

AYES.
 Mr. Barnett
 Mr. Brebber
 Mr. Butcher
 Mr. Cowcher
 Mr. Daglish
 Mr. Davies
 Mr. Draper
 Mr. Eddy
 Mr. Ewing
 Mr. Foulkes
 Mr. Gregory
 Mr. Gull
 Mr. Hardwick
 Mr. Hayward
 Mr. Keenan
 Mr. Layman
 Mr. McLarty
 Mr. Male
 Mr. Mitchell
 Mr. Monger
 Mr. N. J. Moore
 Mr. S. F. Moore
 Mr. Piessé
 Mr. Price
 Mr. Smith
 Mr. Stone
 Mr. Varyard
 Mr. A. J. Wilson
 Mr. F. Wilson
 Mr. Gordon (Teller).

NOES.
 Mr. Angwin
 Mr. Bath
 Mr. T. L. Brown
 Mr. Collier
 Mr. Holman
 Mr. Horan
 Mr. Hudson
 Mr. Scaddan
 Mr. Stuart
 Mr. Troy
 Mr. Ware
 Mr. Heitmann (Teller).

Question thus passed.
 Bill read a second time.

ADJOURNMENT.

The House adjourned at a quarter past one o'clock, until the next Thursday (Royal Show on Wednesday).

Legislative Council,

Thursday, 31st October, 1907.

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The PRESIDENT took the Chair at 4.30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Colonial Secretary: 1, Ceme-
 teries Acts 1897 and 1899—By-laws

passed by the Cemetery Boards at Pad-
 dington, Boyup Brook, Karrakatta, Kelm-
 scott, Kanowna, Kookynie, Midland Junc-
 tion, and Mt. Magnet. 2, Timber Regu-
 lations under the Land Act. 3, Timber
 Tramways—Copy of permits to con-
 struct.

LEAVE OF ABSENCE.

On motion by the Hon. M. L. Moss,
 farther leave of absence for one month
 granted to the Hon. F. Connor (North),
 on the ground of urgent private business.

BILL—MARINE INSURANCE.

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

BILL—NAVIGATION AMENDMENT.

Second Reading.

The COLONIAL SECRETARY in
 moving the second reading said: This
 Bill before the House is exceedingly short,
 and only seeks to alter one word in the
 Navigation Act of 1904. At present
 some doubt exists as to whether the word
 "machinery" in the Act includes boilers,
 and it is doubtful whether boilers on a
 vessel should be inspected under the
 Machinery Act or the Navigation Act.
 It was understood, of course, that marine
 boilers should be inspected like the rest
 of marine machinery under the Naviga-
 tion Act; and in order to remove the
 doubt that exists, it is sought to alter the
 Act by making the word "machinery" in-
 clude "boiler."

Question passed, Bill read a second
 time.

**BILL—SALE OF GOVERNMENT
 PROPERTY.**

Second Reading moved.

The COLONIAL SECRETARY in
 moving the second reading said: This
 small Bill is purely a machinery measure,
 to regulate the keeping of Treasury ac-
 counts in connection with Government
 property which has been sold. The Bill
 refers more particularly to the addition

made to the Estimates of last year and this year, headed "Sale of Government Property Trust Account." These proceeds were appropriated in our Estimates last year, and we propose to do the same this year. In the past the proceeds of these sales have been credited to the General Loan Fund; but when Government undertakings have been completed, it has been impossible to reduce the credits in the Treasury. I will read a short extract which will more clearly show members exactly what I mean in saying it is impossible to credit the exact expenditure out of loan funds under the system adopted in the past. On June 30, 1902, the expenditure on the item "Additions and improvements to open railways" under the General Loan Fund was shown as £1,054,254; but on 30th June, 1903, the expenditure for the year 1902 was stated to be £1,051,044, being reduced by credits of the description to which I have referred to the extent of £3,209. Also on the item "Fremantle Harbour Works" the expenditure was shown on the 30th June, 1902, as £846,735; but on 30th June, 1903, the expenditure for 1902 was shown as £845,842, being reduced by credits of £893 odd received during the year ended 30th June, 1903. The General Loan Fund should be credited entirely with the proceeds of flotations, and not be mixed up with the proceeds of sales of Government property as in the past, thereby complicating the accounts. Four years ago the Treasury were obliged to institute a "Trust Account," and from that time onwards (pending the passage of the Bill) the proceeds of these sales have been put to the credit of the "Trust Account." The sum of £61,000 was passed in last year's Estimates as the proceeds of Government property that had been sold. It was thought the re-appropriation of this money in the Estimates would be sufficient; but although it is sufficient in a sense and simplifies the keeping of accounts, it does not comply altogether with the provisions of the Audit Act, and therefore it is necessary, in order to make it quite right and in accordance with the Audit Act, to bring in this short Bill. Clause 2 of the Bill provides that the proceeds of sales are to be

credited to the "Government Property Sales Fund," provided that the original cost is debited to the "General Loan Fund," or to the "Consolidated Revenue Fund" prior to the financial year in which the sale is effected. If a sale takes place in the current year, no trouble is experienced with regard to the undertaking, for then the proceeds of the sale are credited to the item, whether loan or revenue as the case may be; but if the sale takes place in the succeeding year, the proceeds have to be paid back to the "Loan Account." Clause 3 provides for refunds etcetera to be credited to the fund. Clause 4 provides for the disposition of moneys received in respect of damaged property. The cost of repairing the damage shall be credited to the vote or the trust account to which the expenditure has been charged; and the balance, if any, to consolidated revenue. That is to say, if a steamer damages a wharf or jetty, the money received by way of compensation, instead of going into consolidated revenue, will be first used to pay for the repairs effected, and if there be any balance over and above the cost of repairs, that balance will be paid into consolidated revenue, instead of increasing the capital account for that particular work. If railways are damaged, and if there is any balance exceeding the cost of repairs, the difference will be paid into consolidated revenue and credited to the revenue of the railways. It is not likely in cases of this kind, that the compensation paid will be more than sufficient to repair the damage.

