

## Legislative Council,

Tuesday, 7th August, 1906.

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THE PRESIDENT (Hon. H. Briggs) took the Chair at 4.30 o'clock p.m.

### PRAYERS.

### PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Report of the Education Department for the year 1905. 2, Copies of Orders in Council under Section 35 of "The Audit Act, 1904." 3, Light Agricultural Railways—Plans of routes under construction: Goomalling-Dowerin, Wagin-Dowerin, and Katanning-Kojonup.

The COLONIAL SECRETARY, referring to a Return moved for by the Hon. R. F. Sholl (in relation to the Katanning-Kojonup, Wagin-Dumbleyung and Goomalling-Dowerin Railways) said the return would be large, no less than six officers in the Lands Department being engaged on it.

### QUESTION—JUSTICE'S REMARKS, KING v. O'LOUGHLIN.

HON. G. BELLINGHAM asked the Colonial Secretary: Will he draw the attention of the Hon. the Attorney General to the remarks made by the presiding Justice in a recent Police Court case of the King v. O'Loughlin?

THE COLONIAL SECRETARY replied: The matter is under consideration.

### QUESTION—SEPTIC TANK SYSTEM.

HON. T. F. O. BRIMAGE asked the Colonial Secretary: 1, Has the Government decided upon the septic tank system for the sewerage system of Perth? 2, If so, on whose advice did the Government act? 3, Were the public health authorities consulted regarding it? 4, If not, why not?

THE COLONIAL SECRETARY replied: 1, Yes. 2, Upon the advice of the Government's professional officers, including Mr. Palmer, now Inspecting Engineer in London for this State, and also upon the advice of Mr. J. Davis, M.I.C.E. (formerly Engineer in Chief for the Sydney Sewerage Scheme, and now Under Secretary for Public Works, New South Wales), who was specially retained to report upon the whole matter. 3, Yes.

### BILLS (9)—FIRST READING.

Fremantle Harbour Trust Act Amendment, introduced by the COLONIAL SECRETARY.

Pharmacy and Poisons Act Amendment, introduced by the Hon. M. L. MOSS.

Money Lenders, introduced by the Hon. M. L. MOSS.

Second-hand Dealers, received from the Legislative Assembly.

Permanent Reserves Rededication, received from the Legislative Assembly.

Government Savings Bank received from the Legislative Assembly.

Legal Practitioners Act Amendment, received from the Legislative Assembly.

Stamp Act Amendment, received from the Legislative Assembly.

Fremantle Reserves (municipal power to sell), received from the Legislative Assembly.

### RETURN—KATANNING-KOJONUP RAILWAY.

HON. G. RANDELL (Metropolitan) moved—

That there be laid on the table of this House a copy of the specifications for the Katanning-Kojonup Railway, embracing (*inter alia*) earthworks, sidings, stations, water supply, etc., and weight of rails, size of sleepers, power and weight of locomotives intended to run on the line when opened.

He did not desire that any very heavy work should be entailed on officers of the department. If the return would involve anything like what the Colonial Secretary mentioned a moment or two ago, he would be inclined to withdraw the motion.

The COLONIAL SECRETARY did not think it would.

HON. G. RANDELL was applying for the information in regard to only one line, and did so on account of disquieting remarks with regard to several things, which he would not mention at the present time. Sufficient information had been given to him to justify his asking the House to agree to the motion. He understood that the Government had no objection to it, and that they wished to place before the House the particulars they could give, so that members might be able to judge for themselves as to the system of construction that had been adopted by the Public Works Department. He might be allowed to refer to the hasty manner in which these Bills were passed through the House at the close of last session, and in relation to which we did not obtain the information which we were entitled to. It was impossible for debate of any length to take place upon them, and there were many things on which members of the House desired to receive information before voting for those Bills, therefore a greater necessity had arisen for us to examine now as much as we could the construction and equipment of these lines, with a view of having a better understanding on any farther lines of the same description which might be brought before the House.

THE COLONIAL SECRETARY (Hon. J. D. Connolly): The Government had no objection to the motion. He thought that if he obtained a copy of the specifications it would cover all the questions asked by Mr. Randell, with the exception of the weight of the rails, and the weight of the locomotives which would be put on these lines. He did not think the return would be a costly one.

HON. G. RANDELL said he was told that any kind of inferior woods might be used.

THE COLONIAL SECRETARY said there would be three different kinds. That would be dealt with on the specifications.

Question put and passed.

#### ASSENT TO BILL.

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

#### BILL—JURY ACT AMENDMENT.

##### IN COMMITTEE.

HON. M. L. MOSS (for Mr. Kingsmill) in charge of the Bill.

Clause 1—agreed to.

