

in the new year. I would not go had I not received the assurance that there is no objection from any of the members, and that they are satisfied arrangements can be made so that my absence will not affect the work of the House. While I am away opportunities may arise to enable me to be of assistance to Western Australia. Anything I can do in that respect will be readily and gladly done. I wish all members a merry Christmas and a happy New Year, and sincerely hope that the New Year will be a prosperous one for our State.

ADJOURNMENT.

THE CHIEF SECRETARY (Hon. J. M. Drew—Central) [12.32]: I move—

That the House at its rising adjourn until Tuesday, the 8th January.

Question put and passed.

House adjourned at 12.33 a.m.

Legislative Assembly.

Thursday, 20th December, 1928.

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

MOTION—FREMANTLE HARBOUR TRUST.

To Disallow Regulations.

Order of the Day read for the resumption of the debate on the following motion moved by Mr. Thomson:—

That the regulation made by the Fremantle Harbour Trust relating to wheat for export, published in the "Government Gazette" on the 14th December and laid on the Table of the House be and is hereby disallowed.

On motion by the Premier, Order discharged.

MOTION—VERMIN ACT.

To Disallow Regulation.

MR. LATHAM (York) [4.36]: I move—

That the regulation made under the Vermin Act, 1918, published in the "Government Gazette" of the 30th November, 1928, and laid on the Table of this House on the 13th December, be and is hereby disallowed.

The new regulation reads—

93d. All rates imposed and recovered under Section 100a, and which under Subsection 3 thereof are, subject to regulation, to be applied in payment of bonuses, shall be charged with the expenses incidental to the administration of that section.

I cannot understand how the department have been able to read into the subsection the power to charge incidental expenses against the rate. Subsection 3 of Section 100a reads—

All rates recovered under this section shall be paid to the credit of an account to be kept at the Department of Agriculture, and, subject to regulation, shall be applied under the direction of the Minister in payment of such uniform bonuses for the destruction of wild dogs, eagle-hawks and foxes, and such other vermin as may be prescribed.

The only way in which the rates can be used is for the purpose specifically set out in the subsection. There is no authority to use any portion of them for administrative or other expenses. Section 10 of the Act provides—

All moneys appropriated by Parliament for the purposes of this Act may be applied to the following purposes, that is to say—(a) for defraying the necessary expenses of the central administration of this Act

It can hardly be claimed that no other revenue is available for the purpose of providing incidental expenses. Appropriations are made under Section 10,

and are available to provide for the expenditure necessary in collecting and disbursing rates. Rates are collected from pastoralists at the rate of $\frac{1}{2}$ d. in the pound and from agriculturists at the rate of 1d. in the pound, and Section 100a specially sets out that the money shall be used for the purpose of payment of bonuses for vermin destruction. The new regulation, if I read it correctly, proposes to charge administrative and incidental expenses against the rates. Even if the new regulation is not disallowed by Parliament, I think it would be disallowed in a court of law as ultra vires. The case is so clear I need not weary the House with a long discourse upon the subject. I trust hon. members will disallow the regulation.

HON. SIR JAMES MITCHELL (Northam) [441]: I thought the Minister for Agriculture was rising to admit that the charges in question could not be debited under the subsection. The mover of the motion has pointed out that by regulation the funds derived from this special taxation can be used for the destruction of vermin. The Minister may regard the charges as being vermin or a pest. No doubt all these charges we are expected to approve of against the farmer from day to day are a pest. Hardly a day of the session passes without some means of bringing revenue to the Treasury. The cost of administering the Vermin Act must be very small indeed, as the work is done by departmental officers situated here and there about the State. The Government seem desirous of depleting the rates collected for destruction of pests. That destruction should be a national work. One half of the pests, I dare say, come from Crown Lands, and destroy wealth which belongs to all the people. However, the Minister is not satisfied with imposing a special tax. He now wants to take the amount into revenue. I do not suppose special officers are appointed to do this work. There is already another vermin tax. What we are considering here is a special vermin tax. It would be possible to charge the expenses to the fund arising from the special tax and also to the general fund. I hope the Government will not insist upon debiting the charges to the special fund. I agree with the member for York (Mr. Latham) that they cannot do it, be-

cause the Act distinctly provides that the money must be paid away for destruction of vermin. The Government can by regulation decide to pay £2 or £3 for a dingo, £1 for fox, and 5s. for an eaglehawk. That is all the Government have power to do. I hope the Minister for Agriculture has read the section, and I hope he will not oppose the motion. We are a little too fond of imposing special taxation for special purposes. Somehow or other, the special taxation always seems to hit the man on the land. He is more easily taxed in a hundred ways than the man on salary or the man drawing an income from some kind of business. Remembering the number of taxes already imposed upon the man on the land—land tax, income tax, vermin tax, local taxes, stamp duties and so forth—we should pause before imposing any further taxation on him. Yesterday we tried to impose an additional charge on the export of wheat. That, however, has been disallowed, and we cannot discuss it now. But day by day and in every possible way we come down upon the unfortunate man who is doing so much for the rest of the community. I would remind hon. members that the thing must stop. Members sitting on the cross benches should see that the funds available for vermin destruction are not cut into. The next thing will be that the department will ask why they should not have all the money that is collected, ignoring the fact that it is collected for the purpose of destroying vermin. We might get the Solicitor General to say whether or not the destruction can lawfully be made by this regulation. I do not think it can be. Those of us who come from outback, surely, can hold their own for once. If we joined together for once, those of us who are farmers and those who have squatting interests or represent squatting districts, and those who represent agricultural districts, we could certainly ensure the disallowance of this regulation. All of us representing outback interests should stand together in this.

The Premier: If we divide on those lines there can be only one issue.

Hon. Sir JAMES MITCHELL: Yes. All for ourselves. I should like to see a division on those lines. It would be very popular in the districts from which my friends opposite come, because they all represent pas-

toral districts these days. I hope the Minister for Agriculture will see that his job is not to place on the rural people all the burdens that every one of the departments suggest to him. He should stoutly resist when the Treasurer says, "Let us put more tax on the land and on the men on the land." Fremantle can almost be considered an agricultural district, for many in that district live by agricultural produce.

Mr. Sleeman: After the way you treated us yesterday we will do anything at all for you.

Hon. Sir JAMES MITCHELL: We ought to be able to rely upon those members who represent even indirectly the wealth garnered from the soil. This regulation is illegal, ungenerous, wrong, and most certainly ought to be disallowed.

THE MINISTER FOR AGRICULTURE (Hon. H. Millington—Leederville) [4.48]: If the member who moved the motion had first made inquiries, he would have found there was no need to submit it. It is merely a storm in a teacup. This is a quite legitimate expenditure and can be legitimately charged against the trust funds. Prior to 1925, when the amending Bill was passed, the road boards destroyed the scalps locally. But in establishing a special tax and a trust fund, it was deemed advisable, in view of previous experience, that the scalps should be brought to Perth for destruction. That, of course, entailed a certain amount of expense. The Vermin Advisory Board are very strongly in favour of this regulation. We have that board, consisting of three members, and they advise on the administration of this fund. They advised that the scalps should be brought to Perth for destruction, and that has been put into operation. In some instances, under proper certification, it is permissible to destroy them locally. For instance, that is done in Kimberley and other outlying places. Also that board has advised that the expense of bringing the scalps to Perth for destruction was a reasonable charge against the trust fund. The Auditor General considered that there was no power under the Act to make this charge. The Solicitor General was requested to frame the regulation under discussion. The actual expenditure from this fund on the items mentioned is but trifling. For 1927-

28 the figures were as follows:—Transport charges on scalps, £65 15s. 1d.; miscellaneous charges, £1 8s. 2d.; travelling expenses of a member of the board, £28 18s. 10d.; total for the year £96 2s. 1d.

