

goldfields people. It was hopeless to attempt in a House of this character to carry the amendment; but he had drawn attention to the facts for the benefit of the people outside the House; and particularly would public attention be directed to members of the calibre of the member for Beverley (Mr. Harper), and to the manner in which that member stigmatised his country constituents. A great object had been achieved by drawing public attention to the scandalous nature of the schedule which the Government proposed to thrust on us for another three years. He (Mr. Purkiss) gloried in in the amendment, and was more than satisfied that the Government and their dumb, driven followers were utterly unable to distinguish right from wrong.

[3:55 o'clock, a.m.]

[The Sergeant-at-Arms at this stage entered the *Hansard* gallery and directed the reporters to retire.

Hansard reporters retired, as ordered, but remained in attendance within the precincts until 5:25 a.m., when the House adjourned.

Extract from the Clerk's Minutes of Votes and Proceedings.

Mr. Nanson moved, as an amendment to the description of the Beverley Electoral District, that all the words after "Hotham River" be struck out.

Debate ensued.

Amendment by leave withdrawn.

Beverley district agreed to.

Boulder, Brown Hill, Bunbury, Caning, Claremont, Collie, Coolgardie, Cue and Dundas Electoral Districts agreed to.

Mr. James moved that progress be reported, and leave asked to sit again.

Question put and passed.

Mr. Illingworth, as Deputy Speaker, resumed the Chair, and reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered, that the Committee have leave to sit again at the next sitting of the House.

ADJOURNMENT.

MR. JAMES moved that the House do now adjourn.

Question put and passed.

The House accordingly adjourned.

Legislative Council,

Tuesday, 29th September, 1903.

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

PRAYERS.

ASSENT TO BILL.

Message from the Governor received and read, assenting to Supply Bill, £500,000.

LEAVE OF ABSENCE.

On motion by SIR E. H. WITTENOOM, leave of absence for two months granted to the Hon. J. E. Richardson, on the ground of urgent private business.

CONSTITUTION ACT AMENDMENT BILL.

SECOND READING (MOVED).

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: In introducing this Bill, I would first like to remark that the contention which has been raised in this House as to the time and opportunity for introducing this measure seems to me to be somewhat inapplicable. It has been said that the last session of a Parliament is not the right time to introduce a Bill which makes changes in the Constitution of a State. I beg to join issue on that statement. In the first place, perhaps I may not object to the statement so much as regards this Chamber, which is supposed to possess as one of its attributes a certain amount of continuity, but as regards another place no more fitting time than just prior to a dissolution of the Lower House could be seized for the introduction of such a measure. It saves the expense and trouble and disruption of a general election, and indeed renders it possible to conduct the affairs of the State with one dissolution of Parliament instead of two. With regard to the Bill now before the Chamber, I would point

out that it possesses, in common with various other Bills which have been considered this session, the attribute of consolidating in a great degree our statute-book. If members will turn to the first schedule they will see that three Bills are in whole repealed by this measure, and one in part. So that instead of having, when this Bill becomes law as I doubt not it will, four measures on the statute-book, we shall on the passage of this measure have only two—the parent Act of 1889 and the Bill now before the Chamber. Members will notice on a perusal of the measure that there are acts of omission and acts of commission—I will not go so far as to call them sins of omission and sins of commission—in the measure before us. Members will find various matters that have hitherto been included in the Constitution Acts of the State have been omitted; on the other hand they will find certain new principles have been introduced. To deal with the first class, that is the omissions from the Bill, members will see that certain proposals towards the amendment of the Electoral Act and the Redistribution of Seats Act have been omitted from this Bill, and I think with very good reason indeed. It is the aim of the Government to make the Constitution of the State as stable as possible, to introduce into it as few changeable quantities as possible, so that the Government may not be reduced to the expedient, as they have often been accused (as the phrase is) of “tinkering with the Constitution.” It is felt that in a State whose development is so rapid and whose conditions alter so much as the State of Western Australia, a redistribution of seats must necessarily, and the qualification must almost necessarily, be continuously altered. Therefore it has been deemed well to exclude proposals dealing with the subjects I have referred to. So much for the omissions. With regard to the new principles involved in the measure, one of the most important of these is perhaps that dealing with the abolition of plural voting for both Chambers. Members will have found in this Bill the principle is affirmed that any elector for the Council may vote in one province only, and there are provisions for making a choice of which province he will decide to vote in.