Hon. M. L. Moss: In effect, the Bill will enable the Government to obtain a vote without the authority of Parliament.

The COLONIAL SECRETARY: The hon. member is absolutely wrong. Clause 5 gives Parliament complete control over the fund. Its expenditure must be authorised by an Appropriation Act.

Hon. J. W. Hackett: Excepting for repairs.

Hon. M. L. Moss: I mean for repairs.

The COLONIAL SECRETARY: Instead of swelling the capital account of the work in question, the amount received as compensation will be used to repair the damage, leaving the capital

cost of the work exactly as it stood before in the books.

Hon. J. W. Hackett: What is the source of Clause 4?

The COLONIAL SECRETARY: The whole Bill is new. I do not think the clause is taken from any other measure.

Hon. W. Kingsmill: You are right this time with regard to the marginal references.

The COLONIAL SECRETARY: Yes; it is unnecessary in this case to refer to other Acts. The Bill is simply a machinery measure; it does not give the Government any power to appropriate money, but provides adequate machinery for keeping such accounts in the Treasury, so that they shall not be complicated as in the past, and that we may comply with the wish of the Auditor General by bringing the accounts into conformity with the Audit Act, with which Act the methods hitherto adopted are not in strict conformity. I move that the Bill be now read a second time.

On motion by the *Hon. M. L. Moss*, debate adjourned.

BILL—WORKERS' COMPENSATION AMENDMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly): This short measure is not exactly similar to the Workers' Compensation Act Amendment Bill introduced last session; but the two main amendments proposed, which I shall mention presently, are similar, and one or two others have been added, with which I shall deal as I come to them. The first amendment is in Clause 2, and consists of an addition to the definition of "dependants" which appears in Section 2 of the principal Act. It has been found in practice that employers have been compelled to satisfy claims made by so-called "dependants," and there have been grave doubts whether such people were really dependants of the deceased. The New Zealand and the Queensland Acts provide a limit, in that the dependant must be resident in New Zealand or in the Commonwealth of Australia. We have gone

farther in this Bill, and have included the United Kingdom. Members will readily appreciate the hardship that may arise when an Italian loses his life, and one or more of his relatives write from Italy claiming compensation under the Act. It is extremely difficult to know whether such claimant is really the wife, the mother, or other relative of the deceased, and therefore to decide whether compensation should rightly be paid. The Bill also seeks to amend section 3 of the principal Act with the object of requiring the claimant to commence legal proceedings within three months after he has lodged a claim. Six months is allowed after the accident for making the claim; so the effect of the amendment will be to fix nine months as the longest period within which legal proceedings may be commenced. Members will recognise the justice of providing a time limit for such proceedings. Clause 4 is merely to correct a misprint in Section 16 of the Act. Clause 5 is a new amendment of the Bill introduced last session, and provides a means whereby aged and infirm workers may possibly be able to obtain employment in hazardous occupations. By reducing the maximum amount of the total liability from £400 to £50 when the age of the workman is over 60, or when he is physically infirm, it will be possible for mining companies to employ such persons. At the present time this and other industrial legislation has perhaps a tendency to crowd out the old men, and more particularly does this remark apply to the parent Act. In the cases of aged and infirm workers the risk is so great that the employer will not engage them. The clause seeks to protect the old men. As an instance, in a recent case in one of the Kalgoorlie mines, an elderly man died from heart trouble. He was not exactly on duty; he was going to his work; and in passing a fellow-workman he tried to assist him by pushing a truck—work which the old man was not employed to do and was not capable of doing. The exertion affected his heart, and he dropped dead on the spot. Notwithstanding the circumstances, the company had to pay full compensation, as if he had been killed

by an accident. Cases like this only tend to make employers careful, and really prevent them from employing old men at all; or if they do employ them, the insurance rates are increased accordingly. This provision is identical with that in the Queensland Act of 1905. Paragraph (b.) of Subclause 1 provides for cases which have occurred where a worker, after an accident, although not able to resume his old occupation, is, while in receipt of weekly compensation, earning wages in some other employment, which wages, plus the weekly compensation, amount to more than the worker earned when at his old occupation. In that case it pays the worker better to remain in receipt of compensation than to recover, and to resume his former work. The chief object of the amendment is to remedy that evil, so as not to hold out an inducement to a man to remain on the sick list instead of returning to his proper occupation. I do not think it desirable that a man whose ordinary wage is £3 a week should, when receiving £2 a week as compensation, be able to take another billet at £2, thus, because he is supposed to be disabled, receiving £4 a week instead of £3. Paragraph (c.) of Subclause 1 forms one of the principal reasons why this amendment of the parent Act has been introduced. It provides for cases of workers who are not continuously employed by one employer. For instance, the lumpers at Fremantle work for perhaps eight or nine different shipping companies. The Act provides that an injured workman shall receive half the amount he has been earning from the employer. In some cases these men earn only 2s., 3s., or 6s. a week from some of their employers. Say, for instance, a man is working for Howard Smith & Co. His average weekly earnings from that company may be £2. But he also works as a lumper at other times, say for the A.U.S.N. Co., from which his earnings may average 6s. a week. Provided that worker is injured while in the employment of the latter company, he will only receive half his average weekly earnings, or 3s. a week. There have been cases of lumpers injured, and for the reasons mentioned they have received some 3s. or per-

