

Clause 5—Mortgagee may become the purchaser :

HON. J. M. SPEED moved that the word "any," in line 2, be struck out, and "the" inserted in lieu. In New Zealand there were different districts: here there was only one registrar.

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

Clause 6—Conveyance or transfer may be made by registrar as mortgagee :

HON. J. M. SPEED moved that the words "his heirs, executors, administrators, assigns, or transferees" be struck out, wherever they appeared. The object was to insert fresh words whereby the term "mortgagee" should include the executors, administrators, or transferees of the mortgagee. In Clause 5 the word "mortgagee" appeared without "executors, administrators, or transferees."

Amendment put and passed.

HON. J. M. SPEED moved that in lines 7 and 13 the word "deed" be struck out, and "conveyance" inserted in lieu.

Amendment put and passed.

HON. J. M. SPEED moved that in line 24 the words "or they" be struck out, and in line 25 the words "or them" be struck out.

Amendments put and passed, and the clause as amended agreed to.

Clause 7—Remuneration to Registrar :

HON. J. M. SPEED moved that in line 1 the word "he" be struck out, and the following inserted in lieu: "The mortgagee shall in the first place provide the expenses incurred in relation to such sale which shall be repaid out of the moneys arising out of such sale, and the registrar."

Amendment put and passed.

HON. J. W. HACKETT moved that in line 5 the word "half" be struck out.

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

Clause 8—agreed to.

New Clause :

HON. J. M. SPEED moved that the following be added as a new clause:—

The term mortgagees, wherever used in this Act, shall include executor, administrator, assign, or transferee, as the case may be, of such mortgagee.

Question put and passed.

Preamble :

HON. J. M. SPEED moved that the following be inserted at the commencement of the Preamble :

Whereas it is injurious to the interests of both mortgagors and mortgagees that mortgagees are prohibited from being purchasers of the mortgaged property at sales by auction under the powers of sale vested in mortgagees.

Amendment put and passed, and the Preamble as amended agreed to.

Title—agreed to.

Bill reported with amendments, and the report adopted.

DIVORCE AND MATRIMONIAL CAUSES BILL.

IN COMMITTEE.

Resumed from 8th October.

Preamble and title—agreed to.

Bill reported without amendment, and the report adopted.

ADJOURNMENT.

The House adjourned at 9.45 o'clock, until the next day.

Legislative Assembly.

Tuesday, 15th October, 1901.

Petition: Coupon Trading—Petition: Mrs. Tracey, Lands Transferred, alleged Wrongs—Papers presented—Motion (urgency): Blackmailing a Judge; charge against *Sunday Times* (negatived)—Question: Assurance Companies, Deposits—Question: Storing Sandalwood at Fremantle—Question: Railway Strike, Reinstatement—Question: Customs Surcharge on Invoices—Question: Fruitgrowers' Association, Train Facilities—Motion: Extra Sitting Days (negatived)—Wines, Beer, and Spirits Sale Amendment Bill, first reading—Public Notaries Bill, in Committee *pro forma*—Conciliation and Arbitration Bill, in Committee *pro forma*—Public Works Committee Bill, second reading—Excess Bill (1901), second reading, in Committee, reported—Early Closing Act Amendment Bill, second reading, in Committee, reported—Prawn Fishing Act Repeal Bill, second reading, in Committee, reported—Fourth Judge Appointment Bill, in Committee, reported—Criminal Code Bill, Recommittal, reported—Permanent Reserves Amendment Bill, second reading (moved)—Roads and Streets Closure Bill, second reading—Land Drainage Amendment Bill, second reading—Adjournment.

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

PRAYERS.

PETITION—COUPON TRADING.

MR. F. WILSON (Perth) presented a petition from residents of the State, against the Trading Stamps Abolition and Discount Stamps Issue Bill.

Petition received and read.

PETITION—MRS. TRACEY, LANDS TRANSFERRED, ALLEGED WRONGS.

MR. F. WILSON (Perth) presented a petition from Mrs. Eliza Tracey, praying for redress of alleged wrongs suffered by the petitioner in connection with proceedings taken to transfer certain lands at Guildford.

Petition received, read, and ordered to be printed; consideration made an order for this day week.

PAPERS PRESENTED.

By the COMMISSIONER OF RAILWAYS: Midland Railway, Return of receipts and expenditure for 1900-1901 (ordered on motion by Dr. O'Connor).

By the COLONIAL TREASURER: 1, Blue Book for 1900; 2, Death of M. J. Fitzpatrick in Fremantle Lunatic Asylum (ordered on motion by Mr. Hopkins). The TREASURER explained that the papers relating to the asylum case were on the Colonial Secretary's file, and should be returned to the office within a reasonable time.

Ordered to lie on the table.

MOTION (URGENCY)—BLACKMAILING A JUDGE.

CHARGE AGAINST "SUNDAY TIMES."

MR. W. J. GEORGE (Murray): Before questions are put, I would like to claim the attention of the House for a few moments, and I will conclude with a motion. During the last few weeks, in various debates I have mentioned that it was my intention to deal with the question of the blackmailing that has gone on in this country; and I may say that I have been still on the track of the affair. I should not have brought the matter before the House to-day, except that a newspaper published on the gold-fields has been handed to me to-day, and with the Speaker's permission and the permission of the House, I will take the liberty of reading it. The paper is the

Evening Star, published at Boulder on Wednesday, 9th October:—

JUDICIAL EXPOSURE.

Not Entirely Suppressed.

Parliamentary Action Promised.

Perth, 9 a.m.

A great and sensational exposure is promised shortly, and it is agitating a good many minds in the metropolis. When the judicial appointment was being considered, a paper in the State had a lengthy article in type and, it must be taken for granted, intended for publication, which would, if what it set out were true, have called for immediate action by the Law Institute, with a view of determining upon a course to be taken. After the article was "set up," a copy of the type was made and, it is alleged, sent by messenger to a knowledgeable quarter for revision. The revision was effected. £100 worth of errors were discovered—

POINT OF ORDER.

THE PREMIER (Hon. G. Leake): I rise to a point of order. The hon. member should explain whether it is a question of privilege or a matter of urgency.

THE SPEAKER: He informs me he is going to conclude with a motion for the adjournment of the House.

THE PREMIER: No, sir. He said he would conclude with a motion.

THE SPEAKER: Yes; I know.

THE PREMIER: That is what I want to know. If it be a matter of urgency or privilege, the hon. member is entitled to bring it forward without notice; but if it be not so, he is not entitled to do so.

THE SPEAKER: The hon. member informed me he intended to conclude with a motion, "That the House do now adjourn," for the purpose of discussing a matter of urgent importance.

MR. GEORGE: That is what I intend to do.

THE SPEAKER: The hon. member should have mentioned that, and then the House would have known.

MR. GEORGE: I regret I did not do so, and as far as my apology is concerned, I tender it.

THE PREMIER: There is no need for an apology.

DEBATE RESUMED.

MR. W. J. GEORGE: This is a matter of urgency, and it affects the privileges of hon. members, seeing that it attacks some of the highest official authorities in this country. It is a matter which the

Attorney-General should regard with attention:—

£100 worth of errors were discovered, and that amount was suggested to cover the cost of revising the type out of existence. The type, in the estimate of the owner of the metal, was worth more money, and was, it is alleged and will again be alleged in Parliament, sold for double the amount named. The copyright and all rights in connection with the article were included. There is no secret in the matter—not now. A thing can scarcely be a secret which is known to a score of men. The names of a member of the Assembly and at least ten M's.L.C. are associated with this new departure in sup-press tactics; and Mr. George is to open the debate which may furnish startling disclosures.

I am not accustomed to make my business known to the whole world. I generally keep it to myself until the proper time. The article goes on:—

Unfortunately all traces of the article were not destroyed. A prominent member of the Opposition and some well-known citizens out of Parliament have perused a proof-copy of the charges intended to be made, with or without foundation, against the accused's probity; and another M.L.A., whose name it is not necessary at present to disclose, is to be consulted as to the course of action which it would be most judicious to adopt. The story, as above, has also been forwarded to one of the most promising legal members of the Commonwealth Parliament; and if the State takes no action, the Federal Assembly will probably devote a portion of its time to debating the matter. The privilege of Parliament permits (what the privileges of the Press do not) the mention of all names of persons known to be associated in the purchase and suppression of a most scathingly denunciatory article, and those of others who are "in it," but whose names are not yet important enough to be mentioned except in passing.

That is a statement deliberately made in one of the newspapers published on the goldfields. I have in my possession here a type-written copy of the article which was to have appeared in one of the newspapers published in Perth, on the 8th September last. I have compared this type-written copy with the actual galley-proof which was sent through the medium of a certain person, to another person in this city, and from whom it is alleged the revision as indicated in this article was asked. If it is desired by the House, I am prepared to read the whole of this type-written article; but I am not desirous of doing so. If the Premier will indicate a course he is prepared to take for dealing with this matter, I am prepared to

hand this article to him, and every proof I have in my possession, so that if he finds, as he will find, that the case—

THE PREMIER: I am absolutely in the dark. What is the use of appealing to me?

MR. GEORGE: I should have addressed the hon. gentleman as the Attorney General. I am making a grave charge of succeeded blackmail in this State, and I am prepared to read the whole of the article if the Premier desires me to do so.

THE PREMIER: I know nothing about the matter. Why did the hon. member not consult me outside the House?

MR. GEORGE: I will read the article, and that will explain the whole matter to the House.

THE PREMIER: I again rise to order. The hon. member has appealed to me as Attorney General whether I intend to take certain action. I am absolutely in the dark, and do not know what is the nature of the article, and the hon. member has not informed the House what is the nature of the urgency of the question. If it is so urgent, and if the hon. member's feelings are so refined that he has not explained what the urgent matter is, why did he not speak to me outside the House? Let the hon. member explain what the urgent matter is. I submit that he is out of order, so far.

MR. GEORGE: Then I will read the statements in the article.

THE PREMIER: Are they against myself?

MR. GEORGE: Yes.

THE PREMIER: Then read them.

MR. GEORGE: I will first read an article which appeared in the *Sunday Times* (Perth) on the first September:—

[Extract read, referring to the appointment of Mr. Parker as a Judge of the Supreme Court, and to his alleged connection with certain transactions, particularly the purchase and sale of the Garden Island property.]

That appeared on the 1st September; and before the next issue of the 8th September, the article I will next read to the House was prepared. I am informed by persons who are ready to go into any box on oath, that this article was prepared and a print copy of the article was sent; but that article was not printed in the newspaper.

THE PREMIER: Do you accuse me of suppressing the article?

MR. GEORGE: No; certainly not. I say your name appears in this article, but I am not accusing you of anything.

MR. F. WILSON: What is the article about?

MR. GEORGE: The article is headed in this way:—

PROCRUSTES PARKER.

Bolting from Bar to Bench.

Leake in League with Lawyer Brother-in-law.

Thicker than Water.

I will now read the article:—

[Extract read in *extenso*; its nature being indicated by cross-headings interspersed through it thus:—]

Local Legal Practitioners.

Trip to England.

His Son-in-law.

In Western Australia.

Have been Annulled.

Not Yet Finally Settled.

Their Legal Rights.

Of the Ermine.

The Sydney Vendors
[allusion to Garden Island sale].

False Pretences and Fraud.

Offences against Honour.

William Sloan
[alleged inducement for him to sign away
property for a mere song].

Influence of Drink.

Fraudulently Procured.

Lawyer who Arranged.

Off the Rolls.

That is the typewritten copy.

MEMBER: Who supplied it?

THE SPEAKER: I would like the hon. member (Mr. George) to tell me what this is going to lead up to; because as far as I have listened to it at present, it is totally irrelevant.

MR. GEORGE: I submit, with all deference, that when a newspaper in this city draws attention to matters of this sort—

THE SPEAKER: The newspaper has not done so. You say the newspaper did not publish it.

MR. GEORGE: I gave you the Boulder *Evening Star*, in which it was stated this affair was going to take place.

MEMBER: Did they publish that article?

MR. GEORGE: I will read it again.

THE PREMIER: Do not read it again.

MR. GEORGE: The Boulder *Evening Star*, of Wednesday, 9th October, published the article here, in which they say the exposure is to take place.

MEMBER: You are making the exposure?

MR. GEORGE: I am. That is a foolish question to ask, because of course I am doing it. The connection is this. Blackmailing has been going on by this newspaper, the *Sunday Times*—there is no question whatever in my mind with regard to that. I call it nothing less than blackmailing, if people are told, as they have been in this city, that unless they give advertisements to this particular paper they will have it made "hot" for them. That is blackmailing in another form. I notice there are Government advertisements in the paper: whether they are some of the legacies of the former Government, I do not know.

MEMBER: Ask the member for Northam.

MR. GEORGE: I do not know whether it is so or is not so; but what I have read in the House I have seen, and I can put my hand on it whenever I wish—the galley proof (I think that is the proper term) which is taken off the type set up.

MEMBER: "Gallows" proof!

MR. GEORGE: It should be the "gallows" proof. I think people who do this sort of thing ought to go to the gallows: it is the proper place for them.

THE MINISTER FOR MINES: What is the authority for that typewritten copy?

MR. GEORGE: I have the authority. I should not bring this forward without I had authority. I do not wish to labour the matter any farther, although I may say that another newspaper in this city, the *Spectator*, on the 16th September, published an article not exactly the same as this, but quite near enough, and it contains nearly the same matter as this article. I am prepared to place in the hands of the Attorney General, if he wishes to take action, these papers I have, and to give him every information I possess in connection with the matter. If he does not see fit to do so, I do not propose to do any more. The Boulder *Star* states that this was sent out to a certain person whose name has been mentioned, and was attempted to be

revised by the payment of £100. The amount was not sufficient, and the revision was finally fixed up by the payment of a larger sum.

MR. HOPKINS: Whom to?

MR. GEORGE: The *Sunday Times* people. The article was sent out to the gentleman whose name is mentioned there.

THE PREMIER: I deny that it was sent to me.

MR. GEORGE: Not to you. This is headed "Mr. Parker," not "Mr. Leake." I suppose that if any man attempted to blackmail the Premier, the Premier would have pluck enough to deal with him as he deserved; and I regret, if these allegations are true, the gentleman who suffered did not deal with the matter in as firm a manner as the hon. gentleman would have done, or I hope any member of the House would have done. This paper has for a considerable time been bringing the various legislators of this State into disrepute; not merely myself—that is a small matter—but men who occupy high positions, my friend the Commissioner of Railways (Hon. J. J. Holmes), my friend the member for Coolgardie (Mr. Morgans); and I believe my friend Dr. Hicks has been called a most opprobrious term in that paper. I think it about time something was done in this matter. I beg to move that the House do now adjourn.

THE SPEAKER: Does anyone second that?

MR. F. CONNOR: I second that.

THE PREMIER (Hon. G. Leake): So this is the result of the Opposition caucus this afternoon!

SEVERAL OPPOSITION MEMBERS: No.

MR. JACOBY: It has had nothing to do with us (Opposition side). [Laughter, generally.]

THE PREMIER: Then how is it we do not have a word of protest from hon. members on the other side, against degrading Parliament in the way the member for the Murray (Mr. George) has degraded it this afternoon? [MINISTERIAL MEMBERS: Hear, hear.] A more flagrant abuse of the privilege of Parliament it has never been my lot to witness, or indeed to hear of. [HON. W. H. JAMES: Hear, hear.] Under the cloak of that privilege, the hon. member has made a cruel and personal attack upon a gentleman who he knows cannot reply; and he

has vouchsafed to this paper a means of publication of all this filth—I may call it so in a political sense—that this paper itself was afraid to adopt. I would challenge the hon. member to read outside the walls of this House the article he has dared to read this evening. [MEMBER: Hear, hear.] I am certain the hon. member will not do so, because he would be afraid, and his boasted manliness would shudder even at that. This article, it appears, was made the means, the hon. member says, of attempting to blackmail an honourable gentleman who lives in Perth; but I submit that the hon. member has altogether failed to show to this House how the question of privilege has been raised in this matter. How is the privilege of this House attacked? In what respect is this a question of urgency for us to notice? That it is a violent, wicked, scurrilous attack upon a man behind his back, I will admit; and I commend the hon. member for the way in which he did it. It is in every respect worthy of him, and quite in keeping with many other little episodes in the hon. member's career. [SEVERAL MEMBERS: Hear, hear.] This is the hon. member, I believe, who poses as a rule as the soul of honour in this House, and who is never tired of advertising his supposed integrity and honour, either in its personal aspect or its business aspect; and the hon. member has this evening secured for himself an advertisement which I think this House and probably the public will not readily forget. I am constrained to make these remarks because throughout his address not one word, honest or otherwise, was uttered by him as a disclaimer against that article.

MR. GEORGE: I think there was.

THE PREMIER: When the hon. member fails to disclaim the purport of such a vile composition as that he has read, every decent and honest-minded man would be led to infer that he has adopted the expressions used in that written document.

MR. GEORGE: No; I have not.

THE PREMIER: And that he has indorsed them in every respect.

MR. GEORGE: No; I have not.

THE PREMIER: The hon. member says no he has not. It is another instance of his manliness, his fair dealing, and his high-mindedness. It was his duty to do

so, if he did not believe in what he had written.

MR. GEORGE: What I had written?

THE PREMIER: But he moved the adjournment of the House, and sat down without a word of protest or disclaimer.

MR. GEORGE: I thought I had said sufficient at first.