Clause 2—In civil cases two-thirds majority to be accepted:

HON. M. L. MOSS moved that progress be reported. On the second reading he had indicated his intention to move an amendment to this clause to provide for a five-sixths majority in the case of a jury of six, and a nine-twelfths majority in the case of a jury of twelve; but he understood other amendments were required. For instance, a member desired to exempt mine managers from serving on juries. It would be better in the circumstances to report progress.

Motion passed.

Progress reported, and leave given to sit again.

#### BILL—HEALTH ACT AMENDMENT.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: It is the intention of the Government to bring down this session a consolidating Health Bill amending the Health Act of 1898; but there are some amendments which are pressing and should be dealt with at once, and that is the reason why we have brought down this short Bill. Under the existing law, the municipal council is the local board of health; that is to say, it does not require gazetting in the ordinary way as a local board of health. We now propose to give, to a certain extent, the same power to a roads board so that a roads board may be proclaimed a local board of health. It is provided in Clause 2 that this shall only apply to such roads boards as to the Governor-in-Council may seem fit. There will be a proclamation declaring a certain roads board to be a local board of health. The principal reason for this amendment is that at present, where it is possible in country districts where there are local boards of health, we make the boundaries of the local board of health similar to the boundaries of the roads board; and in some

cases where the boundaries are similar we also appoint the members of the roads board as members of the local board of health. But there is unnecessary expense under this system. The Health Act provides that the health rate shall be struck at the same time as the municipal rate, namely the 1st November; but the Roads Act provides that the rate shall be struck from the 1st July; the consequence being that when the roads board is the health board there are two lots of collections made and two lots of notices sent out. This difficulty can be obviated where the boundaries of the roads board and local board of health are similar, by proclaiming the roads board to be a local board of health. The Bill also provides that the local board of health shall have all the powers vested under the Roads Act, that is to say it can strike a rate on the same date as the roads board, viz., the 1st July. So there will not be two rate collections as now. Of course that can only be done where the boundaries are similar, and the Governor-in-Council will only proclaim roads boards as health boards in such cases. Generally speaking, the officials of the two bodies are the same, the secretary of the roads board being the secretary of the health board; but at present the officer very often works for two different boards. By the arrangement now proposed the officer will be under one and the same board, just as a municipal town clerk is now; because under the municipal Act the town clerk is secretary to the local board of health as well as clerk to the municipality. The Bill also gives the health board power to strike a rate on the unimproved value of land. We have inserted that provision because, at present, most roads boards strike their rates on unimproved values, and if we did not give this power it would mean that the roads board as a local board of health could not use the roads board rate book for the health rate, and would have to go to the expense of going through the whole district and striking a fresh rate for health purposes. That difficulty is got over by this Bill. The Bill also provides that the accounts of the local board of health shall be kept in the same form as provided under the Roads

Act of 1902. They will be subjected to the same audit as roads boards accounts, as provided under that Act of 1902. At the present time most of the local boards are not subject to any Government audit. The next clause of importance dealing with the matters I have mentioned is one giving the Governor-in-Council power to exempt the trustees of public parks and gardens from the operation of this Bill. We think that in some cases it is desirable that public parks and reserves should be exempt from the operation of a Health Act. An instance of this is near at hand, the King's Park, and members will see that in the case of a large reserve like that it may be better and more convenient to permit the trustees to deal with their own sanitary arrangements; because a public park of that kind cannot be left open at night so that the ordinary sanitary carts may go in and out at all hours. It is therefore provided that the Governor-in-Council may, if he see fit, exempt any public parks and reserves from the operation of the Health Act of 1898. It is also provided in the Bill that a roads board, after it is proclaimed a board of health, shall become liable for the liabilities of the existing board which it supersedes, and shall also take over any assets of the superseded board. With the exception of the matters I have mentioned, I do not think there are any other provisions I need explain to the House. There are no new principles in the Bill other than those I have mentioned. I move that the Bill be now read a second time.

HON. R. F. SHOLL (North) : I do not think this is a Bill which should be introduced in this House, and I ask for the President's ruling on the point. This is a Bill giving to local authorities power to impose a rate, in other words to impose taxation; and I think it has been ruled in this House by your predecessor, sir, that Bills of this nature should not be introduced first in this House.

THE PRESIDENT : I think the Bill is in order, as being in accordance with the general practice of this House. We have been guided by Standing Order No. 309 of the Legislative Assembly, which

states that the Assembly will not insist on its privileges in certain circumstances and under certain conditions. Among those conditions are:—(1.) Where payments are imposed in respect of services rendered under the Act, this is the section I rely on in regard to this Bill; and (2) when the proceeds of the rate levied are not paid into the general revenue fund. I consider that in this case the imposition of a health rate is for a public service rendered, and is not payable into the general revenue of the State. I do not think the Legislative Assembly would insist on its privileges as to the first introduction of a Bill for the purposes here contemplated. I will read the Standing Order. [Order 309 read].

