grace 1906, and in Western Australia, to begin charging fees for scholars who are attending the primary schools I think is putting back the hands of the clock. The Minister for Education is under the impression that we are spending too much money on the education of the people. Of course the bill for education is increasing. Our population is increasing, and the facilities required for education are increasing also. But where are these facilities mostly granted, and where is the biggest expenditure taking place? Members will find before them the report of the Education Department for last year. Let me read one or two extracts to show how the expenditure is going up, and in what direction the money is being spent. For last year 43 new schools have been opened. In agricultural districts 31 new schools have been opened, four old schools have been reopened and two closed. All the additional expense or the major portion of the additional expense paid by the country has been for the small schools in the agricultural districts. The proportion of small schools is constantly increasing, and if the much-desired agricultural settlement continues we must hope it will still farther increase. Of the 51 schools added to the list only five have an attendance of over 50 children, while 40 have an attendance of 20 children apiece, so that the mounting up in the educational bill is only consistent with the development of the State, and with the development taking place perhaps more in agricultural centres than in other parts. I am of opinion that this alteration has been unwisely consented to, improperly consented to, that it has not received, I can hardly think, the mature consideration of the Cabinet; and to find anyone in Australia suggesting for a moment that we should charge for our primary education, and to come to the Moore Ministry in Western Australia to find those who are anxious to do so, is a strange anomaly to the advancement we have been making all along the line in other directions. The educational system of Western Australia has been held up, shall I say to the world, as a pattern to be admired and to be copied to a very large extent, and this is a proposal to tack on to the educational system something which does not pertain to any other primary system in the Australian States. I am not going to insult the intelligence of the House by saying anything about the need for education. All members recognise that the boy or the girl who is educated, all other things being equal, as opposed to the boy or girl who has not received education, has a big advantage in the work of everyday life. I do not know what financial result the Government expect to derive from this proposal; but I know some of the results will be detrimental to the boys and girls of our State schools. I think at the present time there are about 1,500 boys and girls between the ages of 14 and 16 years attending our primary schools, and once these regulations come into force, on the 1st. November or as soon after as possible, I am sure many of these scholars will have to leave school. We know when children get to the age of 14, 15, and 16 years it costs more to clothe and feed them than it does when

they are younger. I am not going to distinguish between those who should go to primary schools and those who should not. Our schools are for all classes, but there are many parents who will not be able to make the sacrifice of £5 a year and over in addition to paying for the school books as they have to do. The result will be, I anticipate, that many of the senior boys and girls will be leaving school. What are the flower, the crown of our public schools, are the top classes to a large extent, and it is the success the higher classes have achieved in our examinations that has been admired in the Eastern States. Many of the senior scholars will leave, and I think that is a disadvantage. The State ought not to suffer, because the longer we can leave our boys and girls at schools the better men and woman they will make when they have to go into the rough-and-tumble of life. If we take away the senior scholars—I feel that will be the effect of these regulations—from our schools, what will be left? I say the crown of our State schools is the higher classes of boys and girls. If there is one learned profession that requires more enthusiasm and life for work than any other it is that of teaching. Other professions are often well paid from a monetary point of view. The legal profession is well paid from a monetary point of view, so is the medical profession; but I undertake to say the skill and ability required for a first class teacher are equal to the attainments required in other professions. But what are the emoluments or the financial gain teachers receive? Very small indeed; but I belive they get a great deal of satisfaction out of the work by the enthusiasm they put into the work and the love they have for it. If we take away the opportunity of training the senior boys and girls, what encouragement have we to give to our teachers to excel in their work? If we remove the children which to a large extent this provision will remove, we take away the flower of our schools. How will this affect the country schools. Of course the compulsory age is from 4 to 14 years, and I believe when a request is made for a school to be established these matters are considered; but there is also the consideration as to how many children over 14 years and under 4 years are likely to attend the school. These facts have influenced to some extent the establishment of schools in country places. If the fees are charged as proposed, I do not think we shall get, I feel sure we shall not get, in the country schools and in the town schools children over the age of 14 attending our public schools. Again the backward scholar, one who has not the advantages of education, enters school say at the age of 10 or 12 years. This scholar is fit for the second or third standard. After two years when the child reaches the fifth standard, he will have to begin paying fees according to this proposal, and continue until the scholar gets to the ex-seventh standard and until he is 16 years of age. We penalise a child who is backward, while we ought to encourage the child who is backward. The mere fact that the child is backward in the matter of education should surely be sufficient drawback in life. How is this regulation going to work in the country as compared with towns? The fees to be charged are the same in the country as in towns. James Street, Newcastle Street, East Perth, Highgate Hill, and some other schools in Perth as also in Fremantle are equipped with all the facilities for education; they have the best teachers and are in other respects at a great advantage over country schools. Under the new regulation a scholar over fourteen years will pay 1s. or 2s. per week for attending these schools with all the facilities. Now the child at Rockingham, or Lancefield, or Dumbleyung, who will not have the benefit of these facilities, will pay the same fees as are to be paid in James Street, Perth. If we are to charge the same fees, there should be equal facilities for the education of our boys and girls. The new regulation says:—