THE PREMIER: The hon. member thought! It is a pity he did not think more deeply.

MR. DAGLISH: He did not think loud enough.

THE PREMIER: If he did think more deeply, he would not commit such errors as this. Where does the article come from? Who wrote it? Who supplied him with the type-written copy? Not a word. Is he afraid to give the name of the man who has urged him forward? The inference is that he did it himself.

MR. GEORGE: Oh!

THE PREMIER: That is the inference. A man who could write an article and publish it in the way that has been published this afternoon, is capable of doing anything, even of writing that article.

MR. GEORGE: I did not write it, anyhow.

THE PREMIER: Oh, he did not! But we have only the hon. member's word for that. But I say, where did it come from? Who wrote it? This House has a right to know, because what is the use of the hon. member coming to me to-morrow as Attorney-General, and handing me that type-written copy, unless he can give me the name of the individual who wrote it, or the name of the individual who prompted him to bring it forward and publish it in this House under the cloak of privilege? This is not brought forward with any idea of clearing the atmosphere. I deny to the hon. member any honest intentions in bringing this matter before the House.

MR. F. CONNOR: Will you keep all the honest intentions to yourself?

THE PREMIER: I altogether deny it. I would also deny the same privilege to that hon. member (Mr. Connor), because I have no doubt the sentiments expressed in that letter are also indorsed by him; for I find that this hon. member was very ready to second the motion, and thus tacitly to adopt

the expressions and the subject matter altogether contained in the motion. With the particular details of this article I find it impossible to deal, because I was not able to take a sufficient note of them. I noticed, however, that the hon. member, with much unction, laid great stress on any remark in which was introduced my name or that of the gentleman to whom the article more directly refers. Unfortunately, point is given to that by the fact that a somewhat similar line of argument was taken in this House a short time ago, when the question of the appointment of a Judge cropped up here. That article also deals with the appointment of a Judge. I wonder that the hon. member could stoop to be the medium of publishing such vile abuse as that which he has read to the House. The article deals not only with matters which are personal, matters which are malicious, and matters which are untrue, but it seeks also to rake up unhappily that dangerous element in politics, sectarian strife. [MINISTERIAL MEMBERS: Hear, hear.] The hon. member who seconded the motion, I have no doubt, was appealed to by that element. I say no more on that subject. [MR. WALLACE: Hear, hear.] But to continue to the motion which is now before us, namely that the House do now adjourn, I deprecate in the strongest language at my command the introduction of such matters as this; and I appeal to hon. members sitting on both sides of the Chamber to enter their protest against the proceedings of this afternoon. Whether or not they do so by carrying this motion that the House do now adjourn, does not signify. For my part, I feel disposed to support the motion, because I find really that it is nauseating to breathe the air which has been fouled by the hon. member. [MINISTERIAL MEMBERS: Hear, hear.] That is my feeling; and I would appeal to hon. members, whether they have all their faculties about them or only half, as appears to be the case with some members, to let us remove ourselves from this room as quickly as possible, and let us breathe something which is invigorating, something that will prevent us from forgetting our manhood and every sense of private and political decency.

MINISTERIAL MEMBERS: Hear, hear.

MR. F. CONNOR (East Kimberley): Mr. Speaker, may I make an explanation?

THE SPEAKER: The hon. member has not yet made a speech; so he can have nothing to explain.

MR. CONNOR: I just desire to refer to a remark of the Premier's, that I sought to introduce sectarianism into this debate. I disclaim any such intention, and I give him my word that such was not my object. I seconded the motion simply for the purpose of having a gross public scandal ventilated. I say, farther, that much as the Premier himself is in the habit of introducing a sectarian spirit into secular discussions, I at least am absolutely innocent in that regard.

MR. J. L. NANSON (Murchison): It is perhaps excusable that the Premier should address himself to a matter of this nature with a considerable amount of indignation. I do not think, however, that we should allow the natural indignation of the Premier, and the natural indignation which no doubt many members of this House must feel at the charges which the member for the Murray read out, to blind us to the actual issue before the House. As I take it, the charge made is that an attempt was made to blackmail a certain gentleman who occupies a high judicial position in this State, and that the gentleman in question acceded to the terms of the blackmailer and paid a certain sum of money in order to prevent the publication of a certain article. It is impossible to conceive a more scandalous or more malicious statement. If that statement be untrue, as I believe it to be—[Several MEMBERS: Hear, hear!—it is my desire, and I am sure the House will agree with me in it, that the gentlemen occupying high judicial positions in this State should be absolutely freed from the very breath of suspicion. [MR. GEORGE: Hear, hear.] I ask hon. members to put to themselves this question: Certain charges having been made—vile, disgraceful charges having been made—[MR. GEORGE: Hear, hear!—can the atmosphere be purified by so simple a method as that of adjourning the House? It is an old saying that if enough mud be thrown, some of it will stick; and I take it that this charge of blackmailing and of having met the blackmailer having

been introduced, in fairness to the gentleman accused, and in fairness to the status of our judicial Bench, the fullest opportunity should be afforded that gentleman of clearing himself.

OPPOSITION MEMBERS: Hear, hear.

MR. GEORGE: That is my object.

THE PREMIER: Yes; the hon. member is so fair-minded!

MR. NANSON: It is surely a simple question of fact, whether an attempt to blackmail was made, and whether it was successful. I go so far as to say that if anyone occupying a position on the judicial Bench should allow himself to be blackmailed by any newspaper in this State, he is unfit to occupy the position of a Judge.

MR. GEORGE and MR. JACOBY: Hear, hear.

MR. NANSON: I do not believe that the gentleman referred to was guilty of such conduct; but the charge having been made in this House, and as I believe with a due sense of responsibility, we cannot allow it to drop at this stage. I think it is due to the House that the Government should give us some assurance that a charge of this kind, affecting a member of the judicial Bench, accusing him of having met the blackmailer, will be inquired into.

MINISTERS: Who made the charge?

MR. NANSON: The charge is surely made by the member for the Murray.

THE PREMIER: Why does he not make the charges where they can be properly inquired into, outside and not inside the House?

OPPOSITION MEMBERS: No, no.

MR. JACOBY: This is the place.

MR. NANSON: The Premier can rely on it that the charge will be noted outside; and I maintain that the member for the Murray, having ventilated it in Parliament, to a large extent makes himself responsible for it.

THE PREMIER: Hear, hear.

MR. NANSON: The charge is that an attempt was made to levy blackmail, and that the attempt was submitted to by the victim or object of the attempt. I do not propose to enter into the question of the article. The Premier addressed himself almost solely to the charges—vile charges he called them, and I am entirely with him as to that—but what I want to see inquired into is the question

of fact, whether an attempt was made to blackmail one of His Majesty's Judges, and whether, instead of indignantly repelling that attack, the Judge in question met the blackmailer. The issue is perfectly clear; and it is unnecessary for the Premier to misunderstand it. I am sure he does not wish to burk inquiry in any way: no man can be more ready to have the fullest inquiry into the facts. I submit that the member for the Murray having gone so far as to bring this matter up on the floor of the House, we cannot allow it to be dropped without some farther inquiry. [MR. GEORGE: Hear, hear.] I trust the Government will tell us whether or not they intend to sift this charge of blackmail to the bottom.

THE PREMIER: This is a question of the adjournment of the House.

MR. NANSON: If the Government will give us some sort of assurance on the point, the House will no doubt be satisfied to let the matter rest for the present.

THE PREMIER: Let the hon. member make a distinct motion. [Several interjections.] Wait a minute! do not let us vote yet! We want to hear something from the other side in reply.

MR. F. WALLACE (Mount Magnet): Before the member for the Murray replies, I would just like to have it placed on record that I rose to express my opinion that a certain hon. member has descended to the lowest depths of degradation. [Opposition laughter.] I desire to enter my protest as one having to associate with other members in this Chamber, against such action as that of the member for the Murray. The incident is the more galling when we find the seconder of the motion to be a gentleman who has introduced into this House a Bill for the purpose of suppressing the gutter Press.

MR. F. CONNOR: Who is that?

MR. WALLACE: The member for East Kimberley (Mr. Connor). We have heard the member for the Murray to-night reading to the House matter which, I believe, has been refused publicity in the columns of the gutter Press. I am not surprised at the Premier's treatment of this matter; because I take it, as a lay-member of this House, that as brought forward by the member for the Murray it is not a matter of public urgency. [MR. GEORGE: No?]

The member for Murray has not told us that the article is not of his own composition; that it has not emanated from him, and him alone. He reads a lot of type-written matter which I, for one, believe emanates merely and solely from the member for the Murray. [MR. GEORGE: From me?] If the hon. member will give this House an assurance that the article has not emanated from him, then possibly the debate may be listened to with more interest than it has created up to the present. But I do regret that I have to sit in a House with men of the calibre of the member for the Murray; and I sincerely hope every member will enter his protest, before this motion is put, against the silence in which the leader of the Opposition (Hon. F. H. Piessé) has allowed the adjournment to be moved. It does appear to me, after having heard certain rumours in connection with political movements in this House, that this is a movement to strengthen the hands of the Opposition party. [OPPOSITION MEMBERS: No, no.] I regret very much that the leader of the Opposition has, by his silence, indorsed such tactics as these, which should be too degrading for the lowest man in any political party in the world. I sincerely regret to have been compelled to listen to such filth as came from the member for the Murray.

MR. J. GARDINER (Albany): The member for the Murray has practically made a most serious charge against one of the highest officers of the State. That hon. member prides himself on his manliness; and I will point out to him a manly course which he may pursue. He may go outside this Chamber and repeat the statements he has made to-night. For not only the Judge whose character has been quite sufficiently aspersed by the hon. member to-night, is affected; but the man who is alleged to have blackmailed the Judge is affected, in so far that he is liable to imprisonment. Consequently, it is a fair thing—if we are going to be absolutely fair, as the member for the Murray is so ready to suggest to us we should be—it is a fair thing to give those affected a fair trial, unsheltered by the privileges of Parliament. If I made such a statement as the member for the Murray made to-night, I would not be afraid or ashamed to make it to the man's

face. When the hon. member knew this scandalous document existed, why, if he wanted to do a manly thing, before degrading the dignity of the judicial Bench, did he not go to the Judge and say, "I have had these scandalous statements placed in my hands, and I think it is only right, as one man speaking to another man, as one man occupying a high position to another man occupying a very eminent position, to ask are these statements true?" I take it the Judge's word would have been sufficient to assuage even the inquisitiveness of the member for the Murray. But the hon. member had another course, and that was to speak to the Premier himself. Surely hon. members should take some responsibility before dragging a man's good name in the mire! We have heard a great deal of protest in this House against the gutter Press. Are we going to descend to the level of that Press, and bring every insinuation that is made outside into this House, and drag the filth of the gutters into this Chamber? Surely in doing so hon. members forget their highest obligations! I say unhesitatingly that had the member for the Murray been sincere and honest in his action, he would have taken a sincere and manly course. He would have gone straight to the Judge and said, "Mr. Parker, here are certain papers that have been placed in my hands. Personally, I do not believe a word of their contents; but I wish to ask you, are the statements true, before I ventilate the matter in Parliament."

MINISTERIAL MEMBERS: Hear, hear.

THE COLONIAL TREASURER: That would have been a manly thing to do.

HON. F. H. PIESSE (Williams): I rise to point out that the matter for the consideration of the House is not the truth of the statements which have been made. The Premier has himself to blame a great deal for the ventilation of the matter. I feel sure that the member for the Murray did not intend by his action to disclose the contents of the papers, but desired merely to bring forward a case of blackmailing. The hon. member might have been stopped, perhaps, in another aspect this afternoon—

THE PREMIER: Then, you knew all about it?

MINISTERIAL MEMBERS: Oh!

HON. F. H. PIESSE: So far as I know, only the member for the Murray knew all about it; and the House now knows exactly what the hon. member has stated.

THE PREMIER: You ought to be ashamed of yourselves!

HON. F. H. PIESSE: I did not see the article, and I never read a word of it. I knew nothing of its contents before it was read here to-night. It was quite news to me. I can assure the House that I never saw the paper.

MR. WALLACE: That was the first time you knew its contents?

HON. F. H. PIESSE: That was the first time. I stand here in my place and say—

THE PREMIER: Oh, you knew its contents!

HON. F. H. PIESSE: The question before the House is one of blackmailing; and I would not have risen but for the fact that my silence has been commented on and misconstrued. I repeat, the question before the House is that of dealing with a charge of blackmailing. If it be proved that blackmailing has been resorted to, it is the duty of the Government to proceed against the blackmailer. [OPPOSITION MEMBERS: Hear, hear.] I repudiate any knowledge of the facts in connection with this matter. Personally, I have had nothing whatever to do with it; nor have I heard any statement of the facts before this afternoon. That is the reason why I rose now to repudiate any connection with the matter in that aspect.

MINISTERS: Whom are the Government to proceed against?

MR. R. HASTIE (Kanowna): I am glad that the last speaker emphasised the real question before the House, namely that of blackmailing, which is, as has been pointed out, a most serious charge. I would not say that the hon. member was justified in bringing forward the motion as he did here to-night, except for the fact that if the same statements had been made outside, the probability is that they would have remained unnoticed. I express that opinion for this reason, that I myself saw, and I presume other members saw, much the same statements as those contained in the type-written document read by the hon. member, in another Perth publication, namely the

Spectator. If I remember rightly, all that the hon. member read was published in that paper about three weeks ago. Had the article read by the hon. member been published, the result would have been the same: the statements would have remained unnoticed. The question, however, as the member for the Murchison (Mr. Nanson) has pointed out, is this. A complaint has been made that one of our Judges has been subjected to blackmail. I take it, we all wish to see our Judges above suspicion, if possible. I do not know what is the best possible course to take; but it is absolutely necessary now that some sort of inquiry should be held. We know that various newspapers published in this country, I will not say continuously but now and again, jibe at our Judges. [Mr. GEORGE: Hear, hear.] We wish to know whether these things are true or not. The Judges constitute our supreme tribunal; and it is difficult to decide on any tribunal to try the Judges. In this specific case, however, it is eminently desirable that some kind of inquiry should be held to decide whether blackmailing has been resorted to or not. If that can be done, it will clear the atmosphere—a very desirable consummation.

THE MINISTER FOR WORKS (Hon. W. Kingsmill): Before the member for the Murray rises to reply, I would like to suggest that, as he has started out on this business—

MR. GEORGE: I beg your pardon?

THE MINISTER FOR WORKS: I have not said anything yet. I was merely about to suggest that as the hon. member had started out on this business, in which he has incurred a certain amount of obloquy, he might as well go through with it. We have his assurance that the matter is an unpleasant one to him; but perhaps he may not mind submitting to a little farther unpleasantness for the benefit of the judicial Bench and the country. The hon. member says the matter was unpleasant to him, and we must believe that it was unpleasant to him; although I must say that the manner in which he brought forward this matter, which he was so unwilling to bring forward, seemed to me rather a gloating sort of manner.

MR. GEORGE: Scarcely that.

THE MINISTER FOR WORKS: It seemed to me that when the hon. member came to what no doubt appeared to him a telling point, he looked around the House, and that he particularly observed the demeanour of the Premier on such occasions.

MR. GEORGE: I saw the Premier only twice.

THE MINISTER FOR WORKS: Then the hon. member cannot see what he looks at. That is the only explanation.

MR. F. CONNOR: He gets there, all the same.

THE MINISTER FOR WORKS: He must be very short-sighted.

MR. GEORGE: No; I am not.

THE MINISTER FOR WORKS: There are several points I would like to be enlightened on by the member for the Murray. I presume the hon. member will have no objection to telling the House, in the first place, by whom this article was written; in the second place, from whom he obtained the documents which he has read; and in the third place, who was the person who levied blackmail on Mr. Parker. I presume the hon. member will have no objection to telling us these three things.

MINISTERIAL MEMBERS: Hear, hear.

MR. HOPKINS: And let him tell us what the person got.

MEMBER: £200.

MR. HOPKINS: £200, eh?

MR. QUINLAN: And who paid the money?

THE MINISTER FOR WORKS: I think I am now at the fourth item; and I presume the hon. member will have no objection to telling the House, if the money was paid, who paid it, and to whom. If the hon. member is ready to give these facts to the House, we shall know a good deal more about the matter, and shall be in a better position to decide whether or not to take those proceedings which some hon. members think should be taken, instead of the whole of this afternoon's proceedings being treated with that scorn and contempt which they merit.

MR. J. M. HOPKINS (Boulder): I think it devolves on the member for the Murray to supply the information asked for by the Minister for Works. There is an almost sacred trust imposed on members elected to Parliament; and that trust

is, not to abuse to the detriment of any person in the State the privileges which they enjoy within the walls of Parliament. [MINISTERIAL MEMBERS: Hear, hear.] Before I was a member of this House, a member of the Upper House—I do not mind mentioning his name, Mr. T. F. Brimage—thought fit to attack me, and the statements which he made against me in the Council Chamber he was not man enough to repeat outside. I would not like to place the member for the Murray in the same category. Are the statements he has made here to-night such as he is "game" to repeat outside the House? I say, if he is not "game" to do that, he has no right to make them here. It has been stated in this House to-night by the member for Toodyay (Mr. Quinlan) that Mr. Justice Parker has paid a bribe of £200. That is another matter—

MR. QUINLAN: I rise to a point of order. I never said anything of the kind.