HON. W. MALEY (South-East): The tendency at the present time appears to be in the direction of increasing the taxation of the country in very many forms, and the principle of this Bill merely provides another form of taxation.

THE COLONIAL SECRETARY: There is no taxation at all.

HON. W. MALEY: I venture to say that, unless I misread the Bill, this is a measure that will not work with satisfaction in country districts. I presume it is intended that the Bill shall apply to the circumstances now obtaining in country districts; and it attempts to provide machinery for securing the health of the people in roads board districts, by enabling a local board of health to work on the same lines and in the same area as is covered by the roads board in each district. I quite understand that in towns it is desirable to have a health rate for every portion of a town, that every separate allotment of land shall be rated for health purposes; but in huge areas covered by roads boards, extending over 40, 50, sometimes 100 miles, it would not be a fair thing to rate country lands on the same basis as town lands are rated for health purposes.

THE COLONIAL SECRETARY: This money will be spent where it is raised; so there can be no objection on that ground.

HON. W. MALEY: I know the money is to be spent in the roads districts where it is raised; the Bill states that clearly; but I contend that money for this pur-

pose should be raised only within that portion of a roads district where the work or service is likely to be required. Such service will not be required over the whole of the very large area which some roads districts cover.

HON. J. W. WRIGHT: Some districts are 100 miles square.

HON. W. MALEY: That is so. If the provisions of the Bill have been so little considered in this respect, it is not to be wondered at that when we come to the form of the proposed tax and the amount required to be raised, the inexperience shown is evident also in the proposal for levying the tax. Under this Bill the minimum tax is 10s. per allotment, for health purposes; and when it is borne in mind that the rate for the making of streets and footpaths in municipalities is on the basis of 2s. 6d. for each allotment, it will be seen that the proposal in this Bill is to raise four times as much in country districts for health purposes. I contend that this is a most extravagant scheme for filching the money of the agricultural portion of the community, as well as the people in towns, for the purpose of increasing salaries and building up little roads-board institutions, employing labour and creating offices for useless purposes. Surely members will not pass a measure which demands that four times as much taxation shall be raised for health purposes in country districts as is raised in towns for the construction of roads and footpaths. If the Bill gets into Committee, I hope it will be dealt with in the same harsh manner as its framers propose to deal with the persons to whom this measure applies. I leave the matter with the House, trusting to its tender mercies for making the necessary alterations.

HON. R. F. SHOLL (North): I think that this Bill might well be postponed. There is no doubt it is a taxation Bill; and as there is before another place a proposal for the taxation of land values, which we shall be asked to consider in the near future, I submit that this Health Amendment Bill should be postponed until we know definitely what is to be the system of land taxation. With regard to

the health rate, I know of an instance (Midland Junction) in which a local board of health taxes land in the Greenmount roads board district for health purposes, the revenue from which rate is applied for health services rendered in Midland Junction itself, which services have nothing to do with the lands outside the municipality. As far as I can understand this Bill, it is one which proposes to give powers to roads boards equal with the powers in municipalities to levy rates for health purposes. Whether a sanitary rate be required or not, this rate is to be imposed, and may possibly be used for some other purpose. We should defer the farther consideration of any measure for imposing taxation on land, until we have received the principal Bill dealing with land taxation which is now being considered in another place. I suggest that this Bill, being simply a means of levying taxation, be postponed. I hope the House will agree to that course, though I will not move it formally.

HON. J. M. DREW (North): I certainly do not agree with Mr. Maley or Mr. Sholl; for from my experience of the various country districts, I have found that the general opinion is that roads boards should have the same powers in matters of health as are given to local boards of health in towns. It is true there have been certain bodies appointed as local boards of health, and these in many instances have failed to give satisfaction, for the reason that they were not representative bodies; but in the case of roads boards as proposed under this Bill, they are representative of the ratepayers of the district in each case, and are likely to carry out the wishes of their electors, not in an arbitrary manner, but reasonably. Mr. Maley pointed out that the Bill would increase the taxation in country districts; but we have to recollect that the people in those towns within the area over which roads boards have control will also be taxed, and as the taxation is for health purposes, the people will get a return of service rendered, in that the areas rated will be made more cleanly and healthy. I think that a sanitary service is required in many country districts, and under this Bill such a service

will not be forced on the people unless there is an appeal from the particular district desiring it; and in any case it must first be recommended by a large number of the people resident in the particular district, or by the roads board as the local authority. I know of several roads districts in which the boards are desirous of applying for the authority sought to be given under this Bill.