> After a scholar has reached the age of 14 years, the following fees shall be paid unless an application has been made for the child to be placed on the free list, and such application has received the approval of the Minister . . .

That will constitute two classes in our primary schools, those who pay and those who do not pay. These are separations which ought not to be in the minds of boys and girls, who will find early enough in life these distinctions of wealth and comparative poverty; and youths ought not to discover in our primary schools

that one boy is a paying scholar and another boy is a free scholar. I think the time has gone by when we should allow, in regard to our public schools, a regulation which I feel will have the effect of inducing amongst our boys and girls a class spirit which should not be induced—at any rate, not there. Again, all the publications issued by the Government and the Agent General refer to the free education which is granted in Western Australia: that is one of the inducements held out to immigrants to come to the State.

HON. M. L. MOSS: So is the absence of a land tax.

HON. J. W. LANGSFORD: We are not dealing with that point just now. Free education is one of the inducements held out to immigrants to come to this State. We carry the children free over railways in the agricultural districts so that they may attend school, and when we get them there this regulation proposes to charge them. It passes my comprehension how the Ministry could have agreed to the proposal, in the face of what is taking place all over the world in the direction of liberalising education. I cannot understand the Ministry taking such a backward step as this. Let me refer again to the Report on Public Education and to the Chief Inspector's Report on the schools he visited in different parts of the world. On the question of free, compulsory, and secular education in Canada he says:—

> All high schools as well as primary schools are free.

We are not now discussing the question of high schools; but in Winipeg, not only are the primary schools free, but the high schools also:—

> In Montreal the elementary schools are free. . . . In New York, in the high schools for girls, with an attendance of 2,500 girls between the ages of 16 and 18, all classes are free and all books are provided. Pupils are allowed to take books home; when leaving school, these books have to be returned. . . . Primary schools in Canada: These are also free and are supported by a rate in the city.
>
> America.—In New York there are eight grades in the primary schools. These must be passed before admission into the high school. The average age of admission into the high school is 14½ years. In the high school a four-years course is the rule.

That brings the scholars to the age of 18½—

> The student then graduates from the high school, and receives a certificate to that effect. . . . Education at primary and high schools is entirely free, and no charges are made for books. In the words of one of the officials of the department, "There is not a cent of cost to the parents in either the primary or high schools."

If that is the state of things prevailing fairly extensively in Canada and America, are we going to take the retrograde step which these regulations provide and charge for primary education, when not only primary but secondary education in many parts of the world is absolutely free? In no State of Australia is a charge made for primary education. We shall have to enter into competition in an industrial sense, also in other senses, with the nations of the world; and the nation which is best educated, all other things being equal, is the one which is going to win. Is the British nation to be hewers of wood and drawers of water for the rest of the world? I think not. We are part of the empire, and we should do our part, as the other States and other parts of the empire are doing theirs, to see that our boys and girls shall have the best primary education we can give them. It is not necessary for me to take up farther time on this motion; and I commend it to the serious consideration of the House.

On motion by the Hon. W. MALEY, debate adjourned.

BILL—STOCK DISEASES ACT AMENDMENT.

SECOND READING.

THE HONORARY MINISTER (Hon. C. A. Piesse) in moving the second reading said: This is a short Bill for the purpose of amending the Stock Diseases Act 1895. Members who have read the Bill will have noticed that it does not amend many sections of the existing Act—in fact, only three sections are affected by the Bill; and it has been found necessary for the better working of the Act to introduce these amendments. They deal chiefly with Section 4 of the principal Act, and with the definition of the word "disease" so as to include ticks, lice, or other parasite affecting stock. It has been found necessary to do

this in order to prevent the spread of diseases from these parasites. The reason why scab is not included in the Bill is because there is a special Act dealing with scab in sheep. Clause 3 of the Bill seeks to amend Section 11 of the principal Act by requiring the owner of stock to give notice forthwith of the discovery of disease, instead of within 24 hours as previously. No hardship will be done by this amendment, and I trust the House will pass it in the interests of the country, for it is absolutely necessary that the report of a discovery of disease among stock shall be made as early as possible. Clause 4 amends Section 12 by striking out the words "principal officer of Customs," and inserting in place thereof the words "the inspector," meaning the inspector of stock. The present section of the Act reads as follows: –

> The master of any vessel on which there shall be or shall have been during the voyage any imported stock shall, immediately on his arrival at any port or place in the Colony, make a declaration in the form set forth in Schedule B hereto, and shall deliver the same to the principal officer of Customs at such port, together with the certificate in the next following section mentioned; and such officer shall as expeditiously as possible forward the same to the nearest inspector.

