stands the Bill embodies a very considerable instalment of reform, something, I contend, decidedly worth winning. Those who declare that they would rather have no measure than one that does not give them all they ask, such persons, I say, display much more the unreasoning and uncalculating fervour of the zealot than the practical sagacity of the statesman. Few are the abuses that would have been removed in this or any other country if such had been the spirit of the larger number of those who fought for their removal. It is an unfortunate and melancholy circumstance that reform in the drink traffic has in the past been impeded as much by the ill-considered actions of some of those who are among the most anxious to see it accomplished, as by the efforts of its avowed and determined opponents. While in other directions of social amelioration beneficent change has in the main been achieved by the exercise of the twin political virtues of moderation and compromise; it has happened more than once, particularly in the mother country, that effort has been negatived, enthusiasm chilled, and the forces of opposition strengthened by the determination of the "whole-hoggers" of the temperance party to accept nothing less than the utmost limit of their demand. I am, however, sanguine enough to believe that in the case of this Bill, no similar mistake will be made. We have ample evidence to persuade us that it is a measure which enjoys in the main the support of the great body of outside public opinion. I cannot think that within these walls less moderate counsels will prevail, that within these precincts, which should be consecrated to dispassionate argument and the nice adjustment of conflicting interests, prejudice and fanaticism, however honest and well-intentioned, will be allowed to run their baleful and devastating course. Opportunity beseeches us and surely will not be denied. Hon. members cannot but recognise that some reform is superior to no reform, that to travel half the distance is better than to remain stationary. Nor can they be blind to the heavy burden of responsibility which will rest on the shoulders of those who fail to grasp the fact that the weapon of effective action now lies within their reach and is waiting to be used. To all who in this Chamber or outside it can by their influence and their actions help forward this measure I would say, using the language of one of the greatest of our poets—

Miss not the occasion! By the forelock take
That subtle power, the never-ceasing time,
Lest a mere moment's putting off should make
Mischance almost as heavy as a crime.

Question put and passed.
Bill read a second time.

House adjourned at 10.52 p.m.

PAIRS.

For the day.

Hon. J. Mitchell	Mr. Bolton
Hon. F. H. Piesse	Mr. McDowall

Legislative Council,

Tuesday, 5th October, 1909.

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

BILL—PUBLIC EDUCATION ENDOWMENT.

Second Reading.

The COLONIAL SECRETARY (Hon. J. D. Connolly) in moving the second reading said: This is a small Bill extending a principle that was granted some years ago in connection with the proposed establishment of a university in Perth, that is to make certain endowments of land for the purpose of providing funds in the future for the institu-

tion. It is to be regretted that a Bill of this kind did not pass many years ago, as naturally it will now take many years before we derive any benefit from it. When it is remembered that the education vote goes up from year to year and is likely to continue to do so as the population increases, it is necessary that some provision should be made to meet the increasing requirements. Fortunately, in this State, although at times finances have not been very bright, still, we have not been forced as they were in some of the other States, particularly Victoria, considerably to decrease the public education vote. However, by the passage of this measure we shall be doing much towards lightening the burden for the future in connection with the educational vote. No better way could be devised of bringing about this desirable end than by setting aside a certain amount of land as endowments for public educational purposes. Something has been done in this direction already in anticipation of the passage of this Bill, for there has been set apart two thousand odd acres of land in new townships, the worth of which is estimated to be about £15,000. The Government intend, whenever a new township is surveyed or a new settlement formed, to reserve a certain area as an endowment for public education. In each new township there will be some 300 or 400 acres of land set apart for this purpose. Now is the time to do this while we are selling land at practically a nominal price, and while we have the land to bestow as an endowment. The system has been in force in some of the other States and New Zealand. At the last-named place a very considerable revenue is now being derived from the endowment lands set apart for primary and secondary education and for university purposes. Last year New Zealand derived an income totalling approximately £122,000.

Hon. F. Connor: That is rent, not sales?