HON. W. KINGSMILL (Metropolitan Suburban): I am not enamoured of this little Bill, and for several reasons. The first reason is that the Leader of the House in introducing this measure announced his intention of bringing down an amending Health Bill.

THE COLONIAL SECRETARY: No. I did not say I would bring it down, but that it would come before the House at a later date.

HON. W. KINGSMILL: I understood the Leader of the House to say that an amending Bill would be brought down, and that it would be as well for the House to give consideration to the principles enunciated in this Bill—principles which, I hope, will not be passed into law before we consider that main Bill. In the first place, this Bill provides for placing in the hands of local boards of health certain powers which local boards have failed to use wisely in the past. I hope that when the amending Health Bill comes before the House, it will be found there is going to be an alteration in the status of local boards of health. Speaking as one who has had considerable experience in regard to one of the main objects of the Bill, I expect that the tendency of the main amending Bill will be to take away from local authorities those powers which they have either neglected to use, or in some instances have misused in the past. This Bill, however, shows no intention of so doing. It would, I think, have been much better, if urgency be the only object, to introduce a short Bill giving to the central authority—that is to the Central Board of Health—power to fix the rates which have to be levied in any one district, when it appeared to that body, and to the Minister controlling it, that any rate fixed by the local body was not sufficient

for sanitary purposes in that district. That, I think, is an amendment much more urgent than any of those which appear in the Bill. I do not intend to offer any factious opposition to the Bill; but in my opinion it errs in two respects. First, its urgency has not been proved, and secondly it seeks to perpetuate a system which I think is wrong, and which I certainly hope will be remedied when the main amending Bill comes before this Chamber.

THE COLONIAL SECRETARY: What system?

HON. W. KINGSMILL: The system of giving the whole power of rating to local boards of health. If the Minister will go through the records of the local boards of health, which records he can easily obtain at his office, he will find that in very many instances—there are, I am sorry to say, few instances to the contrary—the powers conferred upon those bodies have not been used to the best advantage of the districts which they represent.

HON. J. W. LANGSFORD (Metropolitan-Surburban): I think that the House may very well allow this measure to go into Committee, when the Minister in charge will probably accept any reasonable amendments. I think that the reason why some local boards of health have not done their duty when controlling an area somewhat similar to a roads board district is probably that they have been appointed by the Government and not elected by the ratepayers. If the health districts and roads-board districts are to be the same under this Bill, then the roads-board members elected will constitute the local board of health; and I think they are much more likely to carry out their duties than they would be if they were nominated by the Government. The rating proposals in Clause 3 I do not quite understand; and I think that an amendment of them would be desirable, or at all events some explanation is needed with regard to the general health rate and the charges for the disposal of nightsoil and refuse—as to whether those duties are to be undertaken by the health board, or whether in addition there is to be a contractor who

will require his fees. These matters need explanation in Committee.

HON. J. W. WRIGHT (Metropolitan): Knowing and having had much to do with the working of the Health Act, I must say that my past experience of the various local health boards is that they were very varied indeed. Hardly any of the boards carries out its duties as it ought to; and if they are made elective bodies, I think we shall find that where they consist of people of some standing and power in the land, the health inspectors will be afraid to do their duty. The local boards of health need wiping out altogether. The whole of the provisions of the Health Act should be carried out under one central authority, and district inspectors should be moved about like policemen, and not allowed to remain in any particular district. I think that the existing local boards of health are a great mistake, and that when they are identified with the roads boards we shall have just the same trouble as we have now. I am certain that if we pass this Bill, the administration of the parent Act will be almost impossible. Some of the roads districts I know are over 100 square miles in area; and how the Act is to be administered there I do not know.

THE COLONIAL SECRETARY: The Bill will apply to none but proclaimed districts.

HON. J. W. WRIGHT: Yes; but districts are sometimes proclaimed without just cause. People in a town form a deputation and ask for the proclamation; and the farmer with a large block of land outside the town will then be rated.

THE COLONIAL SECRETARY: If his land is proclaimed as part of a health district, he can be rated now.

HON. J. W. WRIGHT: But why should a man with a thousand acres outside a town, and who gets rid of his own nightsoil, be rated for services rendered to none but people in the town? That is what I object to. At any rate, I shall vote against the Bill when we come to a division.