SIR E. H. WITTENOOM: In this Bill?

THE COLONIAL SECRETARY: Yes. Again, a slight alteration is made in the qualification for candidates for the Legislative Council. Hitherto by the parent Act of 1889 a candidate for the Legislative Council was an elector of the State and must be of the age of 30 years. Now the qualification for a candidate for the Legislative Assembly and for the Legislative Council is the same.

HON. G. BELLINGHAM: Does it make them both 30 years of age?

THE COLONIAL SECRETARY: No; it makes them both 21 years. Therefore the age qualification for the Council has been reduced from 30 to 21. There is another matter which I do not think is of such moment to this Chamber; that is the alteration in the number of members needed to form a quorum. Members will find in Clause 19 that the presence of one-half of their number is required before business can be legally transacted. That I have alluded to as not being likely to press hardly upon the Chamber, which I believe, and with reason, is renowned for the good attendance of its members. The sitting will seldom be in danger of lapsing by reason of less than half of the members being in their places; in fact, I do not think the attendance has ever been so small during this session. Again—and here I think I may congratulate the Chamber upon the additional powers given to it—Clause 49 proposes to confer on this Chamber certain increased privileges with regard to the introduction of money Bills. The powers of the Legislative Council are now modelled upon the powers of the Federal Senate; and I am advised that it would be competent for this Chamber, under the provisions of this Bill, to deal with the whole of the clauses of a measure such as the Pearl-shell Fishery Bill, which had to be sent to this Chamber with certain clauses in erased type. The whole of its clauses could be dealt with here, instead of some of them being sent to be dealt with *ab initio* in another place.

HON. G. RANDELL: Is not the Bill modelled on the original Act?

THE COLONIAL SECRETARY: Not in this respect, I think. If the hon. member will compare Section 67 of the Act of 1889 with Clause 49 of this Bill, he will find that Clause 49 confers greater

powers on the Council than are conferred in the section to which I allude. So says the Crown Solicitor.

HON. J. W. HACKETT: I think he is slightly astray.

THE COLONIAL SECRETARY: That may be. I am perfectly willing to hear the hon. member on that point. Again, we find that in this measure is incorporated a policy which for a great many years has been followed by the Government, the provision of a sinking fund for the loans of this State. That is a policy with which I think all members will agree. It is not new, but its introduction in a Constitution Bill is absolutely new; and it has been thought such a good practice as to be well worthy of embodiment as part of the Constitution of the State of Western Australia. By Clauses 4 and 5 members will see that on the passing of this Bill a double dissolution is provided, so as to apply to both branches of the Legislature.

HON. J. W. HACKETT: By way of preserving the continuity of which you spoke?

THE COLONIAL SECRETARY: To the continuity I simply alluded in passing, being perfectly prepared, and in fact wishing, to give the hon. member an opportunity for criticism, of which, as I thought he would, he has availed himself. It is always better to grasp your nettle; and if ever there was a personification of a nettle, perhaps the hon. member may be that personification. Members will doubtless admit that the reasons for this provision have some cogency. In the first place it is probable that when another measure, the Redistribution of Seats Bill, reaches this House, we shall find that the boundaries of the provinces have been considerably altered; and it may be possible for certain constituencies which are to exist in future to overlap those now existing. It may be possible, for instance, that an electoral district of the Lower House should have, as it were, two sets of representation, and thus be doubly represented. I do not think that state of affairs would be satisfactory. Again, it is possible that there may be certain alterations in the qualification of electors, and that we shall have members in this Chamber representing two classes of electors. That also has not been