The COLONIAL SECRETARY: Yes, that income was devoted as follows: primary education, £56,000; secondary education, £45,000; university purposes, £21,000. This shows very clearly the benefit of the system and how much the State will benefit in time to come by the making of these endowments. The system has also, to a certain extent, been carried out in South Australia, and last year that State received an income of about £9,000 from the endowment lands. It is unnecessary for me to emphasise the necessity for this measure as I think every member agrees with the principle that lands should be set apart for the advancement of public education. I beg to move—

That the Bill be now read a second time.

On motion by Hon. W. Kingsmill, debate adjourned.

BILL—REDEMPTION OF ANNUITIES.

In Committee:

Clause 1—agreed to.

Clause 2—Interpretation:

Hon. M. L. MOSS moved an amendment—

That in the definition of "annuity," after the word "land," in line 2, there be inserted "for a period exceeding a life or lives in being."

When the Colonial Secretary made his second reading speech on the subject he drew the attention of members to the fact that an annuity of £20 a year had been charged on land in the York district for the benefit of the Anglican clergy of York. It was mainly to get rid of land being tied up indefinitely that the measure had been introduced. If a person were the owner of land and desired to put a charge upon it to provide an annuity for his wife or family, provided they were alive at the time the charge was put on the land, he should be permitted to do so. It was the provision which prevented this that he objected to so strongly and which had influenced him in voting against the second reading. It should not be laid down that the owner of land should not charge it with an annual sum for his family who were then living. We should respect the arrangement an owner made

provided he did not indefinitely tie up that land.

The COLONIAL SECRETARY: While the amendment could not have any effect on the particular case he had mentioned in introducing the Bill, still there was no necessity for the insertion of the amendment. If members would look at the Bill they would see there were quite sufficient safeguards in it already, and that the amendment was unnecessary. Legislation of the kind had been in force in England since 1853.

Hon. J. W. Hackett: Is this an English Act?

The COLONIAL SECRETARY: This was not a precise copy of the English Act, but similar legislation had been in force in England since 1853. He would point out that the amendment sought to protect the wishes of the testator. Still it was to be remembered that an estate thus encumbered might in years to come be in such position that it would not return anything like a decent revenue. When he made his will the testator could not possibly foresee all circumstances. At such time the testator was probably satisfied that he was doing the best for his wife and children in leaving a charge on the land; but he could not foresee what altered conditions might arise. The position was sufficiently safeguarded by Clause 3. The beneficiare was not allowed to take the money and invest it at his own sweet will. The Supreme Court would review the circumstances, and the Court would be sure to see that the money was invested on very safe security. In the event of altered conditions the bequest of the testator would probably be the better carried out if thus left to the provision of the Court. The clause should be allowed to pass as printed.

Hon. M. L. MOSS: The amendment would mean that if an owner of land in creating a charge upon it effected an annuity of £50 for the life of his wife and say, two children, then in existence no order of any court would be allowed to prevent the will of the owner of that land being brought into operation. The clause as framed would prevent the owner's will being carried out. As for the contention that land should not be tied up indefinitely, if the amendment were agreed to the indefinite tying up of land could be prevented by the operation of Clause 3. Why should the Legislature step in and say that when a man was dead and gone somebody else should have the right to declare that a charge he had left on his property was null and void? The Minister had said that the money would be safely invested under an order of the Supreme Court. But, unfortunately, the investment of money under an order of the Supreme Court was not always of the safest, seeing that property values fluctuated even where orders of the Supreme Court were concerned. There were innumerable instances of great depreciation in security on which money had been invested under an order of the Supreme Court. It did not follow that under an order of the Court there would be anything like the security offered to the persons who were the objects of the land owner's bounty which there might be if the land encumbered was situated in, say, a central part of the city of Perth. Such legislation, he thought, was being carried to an undue extent. In regard to such a measure there was no parallel to be drawn between the old country, where values fluctuated but slightly, and Western Australia where the fluctuations were much more marked.

Hon. S. J. HAYNES: The amendment proposed appeared to be reasonable. It was a modification on the law as it stood, and also on the law of England. He agreed that there was no parallel between conditions obtaining in England and in Western Australia in respect to this measure. Under the amendment the testator's interests would be reasonably protected.

Hon. M. L. Moss: What is your experience of Supreme Court investments: are they always safe?