Mr. Ferguson: What about the charges by the department for the collection of the tax?

THE MINISTER FOR AGRICULTURE. The amount paid out of the trust fund for the destruction of vermin during the 12 months ended 30th June, 1928, was £40,357. The Act permits a charge to be made by the Taxation Department for the collection of the fund and that amounts to 1.86 per cent. of the total, while the total administrative charges are 2.11 per cent. It has been suggested that the imposition of these charges is illegal. Section 100A, Subsection 3, reads—

All rates recovered under this section shall be paid to the credit of an account to be kept at the Department of Agriculture, and, after payment of the cost of collection and subject to regulation, shall be applied under the direction of the Minister in payment of such uniform bonus for the destruction of wild dogs, eagle-hawks, and foxes and such other vermin as may be prescribed.

The Solicitor General gives his interpretation of that section as follows:—

Section 100A was inserted in the principal Act by the amending Act, No. 29 of 1925. It is therefore a part of the principal Act as reprinted in the appendix to the volume for 1925. By Section 131 the Governor has power to make all such regulations as are necessary or convenient to give effect to the Act. As Section 100A is a part of the Act, the power to make regulations extends to that section as well as to all other sections.

Hon. Sir James Mitchell: There is special power there.

THE MINISTER FOR AGRICULTURE: The fact remains that it is quite legal. It is a trifling amount, after all. The payment of freight on scalps consigned to Perth is the policy of the board. But I want to know where that money is to come from if it does not come from this fund. The board acts in an honorary capacity. If the Agricultural Department were to impose full charges for the administration of this special fund, a pretty considerable amount would be involved. But the department does not do so. The destruction of all those scalps and the keeping of the accounts are attended to by the Department of Agriculture and are not charged to the fund. It is not pro-

posed that they should be. If the fund had to be administered in that way, a special staff would be required. The only charges under which regulations to which exception can possibly be taken are the two items I have mentioned. If inquiry had been made, this motion would not have been moved. The charges affected are the transport charges on scalps and the expenses of the members of the board. The alternative would be to charge those who were consigning the scalps to Perth with the freight. But that would cause endless trouble besides creating grave dissatisfaction. Therefore, the better way is for the department to pay, and debit the amount to the fund. The members of the board act in an honorary capacity, but one member lives beyond Meekatharra and occasionally has to come to Perth for the meetings of the board. Consequently his travelling expenses are allowed him. It is a perfectly legitimate charge. The fund is used absolutely for the purpose for which it was set up, and the Act is administered without cost to the fund, save the two items I have mentioned. Further than that, a man is fully employed looking after the scalps and destroying them in Perth and he is paid out of the department's vote. The hon. member says that the money should be found somewhere. A few days ago a deputation waited on me asking that the poison carts be kept on after March. I pointed out that the money was exhausted, and the proposal the deputation made was that I should ask the Treasurer to excess the vote by £1,000. I have not yet received a reply from the Treasurer, but I have received letters from all the local vermin boards protesting against the withdrawal of the poison carts.

Mr. Stubbs: It will be a calamity to the State if the poison carts are withdrawn.

The MINISTER FOR AGRICULTURE: Reverting to the motion, the charge is a legitimate one, and I am satisfied that the hon. member, having received the explanation, will withdraw the motion.

Hon. Sir James Mitchell: No, we shall take it to a division.

MR. LATHAM (York—in reply) [5.1]: From the Minister's remarks I assume that transport charges on scalps and travelling expenses for the board are being met out of the fund at present. In spite of the Solicitor

General's opinion I maintain that the regulation merely fixes the sums to be paid as bonuses for vermin destroyed. There is no power to spend money for any other purpose. The bonus per head is fixed by regulation under Section 100 (a). It is provided that the Minister may make regulations, and I quite agree that he should have that power, but he has no power to make a regulation imposing a charge upon the fund, as he has done. I do not wish the Minister to think that I object to the board drawing travelling expenses. What I wish to emphasise is that there is no power under the Act to permit him to pay the expenses of the board out of the fund. All vermin boards render their services free to the State. The members of country vermin boards do not get even travelling expenses. However, if a board member has to travel from Meekatharra to Perth to render service to the taxpayers, he should be paid out-of-pocket expenses, but there is no provision for making the payment out of this fund. I venture to say that when the Auditor General scrutinises the accounts, he will question the payments made. Although the amount is small, it is neither fair nor reasonable that it should be debited to the fund. When the Act was passed, it relieved the Government of expenditure to the extent of roughly £10,000 a year. That was the Government's contribution towards the destruction of vermin. Having been relieved of that outlay, provision might well be made for the payment of the small charges in question under the appropriation of the Act itself. It is not so much the amount as the principle involved. It is wrong to stretch a definite section of the Act stipulating in detail how the money shall be disbursed. Yet the department adopt the attitude that because the word "regulation" is included, they are at liberty to apply the funds to the payment not only of bonuses but of administrative expenses, such as freight on scalps and travelling expenses for the board. The department have no right to bring the scalps to Perth.

The Premier: It is not a matter of right, it is a matter of conserving the funds.

Mr. LATHAM: For a long time the Premier found money to the extent of 10s. per head on certificates only, which amounts were paid to the road boards.

The Minister for Agriculture: And we were fleeced, too.

The Premier: The whole thing has been loose and there has been a big leakage.

Mr. LATHAM: I am sorry I did not have the assistance of the Premier the other evening when the Dog Act Amendment Bill was under consideration.

Hon. G. Taylor: Let us have the Dog Bill over again.

Mr. LATHAM: The Premier has given utterance to thoughts that were in the minds of some members, and if we had received his support, we might have been able to deal more effectively with vermin. The Bill was designed to aid the destruction of wild dogs.

The Minister for Railways: Wild dogs, and other dogs too.

Mr. LATHAM: Section 100 (a) provides for disbursing the revenue in payment for the destruction of wild dogs.

The Minister for Agriculture: And we have to ensure that the money is devoted to that purpose.

The Premier: The bringing of the scalps to Perth makes more money available for the destruction of dogs, because there will not be so many leakages.

Mr. LATHAM: I agree with the Premier that the bringing of the scalps to Perth ensures more effective control. Still, I do not think we have overcome the difficulty of paying for the scalps of tame dogs.

The Premier: I do not think so, either.

Mr. LATHAM: As I pointed out the other night, last year we paid for roughly 14,000 dogs. Even if 10,000 scalps had to be brought to the city, it seems a tremendous number.

The Premier: There were a lot of tame dogs among them. The breeding of tame dogs for the sake of the bonus has been an industry.

Mr. LATHAM: I agree, but I do not wish to pursue that subject. I regret that the Minister, for the sake of £100, has stretched the meaning of the Act beyond all reason. He is reading into the section something that was never intended, and I am sorry he did not agree to withdraw the regulation.

Question put and passed.

Sitting suspended from 5.10 to 7.30 p.m.

RESOLUTION—STATE FOREST REVOCATION.

Council's Message.