haps 5s. or 6s. per week as compensation. Paragraph (c.) provides that they shall receive half the average rate of wages that are earned in that occupation, irrespective of overtime. That is to say, if the average earnings of a lumper were £3 a week, in the case of partial disablement an injured man would receive 30s. This is a provision similar to that in the Queensland and New Zealand Acts. Paragraph (d.) also appeared in the Bill of last session. The existing system is not at all satisfactory. The Governor-in-Council appoints a practitioner known as a medical referee. Should an employee be disabled, he may obtain a certificate from the medical referee that the employee is unable to go to work. From the decision of that referee there is no appeal. Though a dozen medical practitioners other than the appointee may certify that the man is able to work, their certificates will not avail, the medical referee's decision being final. These amendments will bring the Act into line with that of Queensland, by providing that the employee shall be examined by, say, the employer's doctor. If the employee is not satisfied with a certificate that he is fit to go to work, he then calls in his own doctor; and if the two certificates disagree, the employer's doctor and the employee's doctor shall within fourteen days appoint a referee, whose decision shall be final. Should the two doctors fail to appoint a referee within fourteen days, then the resident magistrate shall appoint another doctor, who shall be the referee, and his decision shall be final. Some exception has, I understand, been taken by the medical profession to allowing the magistrate to appoint the referee; but I do not see any other way out of the difficulty, unless we provide that the Principal Medical Officer or some practitioner appointed by him shall appoint the medical referee. The proposed amendment has worked very well in Queensland, and I do not think any bad results may be feared from it in this State. Briefly, those are the amendments proposed to be made in the Workers' Compensation Act. If there is any farther information the House would like, I shall be pleased

to give it in Committee. I move—

That the Bill be now read a second time.

Hon. M. L. MOSS (West): I am prepared to support the second reading of this Bill. Its two principal features are very important amendments, and very necessary too. I am glad to see that since last session the method of paying partially incapacitated casual labourers has been put into a more reasonable shape. Last session I pointed out that the amount of compensation was not to be less than £1 per week, and that in the case of partial incapacity the man might receive a greater amount of pay than he would be able to earn even before the accident. However the proposal now is that a full week's rate of wages shall be taken on the ordinary rate of pay and on the assumption that the person worked the whole week without overtime; and of course, due provision will be made in the second schedule of the principal Act that the compensation shall be a weekly payment, after the second week not exceeding 50 per cent. of the weekly earning, this being fixed at what, in the case of an ordinary labourer, he would earn in a full week's work. I am also glad to see the amendment with reference to medical referees. Some time ago I moved for the disallowance of certain regulations under the schedule of the Workers' Compensation Act whereby in Perth, Fremantle and on the goldfields medical referees were appointed, the result being that a medical man nominated might be actually the person attending the injured party, but his certificate would become conclusive evidence of the fact of incapacity, and the magistrate would be a mere registering machine for persons who in many instances were partisans of the injured party. Now, as I understand this Bill, it is intended that each party may have his medical officer, and if the two medical officers fail to agree they have the right to appoint a referee, just the same as when two arbitrators cannot agree they appoint an umpire to decide between them. Of course the procedure necessary to make this complete

is that if these two medical men disagree as to who shall be the third party then the magistrate decides between them, exactly as under the Arbitration Act if the two arbitrators cannot agree a Judge of the Supreme Court nominates the third party. This is a practicable working scheme and is on a fair basis. The existing system is certainly on an unjust basis, because the injured party can go to the medical referee appointed under the regulations and consult him as his medical adviser, and the latter can give the injured person a certificate which is binding on the magistrate. This is a necessary amendment and it will have practically the effect of doing away with the existing regulations. In fact I notice that on the passing of this Act all appointments of referees shall be void. Of course these appointments will be unnecessary now under this what I consider a fair scheme.

Question put and passed.

Bill read a second time.

BILL—STATE CHILDREN.

Infant Life Protection—Second Reading

Debate resumed from the 23rd October.