Hon. S. J. HAYNES: In his experience, no. He knew of numerous investments so made under which loss had been suffered. In this regard the Supreme Court was no less fallible than the ordinary investor. Under the suggested modi-

fication the risk would be minimised, and on the other hand property charged with annuities would be tied up for shorter periods. Under these circumstances no injustice would be done. He would support the amendment.

Hon. C. SOMMERS: The amendment was scarcely in the public interests. He knew of an estate worth some £40,000 on which there was a life encumbrance of something like £150. That life might extend over another forty years. Other people were interested in the estate, and they wished to have it subdivided and sold, but nothing could be done while this encumbrance remained, or at least it was very difficult for those people to sell the property to advantage.

Hon. M. L. Moss: Who put the encumbrance on it?

Hon. C. SOMMERS: Of course the answer to that was that the owner had done so, and that surely an owner could do as he liked with his own. Still it seemed rather ridiculous to tie up so large an estate for so long a time. And what might have appeared right when it was first done, 20 or 25 years ago, might now under altered conditions be found to be altogether a mistake. No security was invariable. It was not in the public interests that people should be allowed to tie up property for any great length of time.

Hon. M. L. MOSS: The speech just made by the hon. member was surprising to a degree. The hon. member had said in effect that an owner of land should not say that that land should remain a security for providing an annual sum for his wife and children. If a person invested his money in Western Australian Government securities, or in British Consols there was no cry that it was wrong to tie his money up in that way. Why should Parliament step in and say they would not allow him to tie up his land in the same way for a reasonable period? The man might say that was the safest way to provide against his wife and children wanting. Why should Parliament step in, after the man had gone, and say that the provision should be set at defiance? It was very much in the public interest, if a man made provision for his wife and children, that nothing should be done to dissipate the provision the man had made.

Hon. J. W. Langsford: What would be the position if the Government wanted to resume in the public interest?

Hon. M. L. MOSS: The Government could resume anything. The Minister did not ask for legislation because the Government wanted the land for public purposes, because the present legislation was sufficient for that purpose, but when it was the tying up of land indefinitely, he did not see why something could not be done.

Hon. C. SOMMERS: Mr. Moss had pointed out that a piece of land could be sold with the charge upon it: that was all very well in regard to a small piece of land, but in the case of 20,000 acres where the land was required to be subdivided and sold the charge was on the whole estate; it was not in the public interest that the land should not be subdivided. When the charge was put on the land, it might not have been of great value. Some provision should be made by which the money could be invested in Government securities If that were done the difficulty would be overcome.

Hon. M. L. MOSS: It was not a question under the Trustees' Act of investing proceeds of land in Government securities. There was a very wide range of securities besides Government stocks and funds. There was the mortgage of real estate, municipal debentures, debentures or preference stock in companies, in fact the range of investment was wide.

Hon. C. Sommers: Why not insert a proviso that the money should be invested in Government securities?

Hon. M. L. MOSS: The case referred to by Mr. Sommers might be the only one in Western Australia where 20,000 acres of land were tied up through a small annuity, but we had to look at the Bill from the point of view of every case that might occur: and Parliament was going unduly out of its way to undo the wish of the owner of the land.

Hon. C. SOMMERS: The case might be met by a certain sum of money being

provided for the annuity and invested in Government securities. There would be no risk in such a case.

Hon. M. L. MOSS: There would be no objection to that if an addition were made, that the income derived from the investment of the proceeds in Government securities would produce as much as the charge on the land.

Hon. C. SOMMERS: It was not likely that Government securities would change in value within "a life in being." This was a new country where values were increasing, and it was not in the public interest that a large area should be locked up because of a small annuity.

Hon. M. L. Moss: It seemed as if the Bill was to be passed for one case.

Hon. C. SOMMERS: No, he had never heard of the Bill until it was placed on the Table. It might be provided that the sum at 2½ per cent. should return an annuity such as provided by the testator.

Hon. S. J. HAYNES: Where a testator put a charge on land he did it often as a deterrent to cutting up the land, and as an incentive to the other members of a family to keep the estate intact and work it.

Hon. R. W. PENNEFATHER: Was this Bill a verbatim transcript of the English law?