HON. E. McLARTY (South-West): I quite agree with Mr. Wright, and also with Mr. Maley. I have had experience

of this matter. I know one district where a health board was created, the roads board district being made a health district also. It extended for many miles; and the health board levied rates on land that was to my knowledge 25 miles from the centre of population, land where there was not a single habitation, and where no sanitary service was needed. It was a downright hardship that those people outlying should be asked to pay rates to that health board, which was spending the whole of its income on a small area of perhaps 50 acres in the central part of the district. The board employed a secretary who was not needed, at a salary of £150 a year. I have no doubt that another man could have been obtained to do the work for £20. The board was most extravagant in its expenditure; and I quite agree with what Mr. Wright said, that there is no need to bring country lands under the Health Act and to levy rates upon people living miles away in the bush. On such people the rate is a great imposition. This is another attempted increase of taxation, as Mr. Sholl says; and I tremble to think of where such impositions are to end. I think that the Bill may well stand over. I fail to see why a man living 25 miles from the centre of a health board district, and needing no sanitary service at all, should have to pay a rate which will probably be squandered in the central part of that district.

THE COLONIAL SECRETARY: The Bill will not give the health board any more power than it has to-day.

HON. E. MCLARTY: I am not opposed to the administration being in the hands of a local board; for I think that in many instances a local board is perhaps a more suitable authority than the Minister. But there must be some limitation of the power to rate; because roads boards are not infallible, and I object to persons far in the bush having to pay rates to be squandered in salaries and other extravagant expenses. I think that the Bill should be carefully looked into before we rush it through the House.

HON. G. RANDELL (Metropolitan): My idea of the proper method of dealing

with this business is on the principle of payment for services rendered, and not for services which are not rendered. The Colonial Secretary, or someone else, said on the second reading that this was not rating for services rendered. The principle of payment for services obtained in Perth and all other municipalities until a somewhat recent date; and I think that when a change was made an injustice was done to many ratepayers. That remark will apply with tenfold force to people living in the country if the tax be 1d. in the pound on the capital value. Local bodies generally rate up to the limit; and if they possibly can stretch their power, they will go beyond the limit. Suppose an estate worth £10,000. A rate of 1d. in the pound would produce £40.

THE COLONIAL SECRETARY: Did you ever hear of such a case?

HON. G. RANDELL: The owner would be outside the actual radius served by the health board, and would receive no benefit. Why then should he be asked to contribute to the local board? I can readily understand why he should contribute to the cost of governing the country, but not why he should contribute to the expenses of a health board from which he receives no benefit, seeing that he performs sanitary services for himself. I think that principle is very bad, and I know of an instance in which it inflicted great injustice.

THE COLONIAL SECRETARY: There is no new principle at all.

HON. G. RANDELL: The rating on unimproved values is dangerous in principle. I know that health boards have power to rate now, but only within proclaimed health districts.

THE COLONIAL SECRETARY: Quite so.

HON. G. RANDELL: We do not know what may happen in future.

THE COLONIAL SECRETARY: The Government will not in future have any more power to proclaim health districts than it has to-day.

HON. G. RANDELL: The Minister cannot give us a guarantee that no country lands will be proclaimed to be within the boundaries of health districts. I am sure he would not take upon himself to say

how much influence will be successfully brought to bear to extend the boundaries of health districts; and by such extension grave injustice may be done to a large number of people who perform their own sanitary service, and who, unlike the people living in little centres throughout the country, require no assistance. I do not wish to labour the question, but there is great force in Mr. Kingsmill's argument that no serious harm will result from allowing this Bill to stand over until the main Health Amendment Act is brought in. I think there is room for suspicion that persons may be heavily penalised for the benefit of small villages or hamlets scattered through the country. The principle is, to my mind, entirely wrong. The payments made to the health board should be for services rendered.

THE COLONIAL SECRETARY: This Bill does not affect the principle.

HON. G. RANDELL: No matter whether we already have or have not the principle, it is entirely wrong in country districts, and I think it is wrong in municipalities. A man should not be called on to pay, except for services rendered. One man may receive a visit every night in the week from certain municipal employees; another man only once in a week; yet the latter pays as much as the former. Of course I know that this is not a valid argument for throwing out the Bill; but I think that the matter of unimproved value rating should be taken into serious consideration.

HON. G. BELLINGHAM (South): I must certainly take exception to the Bill as brought in, more particularly to the latter portion of Clause 3, providing that a minimum rate of 10s. may be levied on any rateable land or on each of the several lots into which such rateable land may be subdivided. Consider, for example, the Perth Roads Board district, which includes Osborne Park and a large area extending towards the North Beach. A great portion of that land has been subdivided into small allotments, varying in size from one to five acres; and at the present time the roads board has power to levy 2s. 6d. on each allotment. A

general rate has been struck, which I have had to pay for allotments far from the road and away in the bush. I suppose there have been in Osborne Park and neighbourhood fully 10,000 allotments cut up, of which many have been sold and many remain unsold. The roads board is levying a general rate of 2s. 6d. per lot. Now the Government ask us to pass an Act giving that board, after its being created a health board, power to tax each of these lots, including those which are vacant, at the rate of 10s. for health rate and 2s. 6d. for general roads board rate. Many of those allotments are not worth 50s., yet a health rate of 10s. is to be the minimum.