Message from the Council received and read notifying that it had concurred in the resolution passed by the Assembly.

BILL—LAND ACT AMENDMENT.

Council's Amendment.

Message from the Council notifying that it had agreed to the Bill subject to an amendment, now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Agriculture in charge of the Bill.

Clause 2.—Subclause 1, line 5, delete the words "north of the 20th parallel" and insert in lieu thereof "in the Kimberley division of the State."

The MINISTER FOR AGRICULTURE: I move—

That the amendment be agreed to.

The idea was to include the Kimberley division in the concession with regard to retrospective payments. It is very much better for the Lands Department that the Council's definition should be used rather than that originally contained in the Bill.

Question put and passed; the Council's amendment agreed to.

Resolution reported, the report adopted and a message accordingly returned to the Council.

MOTION—DILLON CASE.

To inquire by Royal Commission.

Debate resumed from the previous day on the following motion by Mr. North:—

That in the opinion of this House a Royal Commission should be appointed to inquire into the case of the Crown v. Mrs. V. G. Dillon.

THE MINISTER FOR POLICE (Hon. H. Millington—Leederville) [7.35]: The member for Claremont, in moving this motion, quoted a letter he had received from the ex-mayor of Claremont, making an ex parte statement of the case, and taken second hand from the principals. He also

quoted from a declaration that had been made by Mrs. Dillon, setting out in detail the treatment she alleges she received. It was her version of the case. I do not know that any exception can be taken to the manner in which the case was stated. Not much importance can be attached to the mayor's letter.

Hon. G. Taylor: The hon. member read that to justify the motion.

The MINISTER FOR POLICE: Mrs. Dillon's statement, however, does call for a reply. She has made certain allegations, and I am now in possession of a reply from the Police Department. Since the case commenced we have given the matter careful consideration. The department has nothing to hide. The Commissioner administers it without fear or favour as to the force itself. It is not his business to cover up mistakes, rather to see that the affairs of the department are properly administered. He has carried out that policy. After consultation we have prepared the case as viewed by the police, setting out in detail the whole history. I will present that case to the House in order that members may hear both sides, and may then be able to judge as to the merits of the case and whether they consider that the appointment of a Royal Commission is either justified or necessary. All the statements set out in the report of the Police Department are supported by evidence or by documents on the file. The statement is as follows:—

1. In replying to the allegations made against the police it is necessary to consider the history of the transaction from its inception.

2. Mrs. Dillon, the accused woman, Mrs. Hull (whose name has been mentioned in regard to prosecution), and also Mrs. Dyer and Mrs. Wilson, live in Broome-street, North Cottesloe. Mrs. Dillon lives in a house called "Ormond"; there is then a vacant paddock, then Hull's house, then another vacant paddock, and then Mrs. Dyer's house where Wilson is staying as a lodger.

3. In July, 1928, Mrs. Hull and Mrs. Dillon were on friendly terms. At that time Mrs. Hull was pregnant and she had been married to her husband about 10 months. Mrs. Dillon, in the course of conversation with Mrs. Hull, suggested to her that it was not within the bounds of decency to be having a baby after such a short interval of married life and suggested that she should do away with it. Mrs. Hull, according to her statement, was indignant at the suggestion and when she got home she mentioned it to her husband, who told her that she had better keep away from Mrs. Dillon. This she did, and bad feeling then

arose between the two. According to Mrs. Hull, stones began to be thrown on the roof of her house at frequent intervals, and one morning she found in her milk jug a note, the substance of which was—

"Dear Mr. and Mrs. Hull. Go to hell and fill up the vacant places."

4. Mrs. Hull then made a complaint to the Cottesloe police with regard to the stone throwing and the note which she said she had found in the milk jug. She saw Constable St. Jack, of the Cottesloe police, and handed him the note, informing him that she was suspicious that Mrs. Dillon had written the note. Constable St. Jack advised her to get a specimen of Mrs. Dillon's handwriting. This she did on the 19th July by getting Mrs. Dillon to address an envelope containing some sweep tickets which she had bought from one of Mrs. Dillon's boys. That envelope was produced in court and was used as an exhibit together with other specimens of Mrs. Dillon's handwriting. In the meantime Mrs. Hull was confined, her baby being born about the beginning of September last.

5. After Mrs. Hull's return from hospital, about the 10th September, she alleges that she found a letter of a scurrilous type in her letter box, and from that on, letters or slips of paper of a similar nature continued to be delivered to her, either through the medium of the letter box or they would be found on the front or back lawns of her residence.

6. Mrs. Hull then sought the assistance of Wilson, who it is understood up to that time was not personally known to Mrs. Hull. Wilson, it appears, heard stones being thrown on Mrs. Hull's roof, and on Mrs. Hull's complaint to him that she was receiving these letters he decided to see Mrs. Dillon in order to put a stop to the letter writing.

It would appear that in some of the letters which had been sent to Mrs. Hull Wilson's name was mentioned, but up to this time no letters had been sent to him personally.

7. The start of the present court proceedings may be really dated from the 11th September, when Wilson and a man named Waterman, who was Mrs. Dillon's landlord, and Mr. Hull went to the house of the Dillons. Wilson told Mrs. Dillon that he believed she was the person who was writing the notes and at the time asked Mrs. Dillon for a specimen of her handwriting. She, however, would not give a specimen then as she said she was too agitated. Next day, however, she delivered a letter containing a specimen of her handwriting, per medium of her boy, to Wilson.

8. Mrs. Dillon denied that she was the author of the letters.

Repeated complaints were made to the C.I.D. by Wilson at this stage, and it is of interest to notice here a couple of letters sent by him to the C.I.D. bearing date the 21st and the 26th September. He requested that the culprit, Mrs. Dillon, should be brought to book as he stated that her actions were causing the residents of the neighbourhood to become terrorised. Detective-Sergeant Cameron was detailed to take charge of and investigate the matter. He interviewed different persons who came into the matter, viz., Mrs. Dyer, Wilson,

Mrs. Hull and her husband, and also the suspected woman, Mrs. Dillon.

9. In the course of his investigations Detective-Sergeant Cameron obtained specimens of Mrs. Dillon's handwriting which were later on produced in court and compared with the handwriting in the indecent notes. In many respects the handwriting in the indecent notes bears a remarkable resemblance to Mrs. Dillon's handwriting.

10. Detective-Sergeant Cameron then discussed the matter with his Inspector (Mr. Purdue), and after also discussing the matter with the Crown Prosecutor it was decided that before taking any action the movements of the Dillon family should be watched.

11. A watch was started on the 24th September, 1928, and the two watchers were Sergeant Baumgarten and Detective Ritchie of the C.I.D. Detective Ritchie was watching in a front room of Hulls' house and Sergeant Baumgarten at the back of the house.

At about 9 p.m. Detective Ritchie says that, whilst he was in this front room of Mrs. Hull's house, he saw Mrs. Dillon coming up the macadamised portion of the road from her place and walking in the direction of Mrs. Hull's place. When she got to a point almost exactly opposite the letter box and front gate of Hulls' place she turned and walked straight across in the direction of the letter box and gate—and incidentally it may be mentioned that it is quite a considerable distance from the macadamised portion of the road across to the letter box, and one has to cross sand. She came to within a few yards of the letter box when unfortunately Mr. Hull switched on the light in the other front room, and as soon as he did so Mrs. Dillon abruptly turned round and walked back to her own place.