The Colonial Secretary: Not a verbatim transcript, but similar legislation was in force in England.

Hon. R. W. PENNEFATHER: The best judge of an investment was the owner of the property. The public interest was already protected. The Committee should be slow to interfere with the right of a man who chose to make provision for the maintenance of his wife and children.

Amendment put and passed; the clause as amended agreed to.

Clause 3—Judge may order redemption of annuity on surrender value being ascertained and paid:

Hon. S. J. HAYNES moved an amendment—

That in line 3 of Subclause 5 the word "may" be struck out and "shall" inserted in lieu.

That would make the provision mandatory.

Amendment passed; the clause as amended agreed to.

Title—agreed to.

Bill reported with amendments.

BILL—DISTRICT FIRE BRIGADES.

Second Reading.

Debate resumed from 28th September.

Hon. A. G. JENKINS (Metropolitan): I may say at the outset that I do not see the slightest necessity for this Bill in its present form. I cannot see why we should require two separate boards to control the fire brigades of the State. I think one Act creating one board should be quite sufficient. I notice that Victoria is the only State in the Commonwealth where there are two fire brigade boards controlling different brigades. In New South Wales, Queensland, and South Australia they appear to get on very well with one board. I can understand why Victoria requires two boards for there are no less than 200 volunteer brigades and 50 permanent brigades there, whereas in Western Australia there are only two permanent brigades and 33 volunteer brigades. I think one board could very well control these. Honourable members perhaps are not aware of the extra cost that will be involved in appointing a second board, and that the additional expense will fall on the insurance people, the underwriters, the councils, and the Government. It will mean an expenditure of at least £1700 more in wages and fees. I notice that the fees have been fixed at £250 and that there is to be a chief officer, a deputy chief officer, board rooms and office expenses, and many incidentals which will very easily bring the total up to £1700. At the present time we are endeavouring to effect economies as much as possible, in every way, and I think it is a very bad precedent for the Government to set, while economising themselves, to endeavour to increase expenditure in other directions. Another objection I have to the Bill is that it has been badly drawn. In Clause 3 members will see it is provided that Perth and Fremantle may if they so desire come in under the Bill. At the present time Perth and Fremantle have a board of

their own, and officers of their own. If they decide to come in under this measure what will happen? At present both the municipal councils of Perth and Fremantle have representation on the board, and if they come in under the new measure they will be deprived of that representation. What is to happen I ask? Again, what is going to happen to the property at present held by the existing Fire Brigades Board? They have expended, I understand, between £40,000 and £50,000 in appliances and buildings in both Perth and Fremantle. Is the control to be diverted from the present board and given over to the new board? Fremantle, I am informed, have borrowed some £15,000 for which the Government, the underwriters, and the councils are responsible. Who will undertake the responsibility of the repayment of that? Honourable members must see how impossible it will be to have one fire brigade board controlling Perth and another controlling Fremantle.

The Colonial Secretary: Why impossible?

Hon. A. G. JENKINS: I will show the Colonial Secretary that it will be not only quite impossible but foolish. We will not say impossible, because everything is possible, but to have one superintendent controlling the fire brigades of Perth and Fremantle, and another superintendent controlling fire brigades of the districts around Perth, in the event of fire taking place and question arising as to jurisdiction, who will determine?

Hon. C. Sommers: They will fight like Kilkenny cats.

Hon. A. G. JENKINS: Of course they will. I am sure this thing will never work. With regard to the Bill, Clause 6 is a most unfair one, because there you will see that you have nine members and yet five contribute only two-fifths of the expenditure, leaving the majority to vote as to how the money is to be expended. That is not reasonable. The Government may say that they require that because they have expended £11,000 in fire appliances, but the Government have taken credit for all money spent on these fire appliances. I undertake to say that if a valuation were made of these appliances they would not be found to be worth more than £1,100.

The Colonial Secretary: I know of one station alone where the value is more than that.