It is now sought to make it compulsory for the shipping officer to report to the stock inspector instead of to the principal Customs officer. I trust the House will agree to this Bill, which has been thoroughly discussed in another place, and supported by members engaged in the pastoral industry, as I believe it will be supported by pastoralists in this House. I beg to move the second reading.

HON. F. CONNOR (North): The definition of "disease" in the Bill is somewhat difficult to understand. It says that stock which are affected with tick, lice, or other parasites are to be accounted diseased. I should say, on the contrary, that stock which are diseased should not go into human consumption.

THE COLONIAL SECRETARY: Diseased for the purposes of the Act.

HON. F. CONNOR: The Bill states that the presence of lice in an animal shall be evidence that it is diseased; so if a health board were to say such an animal was diseased, it could not be slaughtered for food, and would have to be destroyed. If the Bill passes, lice in an animal will constitute a disease. Clause 3 provides that notice must be given forthwith. That is all right in a settled district where there is an inspector; but supposing it happened when the nearest inspector was four or five hundred miles away, it would be rather a hardship if the settler must forthwith leave his place and report to the inspector.

HON. W. T. LOTON: Notice can be sent in writing.

HON. F. CONNOR: Would it mean posting a letter?

THE COLONIAL SECRETARY: Yes.

HON. F. CONNOR: It says nothing about posting in the clause. We do not know where we are. The settler is to be required to give notice forthwith. A man pioneering in the back country with two or three hundred head of cattle and two or three thousand sheep cannot give the notice required. If it was stipulated that the required notice would be given as soon as the letter was posted, it would cover the question sufficiently.

THE COLONIAL SECRETARY: Section 11 of the principal Act says he is to report within 24 hours.

HON. F. CONNOR: But it does not say that because it is in the principal Act it is right. I am not discussing the principal Act, but this amendment. A man is to be liable if he does not report forthwith. I am not discussing this in a carping spirit.

THE HONORARY MINISTER: I will explain the matter.

HON. F. CONNOR: If the Minister will define "disease" according to the intent of this Bill, in Committee, and if he will also explain what a man must do to give notice forthwith, I will not oppose the second reading.

HON. W. MALEY (South-East): It is a moot point whether tick is a harmful disease. The Minister can hardly call tick a disease. I do not know any disease resulting from an attack of tick as we have it in Western Australia. I think the Minister will agree with me that although there has been a law passed in regard to sheep supposed to be infected with tick, the law has been almost a dead-letter. As a matter of fact there has been no inspector in the Narrogin district along the Great Southern Railway for a considerable time. I have myself

been urging the appointment of a gentleman to that position, and I believe that lately he has been appointed. If we are to have any inspection and laws provided to deal in a very stringent manner with this disease or parasite, we should have proper inspection, and the inspector should be there. The term is "the nearest inspector." He may be in Perth for all I know. I, as the owner of stock, do not know of any inspector residing along the Great Southern Railway. It may be ignorance on my part, but I place myself in the position of one of the settlers I am amongst, and I think I know just as much about the subject as any settler does. If to-morrow tick were discovered in my stock—I do not say there is any there—I should be in doubt as to where the inspector was. He might be knocking at my door at the time. I would not be aware of the locality of the nearest inspector. I take it that it should be the residence of the nearest inspector whose appointment has been advertised in the *Government Gazette*. If there is no means of identifying the inspector, I do not think the settler should be put within the clutches of the law through circumstances that are not his fault, but rather the fault of the department or the fault of the Bill, which, unfortunately, may become law. If the Government insists on certain duties being performed by the settlers, the Government should do its part. Having done its part we should not make the law too stringent, but should see that if tick are to be destroyed they should be destroyed throughout the State at once, that we should not have an inspection in the North and no inspection in the South, that we should not have inspection in the South and no inspection in the North, that we should not have inspection in one district and none in another, and that we should not have diligence at one time in performing certain duties and then alternately no diligence. We have now a gentleman in control of this department who has made his maiden speech as Minister to-day. He is a gentleman of long experience in agricultural matters, and he should be able to lend that enchantment to the situation we have looked for so long.