considered desirable; and it is for these reasons that the dissolution of this Chamber, contrary to the usual practice of continuity to which I have already referred, has found a place in the Bill. Again, members will notice another fresh provision—that within 30 days after the return of writs at any general election, Parliament shall meet. This I think is a step in the right direction. Members can easily imagine that it might be possible for a diffident Government, with a small majority or no majority at all, to postpone their fate after the general election, refraining as long as possible from meeting Parliament. When provision is made that Parliament shall meet within 30 days after the return of the writs, such a course is rendered absolutely impossible; and I think members will agree as to the advisableness of the provision. With regard to the Bill itself, I do not think it necessary to make many remarks when taking the clauses *seriatim*. I have already touched upon its principal features, and on practically all its new provisions. On account of the consolidating tendency of the Bill, already alluded to, members will find in the measure a good deal of repetition; but I have endeavoured honestly to give the House an idea of whatever new points it involves, and I ask members to discuss those new points, as I am sure they will, reasonably and without any undue heat. Taking the Bill clause by clause, members will find in Clauses 4 to 6 those clauses which I have touched on with regard to the double dissolution. In Clauses 7 to 22 the constitution of the Legislative Council is dealt with; and in Clause 9 occurs one of the first provisions which I mentioned, that is the reader is referred to another measure for the boundaries and names of the electoral provinces the members for which shall constitute the Legislative Council.

HON. J. W. HACKETT: Suppose there be only nine provinces in the Redistribution Bill when it reaches us?

THE COLONIAL SECRETARY: That, I presume, will involve an amendment of the Bill now before us.

HON. J. W. HACKETT: After we have passed it.

THE COLONIAL SECRETARY: I know what the hon. member is about to ask for, and a very reasonable request, too. He desires that the three measures

—the Constitution Bill, the Redistribution of Seats Bill, and the Electoral Bill—shall as far as possible be considered together; and I say at once that I am perfectly willing to follow that course. In Clause 10 will be found the altered qualification for a member of the Legislative Council. Clauses 11, 12, and 13 are already embodied in our present legislation; indeed all the remaining clauses to the end of that part of the Bill, with the exception of Clause 19, practically exist in our present Acts. I have already pointed out the alteration made by Clause 19, requiring that one-half of the members of the Chamber must be present before business can be legally transacted. Clauses 23 to 34 deal with the constitution of the Assembly; and I do not think there is any alteration in fact—there may be one or two slight alterations in expression.

HON. J. W. HACKETT: Why is the quorum of the Assembly retained at one-third, while the quorum here is made one-half.

THE COLONIAL SECRETARY: The Assembly is a much larger body, and I presume it is found harder to secure an attendance of half its members than to secure a similar attendance in this House.

HON. J. W. HACKETT: Is not a large attendance more important in a popular House?

THE COLONIAL SECRETARY: No; I think it is more important in this House, which after all is the Chamber of deliberation and revision. I think it more important that the quorum should be larger here than in the popular House, which is to a great extent the Chamber of initiation.

HON. T. F. O. BRIMAGE: I thought you were making this also a Chamber of initiation.

THE COLONIAL SECRETARY: I hope the hon. member has not been over-worked.

HON. T. F. O. BRIMAGE: Bills have been introduced here.

THE COLONIAL SECRETARY: And I am pleased that such a course is being taken.

HON. J. W. HACKETT: For a very good reason.

THE COLONIAL SECRETARY: I am glad the hon. member thinks so. I welcome any change in his usual attitude,

and hope that when he rises to speak he will not have any cause to alter his sentiments.

HON. W. T. LORON: The Minister is evidently in favour of the continuance of the two Houses.

THE COLONIAL SECRETARY: I have never expressed myself to the contrary. I must object to making any more digressions until I deal with Clause 35, introducing the other new principle to which I have alluded: that in the choosing of members both for the Council and the Assembly, each elector shall vote once only. Clause 37 contains another new provision of which I have spoken, that Parliament shall be summoned to meet not later than 30 days after the return of the writs. This is inserted for the good reasons which I have already given; and I hope members will agree with me. That provision of course refers to the Assembly. Members will notice that the words are "general election." With regard to the issuing of writs for the Council, it will be seen that in years when the periodical election for the Council is held the writ must be issued before the 10th April, and is returnable before the 21st May. Clause 40 renders a member of one House ineligible for another; and Clause 41 slightly alters the present state of affairs, and provides that—

When any member of either House of the Parliament is elected a member of either House of the Parliament of the Commonwealth of Australia, he shall vacate his seat in the Parliament.