Hon. A. G. JENKINS: Even the equipment at Kalgoorlie I am informed will not pass inspection. I do not know whether my informant is right, but the authority is good. Then, again, if we refer to the existing Act and the Bill before the House we will see that a lot of sections which are in the Act have been omitted from the Bill for some reason or other, and they are sections too which are essential. Why they have been omitted I cannot discover. For instance, how the Board is to be appointed under the Bill I do not know. Evidently it will be done by regulation, and it seems that everything under the Bill is to be left to regulation, whereas in the existing Act it is specifically laid down, and that is the much better procedure. These regulations we know are made at the sweet will of the Minister, and often he may carry out things which should not be carried out. Under Section 10 of the Act it is shown how certain representatives of the board shall be elected. This provision is absolutely omitted from the Bill. Further on in the Act a most important section as affecting fire insurance companies (that is Section 46) gives power for the insurance companies' books to be inspected, and there is a proviso there that the inspection of these books must be kept secret. For some reason or other that proviso is omitted from the Bill, and again I do not know why. If we go further on and look at Section 43 of the Act, it will be seen that there is provision there for a minimum contribution; there is no such provision in the Bill before the House. That should be necessary in a measure of this description. Where new companies come in there should be the minimum contribution stated. Section 45 of the Act has been omitted altogether from the Bill. I suppose the Government are going to make regulations, but it is necessary that these things should be in the Bill. Sections 67 and 68 of the Act are most important, referring to property, and they too are left out of the Bill.

Then again Section 59 provides a penalty for tampering with fire alarms, for which the punishment is up to two years' imprisonment. In the Bill before the House the provision is that a penalty not exceeding £20 may be inflicted. It seems ridiculous that the Act should provide for imprisonment and the Bill before the House for a penalty not exceeding £20. Then again there is an omission in the case of fires happening on ships. There will be several ports included in this Bill, and there is no provision made in the schedule for dealing with fires on vessels, and the payments to be made. In the case of fires on ships it is necessary to act promptly, and labour has to be engaged suddenly, and you cannot always engage labour at the rates provided in the present schedule. As I have said, I think one Bill is sufficient for the whole State. Personally, I think that such a Bill could be easily devised in this House, but my intention is to move that the Bill be referred to a select committee with power to call evidence from the various interested parties, and that select committee, after having heard the evidence I have no doubt will be able to frame a measure which will protect the interests of all parties. I move—

That the Bill be referred to a select committee.

The COLONIAL SECRETARY: Is the hon. member in order in moving in this direction at this stage? Has not the second reading to be carried first?

The PRESIDENT: The motion can only be moved after the second reading of the Bill.

The COLONIAL SECRETARY (in reply): I do not think there is any need for a select committee. When introducing the Bill I stated, and I repeat again, that the measure has twice passed another place, and that when it was before the Legislative Assembly on the former occasion it was referred to a select committee which dealt with it very fully. All the evidence taken by that committee is available. I do not think it is at all desirable or necessary that the Bill should be again referred to a select committee; but in this regard when the hon. member moves his motion I shall state other reasons. In regard to the point the hon. member raised that one board could control the whole State, it has not been found practicable in the other States. Also it has first to be ascertained whether this Bill will prove workable so far as the State is concerned outside the metropolitan area. By-and-by if it is found that the Bill will work for the volunteer fire brigades, then it may be moved, if it is desirable, to include the whole State in one fire district. In Victoria they have a board for the metropolitan area and another board for the country or volunteer fire brigades; and it is apparent that if they need two boards in Victoria then in Western Australia, with our diversity of interests and with such a huge State, it is quite impossible to work with one board. Again, the conditions of contribution in this Bill are totally different from what they are under the Fire Brigades Act under which Perth and Fremantle now work. All the suggested amendments of the hon. member can be placed on the Notice Paper and full consideration given to them. I do not propose to ask members to take the Committee stage to-day. I shall probably have some amendments to put on the Notice Paper, and I suggest that the Committee stage be taken a week hence. That will give us ample time to have the amendments placed on the Notice Paper, and to give them full consideration.

Question put and passed.

Bill read a second time.

Referred to select committee.

The COLONIAL SECRETARY moved—

That the consideration of the Bill in Committee be made an Order of the Day for the 12th October.

Hon. A. G. JENKINS moved as an amendment—

That the Bill be referred to a select committee.