HON. C. E. DEMPSTER (East): I do not wish to say anything in opposition to this measure; but I would like to know on what authority the dipping of stock has been insisted on for so many years past, though sheep are not affected in any way. It seems that it has been ordered on the authority of the inspectors, and now it seems necessary to enforce a law of this sort by placing it in an Act. No doubt it is necessary to dip stock immediately it is proved that they are affected. I think it is desirable that sheep should be dipped, because if it is done thoroughly every year, it prevents the ravages of flies and prevents the sheep becoming fly-blown. So it is an advantage in that respect. I cannot see that any harm will arise from the passing of the Bill, but it seems to me necessary to watch the definition of "disease" and the other matter to which Mr. Connor has alluded.

THE HONORARY MINISTER (in reply): Mr. Maley has said there is no inspection in the Great Southern District.

HON. W. MALEY: No; in the Narrogin district. Complaints have been made to me to that effect.

THE HONORARY MINISTER: In justice to the officers of the department, it is necessary that an explanation should be made. There has been very close inspection indeed in that district within the last three months. It is only right that credit should be given to the department where credit is due. I understand that it is the intention in future to force people to dip who have clean stock only when they are immediately adjoining any flock in which there is an outbreak. I think it will be agreed that this is a wise precaution. In the past it has been the custom to insist on people with clean flocks dipping their sheep; but it was not a burden because, as pointed out by Mr. Dempster, it has improved the sheep. In regard to Mr. Connor's points, I will do my best when the Bill is in Committee.

Question put and passed.

Bill read a second time.

BILL—MUNICIPAL INSTITUTIONS ACT AMENDMENT.

WIDTH OF STREET.

SECOND READING MOVED.

HON. M. L. MOSS (West) in moving the second reading said: This is a small

measure, and formal in its character. Under the Municipal Institutions Act, it is incompetent for any council to expend money in making a street under a certain width. The street known as Douglas Street, South Fremantle, is not of the regulation width. The principle of this Bill is contained in one clause, providing that the Fremantle Council shall be entitled, on the application of the owners of land abutting on the street, to declare the street to be a public street, which means that then the council may expend such portion of its revenue as may be deemed fit in making the thoroughfare. The width of the street now is 30ft. 3in. On several occasions similar requests to this have been granted when made by a municipality.

On motion by the COLONIAL SECRETARY, debate adjourned.

ADJOURNMENT.

The House adjourned at half-past 5 o'clock, until the next Tuesday.

Legislative Assembly,

Thursday, 13th September, 1906.

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

PRAYERS.

BILLS (2)—FIRST READING.

Fire Brigades, introduced by the ATTORNEY GENERAL.

Jandakot-Armadale Railway, introduced by the PREMIER.

BILL—LEGAL PRACTITIONERS ACT AMENDMENT.

COUNCIL'S AMENDMENTS.

Schedule of four amendments made by the Legislative Council now considered in Committee; MR. ILLINGWORTH in the Chair, the ATTORNEY GENERAL in charge of the Bill.

No. 1—Clause 2, strike out the words "final examination" in Subclause (*c*), line one, and insert "examinations" in lieu:

THE ATTORNEY GENERAL moved that the amendment be agreed to. The literary examination was not an examination passed by an articled clerk, because he must pass an examination before he was articled. Therefore the amendment made in another place simply meant calling on those entitled to take advantage of this Bill to pass two law examinations, instead of one known as the final. The difference was not of much account, because in the matter of law examinations he understood the course was similar as regarded the intermediate examination and the final examination, although slightly different.

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

Ayes	...	...	23
Noes	...	...	12
Majority for	...	...	11

AYES.	NOES.
Mr. Brebber	Mr. Bath
Mr. Brown	Mr. Bolton
Mr. Carson	Mr. Collier
Mr. Davies	Mr. Daglish
Mr. Eddy	Mr. Holman
Mr. Gordon	Mr. Johnson
Mr. Gregory	Mr. Scaddan
Mr. Gull	Mr. Taylor
Mr. Hayward	Mr. Underwood
Mr. Hicks	Mr. Walker
Mr. Hudson	Mr. Ware
Mr. Keenan	Mr. Troy (*Teller*).
Mr. Layman	
Mr. McLarty	
Mr. Male	
Mr. Mitchell	
Mr. Monger	
Mr. N. J. Moore	
Mr. S. F. Moore	
Mr. Smith	
Mr. Stone	
Mr. F. Wilson	
Mr. Hardwick (*Teller.*)	

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