HON. R. F. SHOLL: Such bodies always make the minimum into the maximum.

HON. G. BELLINGHAM: Yes. What the maximum would be, goodness knows, probably more than the value of the allotment.

THE COLONIAL SECRETARY: How could it be, at 1d. in the pound?

HON. G. BELLINGHAM: I certainly take exception to the Bill as brought in.

HON. E. M. CLARKE (South-West): There is a provision in the last portion of the Bill to which I must take exception. In the case of a person holding say 100 acres, and supposing he cuts it into smaller allotments, then under the clause I refer to he may be rated for each and every one of those allotments. Some years ago this question cropped up at a municipal conference, and it was contended on behalf of the Perth municipal council (I think) that each allotment into which a man chose to subdivide his property as shown on registered plan was liable to be rated as an allotment. I was chairman of that conference, and when asked for my ruling I said that in my opinion unquestionably the owner could not be rated for separate allotments until he parted with the title. The late Mr. Alexander Forrest was the first man to stand up against the Perth council's reading of the Act, and I believe he got judgment in his favour, which proved that rates could only be levied on the title as it stood, that a man might cut his property into as many lots as he chose without



being liable to be rated on each of them so long as he held the title. Under this clause in this Bill the owner will be liable to be rated for each block ; and that is a serious matter in the case of a man cutting up a large estate, such as that of the Hon. H. W. Venn, in which estate (now being subdivided) there are over 20,000 acres. Under this clause he would be liable to be rated for every block in his subdivision as registered.

HON. T. F. O. BRIMAGE (South) : I trust that this Bill will be allowed to get into Committee. It is a measure that is very much wanted on the Eastern Goldfields at the present time. It is very well for Mr. Randell to tell us that the people are at present paying as much taxation as it is possible for them to pay for the services rendered ; but in a Bill like this for creating boards of health in roads districts, the people will be rated for the purpose of providing clean streets as well as clean back-pronises. Only a few of the towns on the Eastern Goldfields have been declared municipalities. Take Malcolm ; it has not a board of health at all ; also Burtville, a town that is not a municipality, but is in a roads board district, and it is necessary that such towns should be granted the powers of a board of health.

HON. J. W. WRIGHT : They can get them if they apply.

HON. T. F. O. BRIMAGE : Certainly ; and those powers have been asked for by some of the roads boards on the goldfields. Surely if people on the goldfields require a measure of this kind for keeping their districts clean, such a measure can be passed through this House for that purpose without its being to the detriment of country districts. Some of the arguments in opposition to the measure which certain members have raised I am going to support ; but those matters can be dealt with afterwards. I hope the Bill will be allowed to get into Committee, in order that provision may be made that those roads boards which desire to be created boards of health may be so created with the approval of the Governor. I support the Bill, and if certain towns and districts were mentioned in it, I think it would be a useful measure, and should receive the consideration of this House.

HON. J. W. WRIGHT : Have you read the Bill ?

HON. T. F. O. BRIMAGE : Referring to another point, Mr. Kingsmill asked the question why this Bill was introduced now, when the Colonial Secretary had intimated that an amending Health Bill was to come at a later date. (One reason why this Bill has been introduced thus early in the session is that the Government wished to make it possible for the tax to be collected on the 1st July. The financial year of the various roads boards commences on the 1st July ; consequently it was essential that this principle should be introduced at once. I sincerely hope that members will allow the Bill to go into Committee, and in Committee I will give every consideration to those amendments which members desire. This measure is wanted badly at least on the goldfields, and if for that reason alone I hope members will allow the Bill to get into Committee, and that it will be passed.

THE COLONIAL SECRETARY (in reply as mover) : This little measure appears to be altogether misunderstood by certain members, who have stated that they object to any farther taxation. This Bill is not increasing taxation in the least. At the present time, under the Health Act the Governor-in-Council has power to proclaim any particular district a local board of health ; and once that board of health is proclaimed, the Government may appoint the members of that board, and the board so appointed has the power to strike a rate up to 6d. in the £ on the annual value of all property within its district. That is the law, and we do not propose to give any farther powers.

MEMBER : The Bill fixes a minimum rate of 10s.