Without knowledge of the proceedings of the select committee of another place his desire was to call evidence to see if the whole State could not be worked under one Act so as to save expense as far

as possible. The Bill would certainly cost the State another £1,700 a year, which could well be saved, or at least a considerable portion of it. It was all very well to say that no doubt the brigades would eventually be under one board, but we knew the difficulty of amalgamating boards or of getting any board, once created, to give up power, because each board would seek to gain the controlling power. The Government talked economy and should set an example, and endeavour to work the State with one measure. It was with that idea alone that he wanted a select committee appointed so as to call evidence from the parties affected to see whether some mutual arrangement could not be made.

Hon. T. F. O. BRIMAGE seconded the amendment.

The COLONIAL SECRETARY: There was no need for a select committee. Even on the point of economy the argument did not hold.

Hon. A. G. Jenkins: The reference was not to economy by the Government.

The COLONIAL SECRETARY: It was understood that the hon. member claimed it would give an opportunity to the Government to effect economy. The only economy would be in other directions. To-day the Government contributed one-ninth, but under the Bill they would contribute three-eighths. The amount paid by the Government in Perth and Fremantle would probably be greater than that paid to the rest of the State, and if that contribution was made on the same basis it would be a big burden. At any rate it was not likely the Government would accept a Bill that would be turned inside out. They would not introduce one measure and have it turned into another. The Bill was badly needed to force the insurance companies to contribute to the upkeep of volunteer fire brigades; and to refer it to a select committee would serve *no good* purpose: it would only cause delay. The Bill had already been referred to a select committee in another House, and the question raised by the hon. member had been considered, while the evidence taken was available for hon. members.

Hon. C. SOMMERS: If there was an opportunity of saving £1,700 as had been pointed out, and if the select committee could ascertain this, it would be advisable for the committee to sit. Whether the Government paid the money or not it would come out of the pockets of the people insured, and the rates were already high enough. It did not seem necessary at present to duplicate these boards in a State with such a small population. In only one Australian State were there two boards.

The President: Will the hon. member confine himself to the amendment to refer this Bill to a select committee?

Hon. C. SOMMERS was giving reasons why the select committee should sit. There would be an adjournment of the House for some time. A select committee could sit in the meantime and consider evidence. That evidence need not be voluminous, and should not take long. He did not know what evidence was taken by the select committee of another place on the necessity for a second board, but there was no harm in referring the Bill to a select committee.

Hon. F. CONNOR supported the amendment not particularly on the point as to whether there should be one or two boards, but because the whole Bill seemed to be an injustice. There appeared to be no representation according to contribution, and if the Bill pass as printed a majority of non-contributors would be controlling the affairs and finances of the boards. There should be some further consideration of the measure.

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

Ayes	10
Noes	6
Majority for	4

AYES.

Hon. T. F. O. Brimage	Hon. G. Randell
Hon. E. M. Clarke	Hon. C. Sommers
Hon. F. Connor	Hon. G. Throssell
Hon. A. G. Jenkins	Hon. J. W. Langsford
Hon. W. Kingsmill	(*Teller*).
Hon. M. L. Moss	

Noes.	
Hon. J. D. Connolly	Hon. R. D. McKenzie
Hon. J. W. Hackett	Hon. B. C. O'Brien
Hon. S. J. Haynes	Hon. J. M. Drew (*Teller*).

Amendment thus passed; the Bill referred to a select committee.

On motion by Hon. A. G. Jenkins the committee was constituted as follows:—Hon. J. D. Connolly, Hon. F. Connor, Hon. J. W. Langsford, Hon. R. D. McKenzie, Hon. B. C. O'Brien, and the mover; and was given the usual powers; to report on the 19th October.

BILL—VACCINATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 30th September.