At present, as members know, any member who wishes to become a member of the Federal Parliament has to vacate his seat before becoming a federal candidate. Now it will be possible for a member of either House of the State Legislature of Western Australia to become a candidate, and to be elected a member of the Federal Parliament before he has to vacate his seat in the House of Legislature in Western Australia of which he is a member. Clause 42, and so on down to Clause 48, deal with the disqualification of members, and are as they exist at present. Clause 49 deals with the powers of the House in respect of legislation. In Section 66 of the Constitution Act of 1889, which is the parent Act, members will find the power with regard to the

initiation of money Bills defined as follows:

All Bills for appropriating any part of the Consolidated Revenue Fund, or for imposing, altering, or repealing any rate, tax, duty, or impost, shall originate in the Legislative Assembly.

In this Bill members will see that—

Proposed laws appropriating revenue or moneys, or imposing taxation shall not originate in the Council; but a proposed law shall not be taken to appropriate revenue or moneys, or to impose taxation, by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the demand or payment or appropriation of fees for licenses or fees for service under the proposed law.

So, hon. members will see that a Bill which does to a certain extent impose taxation by means of licenses can be originated in the Council. Therefore the power of the Council in regard to money Bills is very considerably enlarged by this measure.

HON. J. W. HACKETT: What is the practice in the House of Lords?

THE COLONIAL SECRETARY: I would like the hon. member to give notice of that question.

HON. J. W. HACKETT: These words are taken from the Standing Orders.

THE COLONIAL SECRETARY: The hon. member will admit that we do not use that because our position is laid down in Section 66 of the Constitution Act, and it is no good the provision being in any other legislation when we cannot make use of it. Our legislation provides for the course we shall follow, the practice of the House of Commons and the House of Lords being followed only in case of our own legislation failing to provide the necessary instructions to our legislature. I have already pointed out that in the case of a Bill which was introduced in this House certain clauses were exempted from consideration, and I am informed that had the present Constitution Bill been the law we could have dealt with those Bills in their entirety instead of sending them to another place to have the provisions inserted.

HON. J. W. HACKETT: Did you pay a fee for that opinion?

THE COLONIAL SECRETARY: The gentleman who gave that opinion receives £800 a year for that and other opinions.

HON. J. W. HACKETT: I think it was a free opinion.

THE COLONIAL SECRETARY: In Clause 50 will be found a provision in regard to the sinking fund, and Clause 51 also deals with the same subject. Clauses 52, 53, and 54 are practically the law as it stands at present. The same remark applies to the remaining clauses of the Bill. I have, in moving the second reading, only to ask that members will extend very careful and deliberate, and I hope kindly, consideration to this measure. I am not so vain as to suppose that any words of mine will alter the opinions which I fear some members hold in regard to certain provisions of the Bill, but I wish to ask members that if they do not altogether agree with a clause, to let me have fully and explicitly the reasons for disagreeing, so that if possible some alteration may be made to meet the views of the Government and this Chamber. I ask members to debate the Bill in a fair spirit. I believe they will do so. I have now to move that the Bill be read a second time.

HON. J. W. HACKETT: Perhaps the hon. member will explain more fully what he meant when he said that he was prepared to wait until the three Bills were in the hands of members. Before addressing myself to any one of the Bills, I should like to have the three Bills before me. When are we likely to have the three Bills?

THE COLONIAL SECRETARY: The hon. member is just as well able to guess the date when we shall have the Redistribution of Seats Bill as I am. I am not prepared to advise members on this point.

On motion by HON. J. W. HACKETT, debate adjourned.

UNIVERSITY ENDOWMENT BILL.

SECOND READING (MOVED).