MR. HOPKINS: I certainly thought the hon. member did say that.

MR. QUINLAN: I suggested to the Minister for Works to ask another question, namely, who paid the money?

MR. HOPKINS: If I misunderstood the member for Toodyay, I unreservedly apologise and withdraw my statement. I distinctly understood the member for Toodyay to say that the money was paid; and of course we all know to whom this debate refers, namely to what particular Judge it refers. It seems to me that the object of the motion was to make public statements which the journal referred to would not take the responsibility of publishing. [MINISTERIAL MEMBERS: Hear, hear.] The member for the Murray should be prepared to state from whom he received these papers, and to give the authority on which he has made the statement that a certain person went to one of our Judges and blackmailed him. That person is liable to be prosecuted; and the Judge, I take it, if he paid any consideration, is also liable to be prosecuted—[SEVERAL MEMBERS: Hear, hear]—for compounding a felony. I do not know what else the Judge's action, if a fact, can be called. I am not a lawyer; but it does not strike me in that light. If the member for the Murray is able to give the information to the House, I for one shall be happy to support him and to

promote investigation. I say, if he can supply the information, that he ought to be man enough to repeat outside the walls of this Chamber the statements which he made here to-night.

MR. H. DAGLISH (Subiaco): It seems to me that the House is fairly entitled to the farther information asked for by the Minister for Works (Hon. W. Kingsmill), if the member for the Murray can supply it. At the same time I must confess myself considerably surprised at the amount of feeling which has been imported into the debate. As far as I am able to judge, the reason which the member for the Murray had for bringing the matter forward was a good reason. There may be differences of opinion—

MR. WALLACE: Do you believe in the reason?

MR. DAGLISH: I think it was a fair reason; and I think, moreover, that this House is the proper place in which to bring up a matter affecting the character of the Judges, or indeed of any other public officer. I consider it the business of any member of the House who hears statements affecting the character of a high official, and who believes those statements to have some foundation in fact, to give publicity to them in this Chamber, and not anywhere else. When such publicity has been given to the statements, the officer affected is afforded an opportunity of bringing the charges to a concrete issue. In my opinion it is far worse that a lot of statements should go the rounds of persons in the streets—[MR. GEORGE: Hear, hear]—should go from mouth to mouth, and from man to man, and be thus continually circulated. In such a case the Judges, or other officers affected, are done a great deal of harm without ever being afforded an opportunity of reply or disproof.

MR. WALLACE: These statements have never been circulated.

MR. DAGLISH: I do not understand the member for the Murray to have made a direct charge. He has made a statement that an attempt has been made to blackmail one of the Judges; and I say that if the hon. member has been correctly informed, and the Judge has been blackmailed, it was the absolute duty of the hon. member to come to the House and make the statement. I say that it is in the interest of the Judge

himself that the hon. member should do so, in order that the gentleman affected may have an opportunity of disproving the charges. In the interests of the whole State it is desirable that the statements should be disproved; and I do not know how they can be disproved unless first made public in this House. I am not in any way prejudiced in favour of the manner in which the matter has been brought forward; I am not in any way prejudiced in favour of the member for the Murray; but I do think that the hon. member has not received the fairest of treatment this evening. [MR. GEORGE: Thank you!] I think that the hon. member has acted in the best interests of the community. In my opinion, he has perhaps read an unnecessary amount of matter, some of which would have been better left unread; but still I say, in drawing attention to the statements which had been made to him, and so having them ventilated, he was doing a service to the community.

MR. G. TAYLOR (Mount Margaret): It was not my intention to enter on this debate; but after the speech of the member for Subiaco (Mr. Daglish), I feel that I can give my opinion. As far as the debate has gone, there has been nothing shown to me by the member for the Murray that he was in earnest, and that the motion was brought forward in the interests of the Judge, or of the high judicial position he held or holds. I say it was brought forward in such a gingerly fashion that the hon. member put himself away, in the opinion of other members who had any power of penetration. You could see that he did not believe it himself. Really, I cannot conceive how a member can say he believed the member for the Murray brought forward this motion this evening with the object of clarifying the atmosphere or clarifying the judicial Bench of our State. It seems like a personal attack, and I assert that when a member of this House brings forward a motion that will drag down the fair fame of any man in this State, whether he be a Government servant or the most menial man in the State, he will not have my support. Had the hon. member been sincere and honest in his conviction with reference to those papers which were placed in his hands, he would have gone to the Judge as the member

for Albany (Mr. Gardiner) says, or he would have gone to the Government and said to them, "I have documents in my possession which look bad: will you take them and deal with them?" and if the Government had refused and condoned the case, the hon. member would then have been justified in bringing the papers before the House, and telling the House the Government had refused to go into the matter. That is the only honourable position the hon. member could have taken up, and he has not taken up that position. He has come here to move the adjournment of the House, that he might abuse the privileges of Parliament. That is the position he has taken, and he should receive condemnation from both sides of the House. I would not have expected any quarter from this House nor from this bench (Labour bench) if I had done such a mean, contemptible trick. It is not fair. Why not make the statement outside? If he had made the statement outside, the man who was accused, the Judge, could have taken legal proceedings. But what position has the hon. member forced him into? He has dragged the man's character into this House and given it publicity to the world; he has done so behind the man's back; and I assert that the action of the hon. member for the Murray is only in keeping with his conduct right through the House. That is the position I take, and I certainly think hon. members will treat the hon. member's action as it deserves.

MR. F. CONNOR (East Kimberley): Am I in order in speaking after seconding the motion?

THE SPEAKER: Yes; you may make any observations. If you second a motion and do not speak to it, you can speak afterwards.

MR. F. CONNOR: Thank you. What I want to say on this subject is to clear up a grave matter which is being talked about in this city at present. The Premier, in his usual way, tries to draw a red-herring across the track, so that the position may not be put before the country in its proper light, and that we may not know the truth of what is at the bottom of this. That is the position the hon. gentleman has taken, and it is the position he usually takes. I assure the hon. gentleman, I give him my word, if

it is worth anything to him—and I think it is worth something to some members of this House—that there is nothing connected with sectarianism or religion in my action in seconding the motion. I will give the hon. gentleman my reason for seconding the motion, and perhaps he would rather it were the other reason. I am going to tell him. Generally I am told I am too loud in speaking. I hope I will never descend as low as some people I know. It is currently reported in the city of Perth that when this article, which is supposed to have been set up in a newspaper office—

MR. TAYLOR: It is only supposed to have been set up.

MR. CONNOR: There is no supposition about it.

MR. TAYLOR: You say so. Why do you hide it? Speak out. Speak straight.

THE SPEAKER: Order!

MR. CONNOR: I decline to address the House in the same style as the member for Mt. Margaret (Mr. G. Taylor). The member for Mt. Margaret has become quite an institution here. The hon. member is not quite as expressive as he seems to be when he addresses the House.

MR. TAYLOR: Quite enough for you.

MR. CONNOR: I appreciate the honour the gentleman pays me in comparing himself with his humble servant. I will speak on the question at issue, and if the member for Mt. Margaret will not interrupt me again, the debate will end sooner. It is currently reported in Perth in reference to this article, the proof of which is here and was set up by the *Sunday Times*, that it was brought to the Premier by a member of Parliament of this House. I am not saying that this did occur. I can give names.

THE PREMIER: On the word of a man, I say that there is not a word of truth in that statement. I do not speak on the word of an hon. member.

MR. CONNOR: I am very pleased to hear that is so, and it is all the more reason we should have this inquiry to clear the air of this great scandal. When interrupted by the Premier, I was only reporting what to hon. members is common property, and if the hon. gentleman wishes me to do so, I will tell him the names of all the people I have heard in connection with it.

MINISTERIAL MEMBER: Tell them out.

MR. CONNOR: It is reported that when this article was set up, a gentleman who sits in this House, the member for Albany (Mr. J. Gardiner),* by some means got hold of the paper. By what means I do not know. It is reported. I am not saying it is so.

MR. J. GARDINER (Albany): We have had a lot of gutter business here to-night. I claim your protection, Mr. Speaker. If the hon. member for East Kimberley (Mr. Connor) will name the man who told him this, I will tell him as I tell the hon. member, that he is telling a deliberate untruth. I knew no more of the article until I heard it read in this House than the hon. member did. I understood when I came into this House that we were protected by its privileges from insult. I now know that we are not. I understand that is so in other Houses, where members of Parliament are not only members of Parliament but are gentlemen.

THE SPEAKER: I think the hon. member (Mr. Connor) had better not mention any names at all.

MR. CONNOR: I was asked by the Premier.

MR. GARDINER: Are we to listen to lies in this House?

MR. CONNOR: I am afraid the hon. member is rather out of order.

MR. GARDINER: Your honour is nothing. You let anybody attack you.

MR. CONNOR: Is that a parliamentary statement? I would ask your ruling, Mr. Speaker, whether the hon. member must withdraw that.

MR. GARDINER: Excuse me, Mr. Speaker. My heat ran away with my deference to you. I withdraw that statement.

THE SPEAKER: I advise the hon. member not to mention any names.

MR. CONNOR: All right, sir; I will not do it any more. I have struck some names that have hit somebody harder than I intended.

MINISTERIAL MEMBER: You have struck a ware's nest.

MR. CONNOR: If the cap fits hon. members, they can wear it.

MR. GARDINER: It is not a question of the cap fitting. I say in this House as far as I am referred to it is an utter untruth, and surely there is no necessity

to say "if the cap fits." The cap does not fit me. The member for East Kimberley has seen fit to drag my name into it in connection with a scurrilous article. It does not fit me, and I resent as I ever shall the tittle-tattle of irresponsible scandal-mongers.

MR. CONNOR: Does the hon. member refer to me as an irresponsible scandal-monger? I am really sorry about it. I have not made a single statement here. I have simply said there was talk. All this warmth having been shown by members on the other (Government) side of the House when a plain unvarnished statement like that by the member for the Murray has been introduced, it is necessary there should be an inquiry into the matter, and we should clear the air. If there be nothing in it, it will be to the advantage of those hon. members who object to my speaking here in reference to the subject: their characters will be cleared in the eyes of the public.

MR. GARDINER: Clear characters!

MR. GEORGE (rising to reply) —

HON. W. H. JAMES (Minister): One moment. As I understand the position it is this. Certain hon. members associating with the gutters of Perth, and stooping to gather up the gutter conversation, hear rumours that a couple of members said this or a couple of members said that; and without going to those members and asking if there was any foundation at all in the statement, they accepted this gutter filth as being true, and upon the strength of that they have done—what? Introduced a motion here, not for the purpose of dealing with a matter of urgency, not for the purpose of dealing with a question of privilege, but for the sole purpose of making a cowardly attack upon a man, upon whom by the rules of this House there is no right to make an attack, in a direct matter.

MR. GEORGE: There is an attack here (documents in hand).

HON. W. H. JAMES: And quite apart from rules, I submit that if we are a House of fair-dealing men, such an attack should not be made upon another man behind his back. The privilege we enjoy as members of the House, of bringing forward a question affecting the character of another man, is a privilege that should be exercised with the utmost care. I during

my short experience have been called upon to present petitions to this House containing statements which I thought altogether unwarranted, or which at all events should not be used to convict a man until evidence was adduced to justify conviction. I think other members of this House who have been called upon to present petitions have themselves realised the fact that they must be extremely careful that they do not allow themselves, through the medium of this House, to use language the effect of which would be to convict a man of an offence with which he has never been charged, and with which he has never had an opportunity of dealing. I appeal to members who have this power and this great privilege to bear this in mind: if we were outside the House, what should we think if these charges were brought against us? Quite recently, during the course of a discussion, certain statements were made that a member of this House thought reflected upon his integrity and upon his business character; and what did that member do? He at once seized the opportunity he enjoyed, by virtue of being a member of this House, to move an adjournment of the House to clear his character from what he believed to be an imputation upon it?

MR. GEORGE: Was it not the duty of the Attorney General?

HON. W. H. JAMES: The hon. member seized the opportunity to say how unfair it was that charges should be made in this House without a sense of responsibility attaching to those who made them. I say charges were not made in that case, but the hon. member thought they were. If they were made, they were made against a man inferentially. The hon. member who protested against others exercising that right, in this way comes and makes a dirty and cowardly attack upon a man who has no chance of making a reply.

MR. GEORGE: You call that dealing with the matter judicially?

HON. W. H. JAMES: We are not dealing with the matter judicially. It is not usual in courts of justice to take a man and say he is guilty of a crime, and then to shelter one's self behind Parliament.

MR. GEORGE: Where is the crime I charge?

HON. W. H. JAMES: It is not judicial to make statements behind a man's back, and say "There is an accusation, disprove it." To try a man, should we take him into a court of justice, put him into the box, and say, "There is a charge against you, disprove it"? Did you ever hear of such a thing? That is a suggestion, that because worthless gutter conversation is heard by certain members who have opportunity of testing the accuracy of it, they rush into Parliament and make a charge against a man, and then say "Now disprove it." I venture to assert that this motion is not brought forward for the purpose of dealing with the question of blackmailing. This question of blackmailing arose when we discussed the second reading of the Newspaper Libel and Registration Bill during this session, and that Bill is still before the House. No reason has been adduced to show why there is special urgency attaching to the discussion of this question at the present time; and seeing that this question of blackmailing is not a new one, and has been discussed already in this House, where then is the urgency in bringing it forward now? There was ample opportunity for placing on the Notice Paper a notice dealing with this question of blackmailing, if the hon. member wanted to discuss it. There is no urgency in the matter; and can any hon. member have the least doubt that the question was brought forward this afternoon for the express purpose of making things unpleasant for a certain gentleman occupying a high judicial office?

MR. GEORGE: Nothing of the kind.

HON. W. H. JAMES: The hon. member repudiates the statement. Then I say, as showing what inference members draw from an attack of this kind, one or two members who have spoken from this (Ministerial) side of the House have said the charges brought against a certain person are such as to call for inquiry. Is it not astonishing that in a motion dealing not with the general question, but dealing with an individual, an attack of such a serious nature as this should be made on a man holding high office, and that some members should say it is a matter which should be inquired into?

MR. GEORGE: It should be inquired into. That is why I brought it forward.

HON. W. H. JAMES: What is there to inquire into?

MR. GEORGE: Inquire into this blackmailing.

HON. W. H. JAMES: But what are the charges? He is attacked in his high office.

MR. GEORGE: I lay no charges in respect to his high office.

HON. W. H. JAMES: I should respect the hon. member more if he did make charges. I do not believe in mean sneaks who bring charges from the gutter Press into this House, and say "Please, disprove them." Some members say it is scandalous that this gutter Press is allowed to exist; yet because one hon. member hears some gutter tattle, he brings forth some matter which he has got from the gutter Press, and in doing so he descends to depths below even those men; because they publish a newspaper and are more or less responsible for what they publish, and any person injured by it may perhaps prosecute them for libellous statements; but a member of Parliament who brings up this matter from the gutter Press can make it public here under what is called "privilege," and can repeat any scandalous statements from the gutter Press or from gutter conversation. That is not fair. Assuming these statements are right, do hon. members think it is right that we should exercise the privilege we have as members of this House, and make such serious accusations directly or indirectly against a man, whether humbly earning wages in the Government service or sitting on the judicial bench? We know what serious consequences follow from a discussion of this kind, in this House; we know that if you throw dirt, some of it will stick; and therefore we should be extremely careful not to throw dirt against the character of a man who has no right to speak in this House, and cannot defend himself here. Members should at all events do towards others what they ask others to do towards them. We should declare as emphatically as it is possible to do, that we will not encourage members to bring forward these motions, and will not allow the privileges of this House to be used as a cloak for malice; that we will not allow any member to use his position to make charges or bring forth statements from the gutter Press, the effect of which is to blacken the character of a man who in this case holds high judicial

office. Unless there are serious reasons for doing so, and unless the member who brings forward these charges shows reasons why they cannot be dealt with in this way, we should not allow or should not encourage this to be done. I have no doubt this matter was brought up not as a question of urgency, for it is not urgent; not as a question of privilege, for no member of this House has had his privilege attacked in this matter: then what is the reason for bringing up this matter as one of urgency? It is not a matter of urgency to discuss the question of blackmailing, because that has been discussed already on a Bill before the House this session. It is not urgency and it is not privilege that has caused the question to be brought up on this occasion. Therefore the only possible inference is that it is a deliberate attack made on one man, an attack made not by a man writing in a newspaper, where he can stand the consequences of what he writes or publishes, but an attack made under cover of the privilege of a member of Parliament. This motion can in no way apply to the privileges of members of this House. The only inference is, not that we should seize hold of accusations like this and say they justify an inquiry on the strength of this conversation from the gutter; and when the truth of the matter has been tested, as it has been in two instances, and each instance has shown there was no foundation whatever for the remarks made by the hon. member—

MR. F. CONNOR: Then why so much heat about it?

HON. W. H. JAMES: It has been said this is a rumour commonly heard in the street. I have never heard it, and I deny emphatically that it is a current rumour about Perth. It may be current in certain quarters which I need not specify, quarters in which all the dirt they can accumulate they do accumulate for political purposes; but I do hope that these things, though they may be current in certain quarters, will not be brought into Parliament. If I stood alone in my view of the matter, I would enter my strong protest against the powers and privileges of a member of Parliament being abused in this scandalous manner.