Hon. C. SOMMERS (Metropolitan): I confess that I do not know very much about this particular matter, but it seems to me that so far as the carrying out of the provisions in this State is concerned the Act has latterly become practically a dead-letter. The fact that the clause provides that those persons wanting to evade the necessity for the vaccination of their children have to go to considerable trouble to make a declaration shows by the mere fact of their doing such a thing that they are in earnest in their desire to prevent their children from being vaccinated. Therefore, I am in favour of the Bill. A great deal can be said on both sides, but it appears to be a "toss up" whether or not vaccination has done all the good it is supposed to have in years gone by. I understand this Bill has been passed in another Chamber almost unanimously, therefore there seems to be a strong consensus of opinion on the part of the representatives of the people there that the law should be altered.

Hon. S. J. HAYNES (South-East): I do not wish to give a silent vote on this measure. As far as the Bill is concerned I am against it. Some years ago I had occasion to look into vaccination matters, and had considerable trouble and bother over them. I collected what details and information I could on the subject, and I came to the conclusion that vaccination had indeed been a great boon, and had undoubtedly, as far as I could judge, minimised the risk of infection. I also read up the other side of the question and decided in my mind that the large weight of reliable information was in favour of vaccination. Under those circumstances I shall oppose the second reading. I do not think the small minority, as it would be in the State, who want their children to escape vaccination, should be a detriment to the welfare of the great majority. I am perfectly aware that the Vaccination Act in this State has not been strictly carried out, but that is no reason why it should not be. The only occasion when it was strictly carried out was when there was a risk of the introduction of a dread disease in this State. I am perfectly satisfied, whether rightly or wrongly, that vaccination has minimised the risk of infection, therefore, in justice to ourselves and our children, the provisions of the Act should be strictly carried out.

The COLONIAL SECRETARY (Hon. J. D. Connolly): I agree with the member who has just sat down that it would be very dangerous for us to pass the Bill as it stands. True, it is a very mild Bill in its present form, for it only applies to persons having conscientious scruples; but while one may respect the conscientious scruples of those persons, one has also to consider the danger that would be caused to other people. It is frequently said that vaccination is dying out, and that it is only an art of the dark ages, but on the other hand we find that the principle is increasing. Exactly the same principle is applied in cases of diphtheria and tuberculosis, and several other diseases. The antitoxin used in cases of diphtheria is administered on exactly the same principle as vaccination for the prevention of smallpox. The medical fraternity of this State have written very strongly against the Bill, and I think that in a matter of this kind their opinion should be respected. Mr. Laurie also read a letter as to New Zealand, and gave some interesting statistics as to the results of in-

fectious diseases in countries where there was vaccination as compared with those which had it not. The Principal Medical Officer of the State had given an emphatic opinion in regard to this matter, and that is an opinion which must be given full respect to. The opinion of men who enter into a special study of matters affecting the public health, as the Principal Medical Officer does, must be counted of considerable weight. That officer is decidedly opposed to the Bill. Dr. Hope has been for many years chief quarantine officer of this State, and consequently has been brought closely into touch with all matters concerning infectious diseases.

Hon. B. C. O'BRIEN (Central): I desire to support the Bill, having consideration for those persons, who, to use the common phrase, have conscientious scruples. I do not wish to enter into an argument on the opinions of medical authorities as to whether vaccination is a good thing or not. Many who approve of vaccination say it is only effective for seven or eight years. If that be so, and we have the highest authority for it, we should agree that those having conscientious scruples should not be compelled to have their children vaccinated. Why should we torture little babies and small children by ordering them to be vaccinated, whereas we do not insist upon being re-vaccinated ourselves? If it is necessary, as I have said, that persons should be re-vaccinated after seven or eight years, there is probably not a member in this Chamber who should not be vaccinated now. I am inclined to favour the Bill, therefore, in its present form. I do not think it will lead to trouble as has been suggested. In various countries, particularly among the Asiatic races, where vaccination is not resorted to, the mortality at certain periods is far greater than it is, say, in our own country: but it must be remembered that bad plague outbreaks are experienced in those countries and that great mortality results, but the mortality is brought about not by the fact that the people are not vaccinated, but owing to the conditions under which they live, their habits, and customs. I intend to support the second reading.