THE COLONIAL SECRETARY : I think it is a mistake that the minimum went in, and I am prepared to reduce it ; at any rate that is a matter of detail. This Bill is intended only to deal with those districts in which the roads board boundary and the health board boundary are the same. I will give several instances. There are the Cottesloe, Buckland Hill, and Peppermint Grove Roads Boards whose boundaries are the same as the boundaries of the health boards in those

places; also the Kalgoorlie Roads Board's boundaries are the same as those of the board of health. While in these instances the boundaries are the same the personnel of the local bodies may be different; and even where the personnel is the same, the different boards still have to strike a separate rate for the different purposes of each, and the usual notice have to be sent out at different dates in respect of each rate. With this proposed alteration, exactly the same powers for health purposes will be conferred on roads boards as are enjoyed by municipal councils; that is to say, when the boundaries of a roads board are similar to those of the local board of health—and so far as I know they are similar only in the instances I have mentioned—then that roads board may be, at the instance of the Governor, created a local board of health. With regard to the objection raised by Mr. Kingsmill, that the urgency for this proposal was not made sufficiently clear in view of the fact that a consolidating Health Bill is to be introduced later, I may have omitted to make the point clear. I did say that a consolidating measure is coming down; that is to say the Government intend to introduce such a measure, if time permits. But as has been said by the late Colonial Secretary, that must be a big measure indeed and one requiring careful consideration. The Government wish to give it careful consideration; we desire to feel when introducing a measure of the kind that we have got an Act which will be workable and may last for all time. That measure will not be before this House until it has been passed in another place. The present short Bill has been introduced for the reason that the financial year of the roads boards and the health boards commences on different dates. Take the case of Kalgoorlie; if this Bill be not passed now the local board of health will have to strike a special rate from 1st November; whereas if the Bill passes, the Kalgoorlie Roads Board will be able to send out its health rate notices simultaneously with its roads board notices. That is the real object of the Bill. Referring to the point raised by Mr. McLarty and others that a great injustice might be done to persons who held 10,000 acres

of land, I can only say that large land-owners are more likely to be protected under this Bill than under the existing law. For this reason, that at present the Governor-in-Council may proclaim any district a health board district, and immediately that board is appointed, although the board will not have been elected by the people, it will have power to strike a rate, and the people have to pay that rate. When, however, the members of a roads board are appointed also a local board of health, those members are or have been elected by the people in the same way as members of Parliament are elected, and if the representative board makes the rate too high, the people who elect it have the right to deal with those members, just as an erring member of Parliament or of a municipal council may be dealt with when next he comes up for re-election. Such boards are, in fact, elected by the people and represent the ratepayers; but under the existing Act the members of a health board are merely a body nominated by the Governor-in-Council. This Bill does not go quite as far as Mr. Maley seems to think. It provides for the proclamation of a roads board as a local board of health only in cases where the boundaries are similar. There are very few roads boards in which the boundaries are similar to those of the health board. I think there are probably only the four cases I have mentioned, and they are in populous districts. The North-East Coolgardie Roads Board's district contains a very large area, and I suppose that in the farming districts there are others quite as large, several hundred miles square; and within that board's district there are contained quite half-a-dozen, probably nearer a dozen, local boards of health. In that board's district there are no fewer than seven municipalities, in each of which there is a local board of health. The arguments used against the Bill are rather varied. Some members say that under the Bill the people have not enough power, while Mr. Wright and Mr. Kingsmill are of opinion that the Central Board should have supreme power in health matters. I certainly believe in the principle of taxation with representation; and if we were to hand over the

taxation powers to the Central Board, as Mr. Wright and Mr. Kingsmill advocate, the position would be that the Central Board in Perth would be able to impose on the people in the country a sixpenny, eightpenny, or ninepenny rate, and those people would have no voice. I do not know that I am prepared to go that far. I believe in giving to the people a voice, and this Bill moves in the direction of leaving the taxing to persons whom you elect—not to a central body like the Board of Health in Perth. There is a very wide difference indeed. We should have one set of officers for a municipal council or roads board and for a local board of health. One secretary would collect the rates of the roads board and the health rates; and one secretary, without probably any addition, would administer the affairs of the roads board and the local board of health. That is only likely to apply to thickly populated centres and not in sparsely populated centres at all. The Government are not likely under this Bill to proclaim local boards in country districts any more than they are proclaimed now. They are not proclaimed in outlying districts of 10,000 acres. There would be no more power to do so under this Bill than there is under the present Act. In regard to the rate on unimproved values, that does not make taxation any greater than it is at present. I thought I explained when introducing the Bill that we give power to rate on the unimproved value exactly as it is in the Roads Act, so that if any particular roads board that is proclaimed a local board of health should happen to strike a rate on the unimproved value, the local board would only have to make a copy. We have fixed the amount at a penny in the pound. We only want to give the same powers as exist now, and it is not proposed to give any increased powers of taxation.

HON. J. W. WRIGHT: Some of the roads boards have too much power of taxation now.