MR. F. WILSON (Perth): I have listened to the debate on the motion

brought forward by the member for the Murray (Mr. George), and I believe he tabled the motion with the idea of forcing the hands of the Government to take some steps in connection with this scurrilous article which was to have appeared in one of the metropolitan newspapers, and also the article in the Boulder newspaper, to which reference has been made. I am sorry the hon. member has taken a wrong course in bringing this matter forward. He has stated that he has seen and had proof that an article was absolutely set up in type and ready for publication, as I gather from his remarks.

MR. GEORGE: I have the galley-proof of the article in my hands, and I know where it is now.

MR. WILSON: Under these circumstances the hon. member should have shown to the House the proof that was demonstrated to him. And he should also have tried to ascertain and get proof of the payment of the blackmail which it is alleged has passed. Had he done that, it would have been something to bring before this House to satisfy members that this gross thing had actually occurred, and that blackmail had been demanded and acceded to. Then his proper course would have been to have moved the House to impeach the Judge connected with the charge. If the hon. member desires to proceed farther, I hope he will move in that direction, and that he will not only disclose the source of the rumours that have reached him—I am glad to say they have not reached my ears—that he will not only disclose the type-written alleged copy of an article that was to have been published, but that he will disclose the names of those persons who have handed those papers to him, with the undoubted object of having them published in this manner. I maintain there is nothing more despicable and degrading than an attempt to blackmail a public man; and after receiving payment for a crime, that the person should then go in a roundabout way and induce a member of this House to effect the publication of the very article for suppressing which he or they had received blackmail. I hope the dignity of this House will not suffer through this debate. Had I been in the position of the Premier, I should have resented the manner in

which this matter has been brought forward. Let the proof be forthcoming; and if there is sufficient proof that money has passed, then let a direct motion of impeachment be brought before the House, and I will be one to support an action of this sort, so that not only the atmosphere of this House may be purified, but that the public reputation of one of the Judges in this State shall be cleared, or that he shall be removed from the high position which he holds.

At 6-30, the SPEAKER left the Chair.

At 7-30, Chair resumed.

MR. W. J. GEORGE (in reply as mover): I listened to the speeches delivered before the adjournment, with considerable pain and with close attention; and I now ask the House to consider what has been the result of the motion which I had respectfully submitted for consideration. Practically nothing more nor less than an exhibition on the part of a few members of a violent, virulent, and vindictive attack upon myself. The lowest malice a human being can be guilty of was attributed to me. One hon. member opposite has said I am not fit to associate with. Another hon. member has used his high position to utter words which in any other place would have been dealt with very promptly—"cloak of malice!" "desire to revel in gutter scandals!" "desire to besmirch the reputation of a high dignity of the State!"

MR. WALLACE: A good attempt at it, anyhow.

MR. GEORGE: A good attempt at it! The hon. member is perhaps to be congratulated that his intellect is of such gigantic capacity that he can occasionally manage to evolve an idea. He should look at the idea which he has evolved: it will be a long time before he brings forth another. I do not intend to take farther notice of those remarks which have been made. The Attorney General stated that this matter was used by the Opposition for political purposes—

THE PREMIER: I do not think I said it; although I may have meant it.

MR. GEORGE: The hon. gentleman need not have given that explanation. His face is so expressive that we can

almost read his words as they appear, bubbling like dewdrops on his cheeks. [MEMBER: What sort of dewdrops?] The Premier has said this motion was the outcome of the Opposition caucus meeting; and his demeanour in making the statement was that of an actor on the stage declaiming a passage for the public amusement and approbation. I regret the hon. gentleman does not rise to the dignity of his position as Attorney General. I regret he does not recognise the fact that my aim in this matter, and what I am endeavouring to attain even yet, is to preserve the dignity, not only of Parliament, but of the men who occupy the highest judicial positions in the State. When the hon. gentleman says that this matter has been used for political purposes, I can fairly and reasonably retort on him that all that tirade of abuse, and mock—I make bold to say, mock—indignation from the benches opposite, is the result of an attempt on that side to turn the matter to political purposes.

THE PREMIER: Hear, hear.

MR. GEORGE: I may go even farther, and say that if the hon. gentleman and his colleagues and friends there had desired to burk inquiry, they could not have adopted more effective means to that end than the attitude they have taken in this matter. Far beyond my poor skill in parliamentary usage are the tactics of the hon. gentleman yonder! For what has come on him this evening he need thank only himself, and that ungovernable temper which he cannot even at present entirely control.

THE PREMIER: Hear, hear.

MR. GEORGE: I was asked, and I think it was by my smiling friend the member for Mount Margaret (Mr. Taylor)—

MR. CONNOR: You mean, your grinning friend.

MR. GEORGE: I was asked by that hon. member why I had not made these statements outside. The question was merely an echo of what we have heard from the Treasury bench. Why, it has been said outside; and what notice has been taken of it? Not the slightest. I have given Ministers day and date of the paper which published certain statements; and yet the dignity of the Bench has been left undefended by the Attorney General of Western Australia. Say it outside!

Where is the necessity to say it outside? It is said all through Perth; and the hon. gentleman knows it. Moreover, he knows perfectly well that the matter I read has been said outside and printed outside for weeks. Yet the hon. member takes no notice of it. What are the facts in connection with this motion?

MR. TAYLOR: That is what we are waiting to hear.

MR. GEORGE: Some gentlemen will wait a long while. The facts in connection with the motion are that I took on myself—and I do not regret it, and so long as I am a member of this House I shall not hesitate to do what I consider my duty, either as a member of the House or as a citizen of Western Australia—I took on myself to bring forward a matter which I think should receive the attention of the Ministers of the day, whoever may occupy the Treasury benches, whether they be the gentlemen now holding them or any of my friends about me. I have not been remarkable in my parliamentary career—[MEMBER: Hear, hear]—for being afraid to speak my mind in this House; and it is too late in the day for me to begin to be afraid. I have stated that this newspaper, the *Evening Star*, published at Boulder on the 6th October, reached me to-day and was brought under my notice to-day. I read what this article stated as to the judicial exposure, and so forth, impending; and as sure as I stand before my Maker, I say that I had no intention to introduce anyone's name into the matter, and that, if I had not been goaded on by the Attorney General, I would not have mentioned one single name in this House to-night. I say that, so help me God!

MR. TAYLOR: Oh, go on! you are only joking!

THE PREMIER: Is the hon. member in order? Is he not irreverent?

MR. GEORGE: I said, so far as this article is concerned, that blackmailing had been done by some newspaper in this State; and I mentioned the newspaper in question, the *Sunday Times*.

MR. HOPKINS: I for one do not believe it.

MR. GEORGE: I cannot help the hon. member's unbelief. It does not concern me whether he has belief or unbelief: he is bulky enough to have both. I stated that blackmailing had

been going on in this State; and I asked the assistance of the Attorney General to put it down. I offered to give the Attorney General every information I have, and every document in my possession.

MINISTERS: When?

MR. GEORGE: In this House, recorded in *Hansard*.

THE PREMIER: You have not given it yet.

MR. GEORGE: I offered to give the Attorney General every piece of information in my possession; and I am prepared to give it to him now, if he is prepared to go on with the case and carry it through, so as to prove whether the matter is false or true. The statements given to me I can prove, namely that this type-written copy is, with the exception of three or four immaterial words.—

SEVERAL MEMBERS: Where did you get your copy?

MR. GEORGE: That information I shall be prepared to give at the proper time. I am prepared to prove that this type-written copy is identical with the galley-proof which was printed in the office of the *Sunday Times*, and which was sent to a certain gentleman on the morning of the 7th September.

MR. WALLACE: Are you proof-reader for the gutter Press?

MR. GEORGE: No, sir; I am not. I have something more profitable to devote my time to than anything of that sort.

THE PREMIER: It is not the mere paper, but the statements which that paper contains that should be verified.

MR. GEORGE: I know nothing of the statements the paper contains.

THE PREMIER: I thought you did not.

MR. GEORGE: I know nothing whatever of the statements the paper contains. The hon. gentleman probably does. He has been longer in this State than I have. He knows what took place in 1882 and 1883, I expect, as well as those people who extracted these papers from the Supreme Court; and I state I have made no charge against Mr. Parker, except that if this matter of blackmail be true, he has proved himself too weak to be a Judge of the Supreme Court of this State.

MR. TAYLOR: If it be true.

MR. GEORGE: If it be true.

MR. TAYLOR: Why do you not give your authority?

MR. GEORGE: I will give authority in proper time. The hon. member must allow me to conduct my case in my own way. I have been arraigned this evening by those hon. gentlemen, with one or two exceptions, for personal spite and malice.

MR. TAYLOR: That is right.

MR. GEORGE: What have I spite against Mr. Parker for?

MR. TAYLOR: Nobody can tell.

MR. GEORGE: No; and he cannot tell. It is all nonsense. It is simply trying to drag me off the track. I charge the *Sunday Times* with this blackmailing, and I charge them in the highest tribunal of this land, and that is here.

MR. TAYLOR: Charge them outside the House.

MR. GEORGE: That I shall do, if I choose. I say farther that if this case be gone into by the Attorney General, and if it be proved that this matter is untrue, he will have in his possession the people who are responsible for it. He can have all the information to inquire into the question, if he likes. I offered this evening, and I offer again, to place before the Attorney General of this State this type-written copy, the original galley-proof and such proofs as I have, besides the name of the party who will go into the box and prove the statements I have made.

MR. TAYLOR: It is taking on a big order, anyhow.

MR. GEORGE: Is it? Very well.

THE PREMIER: Do it now.

MR. GEORGE: No, sir; I shall not do it now. I am not to be drawn in that way. I call upon the Attorney General to do his duty. If he is prepared to do it, I am prepared to assist him; and if he is not, let the public judge.

THE PREMIER: I would not be hampered by your assistance.

MR. GEORGE: There is one thing in connection with this matter. There is no doubt that when the Newspaper Label Bill is gone into in this House, members will probably see some reason for retaining some of the drastic clauses which at present they do not like.

MR. HOPKINS: And apply them to every newspaper!

MR. GEORGE: Members will probably see some particular reason for them. I repeat again that the Attorney General can have these papers, and have the

original galley-proof, the names of the witnesses who were told by a party belonging to the *Sunday Times* staff that the article was to appear on a certain date, and he can have the name of a person who did not receive his share of the blood-money.

MR. TAYLOR: Ah!

MR. GEORGE: And he can have farther information which will enable him to go through with the case. I have nothing more to say. I have fulfilled my duty as a public man in this matter.

MR. WALLACE: In a very shabby way.

MR. GEORGE: With all due deference to the member for Mt. Magnet (Mr. Wallace), not in a shabby way, but in a way which requires a little more courage perhaps than is possessed by members who have not attempted such a task as I have done. It is not a pleasing thing to get up here in this House and deal with matters of this sort. It takes a man who is fearless of public opinion, and who does not care a dump what 190,000 people in Western Australia can say or think or do, if he is of opinion that he is doing right. I believe I am absolutely right in this matter.

MR. TAYLOR: I do not.

MR. GEORGE: That is all right. That is your opinion. I believe I am absolutely right in this matter, and I challenge the Attorney General to put on one side all that heat and trouble about political purposes. Let him take up his high duty as the guardian of the law in this State, and sift this matter right down to the bottom, and I will give him every assistance in my power.

THE PREMIER: It is not my duty to act on either gossip or falsehood.

THE SPEAKER: Before I put this question, I would just like to impress upon hon. members of this House the necessity there is for consulting the Speaker before bringing forward a question of this kind. It is impossible for me, on the spur of the moment, to know whether these questions are such as ought to be discussed on a motion for the adjournment of the House. I have no hesitation in saying this ought not to have been. This question is not such a one as ought to be discussed without notice. I consider an urgent notice such a one as requires to be discussed in order to prevent some

injustice to the State or individuals before the next meeting of the House, and in no other way; and I shall be very much obliged to all hon. members, if they intend to bring forward motions of this kind, if they will kindly give me notice in order that I may consider the question.

Question (that the House do now adjourn) formally put, and negatived.

QUESTION—ASSURANCE COMPANIES, DEPOSITS.

MR. F. WILSON asked the Colonial Treasurer: 1, What assurance companies doing accident assurance business in Western Australia have paid the deposit stipulated by the Life Assurance Act? 2, Whether there are any companies doing accident assurance business who have not paid the deposit. If so, who they are, and whether the Government intend enforcing the penalties under the Act?

THE COLONIAL TREASURER replied:—1, The Colonial Mutual Fire Insurance Company, Limited—Date of deposit, May, 1897; The Commercial Union Assurance Company, Limited—Date of deposit, October, 1901; The Ocean Accident and Guarantee Corporation—Date of deposit, June, 1897. 2, Yes. The New Zealand Accident Insurance Company, who is in correspondence with the Treasury on the subject.

QUESTION—STORING SANDALWOOD AT FREMANTLE.

MR. F. WILSON asked the Commissioner for Railways: 1, Whether he is aware that a large area of land situated adjacent to the Victoria Quay, at Fremantle, is monopolised by one firm for the purpose of storing sandalwood? 2, Whether the Government is aware of the danger to surrounding property by the storing of such an enormous quantity of merchandise of such an inflammable nature? 3, What rent is being paid for the use of this land? 4, What is the nature of the agreement for allowing the occupation of this land, and by whose authority was this agreement drawn up? 5, Whether it is a fact that owing to this ground being occupied for the storage of sandalwood, the sheds now in course of erection had to be built on the quay to the east of East Fremantle Railway Station, thereby inconveniencing the whole trade of Fre-

mantle for the benefit of one particular firm? 6, Whether it is possible for any other firm to obtain the same privileges as have been extended to the occupiers of the land in question?

THE COMMISSIONER OF RAILWAYS replied: 1, Two firms are allowed to stack sandalwood adjacent to the Victoria Quay at Fremantle. Only a few tons are now stacked there, and will shortly be removed. 2, Yes; and action has been taken to have it removed, and for the practice to be discontinued at that site. 3, 20s. per week. 4, No agreement. 5, No. 6, Yes; provided suitable area.

QUESTION—RAILWAY STRIKE, REINSTATEMENT.

MR. T. HAYWARD asked the Premier: 1, Whether all the railway men in the South-West District who went out on strike have been reinstated. 2, If any have not been reinstated, what is the reason for their not having been reinstated. 3, If there are any men who went out on strike who applied to be taken on again, in the usual course of events, after the strike was declared off, but who were not taken on, whether the Premier will see that the men are reinstated at once.

THE PREMIER replied: 1, All permanent hands who went out on strike have been reinstated. 2 and 3, Some of the casual or temporary hands who went out on strike were not reinstated because there was no work for them. Immediately prior to the strike it had been decided to suspend certain work in the South-West District, and other work had been finished, necessitating a reduction of hands. In this district 27 hands, tradesmen and labourers, were employed by the Railway Department. Of these men, 17 went out on strike and 10 remained at work. When the strike ended, work could be found for only nine men, owing to the suspension and completion of certain works, as mentioned above. Thus eight men were out of employment, and would have been whether the strike had occurred or not. These men have been told that they will be taken on as soon as work offers, or, if they wish, they can have free passes by rail from Bunbury to Fremantle. The fact that nine out of the 17 men who struck work were taken back after the strike was over is proof that the strike had nothing to do with putting off the

eight men. They could not be profitably employed, and had to stand off through reduction of works. Had they been taken on they must have been put off again the next moment.

QUESTION—CUSTOMS SURCHARGE ON INVOICES.

MR. W. OATS asked the Premier: 1, Whether it is a fact that the Customs authorities in this State are making a surcharge of 10 per cent. on invoice, plus *ad valorem*, on goods now coming in. 2, Whether this is in accord with the conditions of the Federal Tariff.

THE PREMIER replied: 1, Yes; on goods the produce of countries outside the limits of the Commonwealth. 2, No; but it is in accordance with Section 149 of the Customs Act 1901.

QUESTION—FRUITGROWERS' ASSOCIATION, TRAIN FACILITIES.

MR. M. H. JACOBY asked the Commissioner of Railways: Whether the Government proposed to accede to the request of the Darling Range Fruit-growers' Association to provide train accommodation for their annual show at Gooseberry Hill on the 11th prox.

THE COMMISSIONER OF RAILWAYS replied: This matter had already been arranged, on the representation of the hon. member for Guildford.

MOTION—EXTRA SITTING DAYS.

THE PREMIER (Hon. G. Leake) moved:

That in addition to the business days and hours already agreed to, the House meet for the despatch of business on Mondays and Fridays, at 7-30 p.m., during the remainder of the session.

He said: The motion speaks for itself, and of course it is entirely for hon. members to say whether they desire to see the business of the session expedited and brought to a conclusion with the least possible delay. Members are aware that the Estimates are upon the table of the House, and it is usual as soon as the Estimates are finished to hurry through the business on the Notice Paper. Of course hon. members know that if they give the Government the Appropriation Bill, the Government can prorogue the House at any moment. There is no

doubt about that, so I am not trying to steal a march upon the House. The Government, when they have obtained the Appropriation Bill, may, if they think fit, let the other business of the House go by the board; but it is usual in all these circumstances to consult hon. members before there is a "slaughter of the innocents," as to the particular measures they desire to be forced to a conclusion, and the House determine what Bills shall be got rid of. As members know, we have not got through a great deal of work during this session, though there certainly has been much discussion; but that does not surprise me, because, as I told members in the early part of the session, we were labouring under great disadvantages in being new to the departments, and I said I was deprived of my parliamentary draftsman, so I was able to submit to the House only certain Bills which had to be drafted as best I could manage. I am indebted to the hon. member, Mr. James, for doing gratuitously nearly the whole of the drafting work during this Parliament. I think that, if we sit on the two extra days in the week, we shall be able to get through the business fairly quickly. I am going to ask the House to get through the Estimates as quickly as possible. Of course, the Estimates are no good to the Government until the Government get their Appropriation Bill; so that if the Opposition are strong enough to prevent the passing of the Appropriation Bill, they can very easily keep that back until such time as a fair amount of business has been got through, and they think they really have had enough work. I shall also bring down at once the Loan Estimates in order that hon. members may discuss them. I did hope the House would conclude its business at the end of this month; but now I see it is absolutely hopeless, although I do not want to run too far into November. There was a chance, and indeed I have been urged, to attend at a Conference of Premiers.