Hon. J. M. DREW (Central): I simply wish to point to Western Australia's experience in connection with smallpox. About 17 years ago there was an outbreak of smallpox in the metropolitan area; several persons died, and there was every appearance of the disease spreading. But a large proportion of the population were vaccinated. People were vaccinated wholesale—men, women, and children. There was no necessity then for a conscience clause; they came forward and were vaccinated, and the consequence was the disease was stamped out. This Bill is simply for the abolition of vaccination; because if the Bill were to pass, three-fourths of the mothers would not take their children to be vaccinated. They dread the temporary annoyance which they experience during the period of vaccination. I intend to vote against the Bill.

Hon. A. G. JENKINS (in reply): I wish to say just a few words in reply to Mr. Laurie, who introduced various pamphlets and handed them round among honourable members. I am sorry that I did not do the same. I expressed a hope that this debate would not resolve itself into a anti-vaccination debate. Had I known that it would have done so I could have shown to honourable members absolutely disgusting photographs of cases of vaccination, and I could have quoted medical opinion against the practice. These are photographs authenticated and published, and if honourable members will read a certain pamphlet distributed among them, they will see most conclusive evidence from medical authorities against the practice of vaccination. Dr. Crighton, a teacher at the University of Cambridge and author of articles on vaccination in the *Encyclopaedia Britannica*, has stated that he is convinced that vaccination does not prevent small-pox. Other medical authorities say the same, and the statistics will show that since the English Bill became law—a measure similar to this—vaccination has increased very much in the town of Leicester. There can be no doubt why the disease of smallpox has

decreased: the conditions of life have altered, people are cleaner, and the sanitary arrangements are better than they were in the old days. I have here dozens of pamphlets which would convince honourable members that in lots of cases vaccination does a great deal of harm. I have here also a petition, which if it were in order I would present to the House. It contains 1,400 signatures of persons in favour of the Bill: and these names were collected in two evenings. It must be remembered that of the municipalities around Perth which have discussed this question only one has voted against the Bill. There have been letters in the paper day after day in favour of the Bill, and out of 7,000 births last year only 600 children were vaccinated. That shows the weight of public opinion in favour of the Bill. It is not a Bill to abolish vaccination; it is only to afford exemption to people who have conscientious scruples against the operation.

Question put and division taken with the following result:—

Ayes	6
Noes	10
Majority against ..	4

Ayes.	
Hon. F. Connor	Hon. C. Sommers
Hon. A. G. Jenkins	Hon. T. F. O. Brimage (*Teller*).
Hon. R. D. McKenzie	
Hon. B. C. O'Brien	

Noes.	
Hon. E. M. Clarke	Hon. R. Laurie
Hon. J. D. Connolly	Hon. G. Randell
Hon. J. W. Hackett	Hon. G. Throssell
Hon. S. J. Haynes	Hon. J. M. Drew (*Teller*).
Hon. W. Kingsmill	
Hon. J. W. Langsford	

Question thus negatived: the Bill defeated.

House adjourned at 6.7 p.m.

Legislative Assembly,

Tuesday, 5th October, 1909.

The SPEAKER took the Chair at 4.30 p.m., and read prayers.

URGENCY MOTION—DEATH SENTENCE, CASE OF MARTHA RENDALL.

Mr. WALKER (Kanowna): I desire, Mr. Speaker, to move the adjournment of the House for the reasons I have given you.

Mr. SPEAKER: I have received a notice from the hon. member that he desires to move the adjournment of the House on a question of urgency, to call attention to the case of Martha Rendall.

Seven members having risen in their places,

Mr. WALKER said: I assure you, Mr. Speaker, that it is with feelings of regret that I move this motion this afternoon. I do so without having asked a single member of this Chamber to support me. If I can, at this last moment, say one single word that will save the life of a woman from jeopardy, I shall have discharged a duty. If I cannot attain that end I shall still have discharged a duty, for I cannot allow this afternoon to pass, feeling as I do, that possibly to-morrow morning a very grave wrong will be committed in the shape of what I do not offensively, but calmly, call a judicial murder. I cannot allow this afternoon to pass without making some effort, however feeble it may be, to try and save this woman. I am aware that the Executive Council, the Ministry of this State, have had a very trying time in the consideration of this case during the last two or three weeks. I am not going to accuse them in the slightest of not having done what they believed to be their duty. I make no charges against anyone connected