Detective Ritchie is positive that the woman was Mrs. Dillon and he states that he has no doubt about the matter. It was a very bright moonlight night; he saw her face clearly, and saw her go back into her own house.

12. On the following day a watch was still kept up, and this time the watchers were Detective McLernon and Constable St. Jack. They took up a position in Mrs. Hull's house. Shortly after noon on this day Detective McLernon visited the lavatory which is situated at the rear of Mrs. Hull's backyard and abuts on a lane which passes both Mrs. Dillon's and Mrs. Hull's places at the rear. After leaving the lavatory Detective McLernon is positive that there was no paper there. The lavatory can be clearly observed from Mrs. Dillon's place.

Very soon after Detective McLernon had entered Mrs. Hull's house again Constable St. Jack, who was watching from a hole he had bored in the weatherboard of the Hulls' bathroom, saw one of Mrs. Dillon's boys running from the Dillons' backyard. He saw that the boy had something in his hand which appeared to be white paper and which was fluttering as he ran. The boy ran through a gap in the Dillons' back fence and out into the lane which leads past Mrs. Hull's lavatory. When he reached the lane he was lost to view.

13. Detective McLernon who was in the front of the house was told of the occurrence

of the boy running from the lane and Constable St. Jack returned to his observation post. About 10 minutes later Mrs. Hull visited the lavatory and on her return she handed Constable St. Jack a note which she stated she had found on the floor of the lavatory. This note refers in a vulgar way to the visit of the detective to the lavatory.

14. On the 26th September at about 11 p.m. Sergeant Baumgarten and Constable St. Jack were watching Mrs. Dillon's house from the vacant block between Mrs. Hull's house and Mrs. Dillon's. Whilst engaged watching at the time mentioned above two drunken men came along and remained in the vacant allotment for about five minutes. When these drunken men came to the vacant allotment Mrs. Dillon's front light, which had been on, was switched out.

On the 28th September Detective-Sergeant Cameron received a note from Mrs. Hull in which she enclosed a note which she said she had found on her front lawn on the morning of the same day—that is to say, the day after Sergeant Baumgarten and Constable St. Jack had been secreted in the paddock. This note made reference to a visit by the C.I.D. the previous night and advised them next time to come along dressed and sober.

15. On the same date, 28th September, on instructions from Inspector Purdue, Detective-Sergeant Cameron again put the facts before the Crown Prosecutor, and on the fresh evidence being gone into the Crown Prosecutor came to the conclusion that there was sufficient evidence to base a charge against Mrs. Dillon for publishing defamatory matter under Section 360 of the Criminal Code, and that it would be better to get the persons aggrieved to swear the complaints if they were desirous of action being taken against the woman.

16. Wilson had become persistent in his visits to the C.I.D., and when Detective-Sergeant Cameron returned to the C.I.D. after having seen the Crown Prosecutor, Wilson was waiting to see him and to find out what was to be done. Reference has already been made to his letters to the department.

Detective-Sergeant Cameron said to Wilson, "Are you prepared to take action and swear a complaint for the purpose of a warrant being taken out for the arrest of this Mrs. Dillon?"

Wilson said, "Yes, certainly I am prepared to do this. This matter has got to stop."

Detective-Sergeant Cameron drew up a complaint which was sworn by Wilson before Mr. Cooper, J.P., and the warrant was then issued for the arrest of Mrs. Dillon, and Wilson paid the necessary court fees for the issue of the warrant and complaint.

17. The publication of defamatory matter is an indictable offence, and it is usual on indictable offences to issue a warrant for the arrest of the party concerned. In this particular case, bearing in mind the letters which the aggrieved persons said they had received and the scurrilous nature thereof, and the amount of consternation the matter was causing in the neighbourhood, there was ample justification for Wilson taking out a warrant for the woman's arrest.

18. On the same day, 28th September, 1928, Detective-Sergeant Cameron and Detective McLernon and Woman Constable Dunlop went to Mrs. Dillon's house in Broome-street, North Cottesloe, and on arrival there they saw Mrs. Dillon. Detective-Sergeant Cameron read the warrant to her and her reply was, "This is dreadful."

On the way to Perth where Mrs. Dillon was being taken in a motor car after arrest, she said to Detective-Sergeant Cameron, "Have you told Mrs. Hull you are taking me away?" He replied, "Why," and she replied, "Because Mrs. Hull will stop writing letters to herself."

19. On the 29th September Mrs. Dillon was brought before Mr. A. B. Kidson and formally charged. The substance of the charge appears in the complaint annexed to the depositions in the case. On the application of Sergeant Houston she was remanded for medical observation at the Perth hospital. In this particular case a perusal of the letters will show that whoever has been writing them has a mental kink and there was strong justification for mentioning to the magistrate the subject of a remand for medical observation. Sergeant Houston in his application described shortly to the magistrate the nature of the letters and stated that whoever had written them certainly was unbalanced in mind, and if that was so it was useless to proceed with a penal charge. Sergeant Houston states that the accused woman made no attempt to make any application to call any evidence in rebuttal when the application was made, and as far as he can remember she said nothing.

She was then remanded for medical observation, on the 29th September, and on the 5th October, six days later (not a fortnight as stated by Mr. North) she was released from the observation ward as nothing wrong could be found with her mental state. She was then straight away taken before the court, granted bail and remanded for eight days.

20. At this time she was represented by Mr. Cleland, solicitor, who was employed by Messrs. Smith & Keall.

21. On the 15th and 16th October the evidence was taken of the different witnesses concerned, and the evidence appears on the depositions herewith. On the evidence as taken before Mr. Kidson the magistrate had no hesitation in committing Mrs. Dillon to take her trial for the publication of defamatory matter.

22. After Mrs. Dillon was arrested and placed under observation the letters ceased, but after her release on bail similar letters again continued to come in to all and sundry—Mrs. Hull, Mrs. Dyer, Wilson and the detectives and police engaged on the case.

23. After Mrs. Dillon was committed for trial certain facts were brought to the notice of the Crown Law Department which resulted in a *nolle prosequi* being entered against her. It is alleged by Mrs. Dillon that indisputable evidence was put before the Crown Prosecutor and the Solicitor General that another person was the guilty party. This is absolutely incorrect. There were facts put before the Crown Prosecutor and the Solicitor General which amounted to a suspicion, at the most, that another party had been writing the let-

ters, and whilst it was considered that there was still a *prima facie* case against Mrs. Dillon to go on with, it was decided that in view of the doubt as to somebody else writing the letters, the case should not go to trial.

It was also alleged that no action at all was taken to follow up the fresh information that was put before the Crown Law authorities. This is distinctly untrue. The police kept, unbeknown to any of the parties, a continual watch on the houses of them all for about three days but nothing resulted.

One of the letters had the word "Fremantle" printed on it, and inquiries were made at Fremantle to endeavour to trace the origin of this letter with a view to finding out in whose possession it had been before the indecent matter had been written on it, but the inquiries were without result.

Answering the charges made by Mrs. Dillon against the police in their conduct of the matter:

1. That she was taken into custody and stripped naked.

There is absolutely no truth in this at all. She was taken to the Central Police Station at Roe Street and there she was handed over to the custody of Police Woman Dunlop. The warrant for her arrest was placed over the counter to the constable in charge there, and the charge entered up in the charge book, after which Mrs. Dillon was taken charge of by Constable Ford, the Acting Gaoler.