MR. F. CONNOR: Melbourne Cup!

THE PREMIER: As the hon. member says, during the Cup week, in order to discuss affairs of State with regard to public buildings; but I have given up that idea, and I think the hon. member also will be deprived of a business trip during the same time. If we were to sit on Monday and Friday evenings, at least

on one of these evenings, from half-past seven till about midnight and through the week, we should be able to get through a deal of work without unnecessary delay. I sincerely commend this motion to the favourable consideration of members. My chief reason for wishing to hurry the Estimates through is that our supplies, which the House was good enough to grant in the early part of the session, will be available only to the end of this month; or, if not, any money we may spend will be practically unauthorised—that is to say we cannot expend it without the authority of Parliament. If Parliament does not give us the Appropriation Act, and is not willing to give any farther supplies to this Government, or if Parliament prefers (as a more agreeable alternative) to turn us out, then it is open for Parliament to do so. The fate of the Appropriation Bill and the fate of the Ministry ought to be determined with the least possible delay. What I urge members to do is to get to work on the mass of legislation we have now on the Notice Paper, and I think that by increasing the sittings of the House in the way I have suggested, we shall be more likely to work than to waste our time in discussing motions which will have no practical effect. I am not wedded to this proposal, but I much prefer that the motion should be passed; still if the general feeling of hon. members be that it is somewhat early to increase the number of sittings in a week, I shall not force the matter on the attention of members at present.

HON. F. H. PIESSE (Williams): I regret I cannot see my way to support the motion. Most members will agree that to sit three days a week as we do now, and to sit to the late hour we have been sitting to for some time past, will be quite as much as can be expected. Now that the train arrangements enable country members to get home at week-end and return to work here on Tuesdays, and this arrangement being very satisfactory, I think we should be satisfied with the arrangement and go on as we are. It seems the Premier is very industrious, and of course it is not my desire to prevent him or prevent the House from being industrious; still if we sit during three days in the week, and make up our minds to work steadily and sit probably

a little later than we have been sitting, we can accomplish a good deal of work; therefore I do not see any reason for agreeing to the motion. No doubt the change from this side of the House to the other has been conducive to much longer hours of work on the part of the Premier; for I find that when I brought forward a similar motion two or three years ago, the hon. member was very strong in protesting against it. Probably no better reason could be given to-day for opposing this motion than that which the hon. member gave when speaking in opposition to a similar motion I made when the then session was approaching a close; for I find his remarks recorded in *Hansard* as follow:—

Personally, he was not in favour of the motion, because he thought that if the work was brought down to the House it could be done perfectly well without encroaching on Mondays. Busy men in the city found it very difficult even now to attend to their private business and the business of this House, for practically three days were occupied in parliamentary work. If the Government desired to get through the business more expeditiously, we might undertake to sit until midnight on Tuesdays, Wednesdays, and Thursdays, instead of adjourning so early as at present. In his opinion, we could get through more practical work after 10 o'clock in the evening than by sitting two or three hours on Monday.

MR. HOPKINS: Had you payment of members then?

HON. F. H. PIESSE: The extract I have read is really to the same effect as the objection we make to the present motion; that if we continue to sit on three days a week, and if the House really gets into a working mood—and some members here know what the House can do in a working mood—then I think a good deal of business can be disposed of. When we have so many members in this House, and so many of them new to the business, and seeing that so many motions of a private nature are made by members, causing much time to be spent in discussions and many speeches to be made for the edification of the House and the country, we find matters are prolonged more than they should be; but as members who are new to this House get more accustomed to the work, we shall find that more work will be done, and towards the end of the session much good can be done by the determination to get through the work. We have on the Notice Paper

an ample amount of work before us; we have also loan proposals to consider and the annual Estimates to deal with; and I think if we devote our attention to the work three days a week, and make up our minds to do the work, the time will be sufficient for the purpose. We must not forget also the number of select committees appointed, and which take a great deal of time each week—I am reminded that there are now seven select committees, so that many members are a good deal occupied with the work of these committees in addition to the work in the House. I do not oppose the motion for the sake of opposition; and later in the session, if it be necessary to have an extra sitting on either Monday or Friday evening, I shall not object, and we can farther consider the matter. I regret I cannot agree to the motion.

MR. R. HASTIE (Kanowna): I much regret the tone of the remarks made by the leader of the Opposition. I strongly advise members to consider the question before us. We have a sheet containing 29 Bills, and we have disposed of only one or two small measures; therefore we have a lot of business to do which should be got through. The hon. member has told us that instead of increasing the number of sittings, the House should devote less time to discussing motions, and more time to getting Bills passed. Granted; but even with the help of his advice, I much doubt whether members will do so. We have on the Notice Paper the Conciliation and Arbitration Bill to be farther considered in Committee, the Workers' Compensation Bill, and many other important measures of a controversial nature, which we cannot get through unless we devote considerable time and attention to them. The leader of the Opposition has also suggested that we should sit later at night; but I do not think that is a good plan, for when we have sat up to half-past ten or eleven o'clock most of us feel pretty tired, and it is only by having a number of increased sittings that we can come to the work with freshness and get on. The hon. member has reminded us that on a former occasion he proposed a similar motion to this one, and that it was then opposed; but at that time there was not payment of members, and we know that many members were then engaged to a large

extent in private business. In other States where payment of members has been enacted, the number of sittings in the week has been increased, and it is only right we should do likewise.

HON. F. H. PIESSE: The sittings here are the same as in the Eastern States.

MR. HASTIE: But in the East they sit in the afternoon, so that practically they have time for getting through more work. It has been said the bulk of the country members can go to their homes at the week-end and return here for the next Tuesday's sitting; but many members in this House do not get to their homes in three or four months. Members are here to get through the business of the country, and it devolves on us to do the business in the best possible way. If we sit two nights extra in the week, there will be some hope of our getting through the business of the session; otherwise I am afraid a good deal of the expected work will not be done. We shall require to sit pretty close to Christmas, if not beyond it, unless we increase the number of sittings.

MR. C. H. RASON (Guildford): I hope the Premier will not press the motion, and I cannot support it for the reason that the number of select committees require a good deal of time, and members have got only Monday and Friday, possibly Saturday, available to consider Bills that have to be dealt with on the other days. Mondays and Fridays are consequently encroached on very much by the work of select committees. The member for Kanowna (Mr. Hastie) says there are important measures on the Notice Paper, and I agree there are measures which require more consideration than is usually given to Bills in many cases by some members of this House. It would tend considerably to expedite legislation if we had Mondays and Fridays clear from other business, in order to give fair consideration to measures which have to be dealt with on the sitting days. The hon. member has referred to payment of members, and said we are paid to get through the work. To my mind we are paid to do the work properly; we are paid to do our duty here, and not to hurry through business so that we may get into recess. I think that can best be done by careful consideration of the Bills, and also by

curbing the eloquence of members in many cases. I am afraid that in many cases the solid contents of hon. members' speeches are in inverse proportion to their lineal dimensions. If we can curtail some of the eloquence which occupies the time of this House, and if we can give more study to the measures before us, there will be no reason to complain of undue delay in legislation. I do not think that increasing the number of days for sitting does in any way tend to expedite the proper consideration or the passage of these very important measures.

MR. J. M. HOPKINS (Boulder): The only fault that I have to find with the Premier's proposition is that it does not go far enough. [LABOUR MEMBERS: Hear, hear.] However, it was my intention, if the proposition were carried, to move later that the sessional orders be amended so that this House should for the remainder of the session sit on Mondays, Tuesdays, Wednesdays, Thursdays, and Fridays, from 2:30 to 6 p.m., and from 7:30 p.m. onward. [Several interjections.] I do not require any assistance from hon. members representing Fremantle constituencies. At the present time we sit about 15 hours a week; and I do not think that is quite fair. I question whether it is in the interests of the country that members should devote the whole of the earlier portions of the day, up to 4:30 in the afternoon, to their own business affairs, and then come into the House tired and languid to carry out their legislative duties in the very ordinary manner which obtains. [SEVERAL MEMBERS: Oh!] We have payment of members now; and I wish to point out that the quotation which was made by the leader of the Opposition is from a speech delivered by the Premier when we had not payment of members. I do not see, therefore, how the quotation can reasonably apply to the present circumstances.

THE PREMIER: The leader of the Opposition did not say why he changed his mind.

MR. HOPKINS: No; he did not, unless it be that the railway administration has considerably improved. His remarks seemed to me to convey that impression. The parliamentary rule which says that legislative bodies shall

commence work when other people are leaving off, seems to me a relic from the dark ages. I have no desire to see the whole of the time of members taken up by the House sitting every day in the week; but we have here a batch of Bills, and very few members have been through the lot of them. It would be better if some attention were devoted to the measures. Moreover, I think that if sittings were longer, speeches would be considerably shorter. I support the motion of the Premier, and hope it will be carried for that reason, and because I consider that country members are entitled to some consideration at the hands of city members. As regards myself, it is true that I can go home on Friday and return on Monday; but I have a very long way to travel—400 miles into the interior. I see no reason why country members should be penalised by having to sit here three nights a week for over half the year, just for the convenience of those members who hold seats in Perth or its vicinity.

MR. GEORGE: Why not shift Parliament to Kalgoorlie?

OPPOSITION MEMBERS: Shift it to Boulder!

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

Ayes	18
Noes	20

Majority against ... 2

Ayes.	Noes.
Mr. Daglish	Mr. Butcher
Mr. Gregory	Mr. Connor
Mr. Hastie	Mr. Ewing
Mr. Holmes	Mr. George
Mr. Hopkins	Mr. Harper
Mr. Illingworth	Mr. Hayward
Mr. James	Mr. Hicks
Mr. Johnson	Mr. Higham
Mr. Kingsmill	Mr. Hutchinson
Mr. Leake	Mr. Jacoby
Mr. McDonald	Mr. Monger
Mr. McWilliams	Mr. Morgans
Mr. Oats	Mr. O'Connor
Mr. Reid	Mr. Phillips
Mr. Reside	Mr. Piesse
Mr. Taylor	Mr. Pigott
Mr. Wilson	Mr. Quinlan
Mr. Wallace (Teller).	Mr. Rason
	Mr. Yelverton
	Mr. Sayer (Teller).

Question thus negatived.

WINES, BEER, AND SPIRITS SALE AMENDMENT BILL.

Introduced by MR. M. H. JACOBY, and read a first time.

PUBLIC NOTARIES BILL.

IN COMMITTEE *pro formâ*.

On motion by the HON. W. H. JAMES (Minister), the House resolved into Committee for the purpose of adopting, *pro formâ*, certain amendments recommended by the select committee appointed to inquire into the Bill, prior to discussion and for having them printed in the body of the Bill.

Bill reported with amendments, and ordered to be reprinted.

CONCILIATION AND ARBITRATION AMENDMENT BILL.

IN COMMITTEE *pro formâ*.

On motion by the HON. W. H. JAMES (Minister), the House resolved into Committee for the purpose of adopting, *pro formâ*, certain amendments prior to discussion, and for having them printed in the body of the Bill.

Bill reported with amendments, and ordered to be reprinted.

PUBLIC WORKS COMMITTEE BILL.

SECOND READING.

Debate resumed from 1st October.

HON. F. H. PIESSE (Williams): I may say in regard to this Bill that I am entirely in accord with its general principles, and I think it is a measure which might have been introduced with some advantage to the country at a very much earlier date. It is one which I myself have advocated previously. I know it would certainly save a great deal of trouble in the department, and it would be of much service to the country, assisting the Government in a great measure to arrive at a decision, and, in my opinion, saving a great deal of money from time to time. There are one or two amendments which I consider necessary, the principal one being in relation to Clause 17, where it is provided that no work of which the estimated cost exceeds £5,000 shall be carried out unless it be first referred to the Committee. I am speaking only with regard to the limit. The sum might be increased to £10,000, because if you are going to take the minor works into consideration, that will give a great deal of work to the Committee; and not only so, but it will mean perhaps delay which otherwise might be avoided. Most of the works under say £10,000 could

be settled and decided by the Government, and it is more with regard to railway works or works of great magnitude that there would be a wish to take the advice of the Committee. There are some cases where the measure might apply to buildings, such as, for instance, the erection of a building like the Training College at Claremont, which cost about £14,000. Had such a committee been in existence, that might have been referred to the committee. I think this instance was a departure which was justified, although the building may be a little larger than we require at the present time. Still, a little delay possibly might have resulted in some saving, which perhaps would have been of advantage to the country. There are other instances where no doubt it might be advantageous to have the advice of a committee. On the whole the Bill, which I think is a copy of the New Zealand Act or partly so, is one which will commend itself to the House, if I may judge from the speeches delivered from time to time in connection with this subject. This is a matter which should have been introduced at a very much earlier date in the history of the colony. I am confident it will result in a saving, and in giving assistance to Ministers, and it will also be a protection to the country and will help the House to arrive at a decision with much more confidence and reliability than they are possibly able to do under present conditions. My only hope is that we may be able to select such a Committee from among the members in this House—to which it seems the Committee will be confined—as will take an interest in matters of this kind, and will also be men of judgment, because this measure will be of no service unless we get men of judgment and knowledge of matters connected with railways, buildings, and works of that character in the direction indicated by the Bill. I notice the Committee are able to call in the aid of the professional officers, who no doubt will render very great assistance; but, of course, if you are to carry out the recommendations of the professional officers, although with every good intention, you will find yourselves going in for expenditure which might sometimes be extravagant expenditure, that otherwise would not be incurred if it were referred

to men with a practical turn of mind, men who are able to do such as we hope will be done by men appointed under this Bill. I think there may be some departure made perhaps in having a member of the board from outside, one member from the public; but it would not then be wholly a parliamentary committee, and that, of course, is where there would be a difficulty. I think, however, that where this is brought into practice in other countries it has been found of service, although it has not been as perfect perhaps as one would like to see. Still, it provides safeguards, and is advantageous; and if amendments are to be made in Committee we should endeavour to make the Bill as perfect as possible and acceptable to the country. By this system we shall have a prospect of saving in many instances where saving has not been effected in the past. I have much pleasure in supporting the second reading.

MR. F. WILSON (Perth): I congratulate my friend the Minister for Works (Hon. W. Kingsmill) on having introduced this Bill during the present session. I have many times advocated a measure of this sort to control the public expenditure, and I feel convinced that if we had had a measure for a board of this description, say three or four or five years ago, we should have saved an enormous sum of money to this country. Of course, with regard to the details of the Bill, it is unnecessary to enter upon them now, but I would like to point out that the remuneration to the members of the Committee will have to be increased. I do not think you can expect, or the Government can expect, for one moment that members occupying prominent positions like this will sit at a guinea a sitting, practically a guinea per day.

THE MINISTER FOR WORKS: Actually.

MR. WILSON: The Committee may sit all hours, and may also sit on the following day.

THE MINISTER FOR WORKS: A member cannot get more than a guinea a day.

MR. WILSON: One cannot get more. I want to point out that the Committee will, undoubtedly, have to travel about the country. The bulk of the work will be done during the recess, and the Government will have the first call upon the members forming that board. What will be the result? Supposing the Com-

mittee had to travel down to Norseman or Esperance to inquire into the necessity for constructing that railway: they would sit all day and probably far into the night to finish their work and return to the city. Then the Committee would have their report to consider, and eventually some member of it—probably the chairman, a member of this House—would have to deal in an exhaustive manner with the report, with the reasons for recommending the work, with the conclusions come to as to the necessity of the work, or *vice versa*, if they condemned the work. That all means a lot of work outside of the actual sitting time; and I think the Government of the day in this Bill have erred on the side of false economy. Here we have a chairman who is to get £1 11s. 6d., and each of the other members is to receive a guinea a day. That amount is totally inadequate for the amount of work expected from the Committee. If you are going to get practical men, men of experience, men of judgment who can be relied upon in matters of this kind, pay them well, pay them a sufficient sum to recompense them for the time and labour they put into it, and the country will save all round for doing so. I do not know that I need say anything farther at this point. There are several clauses that will have to be amended; but I think the Bill a good one, which will result in a great saving in public expenditure in this State; therefore, I have much pleasure in supporting the second reading.