Hon. W. KINGSMILL (Metropolitan Suburban): I am not for a moment going to deny the necessity for this Bill, the necessity for some improvement in our legislation in connection with the subject now under discussion by this Chamber is undoubted, and has been abundantly pointed out by grievous instances that have occurred in the recent past nor am I about to deny that the Bill, even as it stands at present, is a distinct advance on our existing legislation; but I think it could be made a great deal more efficient and, in my opinion, more economical by certain changes the outlines of which I shall have the pleasure of suggesting to this Chamber before I sit down. I suppose the general public on this question, as on nearly every question, may be divided into two classes those who take an interest in the subject and who claim to know something about it; and on the other hand, those who

through not taking any interest in the subject, cannot lay any claim to knowing anything about it. With respect to the first class, among those who more immediately concern themselves with the preservation of infant life in the State there is abroad a feeling of disappointment at the Bill which the Government have brought down. Those people, more particularly those who have banded together under the name of the Children's Protection Society and have been doing a great deal of good work in the State in the last year or so, which work I shall explain to the Chamber, feel particularly disappointed that the Government have not seen fit to endow them as their confreres in South Australia have been endowed, and that the Government have gone to Victoria for the provisions in this Bill when it was thought they might very well have adopted the South Australian Act as it stands. The Colonial Secretary when introducing this measure gave some historical outline of the progress of the care of children in this State, and perhaps hon. members will pardon me if I take an example which is I think more to the point because the results achieved have been better, that is the example of South Australia. This question first began to agitate the public mind in South Australia about 1866, and then the care of children was comprised among the functions of what was known as the Destitute Department, a department somewhat akin to our Charities Department here. So we find we are starting in 1907 in very much the same position as South Australia was in 1866.

The Colonial Secretary: Do you say that the Destitute Board in South Australia in 1866 was the same as our Charities Department?

Hon. W. KINGSMILL: No, similar to; it looked after destitute persons and among its functions was the care of infant life, just as the children in our institutions here are under the care of our Charities Department now. In 1872 warding-out committees came into vogue in South Australia. This boarding-out system is proposed to be enacted in the Bill which we have before us, so that perhaps I may be allowed to say

that our second step is precisely the same as the step taken in South Australia with the exception, if I may be allowed to say so, that we are some 34 years behind the times. Now, to go farther, in 1881 a Destitute Persons Act was introduced in South Australia under which a Children's Council was established, and that Children's Council had its powers very much amplified and its responsibilities accordingly greatly increased under the Act passed in South Australia in 1895. Since that date the Act has been amended in 1898, in 1900, 1901 and 1903; but the amendments are somewhat minor in their significance so far as the Bill we are now considering is concerned. I may be allowed to return to a subject which I am afraid the House may think is a sort of King Charles's head with me. I have been put to a lot of unnecessary trouble and members have been put to trouble, in having to study all of our Acts and, in addition, in South Australia alone four Acts, because there are no marginal references in this Bill. I am sorry the Colonial Secretary did not accept my suggestion to get this "tyrannical" Crown Law Department to supply marginal references in the Bill. I wonder if that department, which drafts the Bills, thinks it is within the sphere of practical politics that hon. members might get to know too much about the Bills. I really can see no other motive for omitting these marginal references.

Hon. R. F. Sholl: Throw out Bills once or twice and they will soon put them in.

Hon. W. KINGSMILL: I do not wish to take any serious step like that, but I cannot put it down to any other motive. These marginal references are of great assistance to members who take an interest in Bills, and without them members are apt to get discouraged, so that if that be the object of the department, it may in time be achieved. In 1895 the State Children Act in South Australia came into force and one of the sections in that Act cut off from the control of the Destitute Department under the Destitute Persons Act, 1881, all control of children who were then put practically under the control of the State Children's Council; and

hon. members who look up the part of the South Australian Act connected with this Part 2 will find the constitution, powers and functions of the State Children's Council fully laid down therein. I do not wish to make any claim for any association or society in this State without laying before the House at all events some little evidence that may dispose members to think that the claim is not without foundation. I spoke just now of a band of people who have incorporated themselves according to law and whose operations have been going on for some years under the name of the Children's Protection Society. Public interest has been roused in this society to a great extent by some of those dreadful happenings to which I have alluded. On the 1st March of this year the Children's Protection Society, although started some time previously, first began its operations. And those operations were a surprise to me when I got accurate information as to the extent of them, and I think they will be somewhat of a surprise to members. This Children's Protection Society consists of a general committee, the number of which is unlimited, who elect an executive committee of 12; and the first rule of the society is—

"That the society shall be called the Children's Protection Society of W.A., and it shall be absolutely undenominational."

The object of the society is the general welfare of the children of the State, and as I say the first thing to do was to formulate rules and regulations of the society and consequently to obtain those funds without which no society can be of any value. Through the charitable efforts of these ladies and gentlemen—and I would remind members very probably while I am speaking a very large number of ladies of Perth who are either directly engaged or in direct sympathy with this association, are finishing an extremely hard day's work at the Show Ground for the purpose of increasing the funds of the society—

Hon. M. L. Moss: Fremantle too.

Hon. W. KINGSMILL: I beg the hon. member's pardon; Perth and Fremantle. I may say the ladies are working all over

the State, and they are receiving help from all over the State. They are taking up a very reasonable form of charitable work. They ask the public to subscribe money for the purpose of giving aid to those who are unable to aid themselves. It is a pity all charitable institutions and objects are not carried out in the same manner. Having obtained a certain amount of money, the first thing they do was to get a skilled inspector, and they got an inspector in the form of a nurse. It will surprise members to know that the children who are under the direct supervision at present of the society, practically the great bulk being infants, number no less than 60. And it will be somewhat of a surprise to members to know that from the first of March this year from the time when the lady assumed her duties, until the 26th of this month, fewer than 1,002 visits to these children situated as they are throughout the metropolitan and suburban areas from farther than Midland Junction to Chidlow's Well and Lion Mill to Fremantle—the total number of children coming under her supervision from the 1st March to the present date is 80, and the number of children adopted through the agency of the society is 6, and I would like to point out this is a most important aspect that has to be considered. Once a child is adopted it ceases to be a State child, and ceases to be a burden on the State and passes out of the ken of the society, though the society still keeps an eye on it as it does on all children to see that no harm comes to them.