THE COLONIAL SECRETARY (Hon. Walter Kingsmill), in moving the second reading, said: I feel, through no fault of mine, that I am earning a reputation for extreme loquacity in this Chamber, a reputation which I endeavoured elsewhere not to gain; but members will realise that it is not my fault, and in regard to this Bill I hope members will debate the provisions and not ask me to go on with another second reading

so soon as I have moved the second reading of this Bill. This measure is introduced not, I would like to impress on members, for the purpose of straightway establishing a university, but making it possible at a not far distant date for a university to be established whose validity will be assured by the measure before the House. The scheme of the Government in this connection is as follows. It is to appoint a board chosen from among the citizens of the State, and to endow these persons, as trustees, with certain lands from which it may be expected they will receive a fair revenue, a revenue to accumulate till such time as the university is established, and then the accumulation and the revenue which may afterwards accrue to them is to be used in forwarding the uses and designs of that university. Nor, is it hoped, will the duties be confined to those I have mentioned. In other places in the world it has always been one of the greatest pleasures of the more wealthy inhabitants to endow educational institutions with large sums of money. It is hoped that in Western Australia this too will come to pass, and I feel certain, and I am sure Dr. Hackett will agree with me in this, that to no better purpose can the wealth of an individual be turned than in providing educational facilities for the rest of his fellow citizens. I do not propose at this stage to debate the scope and aim of a university which must exist sooner or later as the coping stone of our educational system, on which up to the present we may congratulate ourselves. Members will admit a university must come; and we are endeavouring to make its way easy by the time it does come. I am aware several members think that the time is not ripe for a university. Possibly that is so, but those members will not go so far as to say that the time will never be ripe for a university; and that being so we should make the way easy for this proposed university by providing for it. The Bill itself is distinctly a simple one. In Clause 2 members will see that it is the intention of the Government to appoint any number of fit and proper persons, not being less than three nor more than five, to be the trustees of an endowment for the State university, and the clause provides for the filling of

vacancies on the board of trustees. Clause 3 defines the privileges, powers, and functions of such trustees. Clause 4 gives power to the Government to grant or demise to the trustees such lands of the Crown as may be thought fit; and in this connection I may say that whereas the lands are not yet definitely decided on, still it is thought that by giving the trustees control of certain lands for the proposed university, not too far away from the city—lands which they may improve and perhaps make valuable residential sites—a very fair revenue may be earned at little expense to the State, and the future of the university be made more prosperous than it could otherwise be.

SIR E. H. WITTENOOM: Where is the money to come from to purchase property?

THE COLONIAL SECRETARY: It is thought that in some few years, as the revenue grows —

SIR E. H. WITTENOOM: When somebody dies?

THE COLONIAL SECRETARY: No; even supposing nobody dies, the trustees will be in receipt of a certain amount of revenue, and they may possibly find it to their advantage, by the judicious expenditure of this revenue in purchasing other land, to make more money for the institution. Clause 5 defines the status of the trustees with regard to the property which they hold, and provides that such property, whether acquired by purchase, gift, devise, bequest, or otherwise, shall be held in trust for a State university to be established by Parliament. Members will see that the words with which I prefaced my introduction to this Bill are fully borne out; and it is expressly laid down that the university itself is to be established by Parliament. This of course means that an enabling Bill must pass both branches of the Legislature before a university can become an accomplished fact. Clause 6 gives powers to the trustees which are thought suitable and necessary for the proper carrying out of their duties; but in Clause 7 it will be noticed that the powers of the trustees with regard to the disposal of lands are to a great extent limited by inference to leasing either for building or for other purposes. Clause 8 provides for the method of investing rents and profits. Clause 9 gives an advantage