Detective-Sergeant Cameron did not search the woman, nor did he put his hand in her pocket at all. Searching the person of a woman does not come within the duties of a male member of the police force.

In the absence of Mrs. Miller, the lock-up keeper's wife, Police Woman Dunlop searched Mrs. Dillon. Police Woman Dunlop did not receive any orders from Detective-Sergeant Cameron with regard to the manner in which she should make her search. The matter is governed by lock-up regulations. Mrs. Dillon was searched by Police Woman Dunlop in the lock-up, and whilst Police Woman Dunlop was searching her she informed the police woman that she could not do all the running about she was said to have done, owing to a swelling in her side which she (Mrs. Dillon) proceeded voluntarily to show the police woman, by removing some of her clothing. The police woman noticed that the swelling was fairly large and in consequence she asked the lock-up keeper to see that Mrs. Dillon had a comfortable bed and bedding, and Mrs. Dillon was provided with a special bed in the women's day room and was not placed or confined in a cell. She was given special treatment and was provided with food of a far better nature than that provided for in the regulations. The day room is a large airy room with a fireplace and seating accommodation. She made no complaint to the lock-up keeper or officials about her treatment; on the contrary she thanked the matron and the lock-up keeper for their kindnesses.

When a prisoner is brought in it is always necessary that he or she should be searched in order to show that no dangerous weapons are concealed about the person of

the individual concerned with which the person might effect or attempt to effect escape or inflict injury upon himself or others. It is also necessary to make a complete check and inventory of the property on the person of the arrested party, with a view to safeguarding any valuables or property on him from other inmates of the gaol.

2. Mrs. Dillon's statement that Detective-Sergeant Cameron ordered the removal of her wedding ring is absolutely untrue. No conversation took place wherein she asked whether she was to be manhandled.

3. With regard to Mrs. Dillon's children and the arrangements made for their custody.

Before leaving with Mrs. Dillon for Perth by motor car after her arrest, Detective-Sergeant Cameron asked her what could be done with her three boys during her absence, and Mrs. Dillon informed him that a neighbour would look after them for her. Detective-Sergeant Cameron interviewed the neighbour, but the neighbour said she could give an eye to the boys but could not stay with them at the Dillon's house nor could she have them at her own house. At this time the eldest boy Dillon was in the Dillon house but the two younger boys had not returned home from school. Detective-Sergeant Cameron wanted to see the youngest boy (aged six) before he left the district with a view to giving him to understand that he should remain home with his eldest brother for the time being and that he (the sergeant) would be back later on to see them. Detective-Sergeant Cameron did see the little boy and tell him to go home and stay with his brother; that his mother was going to Perth and that he (the sergeant) would be back later on.

Detective-Sergeant Cameron's interview with the boy was of the briefest, and was only on the lines already indicated, and it took place within a very few yards of the motor car which contained Mrs. Dillon, Detective McLernon, and Police Woman Dunlop.

On his return to Perth after arresting Mrs. Dillon, Detective-Sergeant Cameron spoke to Inspector Purdie about the boys, and it was deemed unwise to leave them in the house by themselves. It was decided that the best thing would be to procure a lady inspectress from the Child Welfare Department and have them taken to the Receiving Depot. This was done. They were taken to the Receiving Depot at Mt. Lawley where they received every attention.

Mrs. Dillon had no reason whatever to ask the gaoler (as she alleges) on the 29th September, where her boys were, because Detective-Sergeant Cameron had already told her of his intention to place the boys in the care of the Child Welfare Department, and on the same afternoon she was told this had been done.

4. With regard to Mrs. Dillon's allegations that her requests for legal assistance were ignored. Mrs. Dillon never at any time suggested legal assistance to Detective-Sergeant Cameron. Had she done so she would have been given every opportunity of getting that assistance.

She says in the statement, which was read out by Mr. North, that the gaoler also tried

to procure a solicitor for her, but failing to do so, asked her for particulars of her case and proceeded to instruct her as to the court procedure and advised her how to go about getting bail.

5. With regard to the "third degree" methods, no "third degree" methods were practised on Mrs. Dillon at all, and as a matter of fact, on being arrested she elected to make no statement at all in relating to the charge.

6. Regarding Mrs. Dillon's allegation that Detective-Sergeant Cameron snatched her husband's letter from her, and read it before she was allowed to see it. This is a falsehood. The letter was delivered during the time Detective-Sergeant Cameron and Police Woman Dunlop were there to arrest her, and after Mrs. Dillon had read it in their presence she said, "This is a letter from my husband. This is what he thinks of me." She then handed the letter to Detective-Sergeant Cameron, who scanned it, and as it did not interest him he handed it back.

The following general comments are of interest:

1. Ever since Mrs. Dillon and her husband have been in this State they have indulged in a penchant for letter writing. Some of the letters which appear on the Group Settlement file relating to Mr. Dillon's first venture in this State, and which were received both from himself and his wife, reveal a very peculiar state of mind.

2. It is also worthy of notice that Mr. Dillon has in correspondence stated that nothing more will be heard of the case provided that he is furnished with sufficient money to go home and to start in business.

Mr. Mann: What has this to do with the arrest of the woman?

The MINISTER FOR JUSTICE: It has a lot to do with the case. The hon. member does not know the case.

The Premier: Anyhow, it is not the Minister's statement; it is the statement furnished by the police. The hon. member should appreciate the position.

The MINISTER FOR POLICE: Yes; and the police are entitled to be heard after what has been said about them. The statement proceeds—

3. Ever since the case was started both Dillon and his wife have been writing letters to all and sundry, making allegations about everybody who happens to have come into contact with them in any way with regard to the prosecution. This readiness to make accusations has been a feature which has been in evidence during the whole of their residence in this State. They make charges against everybody who happens to act in a way which does not suit them, and this being the case it is not out of place to refer to the character of the lady who makes them.

In January of this year the "Sunday Times" had occasion to publish several articles upon a matrimonial agency which Mrs. Dillon

was conducting at her house in Cottesloe. It is obvious from the correspondence on the file on this matter, that she was charging fees for introducing young men (prospective suitors as she would call them) to young women, and very few questions were asked as to the characters of the parties to these matrimonial ventures.

4. In a petition which she addressed to the Governor of this State, Mrs. Dillon repeats the defamatory statement which she is alleged to have made against Wilson and which was made the subject of the charge against her in the police court. That statement, although put in better language than the statement on which the charge was founded, is in effect the same, and the substance is as follows:—

“John Denzil Wilson, widower, compromises a woman, marries her, deserts her and leaves her to support their child. Now the sole lodger of a war widow with two children.”

5. In so far as the request for a Royal Commission is concerned Mr. Dillon wrote to the Commissioner of Police under date the 30th November, 1928, and he stated in his letter that the police had been guilty of perjury and that he had witnesses to prove his allegation. The Commissioner replied on the 4th December, 1928, to the effect that if Mr. Dillon had the evidence, would he please furnish it so that an investigation could be made and the matter dealt with. A copy of this letter appears on the file, and also a reply by Mr. Dillon, under date the 13th December, 1928, wherein he refuses to furnish the names of the witnesses who, he says, can prove that the police had committed perjury, but says he is willing to put that evidence before a Royal Commission.