THE MINISTER FOR WORKS (Hon. W. Kingsmill): I am glad indeed to find this Bill has found favour in the eyes of the House, which has been in such a contentious mood lately. I thank members who have spoken for what they have said, and also members who have not spoken, but who have signified by their silence their assent to the Bill going through this Chamber. With regard to the couple of points touched upon, I mentioned when introducing this Bill that both the minimum cost of works to be sent to the Committee and the remuneration of members of the Committee were purely tentative points, and I may explain they are more or less interdependent. If we increase the minimum from £5,000 to £10,000, it means practically there will be fewer works and less

days upon which the Committee will sit; therefore, it is a reasonable thing they should get more for those days upon which they do sit. I am perfectly prepared to accept any reasonable amendments in either of those directions. The leader of the Opposition (Hon. F. H. Piesse) touched upon the idiosyncrasy of professional officers, and hinted that they might perhaps advocate extravagance to the members of the Committee; but after all it has not been the custom in the past, and I do not suppose it will be in the future, to refer questions of policy—in which I presume questions of extravagance would be included—to these professional officers.

HON. F. H. PIESSE: Quality comes in with the question of £ s. d. It is only a question whether you can do it.

THE MINISTER FOR WORKS: I have always looked upon matters of £ s. d. as politics; but the point is a very small one in my opinion. In regard to the source of the Bill, I may say, as I have said before, there has been at least 10 years' experience of this measure in the Eastern States. This is the newest form of the measure, and I may say the remuneration is founded on the present Victorian scale. As I say, I am quite prepared to accept any reasonable increase in the remuneration of the Committee. Moreover, there is another matter which may be open to question, and to which I would like to invite members' consideration. There is a difference made in the travelling fees of the chairman and the travelling fees of the other members. This, again, is a tentative question, and I would like members to express their opinions when we are in Committee on the Bill about the advisability of making such a distinction. I again wish to thank members for the manner in which they have treated the measure, and I beg to commend the second reading of the Bill to the House.

Question put and passed.

Bill read a second time.

EXCESS BILL (1901).

SECOND READING.

THE COLONIAL TREASURER (Hon. F. Illingworth), in moving the second reading, said: A little while ago I had occasion to ask the House to pass

an Excess Bill for the year 1900. The leader of the Opposition took exception to a remark which the Premier had made in his speech in the Queen's Hall.

HON. F. H. PIESSE: I was satisfied with the assurance the Treasurer gave the other evening.

THE COLONIAL TREASURER: The objection stated was that the Premier had said in the Queen's Hall that the Excess Bill for the year would be something like half a million of money; and the hon. member (F. H. Piesse) was rather severe with the Government on that occasion. But I called his attention to the fact that there was another Excess Bill to be brought in. In fact, the Excess Bill then before the House (since passed) was for the year 1899-1900, and the other Bill which was to follow it was the Bill to which I am now calling the attention of hon. members. This Bill deals with excess items for the last financial year; and members will see that the forecast given by the Premier in his Queen's Hall speech was not far out, for the two Bills total £499,783 3s. 9d., being £216 16s. 3d. less than half a million. The present Government take no responsibility for this excess expenditure. This is the kind of Bill against which we, when sitting on the Opposition side, were constantly declaiming, and I hope hon. members who now sit on that side will declaim as thoroughly against Excess Bills as we did.

HON. F. H. PIESSE: Can the Treasurer say what were the underdrafts last year, approximately?

THE COLONIAL TREASURER: I will deal with that in a moment. I wish to point out that we started last year with a balance of £12,371. The estimated revenue for the year was £2,900,000; so that the Government made provision by asking parliamentary authority for the expenditure of £2,912,371. That was the whole of the money which the Government had at their disposal; but the actual revenue for the year was £3,100,405, being an excess of £188,034 as compared with the estimate. When the Government have an excess revenue, it is reasonable they should expend that revenue; and in so far as they do so, speaking generally, on works which accrue during the year, they are justified in that action. It will be

seen that the Government have not only spent the excess revenue, but altogether from loan funds and from ordinary revenue they expended £499,783, and they expended it without the authority of Parliament.

HON. F. H. PIESSE: The Treasurer has included in that the loan expenditure. He should deal with the amounts under the Consolidated Revenue.

THE COLONIAL TREASURER: I am aware of that; but I am dealing first with the money expended without the authority of Parliament, and I am justified in making that remark, although the figures do include the loan moneys as well. Parliament votes the loan money as well as the revenue money; and it is the fault in this kind of expenditure that has been frequently pointed out by myself and other members. The Government spent £311,741 without the authorisation of Parliament, besides their surplus revenue of £188,034; and it was spent to a very large extent on unauthorised works, or on increased amounts for authorised works. Both these things are evils. Parliament ought to be consulted on its expenditure; and when a Government takes on itself to spend money without parliamentary authority, that Government is going in a direction which is to be deprecated. But a greater evil exists when Parliament votes money for certain works, and that Government instead of spending the money on those works which Parliament has authorised, expends it on works which Parliament has never considered—then the departure is serious. This year the amount so spent was £311,749.

MR. W. J. GEORGE: That has been pointed out, session after session.

THE COLONIAL TREASURER: That is so. The hon. member has assisted us, and I hope he will assist us again in pointing out that kind of evil. There are two ways of accounting for this Excess Bill: it shows either inaccurate estimates, or it shows haphazard Treasury reductions. But these things have taken place: there have been inaccurate estimates, and the expenditure (I am afraid) has sometimes not been properly managed in this sense, that Parliament has been asked to vote a certain sum for a particular work, with a full knowledge that the work would cost

considerably more money than was placed on the Estimates for it, and consequently Form I. has been brought into requisition. Hon. members will find that not only Form I. but Form J., the latter creating a vote without the authorisation of Parliament, have been used. The practice in the past is one I deprecate; but what I want to call attention to is that when the former Treasurer had to make ends meet and he found a considerable excess of expenditure beyond the estimated revenue, the practice was to put his pen through items in such a way as to reduce the total of the Estimates as received from the departments, without reducing the actual liability, trusting to Form I. for the balance. Hence Excess Bills. I must make this remark, in justice to the officers who prepared estimates, and in justice to the departments whose estimates were reduced; because I find that certain estimates were sent in and those estimates were reduced at the will of the Treasurer. I think the Treasurer ought to deal fairly with this House; and if he finds there is not sufficient money to carry out particular works, he ought to be honest with Parliament and state that the money is not available. It is not a fair thing to get the consent of this House to an expenditure for certain works, when it must be known to the Treasurer that there is not sufficient money available for the works, and trusting to luck or trusting to an Excess Bill to cover the excess expenditure. In regard to excesses which came in during the last financial year, there was an excess over the estimated revenue of £188,034. On page 10 of the Bill hon. members will see that £153,399 6s. 9d. was absorbed in the railways—perhaps increased work done by the department. The return shows that for salaries, provisional and temporary, £88,031 11s. 5d. was expended in excess of the vote; and for “contingencies,” £65,367 15s. 4d. We may say, in justice, that this expenditure was in consequence of increased business, which is shown by the increased revenue on one side and by the increased expenditure on the other side. There is also an item which may be justified, that is postage and telegrams; and I want to remark upon this that the amount will show very largely on the Estimates for the current year. Hon. members will

know of course that the Post and Telegraphs have gone to the Federal Government, and that every department in this State has now to pay for its postage and telegraph work and for telephone service; consequently, though we pay out with one hand and receive revenue with the other, the amounts have to appear in the annual Estimates. Last year there were only some five months during which the State Government managed these services, and the amount was £23,562 14s. 10d. From the Estimates for this year it will be seen that about £18,000 will be expended in this direction. There was also an item which perhaps under the circumstances could not have been avoided, an additional sum of £10,436 14s. 5d. for the Paris Exhibition, and for the Glasgow Exhibition an additional sum of £2,212 17s. 8d. The expenditure on these Exhibitions will amount altogether to about £40,000, less about £15,000 or £16,000 for the gold exhibits when sold. Then there was an additional expenditure, which the Government could not foresee, for the military contingents sent to South Africa, amounting to £22,709 1s. 11d. Hon. members who examine this excess expenditure will find quite a number of items which ought not to appear in this Excess Bill; for instance, for the Perth Park and May Drive a sum of £3,875. This is a case in which Parliament ought to have been consulted before the money was expended; and I may say it is the intention of the present Government to endeavour to avoid Excess Bills, at any rate for large amounts, in the future. In doing so we shall have to make accurate estimates; and one thing the present Government have tried to do—whether we shall be successful remains to be seen—is to make estimates that will carry us over the year without resorting to form I or form J, or to only a small extent. The hon. member (Hon. F. H. Piesse) has called attention to the fact that these sums include expenditure from Loan Funds. That is true, but the same principle of improper expenditure without the authority of Parliament comes in here also. Parliament votes the loan money as it votes the revenue money, and Parliament intrusts the Government to do certain works. The evil comes in here; for the Government receive a vote of say £500,000 to do certain works, and

if the Government instead of spending that money on the particular works which Parliament authorises, spend it on works which Parliament does not authorise, that creates in certain votes what is called an underdraft. I maintain that an underdraft is just as reprehensible as an overdraft; because a corrupt Government might get Parliament to pass say £10,000 for certain works, and might spend the money not on those works, but on other works to suit their particular constituencies. That has not been done in this State, but it might be done. I hope there will be no necessity to pass an Excess Bill in the future of about half a million of unauthorised expenditure. I do not think there is anything to be said in favour of the Bill, except that the money has been spent, and that consequently there is no help for it. Whether Parliament pass the Bill or not, the money is gone; and of course, so as to put our accounts in order, it will be necessary for Parliament to pass the Bill. I wish I could honestly advise hon. members to pass it. As a matter of fact, however, they must pass it.

MR. GEORGE: We must pay our debts.

THE COLONIAL TREASURER: The difference of expenditure even from revenue was £364,384. We give credit for the increased revenue, £188,000 odd, which is fair; and then there is still a balance of £176,000 odd expended absolutely without the authority of Parliament. I think that is a state of things which ought to be ended.

MR. GEORGE: What about the rise in wages?

HON. F. H. PIESSE: It is the underdrafts on the Estimates I am thinking of—moneys not expended.

THE COLONIAL TREASURER: Underdrafts, to my mind, are the most reprehensible of all; because, if the Government did not expend the money and there was an underdraft, they should have come to the House and said, "We have not expended all the money authorised, and we ask the House to revoke it." But when the Government fail to do the work they are told to do, and spend the money on works not authorised, then two very serious faults are committed; and I contend the House should endeavour to watch matters with a view to preventing

such occurrences for the future. It will be the endeavour of the present Government to have a very small Excess Bill for the next year.

HON. F. H. PIESSE (Williams) : I do not intend to oppose the second reading of the Bill.

THE COLONIAL TREASURER : I should think not.

HON. F. H. PIESSE : I may say I am not in any way responsible for this excess expenditure.

THE COLONIAL TREASURER : You spent a good deal of the money.

HON. F. H. PIESSE : I was not in the Cabinet when the money was spent, and therefore I am not responsible. I want to point out, however, that one or two of the excess items are reasonable. I do not venture to defend the past Administration with regard to certain other items, which are unreasonable. In such items as that of railways, there are undoubtedly reasonable causes for the increase in expenditure. The item of railways was alluded to by the Colonial Treasurer as showing a very large increase ; and there is no doubt the increase is large ; but a very much larger revenue than estimated was earned, and so there was bound to be an increase in the expenditure. Accordingly I say there is reasonable excuse for that item. On the whole, however, I am in accord with the hon. member, and certainly think that an Excess Bill should not be increased to any larger amount than is absolutely necessary. [THE COLONIAL TREASURER : Hear, hear.] There are instances where excess expenditure is necessary ; and I do not suppose any Government will ever be able to come down to the House without an Excess Bill, whether for a small amount or a great one. The Excess Bills, which were for very large amounts five or six years ago, have been gradually reduced, until one year the amount of the Excess Bill was as low as £80,000. Now the amounts are going up again ; or, rather the amount went up last year, and we have this very large Excess Bill. I may say I really did doubt the figures of the Colonial Treasurer in the first instance. I did not see how the amounts could be so large. But when we look into the Bill, there are some good reasons for the increases. The excess on the railway item which I have

already alluded to affords an instance where the excess could hardly be avoided. I shall not go into the question of administration ; because I think possibly the increase might have been avoided in the administration. There were increases in wages and coal. These are two factors, leading to increased expenditure, which I will allude to on other occasions. The increase of the price of Collie coal by 4s. per ton meant a very appreciable increase in the cost of working the railways. It occasionally happens that extraordinary circumstances cause increased expenditure. For instance, there was the South African Contingent. The despatch of the Contingent was agreed to by the House, though there was no vote to cover the expenditure. The opinion, however, was expressed by the House that the expenditure should be incurred ; and the item of £20,000 under this heading is, therefore, justified. Another item which could hardly be avoided in the circumstance arose in connection with the bubonic plague. That expenditure was really extraneous and utterly unforeseen, and there was good reason for it. I might go on and point out in other directions increases which were, perhaps, not so justifiable. We have, for instance, a large amount in connection with the Government Printing Office. I think I remember there was some little disturbance in regard to wages in the printing office. It was thought by the late Government that the printing should be carried on as before, and a proposal to reduce the staff was not adopted, the full number being retained, with the result that there was a great deal of expenditure in connection with the printing. Whether the expenditure was justifiable or not remains to be seen. If the printing done was done economically, and was necessary, the expenditure was justifiable. Much more care, however, should have been exercised in framing the Estimates in the first instance. The Colonial Treasurer mentioned that point, and I quite agree with him. I certainly object to the manner in which the Estimates have on various occasions been prepared. There has not been sufficient provision made for expenditure. I agree that the utmost care is necessary in framing the Estimates. Where there is a possible chance of curtailing expenditure, or even of

accurately stating proposed expenditure, that opportunity should be availed of. It is far better to make adequate provision for expenditure than to have to come down later to the House and ask for the passing of an Excess Bill. The result is really to give a false balance, which should be avoided as being misleading to the country. Therefore I say the swelling of Excess Bills should be obviated as far as possible. The question of underdrafts was referred to by the Colonial Treasurer, who said that the Government had no right to have under-expenditure of that kind, and that if Parliament voted a certain sum that sum should be expended. But there are often good reasons for not expending sums voted by Parliament. It may be found in the course of executing work, that it is unnecessary to spend certain amounts. For instance, a building may not be commenced so early in the year as was anticipated.

THE COLONIAL TREASURER: That does not authorise the spending of the money on other works.

HON. F. H. PIESSE: Credit should have been given for that under-expenditure, and allowance should have been made for it, because but for it you would have outrun the constable altogether, and would not have been able to pay the claims made on you. Some of these claims have been included in this Excess Bill.

THE COLONIAL TREASURER: £170,000.

HON. F. H. PIESSE: The Colonial Treasurer dealt in the first instance with some of the figures relating to the Consolidated Revenue, and in doing so he mentioned the whole amount of this Excess Bill. That is rather misleading, because the amount was divided into two parts, one relating to Consolidated Revenue and the other to the Loan Account. The amount should have been divided. The portion relating to the Consolidated Revenue amounts to £335,000, which is considerably less than £449,000, the amount one is led to regard as the amount of the Excess Bill.

THE COLONIAL TREASURER: It is the same thing, as far as expenditure is concerned.

HON. F. H. PIESSE: There is a stronger reason for defending excess in Loan expenditure than for defending excess expenditure on Consolidated Revenue account. As regards the Loan

Estimates, it is sometimes found that work can be carried out with much greater rapidity than anticipated, and consequently with greater advantage to the country. Then more money has to be expended; and I say there is justification in such circumstances for exceeding the item on Loan Account. In regard to the Coolgardie Water Scheme, for instance, there is an excess amount here. Probably £500,000 has been provided for pipes, and £600,000 has been expended, which means that there has been a more rapid delivery of the pipes than was anticipated. In that instance there is justification for the excess expenditure.

THE COLONIAL TREASURER: Quite so; but it means sometimes that the work costs a good deal more money than was estimated.

HON. F. H. PIESSE: As I have explained, the present Government may find themselves in the same predicament. Deliveries of material may be more rapid than expected; and these deliveries must be paid for as made. Consequently there is an excess. No Government can assess to a nicety the expenditure to be incurred in large works. I say this, while agreeing with the Colonial Treasurer that every care should be taken to keep down Excess Bills in connection with the Consolidated Revenue, because in that connection you know exactly what you have to spend in the period under consideration. The expenditure on Consolidated Revenue can with ease be watched very closely and kept within bounds—certainly with greater ease than expenditure under the Loan items. It is certainly a most reprehensible thing that so many items have been exceeded. However, it has been done; and I can only trust, with the Colonial Treasurer, that in the future there will be no Excess Bills of such an amount as this now before the House. I am not defending the past Administration: I am only pointing out certain features connected with excess expenditure, because it may come to the turn of my party to have Excess Bills. Possibly it may be the lot of this Government to have to meet emergencies such as those of a patriotic nature, where military Contingents are sent away. There may be unforeseen expenditure of that description. Under this Bill, moreover, there is

an expenditure connected with certain actions at law which have resulted in a loss to the country of something like eight or nine thousand pounds. All these moneys have to be provided. When, however, we come to such items as the purchase of recreation grounds, or the purchase of a piece of land somewhere or other, then I say we come to matters which might very well have stood over until Parliament voted the money for them. It is far better to wait for the assent of the House, than to incur expenditure and afterwards ask the House to confirm it. That is not a proper system. I certainly was surprised to find the amounts so large; and I thought I had a very good opportunity of attacking the Government in connection with these excess items. I assuredly should, in certain circumstances, have taken advantage of that opportunity. I did not see how so large a sum could reasonably be expended in excess.

THE COLONIAL TREASURER: You ought to have known of it.