to the trust property which I think the trustees for a university should in fairness possess. It provides that the trust property shall be exempt from taxation, which word of course includes municipal taxation; but when they have let properties, when another person has become the owner of an estate—and the word “owner” does not necessarily mean freehold owner, but I understand includes the lessee of such an estate—such owner shall not share this exemption with the lessors. Clause 10 provides for a quorum at meetings of trustees. Clause 11 gives them power over their officers and servants. Clause 12 provides that they may receive such remuneration as the Governor may approve; and in Clause 13 it is laid down that the trustees shall annually report to the Colonial Secretary as to the administration of their trust, and as to their receipts and expenditure. I should like to point out again that this is not a Bill for the establishment of a university, but a Bill to make the establishment of a university easy when the time is ripe for such establishment. I should like also to point out that I do not think there can be any doubt whatever but that in a very few years' time we must have a university, though some of us may perhaps differ as to the time. That is a point which may be argued. Our educational system is rapidly advancing in that direction. It is hoped—it is almost a certainty—that this year we shall be able to add to what I think a good system of primary education, the commencement of what I think will be a good system of secondary education; and when that is done, the natural step is a university to crown the whole educational system. I commend the Bill to the House, and have great pleasure in moving the second reading.

HON. G. RANDELL (Metropolitan) : Although the Bill has just been placed in the hands of members, I take the opportunity of saying a few words with regard to it. I congratulate the Government on introducing the Bill, having in view the constitution of a university in the future, and I hope in the interests of this country it will be in the very near future. I think we are fit for it now; and I believe it will, as the Minister has said, be the crowning addition to our system of education, a system which, as

far as its primary division is concerned, I do not think we need be ashamed of. Some of us—Dr. Hackett certainly being one—have entertained the hope that a university would ere this have been established in Western Australia. I believe the university of Adelaide was established before South Australia had the population we have now; and I believe that university has maintained a fairly good reputation. If there was then a necessity for a university in South Australia, surely there is a greater necessity for one in Western Australia, separated as we are by about 1,500 miles of ocean from the universities of the East, though there is, I believe, some prospect of our having better means of communication in the near future. That, however, is in the future; and we do not know what forces are at work which may prevent the early construction of the overland railway. I think the Bill is very well calculated to accomplish the object it has in view; that is, to make a beginning, and to form an endowment for the trustees of a university. I do not intend to labour the question, but to draw attention to one or two points. Firstly, I should like to see more power given to the Governor by Clause 2. I am not prepared to suggest in what manner it should be given; but I think the Governor should have power to remove trustees who are not doing their duty. I dislike exceedingly to see anyone taking up a position on any trust, or in connection with any institution, who is not prepared to discharge his duty towards it, especially in the matter of attendance. The clause provides that on death, resignation, or absence from the State the Governor may appoint; but I should like to see the power not only to appoint but to remove where necessity arises. I think the number of trustees should at once be permanently fixed at five, and that the quorum should be three. I hardly agree to two persons forming a quorum for the transaction of business; for I think there will be more safety, and probably more emulation, and a greater desire to do what is best in the interests of the institution when there is a quorum of three. The only other matter I need refer to is the question of taxes. I think that question is possibly two-sided. I should not like to see the university taxed in the ordin-

any way; but when the trustees let lands or buildings, according to this Bill they may build houses and let them, may apparently build a town; and then it will become a very serious question whether they should not contribute to the municipalities—not to the Government. When I say this the Minister looks very serious. [THE COLONIAL SECRETARY: No.] There is a principle involved here which, I think, needs careful consideration. No doubt Dr. Hackett will move the adjournment of the debate, and will, on its resumption, address himself to the whole question. I should like him to consider that point. I do not mean that any heavy taxation should be levied on the university, or any that would cripple its resources or diminish its beneficial effect on the community at large.

THE COLONIAL SECRETARY: I think the university should be a municipality in itself.

HON. G. RANDELL: There should be some provision of that kind. I have had the Bill for a moment only, and am not prepared with a suggestion, except that it may be desirable in certain contingencies to provide that taxation may be levied on the trustees. I have much pleasure in supporting the Bill. I do not think it will be creditable to the State to remain much longer without a university within our borders. I am sure we have plenty of material for students. We have intelligent young men in this country; but I do not know whether it is intended to include ladies. [THE COLONIAL SECRETARY: Certainly.] There are more intelligent ladies than intelligent gentlemen who will be prepared to take advantage of a university.

HON. J. W. HACKETT (South-West): As I should like to put the case for a university even more strongly perhaps than it has been put by the preceding speakers, I move that the debate be adjourned until the next sitting of the House.