On the 13th December Dillon also wrote to the Hon. Minister for Justice to the effect that one of the detectives had made a statement to him, since the entry of the *nolle prosequi*, that the reason for the proceedings taken against Mrs. Dillon was that she had written defamatory letters against the Group Settlement. The original of this letter is also on the file. The Hon. Minister replied on the 14th December, mentioning *inter alia* that he would be glad to have particulars in regard to Dillon's statement of what the detective is alleged to have said, and in the reply by Dillon, dated the 15th December, 1928, he said again that he would not produce his evidence unless before a Royal Commission.

When it has been sought to have the matter investigated, Dillon has been unwilling to assist matters and he now approaches Parliament after having thwarted efforts of departmental inquiry.

That is the reply of the police not only to the statements made by the member for Claremont, but also other statements in connection with the case, together with the correspondence that has passed between Mr. and Mrs. Dillon on the one hand and the Commissioner of Police, Detective Sergeant Cameron and the Minister for Justice on the other hand. The member for Claremont

asked for the reasons why a warrant had been issued for the arrest of Mrs. Dillon instead of action being taken by way of summons. The reply to that query is contained in the police statement. It is purely a departmental matter. With regard to the treatment of Mrs. Dillon, not only are the police involved, but the magistrate and the Crown Law Department have also played a part, and have to take a share in the responsibility. I discussed this matter with the Commissioner of Police and he pointed out to me that it was the business of the police force to endeavour to protect the community, to collect evidence and to place that evidence, when presenting a case, before the court. All that was done. The police have nothing to do with the convicting of a criminal or an alleged criminal; that responsibility rests with the court. In this instance, the police point out that it is difficult to visualise the whole case and to get a proper appreciation of the atmosphere that existed round about the residences of the three families at Cottesloe. At the same time, hon. members will realise the difficulties that existed and that the police were called upon to take action. It is not my province to put up a case in defence of what the police did. The member for Claremont suggested that professionalism had crept into the ranks of the force. That may be so, but I suggest it has nothing to do with this case. I presume no member of the police force would willingly or voluntarily take up such a case. Hon. members can gather from the statement I have read that it was only after pressure had been brought to bear by Wilson and others that the police were compelled, in the interests of peace, to intervene.

The Minister for Justice: And continued pressure.

The MINISTER FOR POLICE: That is so.

Mr. Davy: But they were not compelled to arrest the woman.

The MINISTER FOR POLICE: I am not saying anything about that. It is suggested that the police were out for a win—

Mr. North: Having got hold of someone

The MINISTER FOR POLICE: —no that they were merely out to do their duty. It is suggested that they were out to get a conviction. On the other hand, I suggest that the statement furnished by the police

represents a complete refutation of that charge against them. The police were not desirous of having anything to do with this obnoxious case.

Mr. Teesdale: Did you say it was usual to arrest in such cases?

The Minister for Justice: On an indictable offence, yes.

Mr. Teesdale: But in these letter-writing cases?

The MINISTER FOR POLICE: This was more than a letter-writing case, more than a mere defamatory letter.

Mr. Davy: What was the charge?

The MINISTER FOR POLICE: Publishing a defamatory letter. It is a criminal offence. Associated with it must be remembered the stone-throwing, the threats and the terrorising on the part of someone in the district.

Mr. North: It was not proved who was responsible for that—just someone.

The MINISTER FOR POLICE: All those things being considered, we can realise how matters worked up until pressure was brought to bear on the police to take action. I think the treatment of the children was exemplary. My idea is that the mother having been arrested and the father having been absent from the district, the proper thing for the State to do was to take charge of the children so that they would be looked after. That was done.

Mr. Teesdale: The proper thing would have been to leave the mother with the children.

The MINISTER FOR POLICE: In an article in the "Sunday Times" Mrs. Dillon accused the police not only of searching her but of stripping her. The article was brought under the notice of the Commissioner of Police before the matter was referred to in this House, and he called for a report. The substance of the report is contained in the statement of Policewoman Dunlop and, as the Commissioner says, the statement has the ring of truth in it. I can conceive of no reason for Policewoman Dunlop going to the extent of stripping Mrs. Dillon. The very fact of Mrs. Dillon having made a statement containing all the elements of sensationalism shows that as a witness she is not reliable. Perhaps I may say that a woman's dress now is not so elaborate as it was in Victorian days.

The Premier: No need to search them at all now.

The MINISTER FOR POLICE: Certainly there was no need to strip her.

Hon. Sir James Mitchell: How do you know?

The Minister for Justice: The impression conveyed in the newspaper article was that a policeman stripped her—an entirely wrong impression.

The MINISTER FOR POLICE: That was published broadcast. On the statement of Policewoman Dunlop I think we can take it that Mrs. Dillon was merely searched. This is a most complicated case. It is a case that was just on the verge of being investigated—

Mr. Davy: That is the unfortunate thing and it is the justification for appointing a Royal Commission.

The Minister for Justice: No.

Hon. Sir James Mitchell: The member for Claremont has made out a very good case for the appointment of a Royal Commission.

The Premier: One aspect that is not a justification for a Royal Commission is the *nolle prosequi*.

Mr. Davy: I do not agree.

The Premier: I think it is so.

Mr. Davy: Had the case gone to trial there would have been no need for a Royal Commission.

The MINISTER FOR POLICE: Since that occurrence certain circumstances have arisen that probably do merit investigation. I can realise that the utmost difficulty would be experienced to get at the truth between the statement made by Mrs. Dillon, the statements of the other witnesses associated with the case and the statement of the police. It appears to me that not only Mrs. Dillon but also Mr. Dillon have resorted, in the letter that appears on the file, to defamatory and most damaging statements regarding certain members of the police force. Their allegations of a frame-up and also Dillon's statement that he was prepared to prove that certain members of the police force had committed deliberate perjury constitute a very serious charge.

Mr. Davy: Not half as serious as the charge made against this woman and withdrawn.

The Minister for Justice: Do you suggest that the magistrate did wrong in find-

ing that a prima facie case had been made out ?

Mr. Davy: The magistrate has no choice. He must commit.

The Minister for Justice: On the depositions.

Mr. Davy: Yes.

The Minister for Justice: Then what is the complaint ?

The MINISTER FOR POLICE: I am dealing with the matter from the point of view of the Police Department only. There is room for a divergence of opinion as to what action should have been taken by the police. It is a very difficult case. The view point of the Police Department has been officially set out and they stand to that. They have the evidence; they know all the circumstances and they are responsible for their actions. Since the case received some prominence, the very serious charges I have indicated have been made against the police force.

Mr. Mann: Under what section of the Criminal Code was Mrs. Dillon charged ?

The Minister for Justice: That has been read to the House.

Mr. Mann: I am sorry I did not hear it.

The MINISTER FOR POLICE: I read the police statement carefully; it is too long to traverse again.

Mr. Mann: I merely wish to know the section.

The MINISTER FOR POLICE: I should not like to inflict it on the House again. The police were entitled to state their case and say exactly what happened. Independently of whether the demand of Mrs. Dillon for a Royal Commission is justified, in view of the fact that the case has gone so far and has been given such publicity, that Mr. and Mrs. Dillon have made these allegations and are not prepared to substantiate them except before a Royal Commission, and that the Police Department have nothing to hide but court the fullest publicity, I have to announce that the Government have no objection to the motion being carried.

Members: Hear, hear!

Mr. Teesdale: That is all we want. It will give the police a chance to clear themselves.

Question put and passed.

BILL—LICENSING ACT AMENDMENT (No. 2).

Returned from the Council without amendment.

BILL—POOR PERSONS LEGAL ASSISTANCE.