Hon. J. W. Hackett: Are the eight in the institution?

Hon. W. KINGSMILL: Boarded-out. The cases of cruelty and neglect inquired into at the same time number 20, and the daily average inquiries at the office of the society—for it has a registered office in Barrack Street—the average daily inquiries which show a great tendency to increase is no less than seven. In connection I may say several of the ladies of Perth and Fremantle have agreed during the past three months to give up on an afternoon a week personally in order to look after the office; they have carried out this system for some time. The vis-

paid range from Fremantle to Chidlow's Well, and these visits are being paid by the nurse who is not an honorary officer, but who receives an emolument which does not represent an adequate reward for the work which she does for the society. Also to each lady of the executive committee is apportioned a certain district, and in addition to the visits paid by the nurse under the articles of association, once a month a visit must be paid and in most districts it is once a week. The system of supervision carried out at the present time is doing good and likely to be extremely effective. Applications for children to be placed under the care of the society are not confined to Perth and Fremantle and the metropolitan district. We have had applications from all parts of Western Australia, including the goldfields and country districts, so members will see in the first place this is anything but a dilettante undertaking on the part of these ladies and gentlemen. Members can obtain a copy of the articles of association of the society which will show that all denominations of the State are represented thereon and doing work in anything but a dilettante manner, and have adopted the system which practically exists in South Australia to-day, and it is carried out quite as effectively as in South Australia, but without that legal status which is necessary for effective work. Among the instances furnished to me by the Children's Protection Society—and they paid me the compliment, and I take it as a high compliment, of asking me to place their views before this Chamber—amongst the cases furnished in order to strengthen my case are some which would affect members very much indeed. For instance I have here one case, a baby 12 hours old, placed with a foster-mother within two hours notice, the mother being a girl 13 years of age. This baby was taken straight away from the mother, placed with a foster-mother, and is now doing well. I would like to know, with the reluctance which many people have of approaching a Government institution, and approaching a male official rather than a woman official, what would have been the probable fate of the child if such a society

as I am speaking of had not been in existence. I may inform members this is the second similar case with which I have been furnished with particulars. Here is another case, and in speaking of this I do not wish to speak in any way disparagingly of the institutions which undoubtedly have done a great deal of good for the child-life of the State, but as the Colonial Secretary admitted the other day, the boarding-out system is more applicable to the cases of children under two years of age than sending them to an institution. This is the case of a child in extremely delicate health, six months old, and which had been for the greater part of the six months in one of the institutions of which I am speaking. It was taken away from the institution, practically because the institution had no hope of saving its life. It was taken in hand by the society. A suitable foster-mother was found, and now I am informed it is a fine healthy child and doing well, and I hope in the way of making a good citizen of Western Australia. That is one instance where the society may legitimately claim to have beaten the institution. Again, operations as I have already said, although principally confined to children under two years of age also embrace those of older growth. Here is the case of a child that was continually ill-treated by its father for years, under the society's care placed with a foster-mother and doing well. Here is another case, that of a mother with two children greatly hampered in the work which she had to perform day by day by the presence of the children. She has placed them in the care of the society, given the society full control, and now writes thanking them for the care which they have taken, and also saying what a help it is to her in earning her daily living. The letters which have been received are numerous in the extreme, from mothers whose children are in the society's care. In the majority of cases where the children that are boarded-out are illegitimate children, it is found that there is no difficulty in getting the mothers, who evidently obtain the money, to pay to keep the children. I may say in this connection an instance

has come under notice where a foster-mother became so attached to the child received from the society, that although the mother was so much as 11 or 12 weeks in arrears in payment, still the foster-mother had grown to care for the child so much she did not want to give it up. That is an illustration of the fact that foster-mothers do not take the children for the sake of the money, but for the innate love of children which I hope is the property of all women. I was greatly disappointed in Part VI. of this Bill which I understand is taken from the Victorian Act, to notice that although it is proposed to make use of these societies it is made impossible without breaking the law now proposed to enact, to give these societies any financial aid whatever. I am somewhat surprised at that because I have always understood from the attitude taken up both by the Premier and the Colonial Secretary towards the deputations which have waited on them on this subject, that they were desirous of encouraging the objects of the society and recognising the society to its full, and as far as possible giving them necessary help; yet we find in Part VI. of this Bill—it starts at Clause 30 and says:—

“Any private person, and any society formed by private persons, desirous of taking charge of any destitute or neglected child or children, without subsidy or aid from the Consolidated Revenue Fund—

I take it this covers the whole Part—

“may from time to time be approved by the Governor as a person or society to whose care destitute or neglected children may be committed under the provisions of this Act.”