Motion passed, and the debate adjourned.

MERCHANT SHIPPING ACT APPLICATION BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill): This Bill it has

been found necessary to introduce, in view of certain provisions with regard to the shipping which comes to this State. This is the only State in the Commonwealth which at present does not issue Board of Trade certificates. In other States we find that either Part II. of the Merchant Shipping Act, with which I shall presently deal, is adopted as portion of their legislation, as we propose to adopt it in this Bill, or that the States have, by Navigation Acts or Marine Board Acts of their own, created bodies of men for the purpose of examining candidates and granting Board of Trade certificates of competency and fitness to navigate sea-going vessels. Now it is found, in view of the large amount of shipping which Western Australia is attracting to her shores, that the present condition of affairs ought not to continue; and that is one of the reasons which have actuated the Government in bringing in this Bill. Again, in the signing on and the discharge of crews, in the granting of permits for certain purposes in ports, and for various examinations of vessels, fees are charged. In some cases doubts have arisen as to the legality of charging those fees; and therefore, in order to remove those doubts, this Bill is introduced. Members will find that Part II. of the Merchant Shipping Act deals with certificates of competency, the engagement of seamen, the rating of seamen, the discharge of seamen, payment of wages, advance and allotment of wages, seamen's money order and savings banks, rights of seamen in respect of wages, mode of recovering wages, power of courts to rescind contracts, property of deceased seamen, destitute seamen, distressed seamen, clauses dealing with the provisions, health, and accommodation of seamen on board boats, protection of seamen from imposition, provisions as to discipline, the keeping of logs, the creation of local marine boards, marine offices, the registration of and returns respecting seamen, giving to corporations and persons power to grant sites for sailors' homes and other things. Therefore members will see that Part II. is a most important part of the Merchant Shipping Act; and although we have in legislation embodied several parts of the Merchant Shipping Act, we have not gone so far as other States by

having a Navigation Act of our own, nor have we previously embodied, as Victoria has, this Part II. of the Merchant Shipping Act, therefore we ought to do so. This has created a position which I do not think at all desirable; indeed it is absolutely undesirable. In order to remedy this state of affairs this Bill is introduced. There is no need to explain the measure, which indeed consists, in so far as the executive part of it is concerned, of only one clause. I, therefore—trusting that members will accept the explanation I have given, and do not wish to postpone the discussion of the measure, as there is no necessity to do so—move the second reading.

HON. R. LAURIE (West): I have much pleasure in supporting the second reading. I think it is absolutely necessary this Bill should be passed; in fact to my mind we ought to have passed such a measure years ago. It is within the memory of many members of the House that two or three years ago a commission was appointed for the purpose of taking evidence and drawing up a measure to amend and consolidate the shipping laws of the State for the purpose of creating a Marine Board to issue certificates to officers and otherwise to carry out the whole of the shipping laws of the State. I may say that without the necessary officers at Fremantle it has been found impossible to give certificates on many occasions to engineers and marine officers. It has been found necessary on many occasions for young men to go from here to Singapore and to other States and then come back again, which entailed on them considerable expense which they should not have been put to. By the passing of this very short measure power will be given to create officers at the port of Fremantle who will be able to issue certificates which, to all intents and purposes, will be Board of Trade certificates; and as the State of Western Australia is increasing its registered tonnage to a considerable extent, it is necessary, and has been necessary for the past four or five years, that such power should be given. Again, it will in a great measure, as was pointed out, enable shipping officers at the port of Fremantle to make the necessary legal charges. At the present time if disputes arise from day to day the Chief Harbour Master

never knows what charges to make, and complaints arise. By having the charges the same as those of the other States and in the United Kingdom, it will simplify matters both for officers in carrying out their duties and for shipping masters who come here. I have much pleasure in supporting the second reading, and I trust the Bill will receive the favourable consideration of members of the House.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

BREAD BILL.

LEGISLATIVE ASSEMBLY'S AMENDMENTS.

Schedule of two amendments made by the Assembly in the Bill now considered in Committee.