Council's request for conference.

Message from the Council received and read requesting a conference on amendment No. 11 made by the Council to which the Assembly had disagreed, and stating that if a conference were agreed to, the Council would be represented by three managers.

In Committee.

Mr. Lutey in the Chair; the Minister for Justice in charge of the Bill.

The MINISTER FOR JUSTICE: I move—

That a conference be agreed to, that the managers for the Assembly be Mr. Davy, Hon. G. Taylor and the mover, and that the conference be held forthwith in the President's room.

Hon. G. TAYLOR: I would oppose the granting of a conference—

The Premier: You cannot refuse to act.

Hon. G. TAYLOR: No. "May" points out that conferences are requested on specific questions only. He sets forth two forms of conference, one a conference at which the managers discuss only the reasons why an amendment was not agreed to, and the other a special conference. We appear to act always as if we were holding special conferences and we discuss matters other than the reasons. I object to legislation by conference. These conferences are whittling away the Parliamentary institution. I cannot refuse to act as manager, but I object to conferences on such fiddly-winking matters.

Question put and passed.

[The Speaker resumed the Chair.]

Resolution reported and the report adopted.

THE MINISTER FOR JUSTICE (Hon. J. C. Willcock—Geraldton) [8.30]: I move—

That a message be transmitted to the Council acquainting it that the Assembly had agreed to a conference and would be represented by three managers.

HON. G. TAYLOR (Mount Margaret) [8.30]: I have already entered my protest in Committee against so many conferences being held. It is laid down in "May" that members who are appointed to draw up reasons for disagreeing with amendments are invariably chosen to act as managers. I was one of the members who drew up the reasons and so I cannot refuse to act as a manager from this House. That, however, does not prevent me from entering my protest against this growing system of conferences between both Houses on simple matters. It amounts to this, that the conferences moulder the legislation of this country without Parliament knowing anything about it. Six members, three from each House, will discuss the subject and the light of day will never be thrown on their arguments. The Government should stand by their legislation and let either House be responsible for having it laid aside, instead of agreeing to conference after conference. It is wrong and degrading to refer so many matters to conferences.

MR. LATHAM (York) [8.32]: The system of conferences that has grown up in this State is not in the best interests of legislation. It is interesting to learn from May's "Parliamentary Practice" what is the intention of conferences, and there is no doubt that our Standing Orders were framed on the practice of the Imperial Parliament. We introduce legislation and submit it to another place for their concurrence. In the event of their disagreeing with our proposals, they ask us to make amendments that they suggest. Should those amendments be not acceptable we proceed straight away to form another tribunal.

The Premier: A smaller and a minor Parliament with very great power.

MR. LATHAM: Yes, with much more power than we have. That is wrong. The system seems to have grown up of creating this smaller Parliament of the two Houses.

The Premier: Drafting new legislation and passing it, too.

MR. LATHAM: I am almost convinced that we can reduce the number of parliamentary representatives, because of the number of conferences that we permit to take place. I am going to protest against that kind of thing happening. Managers are appointed and they go into a small star chamber and draft amendments of which

this House and another place have no knowledge. This sort of thing invariably happens at the end of the session when everybody is tired, and usually after a long sitting. It seems to me that we have what might be termed an endurance test.

MR. WITHERS: We are undergoing a bit of it now.

MR. LATHAM: I protest against what I consider to be a constitutionally wrong action.

The Premier: This is the last we shall have this year.

HON. SIR JAMES MITCHELL (Northam) [8.35]: We can reject the report of the managers if it does not meet with our approval. The matter is not finalised when it comes back from the managers.

HON. G. TAYLOR: We know nothing about it when it comes back.

HON. SIR JAMES MITCHELL: We send capable men to the conferences to manage our affairs.

MR. TEESDALE: They are all right from this end.

HON. SIR JAMES MITCHELL: And they come back and tell us all about it. We can consider the report and reject it if we like. But if we do that the Bill will be lost.

Question put and passed.

Sitting suspended from 8.36 to 10.30 p.m.

Conference Managers' Report.

The MINISTER FOR JUSTICE: I have to report that the conference met and agreed to recommend that the Council's amendment No. 11 be not made. I move—

That the report be adopted.

Question put and passed, and a message accordingly transmitted to the Council.

Sitting suspended from 10.32 p.m. to 11.50 p.m.

BILL—FOUR PERSONS LEGAL ASSISTANCE.

Council's Further Message.

Message from the Council received and read notifying that it had agreed to the report of the Conference Managers and had deleted new Clause No. 13 from the Bill.

BILL—ROAD CLOSURE (No. 3).

Returned from the Council without amendment.

BILL—COAL MINES REGULATION ACT AMENDMENT.*Council's Amendments.*

Bill returned from the Council with a schedule of three amendments, which were now considered.

In Committee.

Mr. Lutey in the Chair; the Minister for Mines in charge of the Bill.

No. 1—Clause 6. Insert after "no" in line 32 the words "departmental, special, or workmen's."

The MINISTER FOR MINES: The Council's three amendments deal with one subject. It is again a case of another place wishing to assert its authority. Not one of the three amendments makes the slightest difference in any shape or form. The first amendment deals with departmental, special and workmen's inspectors. All three types are already covered in Clause 5. The inclusion of the amendment will provide no more authority than already exists. I move —

That the amendment be agreed to.

Mr. SAMPSON: I voice my protest against the way we are asked to deal with the message from the Council. Members have no opportunity of gaining a proper appreciation of the amendments proposed.

The Minister for Mines: I cannot help that.

Mr. SAMPSON: I do not blame the Minister for the position that confronts the Committee now. I am sure the member for Collie will be with me in my protest. There is but a single copy of the amendments made by the Council, and surely in these days it would be possible to have half a dozen carbon copies made for the convenience of members. That would enable us to consider the amendments because, notwithstanding the clarity of the voice of the Chairman of Committees, we cannot follow the intentions of another place as would be possible if we had the amendments in typed form before us. If

we have a repetition of what I might describe as this anachronism, members should take a firm stand. I say that if messages cannot be submitted to us in duplicate hereafter, a very definite objection will be raised!

Hon. Sir JAMES MITCHELL: The Minister says that the Council's amendments will not affect the position at all. If that is so, he should strenuously resist them.

The Minister for Mines: Why have an argument? Let them go!

Hon. Sir JAMES MITCHELL: What I am concerned with, too, is that the Minister so readily acquiesces in amendments made by the Legislative Council, but he steadfastly refuses to accept any amendment suggested by the Opposition in this Chamber!

Mr. Sampson: Surprising complacency!

Hon. Sir JAMES MITCHELL: The Minister should be prepared to resist amendments that mean nothing.

The Minister for Mines: Rather than waste time with a conference, I would drop the Bill altogether.

Hon. Sir JAMES MITCHELL: I think we should tell another place that while we are prepared to consider amendments that mean something, we are not prepared to deal with amendments that mean nothing at all.

The Minister for Mines: These mean absolutely nothing.

Hon. G. TAYLOR: There is one point about the amendments, and that is that in the definition of "inspector" in the parent Act, reference is made only to the departmental inspectors and to the State Mining Engineer. I do not think workmen's inspectors would be covered by that definition.

The Minister for Mines: But Clause 5 of the Bill covers the position and includes the three classes of inspectors.

Hon. G. TAYLOR: If the Council's amendments do not make any difference, why play up to the Legislative Council's whims?