THE COLONIAL SECRETARY: That is another matter. I am prepared to accept an amendment of the latter part of Clause 3, and if there is any other

clause in the Bill which needs explanation in Committee, I will try to give that explanation.

HON. J. W. WRIGHT: I think the Minister mentioned Buckland Hill. We do not want to give them any more power.

THE COLONIAL SECRETARY: It is a very good local board.

HON. J. W. WRIGHT: I have been there, and I know it.

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

Ayes	..	..	..	..	9
Noes	..	..	..	..	11
Majority against					2

AYES.	NOES.
Hon. E. M. Clarke	Hon. G. Bellingham
Hon. J. D. Connolly	Hon. V. Hamersley
Hon. J. M. Drew	Hon. W. Kingsmill
Hon. J. T. Glowrey	Hon. W. T. Lotou
Hon. J. W. Hackett	Hon. W. Maley
Hon. J. W. Langford	Hon. W. Onta
Hon. E. McLarty	Hon. G. Randell
Hon. C. A. Piesse	Hon. R. F. Sholl
Hon. T. F. O. Brimage (Teller).	Hon. C. Sommers
	Hon. J. W. Wright
	Hon. Z. Lane (Teller).

Question thus negatived; Bill rejected.

#### ASSEMBLY'S RESOLUTION—FISHING INDUSTRY, TO INQUIRE.

Message from the Legislative Assembly, requesting the Legislative Council to concur in the appointment of a Joint Select Committee to inquire into the Fishing Industry, was now considered.

HON. W. KINGSMILL (Metropolitan-Suburban): I have been asked by the mover of this resolution in another place (Mr. Daghish) to take charge of it in this House, and it gives me great pleasure to do so, because I have always attached importance to the value that the fishing industry may assume in future years if properly fostered and cultivated. I think the appointment of a joint select committee will undoubtedly be a step in the right direction, and that the work of such a committee, if properly carried out, will inexpensively and efficiently take the place of what might be the researches of a Royal Commission. In my opinion, a great deal of good is to be achieved by an inquiry into this subject. In the first place, I know from experience that there is a great deal of misapprehension both in the public mind and in the minds (I

am sorry to say) of members of Parliament with regard to the importance of this industry to Western Australia; and I feel that the appointment of a select committee such as is now proposed will do much to remove this misapprehension, and give members a due sense of the importance of the industry. I do not think it is necessary for me to labour the question, for I believe members will be glad to agree to the motion, and indeed to agree to any motion which may shed a light on the resources of this State, which light is at present wanted. I have therefore much pleasure in moving that the request contained in the above message for our concurrence in the appointment of a joint select committee be agreed to.

Question put and passed.

Ballot taken, and the following members elected to act on the joint committee, namely—Hon. E. M. Clarke and Hon. R. Laurie, also Hon. W. Kingsmill as mover; with power to call for papers and persons, to sit on days on which the House stands adjourned, and to adjourn from place to place; to report on the 15th August.

On motions by the Hon. W. Kingsmill, resolved that a message be returned to the Assembly accordingly, and that the first meeting of the joint committee be held in the Council Committee Room on the 9th August.

#### BILL—COLLIE AND ESPERANCE RATES VALIDATION.

##### SECOND READING.

THE COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: It is not necessary for me to make any speech on this Bill, because it is purely a formal matter. The late town clerk of Collie omitted to enter in the rate book a memorandum of the striking of the rate under Section 337 of the Municipalities Act of 1900. Through this unfortunate omission the rate was invalid, and it is necessary to bring in this Bill. Also it was found necessary that a special audit should take place in the Municipality of Esperance under Section 407 of the Municipalities Act. That special audit should have been

confirmed within three months of the making of the audit, but through some unforeseen circumstance it was not confirmed. So the latter part of this Bill is to provide that the audit was good notwithstanding it was not confirmed within three months. This is purely a formal Bill, merely concerning the municipalities of Collie and Esperance.

HON. G. RANDELL: Has any objection been raised by anyone?

THE COLONIAL SECRETARY: No. This Bill is brought down at the request of these municipalities to validate those particular items. There is no principle involved, so I do not think the measure is likely to cause any great discussion. I have just explained that, notwithstanding measures have had no principle involved in them, the House has thought fit to deal with them in a certain manner. I do not anticipate that in this case.

Question put and passed.

Bill read a second time.

##### IN COMMITTEE.

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

##### ADJOURNMENT.

THE COLONIAL SECRETARY in moving the adjournment said: I presume that members will be ready to go on with business when we meet to-morrow. Several Bills have been available for some days, and there are other Bills which have since arrived from another place.

The House adjourned at ten minutes past 6 o'clock, until the next day.