No. 1, Clause 3—In the definition of “fancy bread,” strike out the words “under two pounds in weight”:

THE COLONIAL SECRETARY moved that the amendment be agreed to. He was informed by gentlemen who knew, that to leave the words in the clause would create an absurd position, because pipe loaves invariably weighed four pounds.

Put and passed.

No. 2, Clause 3—In the definition of “standard wheaten bread,” after the word “weighs,” in line 16 of page 2, insert the words “not more than”:

THE COLONIAL SECRETARY moved that the amendment be agreed to. These words were inserted in order that, although a certain standard was fixed, the fineness of the flour should not be confined by that standard. Flour was dressed up to a certain fineness, and if dressed beyond that stage it naturally weighed less.

HON. G. RANDELL: The words proposed to be struck out were in the Victorian Act, which was the latest law on the subject. The Victorian Act was a copy of the English legislation; therefore there was good reason for leaving the words in. Some wheat would not produce 40lbs. of fine flour to the bushel. A bushel of wheat weighed 60lbs., producing 40lbs. of flour, 12lbs. of bran, and

6lbs. of pollard, and 2lbs. of waste. It used to be 10lbs. of bran, 8lbs. of pollard, and 2lbs. of waste, making 60lbs. If persons wished to kill themselves by eating very fine bread, we could not help that. The clause was so little likely to be carried out that it would have no effect; therefore he consented to the amendment.

HON. C. A. PLESSE: No harm would be done in passing the amendment, because the clause as it stood was an impossible one.

THE COLONIAL SECRETARY: The clause was more impossible as it stood than with the amendment. As the Bill stood, standard bread could only be made of flour of a certain fineness, and no other fineness whatever would be allowed. The amendment was inserted by the Assembly so that the fineness of the flour could be increased.

HON. C. E. DEMPSTER: The clause was most ridiculous. In Western Australia 40lbs. of flour to the bushel was the largest yield; and if the standard were made heavier more bran must be put in. It was not obvious how one could ascertain what quantity of flour wheat would produce, nor how the clause could be enforced.

THE COLONIAL SECRETARY: That must be left to the experts.

Question—put and passed.

Resolutions reported, the report adopted, and a message accordingly returned to the Assembly.

ADJOURNMENT.

THE COLONIAL SECRETARY: Again we had arrived at the happy position of having no work on the Notice Paper except a second-reading debate on the Electoral Bill. To meet the wish of members that we should as far as possible consider as a whole the three Bills dealing with the constitution of Parliament, he moved that the House at its rising do adjourn until Tuesday next.

Question passed.

The House adjourned accordingly at 5-48 o'clock, until the next Tuesday.

Legislative Assembly.

Tuesday, 29th September, 1903.

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

PRAYERS.

ASSENT TO BILL.

Message from the Governor received and read, assenting to Supply Bill, £500,000.

QUESTION—ROAD CROSSING, CLOSURE.

MR. FERGUSON asked the Minister for Railways; 1, Whether it is proposed to close the level crossing on the Perth-Fremantle road, known as Leighton's Crossing. 2, If so, whether it is proposed to give the people in the vicinity any other means of crossing the railway line.

THE MINISTER FOR RAILWAYS replied: 1, It is not proposed to close this crossing at present. 2, Answered by No. 1.

QUESTION—RAILWAY REFRESHMENT ROOMS, TENDERS.

MR. BATH asked the Minister for Railways: What are the names of the tenderers and the amounts of the tenders received for the conduct of the railway refreshment rooms at Kalgoorlie.

THE MINISTER FOR RAILWAYS replied: 1, W. Turner, £559 per annum. 2, W. W. Berry, £550 per annum. 3, W. M. Hunter, £510 18s. 4d. per annum.

QUESTION—GOLDFIELDS WATER SUPPLY, RETICULATION PIPES.

MR. DAGLISH asked the Minister for Works: 1, Whether the contract of Messrs. Hoskins & Co., Ltd., for the supply of pipes for reticulation of the Goldfields Water Supply provides for the manufacture of the majority of items in this State, and whether an enhanced price