The Minister for Mines: It would mean some hours at a conference if we did not accept the amendment.

Hon. G. TAYLOR: It would be better to have the conference, than to pass amend-

ments that mean nothing and which make us look simple.

Question put and passed; the Council's amendment agreed to.

No. 2. Clause 9, Subclause 3: Insert after "any" in line 22, the words "departmental, or workmen's."

No. 3. Clause 11: Delete the word "an" in line 36 and insert "no departmental or workmen's"; delete the word "not" in the same line.

On motion by the Minister for Mines, the foregoing amendments made by the Council were agreed to.

Resolutions reported, the report adopted and a message accordingly transmitted to the Council.

CLOSE OF SESSION.

Complimentary Remarks.

THE PREMIER (Hon. P. Collier—Boulder) [12.10 a.m.]: As we have reached the conclusion of the business, I desire to express my thanks to members of the House generally for the courtesy and consideration extended to the Government during the session. It has been a fairly busy time, and members have applied themselves very closely to the work submitted for their consideration. Especially would I like to express my appreciation of the courtesy on all occasions of the Leader of the Opposition and the Leader of the Country Party. During the session, as has been the case for many years past, even although we have sat on opposite sides of the House we have been able to conduct the business with a fair degree of consideration for each other, and I am glad to say that, while contending strongly for the views we have held on the business before the House, we have been able to do so in an amicable manner. I desire to offer to my friends all around the House best wishes for a pleasant Christmas and a prosperous New Year. Everybody has earned at least a few days' rest, sufficient to carry him over into the New Year. And I trust that the health of so many who have been somewhat worn by the business of the House will be restored in the coming year. We all regret that during the session so many members,

quite an unusual number, have been stricken with illness, some with rather serious illness; and I know I express the wish of every member when I say we hope that all will be restored to health in the New Year and will be able to again take up their business with vigour when we reach the next session. To yourself, Mr. Speaker, I desire to express very great gratitude for your kindness—I am sure I speak for the whole of the House—in the conduct of the business. We have got through with a minimum degree of friction, and it has been mainly due to your very great experience of Parliamentary procedure and the manner in which you have presided over our deliberations during the session. To the officers of the House I desire to express thanks for their unfailing courtesy and the valuable assistance they have rendered to all members on every occasion. I hope, Sir, you will enjoy a very happy Christmas and a prosperous New Year.

HON. SIR JAMES MITCHELL (Northam) [12.14]: I also desire to wish you, Sir, a very happy time in the coming New Year. We have had a fairly long session and have dealt with a large number of Bills, always good-temperedly, even if we have seldom agreed. That is as it should be. We are sent here to do our work in the most effective way possible, but I have yet to find that I can make very much impression upon some members opposite. At any rate we have tried, and we have done our best to mould legislation in the interests of the people of Western Australia. I regret that we have not a bachelor left in the House. For the first time this House is adjourning when it is not apposite to remind members that our duty in the future perhaps will be to impose a bachelor tax. However, I am glad to know that every member of the House is no longer a bachelor, and so we should not be in order in referring to the one bachelor we have recently lost. I wish the officers of the House a very merry Christmas and a happy New Year and I wish the same to the "Hansard" staff and to everybody connected with Parliament. I hope everyone will have a pleasant time in the New Year. This year, by the way, we have had two sessions, and so our work has been more strenuous than usual. I hope that when we meet again we shall come along feeling quite fit for work and in an

amiable frame of mind. Also I hope that when next the Minister for Mines has Bills to introduce he will remember that it is very much better to take a little advice from those opposite to him in this House than to take it from members of another place. I trust the Minister will show a little regard for us.

The Minister for Mines: I have a lot of regard for the hon. member, but not for those in another place.

Hon. Sir JAMES MITCHELL: Well, I wish everybody a very pleasant and happy time.

MR. LATHAM (York) [12.17]: On behalf of the Leader of the Country Party, I thank the Premier for his very kind references to that gentleman, and I wish to take the opportunity on behalf of my friends on these cross benches to return thanks for the unfailing kindness other members have shown during the session. To you, Sir, we tender our best thanks for your kind and thoughtful consideration at all times. Also we thank the members of the staff, and particularly do we ask pardon of the "Hansard" staff for any unnecessary work we may have given them during the session, when from time to time lengthy speeches were indulged in. Probably we are entering upon a recess that will be but short, and I take the opportunity of wishing you, Sir, and the staff of the House a merry Christmas and a happy and prosperous New Year. We hope that those members at present laid aside through sickness will be speedily restored to health and will be amongst us again when we meet in the new year. We do sincerely trust that they will have sufficiently regained their health to be able to resume their duties in the House.

MR. SPEAKER [12.19]: Mr. Premier, the Leader of the Opposition, Mr. Latham: I feel very grateful to you for your very kind expressions, not only to me but towards each other. For that concerns me deeply, since to have an atmosphere of friendliness over the Table of the House is of great assistance in the progress of business. I thank you for your kind expressions towards me personally and towards the officers of the House. It has been a pleasure as well as an honour to preside over the Chamber and its business during the last session; because my task has been rendered

so easy by the goodwill and kindly feeling and earnestness in the work pursued by all members of the House. Whilst we are here wishing each other a Merry Christmas, there are those who cannot hear us, who are away through the afflictions that disease and sickness have brought upon them. I know that they, too, would rejoice in this mutual exchange of kindly sentiments. But whilst they are on their sickbeds, there is wafted to them, as it were, our desire for their speedy recovery, for their comfort, and for as much enjoyment as is possible in the circumstances during this festive season of the year. I have had kindly treatment from every member; and, as I have said, my task in that respect has been made pleasurable. I admit that there have been some occasions when I felt I would very much have preferred being amongst you and with you on the floor of the House to having to preside over the Chamber. But that is incidental to the office. I want you to take my verbal utterance as the unseen stirring of the heart in gratitude. To what has already been said I wish to add this expression of my appreciation of the services rendered by the officers of the Chamber. I think we may fairly, and without any boasting, say that this Chamber in the management of its business has been an example to every Legislature in Australia. I will go further and say that in our freedom from acrimony and in our giving of justice to opponents we have been ahead even of the old-established Parliaments of Europe and the world itself. I thank the messengers; I thank everyone who has contributed so unselfishly and so earnestly, and with such a sense of the importance of his duties, to the well-being and the efficient conduct of the House. You have wished me a Merry Christmas heartily and sincerely. I wish every member a Merry Christmas and a Happy New Year. True, these things seem formal; but ever since the earliest dawn of history this season or its equivalent in the Northern Hemisphere has been the period of love for humanity, of rejoicing and renewed hope—the beginning and consecration of a new life. We inherit that from our ancestors, and formal though it be, it is redolent of every blessing that can fall upon mankind. I hope, with you, that when we meet for the next session every member will be recovered

and will come back here with renewed vigour to continue work in the service of the country. I have no more to say, but will shake hands with you metaphorically, in wishing you every possible joy, every possible happiness, and every prosperity that you can wish for yourselves.

ADJOURNMENT.

THE PREMIER (Hon. P. Collier—Boulder) [12.26]: I move—

That the House at its rising adjourn to the 8th January, 1929.

Question put and passed.

House adjourned at 12.27 a.m. (Friday).

By Proclamation published in the *Government Gazette* of 4th January, 1929, Parliament was prorogued to the 21st day of February, 1929.