HON. F. H. PIESSE: When the Premier dealt with this matter, he alluded to an Excess Bill of £500,000; and he, no doubt unknowingly, led the community to believe the whole amount was in connection with the Consolidated Revenue. Good reasons can frequently be given for excesses on Loan Expenditure; but there can be no good reason for heavy excesses in expenditure on Consolidated Revenue account. As I said before, I see no reason to oppose the second reading. It really amounts to this: we must authorise the expenditure of the money because it has been spent. At the same time I join with hon. members in hoping the present will be the last of these heavy Excess Bills—I will qualify my hope—unless there is some exceptional reasons why heavy excess expenditure should be incurred. By way of giving such an exceptional reason as I have in my mind, I may mention the great development which took place in the early days of the goldfields. That would constitute a good reason. In connection with that development we had such matters as water supply to be taken in hand and dealt with promptly and effectively; and so there was justification for excess expenditure. The reason, I say, was a good one; and I go so far as

to say I hope there may be such reason again, because expenditure of that nature proves the country to be advancing rapidly. I have little doubt that with the care which will be exercised in the future, and which it seems to be the desire of both the present Government and the Opposition to exercise, there will be no extraneous expenditure where it can be avoided; and thus the amount of Excess Bills will be considerably lessened. I repeat, however, that there have been reasons, and good reasons, occasionally for excess expenditure; and that in the case of this Bill also there are items in which excess could not have been avoided.

MR. F. WILSON (Perth): I want to express my surprise at the last speaker's surprise at the amount of this Excess Bill. The leader of the Opposition has had four or five years' training in a good school; and I do not think he ought to express surprise at any Excess Bill.

HON. F. H. PIESSE: I qualified the remark by saying there were instances in which the excess expenditure was justified.

MR. WILSON: I thought it would have become quite second nature with the leader of the Opposition to see these Excess Bills brought down to the House. I have expressed my opinion on them time after time. Only a few weeks ago I stated how strongly I was opposed to them. I will not repeat the arguments I adduced at that time. The speech put forth by the leader of the Opposition (Hon. F. H. Piesse) is very plausible as to his not being responsible, but I ask members to take for instance the item of railways. The hon. member says they have had a great increase of revenue—I think he says £55,000—and they have spent £167,000 in increased expenditure. It is hardly sufficient reason to advance to this House, that in order to earn an extra £55,000 we are justified in bringing down an Excess Bill for £167,000.

HON. F. H. PIESSE: I did not frame that estimate.

MR. WILSON: I am simply dealing with the excuse the hon. member put forward. The hon. member has tried to excuse this Excess Bill. I am trying to point out that his arguments are very far from being correct. Another excuse he advances is the increased price of coal.

HON. F. H. PIESSE: I will have something to say about that later on.

MR. WILSON: I want to point out that the increased price of coal took place in May, and the Excess Bill is up to June, 1901; so how could the price of coal affect the Excess Bill?

HON. F. H. PIESSE: Five months of that year.

MR. WILSON: It is expended up to June, 1901. The increased price of coal could not affect the excess of expenditure on railways.

HON. F. H. PIESSE: It will affect something.

MR. WILSON: Although the excuses of the hon. member may be plausible, and may find some reception at the hands of members who do not care to examine figures, those excuses will not hold water when they are looked into. The fact of the matter is there is no excuse for these Excess Bills. It has been the custom to bring down enormous Excess Bills ever since I have sat in the House, and it is time the system was put a stop to. I admit, as I have admitted before, it is necessary that Ministers should have some latitude for expenditure which cannot be foreseen; but pass a contingent vote for something like £50,000, and when they have expended that £50,000, then they can bring a schedule of expenditure down to the House and get the authority of the House. It is no question of balance at all, as the hon. member put forth. It is a question of authority, and I take it this House should control the expenditure of public money. This Parliament must authorise the work to be carried out under the Loan Estimates, and if the hon. member is to follow the course he has been trained to in the past—and that is to construct works which have never been authorised, and then leave undone works which Parliament says shall be constructed—of course he will come down with Excess Bills. That is what I want to warn the House against.

HON. F. H. PIESSE: The hon. member's coal has never been carried.

MR. WILSON: I have no coal. I suppose the hon. member refers to Collie coal again.

HON. F. H. PIESSE: Yes.

MR. WILSON: The hon. member does not know what he is talking about. I suppose the coal is charged the ordinary rate of $\frac{1}{3}$ d. per ton per mile. Does not

that pay? I should like to carry all the coal that comes to this country any distance at that rate. If it does not pay, you want to do away with this excess expenditure. That is where the shoe pinches: the railway expenditure is too much.

MR. GEORGE: Reduce wages?

MR. WILSON: No; decidedly not. Let the men work reasonable hours, earn good pay, and do their work, and let us do away with a number of hands not earning 5s. That is about all I wanted to say with regard to the matter. There has been no defence of this Excess Bill. We are bound to pass it; we cannot help ourselves, for the money has been spent, so it is a mere formal matter. Whether we pass the Bill or not, it will not save expense, because the expenditure has been incurred. The proper course to take is to stop Form J., give a contingent vote, and then let Ministers expend that sum under warrant from the different departments.

MR. W. J. GEORGE (Murray): In reference to these Excess Bills I am not going to depart from the view I have always taken in this House, and, if I may be permitted to offer a suggestion to the Colonial Treasurer, I would say that the matter might at any rate have been made much more simple, if the dates upon which these grants were given had been stated in the Bill. So far as the £88,000 in railway matters, salaries provisional and temporary, is concerned, that might have been explained away, and explained away satisfactorily by the chief of the department. With that I have nothing to do, but I do not think I should be doing right if I did not draw attention to an item here in contingencies—materials and stores of all kinds for the working of the railways, £65,367. When I turn to the previous year I find that the item was only £18,568. The volume of trade on the railways in 1900-1901 was not so much in excess of that of 1899-1900. I have not the slightest doubt that if an analysis were made, the bulk of the stuff carried would show very little difference in the figures. I do not know who is to blame, and I do not care, but whoever has under-estimated material and stores for a settled industry like the railways to such an extent in one year is deserving of censure. I do not care who it is. I

can understand the question of wages causing an increase, for that is a fluctuating item; there may be circumstances in which it is necessary to put on more hands, or in which the wages may be raised; but the materials and stores required to work a railway such as ours should be known, certainly within a measurable amount, and £65,000 is not a reasonable sum to have to ask for in an Excess Bill.

HON. F. H. PIESSE : What has it been caused by ?

MR. GEORGE : I am not aware what it has been caused by. I shall be rejoiced to learn from the Colonial Treasurer what does cause it, because this is not a question of party, but a question of attending to the business of the State. We are all together as it were co-partners in a business, and if there is some loss, I think we are entitled to know what the reason is. It is not a question of fixing blame upon either one Government or another. As to Form J., I may say I brought that question up very strongly two sessions ago, and last year. I took a clear analysis of about six years, and pointed out how the votes of this House were systematically not carried out, and that money which should have been used for certain purposes was used for purposes that were not authorised. I pointed that out, and so long as I remain in Parliament, and there is necessity, I shall continue to point out what I consider to be the iniquitous use of Form J. With regard to Perth Park Circular-road, whoever is responsible for that item is deserving of severe censure. There was a vote taken for Perth Park, and this Circular-road is not a recent matter, but has been brought forward for a long time; even before the last Estimates were framed. I think it wrong that £4,000 should be left. I see there is an item of water for £1,700. No doubt that is necessary, but it should have been submitted to Parliament, and could, I think, have been submitted. There are also additions to the Perth Post Office, £1,400. It is a matter that must have been foreseen, and I should like to know if the Colonial Treasurer can tell us if these items have been known by his predecessors and have been kept back to deceive Parliament. If that has been the case, I think the House

should pass a severe vote of censure. It is immaterial whether it was the former Government. If they have been the sinners, let them bear it. It is the duty of this House to see into these matters, because we have to find the money. There are, of course, a number of small items which could not have been foreseen, but it would take a lot of items of £5, £6, and £7 to make up £350,000.

A MEMBER : 134, p. 14.

MR. GEORGE : Perth Central Station stables. I have that marked. They are in Roe street, and the sum is £1,228. The former House had absolutely no voice in the matter. Probably the House would have voted the money, but we have a right to know about these things. I wish to conclude my remarks by saying that if the Colonial Treasurer has framed his Estimates so that there will be none of this business in future, he will have done good service to the country, and I hope to be able to congratulate him. I think with the member for Perth (Mr. Wilson) that there should be a contingent vote, but I should not be inclined to let it run into more than £10,000 or £15,000. I would not let any Minister of Works have control of the public works to do as he likes with them; I do not care who he is. Parliament are the custodians of the funds and ought to deal with them. There is another item, additions to schools. I am not likely to complain of that. The sum is about £7,000. What I do complain of is that there are items which could have been and must have been, I believe, known when the former Estimates were framed.

THE COLONIAL TREASURER : They were known and were cut off.

MR. GEORGE : Then it was most reprehensible indeed. I notice there is furniture for public offices running to nearly £2,000. That must have been known. The indents, or at any rate the requisitions, must have been properly framed, and should have been before the Ministers who had to deal with them.

THE MINISTER FOR MINES : Page 17.

MR. GEORGE : Expenses in connection with surveys in Kimberley district, £1,976. I find in connection with Kimberley exploration, its equipment, the surveys, and so forth there is a sum of nearly £4,000. I think Parliament

should have an opportunity of expressing some opinion on that; not in any way with the idea of blocking the work. I do not know it is necessary to say any more about it. I suppose we shall have to pass the Bill, but I hope it will be the last time it will be necessary for any member to draw attention—particularly the attention of new members—to the fact that things have been carried on year after year in absolute defiance of parliamentary rights.

MR. DAGLISH (Subiaco): I do not think it is necessary to continue flogging what I consider a dead horse, but I would like to point to a little fact that came to my knowledge with regard to the preparation of the Estimates. Estimates were prepared and sent on to the Minister of the day in the former Administration. These estimates related to the payment of salaries, and provided for the employment of so many persons at such a rate of pay, and then showed the gross amount required to cover these persons. The Estimates were allowed to remain as they stood in regard to the number of persons employed and the rate of pay to be given them, but the gross amount was reduced. Provision appeared to be made for the payment of, say, 25 persons at £150 a year, but the gross amount was wrong through a reduction made by the then Colonial Treasurer in the total amount on the Estimates. The consequence was that Parliament was asked to provide for the payment of, say, 25 persons an amount sufficient only to pay perhaps 20 persons. That will show the way in which estimates were put before this House; and when a point like this was brought before the Treasurer of that period, the reply was, "Go on and spend the money until it is exhausted, and then you must have recourse to Form J. Parliament was wilfully misled in regard to those Estimates, and consequently we have Excess Bills in which we find portions of salaries appearing from time to time. In the Railway Department, for instance, no less than £88,000 appear in this Excess Bill for the payment of salaries.

MR. W. J. GEORGE: Some of that is for additions to the wages.

MR. DAGLISH: Some of it may be so, but the total amount is something dreadful. I am glad, like other members,

to receive the assurance of the present Treasurer that this sort of thing will not occur, as far as the present Government are concerned; and I hope it will not occur in regard to any future Government, or this House should deal very summarily with the offender. I should like to see Form I. and Form J. very much less fashionable, if not absolutely discredited. I do not know whether it will not be possible, by Supplementary Estimates, to provide for all sorts of special or extra expenditure; but I should prefer that instead of passing a contingency vote for the Government to operate on at their discretion, Parliament should be called together whenever any large amount of money was required to be expended, in the case of sudden and rapid progress being made during a year, or in the case of great developments occurring in one spot requiring heavy special expenditure. In such cases Parliament should be consulted before such expenditure is undertaken. In the meantime I will suggest to the Premier that he should proclaim a public holiday for dealing with Form I. and Form J., and have these forms exhibited for public execration, and they might be afterwards publicly burnt in the presence of a rejoicing—

HON. F. H. PIESSE: There might be a reaction.

THE COLONIAL TREASURER: We would take the risk of a reaction.

Question put, and passed.

Bill read a second time.

IN COMMITTEE.

Bill passed through Committee without amendment, except the correction of a printer's error.

Bill reported, and the report adopted.

EARLY CLOSING ACT AMENDMENT BILL.

SECOND READING.

HON. W. H. JAMES (Minister), in moving the second reading, said: Hon. members will be aware that in the Early Closing Act of 1898 provision is made by Section 21 that the Act shall remain in force for a period of three years from the 1st November, 1898; so that unless action is taken to re-enact the measure, the existing legislation in regard to the early closing of shops will expire at the end of the present month.

I think I shall be expressing the unanimous opinion of the House when I say that although it may be desirable to make some amendments in the existing Act, yet we all approve of the principle of the measure, and desire to see a Bill of this sort placed permanently on our statute book. When we consider in what direction amendments should be made, we enter on matters of a very controversial nature. Anticipating the introduction of an amending Bill this session, I had prepared an amending measure of some 50 clauses to be submitted to this House; but when I placed the measure before one or two competent authorities for an expression of opinion, I found that they desired amendments of such a nature that, to deal with the question properly, we should have to have a Shops and Factories Bill, and not an Early Closing Bill only. It appeared therefore desirable that if we were going to amend the existing legislation and place a permanent measure on our statute book, we should go into the matter thoroughly; and I decided therefore that an entirely new Bill would be desirable for dealing with the Early Closing of Shops Act more than with the question of factories, rather than introduce a Bill dealing partly with shops and partly with factories in the present session. For instance in certain tailors' shops, under the existing law dealing with early closing, you might prohibit the employment of shop assistants; but of course the tailoring hands do not come under the definition of shop assistants, for although perhaps employed in the same building, manufacturing goods to be sold in the shop, they are not classed as shop assistants. Although it may be considered desirable to extend the Early Closing Act to employees who are not shop assistants, yet in doing so you would at once depart from the Early Closing Act and make a Factories Act. And so also when you deal with hair-dressers: they should not, strictly speaking, come within the purview of an Early Closing Act, for persons employed in this trade are not either shopkeepers or shop assistants. If we are to deal with a question like that, where it may be thought desirable to extend the Act, those clauses could not be dealt with in a Bill dealing

with the early closing of shops, but in a Bill dealing with factories. Having decided, therefore, that it would be desirable to deal with this thoroughly when dealt with at all, it would be obviously impossible to pass through this House in the present session a Bill of such a contentious nature as a Factories Bill would be, or of such a contentious nature as an amending Early Closing Act (shops) would be, if we sought to include in the amendments all that is thought to be desirable by members on one side of the House or the other. The only course to give permanency to our present Act was, therefore, to introduce this short Bill, which consists of one clause only, to the effect that we make our present Act permanent and leave the question of amending it to a future time. We shall, in this way, prevent our present Act passing out of existence at the expiration of the present month, so as to keep things as at present; and I think the amending Bill can be dealt with on another occasion. I propose to ask members not to bring forward amendments at the present time, and I hope to introduce an amending Bill before the end of this session, with the view to allowing time for its future consideration.

MR. GEORGE: Before the end of this session?

HON. W. H. JAMES: To introduce it before the end of this session, for consideration. That matter can be dealt with later, and we can go into it thoroughly; but I do say that it will be quite impossible between this date and the 1st November to introduce an amending Bill dealing fully with the whole question, and not only to introduce that Bill but to carry it through this House and the Legislative Council. For if we begin amending this Bill we shall be simply in this position, that the Bill will not pass in time, and the existing legislation will lapse. I desire hon. members to bear this in mind; because, as I previously said, all of us approve of the present Act, although we think it should be amended in some respects.

MR. GEORGE: You propose to introduce another Bill?

HON. W. H. JAMES: A Bill which I have now in preparation, and which is partly in print, deals with the whole subject; but it introduces contentious matter which cannot be disposed of in

the course of a fortnight. Even this House alone could not do that. I think hon. members will agree with me that if we are to introduce an amending Bill, it is most essential that the Bill should be widely circulated, and that ample time should be given, not only to hon. members, but to others outside the House, to grasp its extent and operation.

MR. GEORGE: That puts it off until next year.

HON. W. H. JAMES: Our present Act is a good one, though the Bill now before the House is not so much for the purpose of affirming that the present Act is perfect, as to keep it in existence. The present Act will lapse unless we keep our minds on that main object. This Bill cannot go through if we once begin dealing with contentious amendments, which are bound to raise a good deal of discussion. I have been approached by several members who have suggested amendments on one side or the other; and I have asked those hon. members to delay their amendments, as these cannot be fully discussed in the course of a week or so. I move the second reading of the Bill, and I hope I am right in saying that those who are desirous of seeing the principle of the present Act maintained, and do not wish to see that Act wiped out, will support the Bill and avoid proposing contentious amendments.

THE SPEAKER: The question is that the Bill be read a second time. Personally, I am rather doubtful, on a point of order, whether another Bill of the same character can be introduced during this session, since it would be dealing with the same question again.

MR. McDONALD (Cockburn Sound): I am with the member for East Perth (Hon. W. H. James) in his desire to see the operation of the present Act continued; but only on condition that another Bill be brought in, so that amendments may be introduced. I understand the hon. member does not wish amendments to be introduced into this Bill.

MR. GEORGE: If you would indicate what amendments you want to move, it might act as a guide for the member for East Perth.

MR. F. McDONALD: I think the member for East Perth knows the amendments which I desire to move.