I am somewhat disappointed at that attitude taken up by the Government and I hope that they will reconsider that position and consent to treat the society, which I maintain has proved not only its necessity but its efficiency, in a similar way to which the society is treated in South Australia. I know the Colonial Secretary in the case of one of the deputations which waited on him said that we must hasten slowly, that we must try first what we can do by adopting some of the

older systems in vogue. After all the administration of any department is very much like the care of some piece of machinery, and I ask the Colonial Secretary, who is a practical man, if he were going to get a piece of machinery to do a certain work whether on account of some little diffidence he would order a machine of an obsolete type or whether he would not rather obtain a machine which has proved itself to work more efficiently and economically than a more obsolete one. I would ask the Minister to take this into consideration; and I can assure him that any opposition—I cannot call it opposition, for it is merely criticism—I am offering to this Bill is not in any degree factious. It is simply offered because in the first place I do not desire to see this State embarking in the course contemplated in the Bill. I should like to see the State willing to learn by that experience which has been gained by the exercise of similar functions for many years in the neighbouring State of South Australia, which, I think, is admittedly in the forefront in this connection.

The Colonial Secretary: The Victorian Act is later than that of South Australia.

Mr. KINGSMILL: True; and this Bill, if passed, will be later again than the Victorian Act; but even so, in my opinion it would be a decidedly retrograde step. I hope I have said sufficient not exactly to show that the South Australian Act is ideal, but to have raised sufficient doubt in members' minds to lead them to regard this subject as worthy of fuller consideration than they might have been prepared to give it in the ordinary course of events. And to that end I propose, when the second reading has been agreed to, to move that the Bill be referred to a select committee, in order that fuller inquiry may be made and both sides of the case be heard. I am aware that the Minister is advised in this connection by Mr. Longmore. I have every respect and esteem for Mr. Longmore; but he is the head of a Government department, and on the part of heads of departments, not alone in the case of Mr. Longmore, there is a sort of unconscious bias which consists principally in a reluctance to cut off or transfer any of the powers or re-

sponsibilities of the department. In this connection, if this Bill becomes law as now framed, instead of those powers being decreased or cut off, they will be increased and amplified. But when we find that certain persons—and the personnel I think no Government will find fault with, because some of the highest names in the State are to be found amongst the supporters of this society—when we find that inspectorial work can be carried out efficiently, economically, and from love of the work, I think this State would be foolish not to avail itself of those services so readily offered.

The Colonial Secretary: Ample provision in that regard is made in the Bill.

Hon. W. KINGSMILL: True, there is a provision which existed in the South Australian Act of 1872, and which was replaced by another in the Act of 1895.

The Colonial Secretary: You are now complaining that those people have no power.

Hon. W. KINGSMILL: I am sorry the Minister misunderstands me, and I am certain it must be due to want of lucidity in my explanation. I do not remember saying anything which can be interpreted as the hon. member has apparently interpreted it. With some of the provisions of the Bill I am thoroughly in accord. For instance, I am glad to notice that provision is made for separate truant institutions. The lack has long been felt, particularly in the larger centres of population in this State, of some means for more effectually dealing with truant children. It seems paradoxical to say, but it is nevertheless true, that sending truant children to reformatory schools provides treatment not nearly sharp enough for them. Reformatory children are committed for a term of years, depending on the age at the time of commitment; and the very functions of these institutions—if I may borrow an analogy from medicine—is chronic. The punishment of truant children should, on the other hand, be more or less acute. I am sure members will acquit me of any desire to ill-treat these children; but if a child as a punishment is sent to a reformatory school and finds that his treatment there is little

if any worse than he would receive at the ordinary school, it will have but little deterrent effect on him; whereas if he finds that the truant institution is a place which it would be well for him to keep out of, it is more likely to have that deterrent effect. As I have said, there is much in the Bill which I can whole-heartedly support. On the other hand, the method of dealing with the society the existence of which I have mentioned is in my opinion disappointing to the society, and not in the best interest of the State. It is for that reason, and in order that this subject may be fully ventilated, that I purpose moving, after the second reading has been agreed to, that the Bill be referred to a select committee. This may involve a little delay, but the delay will be justified if, as a result, we secure a perfect Bill for one at present imperfect. I have pleasure in supporting the second reading.

The COLONIAL SECRETARY (in reply): If I were desirous of saying a few words in reply to criticisms passed on the Bill by hon. members, that would not be strictly correct, as the measure has been debated by only one member. I agree with portions of Mr. Kingsmill's remarks, and I thank him for his commendatory references to portions of the Bill. I certainly cannot see eye to eye with him that in some respects the Bill is the monster he would have members believe. The hon. member desires to give the Children's Protection Society of W.A. an opportunity of putting their case before the House; and I must congratulate the society on their advocate, who has pleaded their case ably. At the same time I would point out that he was in a measure doing an injustice to other societies and institutions. While all he claims may be true of the Children's Protection Society—for which I have the greatest respect, being myself a member and having had much to do with its members—there are other societies which have done similar work for many years past. The hon. member quoted two instances of infant life protection, in one case the child being but a few hours old and in the other case six months. The good

"sisters" at Parkerville have been doing that very work for years, taking over the care of infants wherever they were to be found in need, not by ones and twos but by dozens. I say this in justice to the good sisters, whose work I have seen when visiting their institution; and until the last two years this work has been carried on by them without any aid whatever from the State, by the generous assistance of friends, more particularly the late Mr. Padbury. In some instances the sisters have had money of their own, or money left to them by friends in England, and this has been put into the buildings at Parkerville, where they have under their care from 60 to 80 children, mostly infants. They have lately adopted the boarding-out system in cases where they were satisfied the children would be well treated and cared for. The sister-superior told me recently that they now have quite a number of children boarded out, as it was felt that in many cases the children could receive better care than in the institution itself until they became older. I say these few words in justice to those good sisters, because in a majority of cases, if not in every case, they left comfortable homes in England to take up this work here, and are now living miles in the bush away from the comforts of civilisation. I have nothing to say against the other society.

Hon. W. Kingsmill: And I had nothing to say against the Parkerville institution.

The COLONIAL SECRETARY: The hon. member urged members to see that in respect of many cases where charitable aid was rendered they got fair value for the money.

Hon. W. KINGSMILL (in explanation): I hope other members have not taken from my words the meaning the Minister has taken. I was speaking only of the work done by the Children's Protection Society, and said the society did not ask the public for assistance without giving good value for it. I tried to make myself clear, and it was far from my intention to disparage any other institution. What I said was that instead of asking people to give money, these good ladies

promoted entertainments, thus taking the form of a transaction whereby the public got full value for the money they contributed.

The COLONIAL SECRETARY: I accept the hon. member's explanation. I do not think I accused him of trying to disparage any institution, but merely drew attention to his remark that if the Parkerville sisters received money, they gave good value for it, which was not the cases in all charities. [*Hon. W. Kingsmill:* The hon. member does not see the point even yet.] The hon. member stated that in this Bill we are starting at a point from which South Australia started in 1866, or some time in the sixties; that our Charities Department is similar to the Destitute Persons Department of South Australia as established in the Bill of 1866. I should like members to have an opportunity of referring to the book I see before the hon. member (Mr. Kingsmill), a work by Miss Spence. If members will but read what those destitute boards were and how they were controlled, and then say that our Charity Department is anything like that, then I should be sorry to judge a department. Affairs are managed in a very different manner here. The Hon. Mr. Kingsmill said that in 1872 they enacted in South Australia a certain measure, and then he went on to say it was not until 1895 that the South Australian Government gave the children's council there the powers they now possess. [*Hon. W. Kingsmill:* In 1881.] Before I go farther I would like to quote something which was written by the Hon. W. Kingsmill on this question when he was in office some years ago. At that time he occupied the position which I do now, and owing to his being at the head of the department relating to charities, he was placed in a particularly good position to judge what was being done by the State. I would sooner accept the opinion he gave when Colonial Secretary and when he was brought into daily contact with matters affecting the Charity Department than I would when, as now, he is a private member, and naturally is out of touch with the work. The then Premier

Mr. (now Sir Walter) James, was anxious to introduce what the hon. member now desires—the South Australian Act—and on that occasion the hon. member wrote: “I do not personally think there is the slightest necessity to create this body.” That was a few years ago. Then he went on to say: “I should imagine such a body would be extremely difficult to deal with, and furthermore I do not think anyone can justly take exception to the manner in which the work which would then be undertaken by such a council is at present being carried on by the State.”

Hon. W. T. Loton: How many years ago was that written?

The COLONIAL SECRETARY: On October 20th, 1902. That was his opinion when the then Premier wished to introduce the Bill that the Hon. W. Kingsmill now advocates.

Hon. W. Kingsmill: Does the hon. member never learn? I am glad to say I do.

The COLONIAL SECRETARY: I am merely pointing out what was the opinion of the hon. member when he controlled these institutions. At the present time the institutions and the system are no worse than they were then, in fact, I maintain that they are much better. I am sure the hon. member will admit that.

Hon. W. Kingsmill: It has been getting better for years.

Hon. W. Patrick: How would it have been if none of these societies that now undertake the work had been working? Evidently they have done the work the Government were not prepared to do, or were incapable of doing.

The COLONIAL SECRETARY: Which societies do you refer to?

Hon. W. Patrick: The ones you referred to. It is evident the Government are incapable of doing the work themselves.

Hon. G. Randell: You do not object to a select committee, do you?

The COLONIAL SECRETARY: Yes; for I am very anxious to have this Bill become an Act, and if it goes to a select committee at this time of the year, it will never go through both Houses. Continual reference was made by the

Hon. W. Kingsmill to the provisions of the South Australian Act, but I would remind him that in the Bill now before the House everything of value in the South Australian Act is included. I said when introducing the Bill that Mr. Longmore, the head of the department, went to the Eastern States and inquired into the systems, institutions and Acts in existence there. He paid particular attention to Victoria and South Australia, and the result of his report is the Bill now before the House. The hon. member complained that there was not ample provision made for the institutions to which he particularly referred; but Section 10 of the Bill shows that provision is made for the appointment of boarding-out committees. Those societies can be formed into boarding-out committees, and then they will have full authority to inspect the places where the children are placed. The only difference between what the hon. member wants and what is proposed by the Bill is, that whereas he wishes that it shall be for the committees to decide whether a child is to be termed a State child or not; the Bill provides that the decision shall be arrived at by the Government officials. It now costs the State about £16,000 or £18,000 a year for the care of neglected or destitute children, and is it reasonable that the expenditure of this money should be handed over wholly to private societies? I am sure that were this course to be adopted the sum to be expended annually would be increased considerably, as the council would have no care for money matters, but would take any child that was destitute and call upon the State to pay for it. The Act in South Australia was passed in 1872, and it was not for ten or twelve years that the Government gave them control of the funds, and by that time the State Children's Council had had considerable experience in the work. The Hon. Mr. Kingsmill said that if one were ordering a machine he would order an up-to-date one. That is a sound argument, but it does not apply to persons or societies whom you cannot make to order. It is better to let these societies go on in the way they are, and give them full power to bring all matters before the