MR. F. WILSON (Perth): I am sorry that the member for East Perth did not bring in this Bill at an earlier stage of the session. He has now only a fortnight in which to pass it. Certainly I, for one, would have liked to move some amendments in and additions to the Bill. For instance, the hairdressers of the city of Perth have waited on the Colonial Treasurer with a request that their shops be included under the sections which control the half-holiday; that is to say, they desire to close on Wednesday or Saturday afternoons in the same way as other shops do. I may mention that both employees and employers desire this amendment in the Act; and, that being so, I see no reason why the House should not pass an amendment to that effect. Wherever you find men and employers combined—

MEMBER: They can do it without legislation.

MR. WILSON: An hon. member says they can do it without legislation. No doubt the hairdressers could and would do so, with the exception of some small shops, which depend for their existence principally on betting. Those shops constitute the trouble. They will not close for any half-holiday. The genuine hairdresser wishes to be brought under the Act. I therefore intend to move an amendment in Clause 12 to the effect I have indicated. My intention is to move that part of the clause be struck out, so that hairdressers may come under the provision and close for half a day on either of the two days set forth by proclamation, Wednesday or Saturday. There is another matter which might well be mentioned, although perhaps we cannot deal with it in this Bill; and that is the question of stationers closing. A difficulty arises in this connection. Stationers expose for sale all classes of goods; and the inspectors under the Act are taking exception to certain classes of goods being exposed for sale. There appears considerable difficulty in distinguishing between stationers' wares and ironmongery, fancy goods, and other wares of that description. I do not know that we could very well amend this Bill to settle that question; but I do say, so far as hairdressers are concerned, having had an opinion voiced so strongly by both masters and men, we should introduce an

amendment which will give effect to their desires. I simply give this notification, that when we reach the Committee stage I intend to move in the direction indicated. The amendments will not require very much discussion, and will hardly delay the passage of the Bill by half an hour. Farther, I am quite sure that in the Upper House the Bill will receive the same happy despatch as here, and that people desiring relief will have the relief they desire.

MR. W. D. JOHNSON (Kalgoorlie): I certainly think that hairdressers should come under the provisions of the Act; but, at the same time, there are other classes of employees desiring to be included. I for one have several sheets of amendments submitted to me from the goldfields, in connection with the Bill. If the amendment of the hon. member (Mr. Wilson) to include hairdressers be moved, I shall be in duty bound to move my amendments. The member for East Perth (Hon. W. H. James) has pointed out that it will be impossible to get the Bill through in a fortnight if we introduce amendments. I think, therefore, that the wisest course will be to simply pass the Bill as introduced, leaving amendments to be made in a Bill to be introduced at a later date by the hon. member. If the amending Bill cannot be introduced this session, then let it be done next session. I may point out to the member for Perth (Mr. Wilson) that if both employers and employees in the hairdressing trade are desirous of having their half-holiday, they can have it. Certain classes of employers and employees on the goldfields have come to an agreement on the subject; and the closing arrangement has worked well; and what can be done on the goldfields can be done in Perth. We have, unfortunately, on the goldfields betting and "tote" shops just as there are in Perth; but that does not alter the fact that business places close for the Wednesday half-holiday. If one amendment be moved, I shall move a dozen; and that goes to show that many dozens will be moved, and so the Bill will not pass the two Houses in the specified time.

MR. H. DAGLISH (Subiaco): I should like to urge the member for Perth to agree to the suggestion of the

member for East Perth; because I, like the last speaker, have several amendments which I desire to move when the Bill dealing with shops and factories is before the House. I think it is well understood outside the House that there is good reason for allowing the present Bill to pass as it stands. I therefore urge the member for Perth to fall in with the general desire and allow the present legislation to be re-enacted before its time expires. We have the assurance of the member for East Perth that he will, in this session, introduce a comprehensive Bill dealing with the subject. Surely, therefore, we can afford to wait a week or two, and give him a chance to fulfil his promise. I urge that the Bill be passed as it stands.

THE COLONIAL TREASURER (Hon. F. Illingworth): I desire to mention that a deputation waited on me last week and urged strongly that the proposed amendments relative to hairdressers should be passed. I promised, on behalf of the Government, that the amendments would be made; but I think hon. members will see that it is not possible to make the amendments in this particular Bill without risking the total loss of the Early Closing Act. The Government would have been pleased to keep their promise in this respect; but I really think it would be better to allow this Bill to pass as it stands, and endeavour to make the amendments later on.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

Clause 1.—Repeal of Section 21 of 62 Vict., No. 36:

MR. F. WILSON: In deference to the wishes of his friends on the Labour bench, he would refrain from pressing the amendment which he had mentioned on the second reading. It appeared that if he moved the amendment, those hon. members would be placed in a false position, and would be compelled to move numerous other amendments. Under the circumstances he would accept the suggestion of the member for East Perth, and await the introduction of the Bill which would cover the ground referred to in his proposed amendment.

Clause put and passed.

Preamble and title—agreed to.

Bill reported without amendment, and the report adopted.

PRAWN FISHING ACT REPEAL BILL.

SECOND READING.

THE MINISTER FOR WORKS (Hon. W. Kingsmill), in moving the second reading, said: This Bill is of a size perhaps commensurate with the question which it deals with, and it has been brought down with the laudable object of removing a burden from our present statute book. The object of the Bill is to repeal the Prawn Fisheries Act of 1876. Since that Act was passed several fisheries Acts have been passed through both Houses of Parliament and have become law; and under the last Fisheries Act which was passed, namely that of 1899, regulations may be made which would effect the same object as the Prawn Fisheries Act of 1876. With the object, therefore, of removing from the statute book an Act which has become practically ineffective, this little Bill has been brought down. Under Section 7 of the Fisheries Act of 1899 the Governor may declare any water to be closed water for all or any kind of fishing, and for any times specified; and in the interpretation clause of the Fisheries Act, 1899, the word "fish" is made to include crustacea; therefore it will be evident to members that the prawn fishing can be governed by regulations. There has been a considerable amount of uncertainty as to the sporting season of these little animals, and inquiries are now being made and reports are being prepared about the correct time to adopt as a close season for them. While the Bill was in another place some slight objection was taken that the regulations under the Fisheries Act were not laid upon the table before this Act was repealed, and that objection was made by a legal gentleman who I must say ought to have known somewhat better, because it would be impossible, I think every member will admit, to make the regulations override; and to make them *ultra vires* in relation to an Act of Parliament. Until this Prawn Fishing Act Repeal Bill is assented to by the Governor, no regulations can be made; and I can assure hon. members that every inquiry is being made by the Fisheries Department so

that these regulations, when made, will be effective, and will specify a proper time of the year for the close season; and so soon as the Governor's assent is given to this Bill, the regulations will be put into force, so that there will be no interregnum. These unhappy little denizens of the deep will not be persecuted. I beg to move the second reading of the Bill.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

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

FOURTH JUDGE APPOINTMENT BILL.

IN COMMITTEE.

Clause 1—Appropriation of the annual sum of £1,400 for Judge's salary:

HON. F. H. PIESSE: The existing section of the Judges' Pensions Act was very ambiguous in regard to the time when the pension should be available. He understood the Premier to say, at the last sitting, that the matter would be considered by him, and that the hon. gentleman intended to bring down a proposition which could be embodied in this particular Bill.

THE PREMIER: The matter could not be dealt with in this Bill. There was no ambiguity in the Act. The Judges' Pensions Act provided that a man might retire after he had been 15 years on the Bench and was 60 years of age, and then it required a certificate by a medical man which should satisfy the Governor-in-Council that he was unfit by reason of infirmity of either mind or body to continue his duties. If members thought it necessary to amend the Judges' Pensions Act, he would bring down an amendment in order to limit that 15 years, and to alter, if necessary, the terms or conditions under which a medical certificate was issued. He would bring that Bill down at once.

MR. R. HASTIE: Supposing a Judge were appointed and a medical certificate were presented declaring he was unfit to remain in such position, would the Judge be entitled to the full pension, after he had been on the Bench six months or a year?

THE PREMIER: Yes.

MR. W. J. GEORGE: Was one to understand that the Attorney General agreed that if a Judge were appointed and served only a short time, he would get a pension?

THE PREMIER: That was the provision of the present Pensions Act. In order to meet that objection he would bring down an amending Bill, so as to give members an opportunity of expressing their views. The subject could be discussed in Committee of the House or by a select committee, or in whatever way members liked.

MR. GEORGE: Before, when a fourth Judge Bill came under discussion in another Chamber, one member tried to introduce an amendment, which he (Mr. George) thought very reasonable, that in case any Judge should avail himself of the Judges' Pensions Bill before the expiration of 15 years, the pension so paid should be in proportion to the number of years served, say up to 15 years. He did not think there was much objection to that. By such a system, if a Judge served five years he would be entitled to a third of the pension that he would receive if he served 15 years.

MR. HASTIE: We were invited to pass this Bill empowering the Government to appoint a fourth Judge. Supposing that fourth Judge were appointed before the House had an opportunity of discussing the Pensions Act, would it not be understood that we could not interfere with the Pensions Act so far as that fourth Judge was concerned?

THE PREMIER said he would give an undertaking that the Judge should not be appointed until the House had an opportunity of discussing all these matters.

MR. W. F. SAYER: There was an ambiguity in the Pensions Act, and he was misled at one time in reading the Act. In the marginal note we were referred to the Act of Queensland, and there was no doubt that under the Queensland Act a Judge was entitled to his pension after serving 15 years, or before he had served 15 years if incapacitated from performing his duties as a Judge. We in this State, in enacting the Judges' Pensions Act, cited a certain number of years which made the construction of the Act somewhat ambiguous, because it provided that every Judge of the Supreme

Court should be entitled to his pension on resigning his office after having served 15 years as a Judge in that court and attaining the age of 60, and on its being made to appear from the medical certificate that he was incapable of performing his duties. Therefore this service of 15 years might very well be taken to be a condition precedent to any pension at all. It showed how very ambiguous this section was. He never came across an instance of so much ambiguity in one section before. It all depended on where one made a pause in reading the section. He had no doubt now that every Judge was entitled to his pension after 15 years' service or if he became incapacitated at any time after appointment, even if he became incapacitated immediately.

Clause put and passed.

Preamble and title—agreed to.

Bill reported without amendment, and the report adopted.

CRIMINAL CODE BILL.

RECOMMITTAL.

On motion by THE PREMIER, Bill recommitted for amendments.

First Schedule, Clause 103—Other illegal practices:

MR. W. F. SAYER proposed to add a sub-clause which would in effect declare the law as at present. This clause dealt with the subject of cab and carriage hire at elections; and as he had pointed out before, he had omitted this sub-clause from the Code as printed, although the sub-clause was in the existing Electoral Act. He had since considered the clause carefully, and now thought that to extend the provision beyond the existing law would be dangerous, because there might be circumstances under which an elector might be carried to the poll without any intention to influence his vote. The sub-clause provided that it should be an illegal practice for a candidate to provide any cab or carriage hire for the conveyance of any elector to the poll with a view to influence the vote of that elector. By inserting this sub-clause the electoral law on the subject would be declared to be the same as in the Electoral Act.

Question put and passed, and the sub-clause added.

Clause 208—Gaining houses:

MR. SAYER proposed that the last paragraph of the clause be struck out,

and a new paragraph inserted for the purpose of effecting a verbal alteration relating to and permitting the use of the totalisator on a racecourse during the days of any race meeting. The paragraph as it appeared in the Code was not quite accurate as representing the existing law, and he had therefore made a verbal alteration for the purpose of exactness.

Question put and passed, and the new paragraph substituted.

Clause 384—Concealing royalty:

MR. SAYER proposed that the clause be struck out, with a view of inserting a new clause expressing the same idea somewhat differently. This clause created an offence for concealing royalties by a lessee, or making a false return with intent to defraud any person entitled to participate in the minerals which were being worked on a private property.

MR. R. HASTIE: Why should this provision apply entirely to mines? It might apply also to farming. The clause should be made to apply to any of the products of the soil, whether above or below ground.

MR. SAYER explained that the object of the clause was to meet the case of a lease granted for mining on private property. This being a new kind of tenure in this country, some legislation was required to guard against a possible act of fraud on the part of the lessee, where mining rights were acquired over private land, and even against the will of the owner of the land.

Question put and passed; the clause struck out, and a new clause to the same effect (as in Notice Paper) inserted.

Third Schedule—Statutes of Western Australia:

MR. SAYER moved that the following words be struck out: "58 Vict., No. 19, the Dentists Act—Section 14," and "58 Vict., No. 35, the Pharmacy and Poisons Act, 1894—Section 14," and "58 Vict., No. 36, the Medical Act, 1894—Section 21" (page 251). Although these criminal provisions were comprised in the Bill, yet it was desirable that Acts of a special character should be complete in themselves: hence he thought it well to retain the sections referred to in their respective Acts.

Amendments put and passed, and the schedule as amended agreed to.

Bill reported with farther amendments.

PERMANENT RESERVES AMENDMENT BILL.

SECOND READING (MOVED).

THE PREMIER (Hon. G. Leake), in moving the second reading, said: This is a small Bill designed to give the authorities power to run roads through reserves which are classified as "A" reserves. Great inconvenience occasionally results from the circumstance that there is no power to declare such roads. Take a reserve like the Perth Park: it might be necessary at some time or other to declare a road through that; but under the existing law there is no power to do it. There are large reserves situated in various parts of the State, and considerable inconvenience may be caused to public traffic in the future for want of this legislation. The only object of the Bill is to enable the authorities to take such a course as I have indicated. I do not think the Bill requires any explanation: it almost speaks for itself.

MR. W. H. JACOBY: I move the adjournment of the debate.

Motion put and passed, and the debate adjourned.

ROADS AND STREETS CLOSURE BILL.

SECOND READING.

THE PREMIER (Hon. G. Leake), in moving the second reading, said: This is a formal Bill for closing certain roads and streets in various parts of the country. No particular explanation is required in regard to it. I may say that in moving various almost formal Bills which are set down for second reading, I endeavour to meet the convenience of hon. members on the other side of the House; but I do wish that when the Opposition have declared in favour of one course, they will not ask for the adoption of another after arrangements have been made. This Bill explains itself, and I formally move the second reading.

Question put and passed.

Bill read a second time.

LAND DRAINAGE AMENDMENT BILL.

SECOND READING.

THE PREMIER (Hon. G. Leake), in moving the second reading, said: I simply submit this Bill to the House. There is no need to take it into Committee to-night.

I do not know that the measure contains anything debatable: no principle is involved in it. Whatever variations are to be made in the proposed amendments can be made in Committee. A great many of the amendments, it will be observed, are merely verbal, and do not alter the scope of the Bill at all. The chief alteration is in that portion of the Bill which takes the control of drains out of the hands of the Minister for Works and puts it in the hands of the Minister for Lands. At present there is a sort of dual control which is found to be very inconvenient. Most of the amendments are explanatory. I do not propose to deal with these amendments in detail on the second reading, but they can be dealt with when we get into Committee.

HON. F. H. PRESSE: We will agree to go into Committee.

THE PREMIER: The member for the Williams (Hon. F. H. Piesse) seems to agree with me that there is no particular principle involved in the Bill, and we can go into Committee. I beg to move the second reading.

Question put and passed.

Bill read a second time.

ADJOURNMENT.

The House adjourned at a quarter to 11 o'clock, until the next day.

Legislative Council,

Wednesday, 16th October, 1901.

Question: Dividend Tax, Received by Wardens—Paper presented—Question: Railway Officials, Extra Duty, Bonus—Question: Railway Survey, Coolgardie to Norseman—Question: Railway, Brown Hill Loop—Motion: Rifle Clubs, Ammunition—Friendly Societies Act Amendment Bill, first reading—Notice of Motion, Irregular—Return ordered: Courts Business at York, Northam, and Newcastle—Land Act Amendment Bill, third reading—Divorce and Matrimonial Causes Amendment Bill, third reading—Roman Catholic Church Lands Amendment Bill, second reading—Trade Unions Bill, second reading—Contractors and Workmen's Lien Bill, second reading, resumed, concluded—Probate and Administration Amendment Bill, in Committee, resumed; Recommitment—Public Health Act Amendment Bill, Postponement—Dog Act Amendment Bill, second reading, in Committee to Clause 28, progress—Adjournment.

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

PRAYERS.

QUESTION—DIVIDEND TAX, RECEIVED BY WARDENS.

HON. T. F. O. BRIMAGE asked the Minister for Lands, without notice: Will the Government give notice to wardens to accept the dividend duty tax?

THE MINISTER FOR LANDS replied: Yes.

PAPER PRESENTED.

By the MINISTER FOR LANDS: Particulars as to telegraphic communication with Mertondale, as ordered.

Ordered to lie on the table.

QUESTION—RAILWAY OFFICIALS, EXTRA DUTY, BONUS.

HON. J. T. GLOWREY asked the Minister for Lands: 1, If the Government is aware that several of the station-masters and other officials on the Eastern Goldfields line performed a large amount of extra duty during the recent railway strike. 2, If so, does the Government intend to recognise their services by giving them a bonus or extra holidays?

THE MINISTER FOR LANDS replied: 1, Yes. 2, Yes; instructions have already been given that their services are to be recognised.

QUESTION—RAILWAY SURVEY, COOLGARDIE TO NORSEMAN.

HON. T. F. O. BRIMAGE asked the Minister for Lands: When is the pro-