department. If on the suggestion of these societies that a child should be assisted the department are satisfied that it is what is termed a State child, then it will be sent either to an institution or be boarded out, and then the society will, under the Act, have full power to visit the institution or the place where it is boarded-out, and keep up a thorough inspection. At present these people do not possess the necessary experience, but if they act in the capacity of boarding-out committees for some years they will gain sufficient experience for the management to be handed over to them. [Mr. Kingsmill: Some of them have been doing this work all their lives.] With regard generally to the position of private societies and persons, I have quoted certain figures relating to the other States. I pointed out in introducing the Bill that there are a number of societies in Victoria carrying out work in a similar way to that provided for in this Bill. These societies take charge of 2,486 children, and keep them by means of voluntary subscriptions. They can only care for a certain number of children, so many as their funds will allow, and if there are any others brought under their notice which they cannot afford to keep themselves they bring them under the notice of the Government, who, if they find the children can be termed State children, provide for them in some of the institutions or board them out. It seems to me that Part VI. of the Bill provides amply for the societies and persons who are undertaking this work.

Hon. W. Kingsmill: The principal objection I took was to render it impossible without breaking the law, to give these societies any aid or subsidy. They might not want this aid, but on the other hand they might.

The COLONIAL SECRETARY: Why should you give these societies aid? Every society has a certain amount of money for destitute children, and it must not be forgotten that, if they have not sufficient funds, the children can be put into the various institutions, or be boarded out, that is after they have been taken before the children's court. The State then pays for the children, and the mem-

bers of the society visit them. [*Hon. W. Kingsmill:* It is a roundabout way of doing business.] The hon. member wants the money to be paid to the societies. The South Australian Act is a very good one, and all that is good in that Act is embodied in the Bill. Provisions are also taken from the Acts of Victoria and New South Wales. I have here a copy of a Bill which is now before the Victorian Parliament, and that has been gone into thoroughly, and the good provisions of it have also been embodied in this measure. I am particularly desirous to have this Bill become an Act. It is badly needed for the protection of infant life, and there is no proper law for registration at the present time. On account of the lateness of the session I feel certain that if this Bill is sent to a select committee, it will not go through another place this year owing to want of time. I am very desirous of getting through it speedily. It is nearly always found that the sittings of select committees are more lengthy than sittings of the House.

Question put and passed.

Bill read a second time.

A Select Committee.

The COLONIAL SECRETARY moved that the Committee stage be made an order for the next sitting.

Hon. W. KINGSMILL moved an amendment—

That the Bill be referred to a select committee.

Amendment passed, and a committee appointed consisting of Mr. Connolly, Mr. Randell, Mr. Patrick, Mr. Pennefather, and the mover.

BILL—PUBLIC HEALTH.

In Committee.

Clause 1—Short Title:

The COLONIAL SECRETARY explained that the select committee which considered the Bill had proposed a number of amendments, some of which were small and some large; and it would probably be thought by members the most convenient course to now adopt the Bill *pro forma*, so that it might be reprinted

with the amendments recommended by the select committee.

Bill passed through Committee *pro forma*, and ordered to be reprinted with the amendments.

ADJOURNMENT.

The House adjourned at eight minutes past 6 o'clock, until the next Tuesday.

Star of Aberdare Forfeiture.

Mr. Collier having given notice to move for papers in connection with the application for the forfeiture of the Star of Aberdare lease—

The MINISTER FOR MINES said he was prepared to lay the papers on the table.

Papers presented, and ordered to lie on the table.

Free Passes to Civil Servants.

The Premier, in reply to Mr. Scaddan, said the papers moved for last session, showing the Free Railway Passes issued to civil servants, would be laid on the table as soon as the return was completed.

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The SPEAKER took the Chair at 4.30 o'clock p.m.

Prayers.

PAPERS PRESENTED.

By the Minister for Works: Annual Report of Metropolitan Waterworks Board.

Trust Funds (Illingworth Inquiry).

The TREASURER (Mr. Frank Wilson) said: The member for Perth (Mr. H. Brown) has written to me asking for certain papers in connection with the transactions between Mr. Illingworth and the Lands Titles Office. Search has been made for these papers, and I have two files which I ask leave to lay on the table.

Papers presented, and ordered to lie on the table.

QUESTION—RAILWAY FIREWOOD FREIGHTS.

Mr. STONE asked the Minister for Railways: Will he consider the advisability of a reduction on the haulage of firewood over the Government railways on long distances in a similar manner to that adopted by the Midland Company, thus creating back loading and enabling selectors to sell their wood, which now goes to waste owing to the high haulage charges?

The MINISTER FOR RAILWAYS replied: The present rate for the carriage of firewood is not considered excessive.

QUESTION — MUNICIPAL ACCOUNTS, GOVERNMENT AUDIT.

Mr. STONE asked the Premier: Will he consider the desirability of having the accounts of the various municipalities audited by a Government auditor in a similar manner to roads boards accounts?

The PREMIER replied: The matter will receive consideration should any amendment to the Municipal Corporations Act be contemplated.

QUESTIONS (2)—STATE BATTERIES.

Plant for Bellchambers.

Mr. TROY asked the Minister for Mines: Is it his intention to carry out