

On motion by MR. MONGER, debate adjourned until the next sitting.

ADJOURNMENT.

The House adjourned at 10:50 o'clock until the next Tuesday.

Legislative Council,

Tuesday, 25th September, 1900.

Petition: Coolgardie-Norseman Railway, to construct—Papers presented—Question: Mails to Eastern Districts—Question: Savings Bank and Deposits by Friendly Societies—Question: Mining Commission, Cost, etc.—Question: Mr. Dreyer's Surveys—Motion: Rabbit Pest, Prevention—Contractors and Workmen's Lien Bill, first reading—Motion: Payment of Members, to Legislate immediately—Public Health Act Amendment Bill, first reading—Motion: Post and Telegraph Offices, Hours of Closing, debate resumed (negative)—Slander of Women Bill, third reading—Compensation for Accidents Bill, third reading—Commercial and Business Holidays Bill, in Committee, reported—Assent to Bills (2)—Registration of Births, Deaths, and Marriages Act Amendment Bill, second reading—Public Service Bill, first reading—Adjournment.

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

PRAYERS.

PETITION—COOLGARDIE-NORSEMAN RAILWAY.

HON. A. P. MATHESON presented a petition from the Coolgardie Chamber of Mines, in favour of the construction of the Coolgardie-Norseman railway.

Petition received, read, and ordered to be printed.

PAPEKS PRESENTED.

By the COLONIAL SECRETARY: 1, Census of Australasia, 1901, Report of Conference of Statisticians held in Sydney in January, 1900; 2, Lands and Surveys, Report for 1899. 3, Postmaster General, Report for 1899; 4, Government Photo-Lithographer, Report for 1899-1900; 5, Department of Agriculture, Report for 1899; 6, Agricultural Bank, Interim Report, 1900.

Ordered to lie on the table.

QUESTION—MAILS TO EASTERN DISTRICTS.

HON. M. L. MOSS asked the Colonial Secretary: 1, How many mails leave Perth and Fremantle, respectively, for Newcastle, Northam, York, Beverley, and Bunbury daily? 2, Will the Government give directions to the Postal Department so that Fremantle and its district will be put on the same footing as Perth in the matter of mails to the above-named places? 3, If not, why not?

THE COLONIAL SECRETARY replied:—1, From Perth, twice daily, direct. From Fremantle, once daily, direct. 2, Fremantle is practically on the same footing as Perth in regard to mails to the places mentioned, as all mails not sent by the direct Mails from Fremantle to those places are included in the Perth mails and sent on from Perth by the later train. 3, Answered by 1 and 2.

QUESTION—SAVINGS BANK AND DEPOSITS BY FRIENDLY SOCIETIES.

HON. J. M. SPEED asked the Colonial Secretary: When the Government intend to accept deposits in the Government Savings Bank from trustees of the friendly societies?

THE COLONIAL SECRETARY replied:—The necessary forms have been prepared, and are now being submitted for the opinion of the Crown Law Department. If such opinion is favourable, the forms will be at once printed, and notice issued that the Savings Bank is ready to receive deposits from friendly societies.

QUESTION—MINING COMMISSION, COST, ETC.

HON. F. WHITCOMBE asked the Colonial Secretary: 1, What was the total cost to the country of the Mining Commission held in 1897? 2, If the Government intend to submit for legislation the Mining Act framed in pursuance of the report of such Commission, and which was withdrawn from the Legislative Assembly in 1898?

THE COLONIAL SECRETARY replied:—1, £5,585 4s. 4d. 2, The Government does not intend to introduce any new mining legislation of a special character during the present session of Parliament.

QUESTION—MR. DREYER'S SURVEYS.

HON. F. WHITCOMBE asked the Colonial Secretary: 1, If it is customary for officers of the Lands Department to inspect or check the work of contract surveyors? 2, Has any of the survey work carried out by Mr. Dreyer (now of Northampton) been adversely reported upon or condemned by the Survey office or officers; if so, by whom, and upon how many occasions? 3, Was Mr. Dreyer (subsequent to such adverse report, if any,) employed by the Lands Department? 4, Is the Minister aware that the services of qualified and competent surveyors can be readily obtained in the colony? 5, Does the Minister realise the far-reaching consequences of careless and incorrect survey work? 6, Is the Mr. Dreyer mentioned related to or connected by marriage with any of the Ministers of the Crown; and, if so, to which Minister and what is the relation or connection? 7, Was the customary recommendation from the Surveyor General forthcoming prior to the appointment of Mr. Dreyer to the position he at present holds, and, if not, why not? 8, Is it a fact that a staff surveyor has been following Mr. Dreyer in his work, in order to supervise, and, if necessary, rectify the same; if so, was it by the direction of the Surveyor General or other officer of the Lands Department; and, if not by such direction, then by whose direction? 9, Further (if as last suggested), is such staff surveyor paid for such work by the colony, the Minister for Lands, or by whom? 10, Is Mr. Dreyer employed under the Lands Department at the present time; if so, in what capacity, and at what remuneration? 11, Is it permitted that a surveyor who works for or is paid by the Government shall act as a canvasser for votes in favour of a declared intending candidate for a seat in the Legislature of the colony?

THE COLONIAL SECRETARY replied:—1, Yes. 2, Yes; by G. W. Leeming three times, A. J. Wells once, and J. H. M. Lefroy three times. 3, Yes. 4, Yes. 5, Yes. 6, Yes; son-in-law to Minister of Lands. 7, The Surveyor General recommended that Mr. Dreyer should be given contract work on 13th May, 1899, and also on 16th May, 1899, but did not make the usual recommendation respecting his present employment

at Beagle Bay; it was unnecessary, as, at the time of the appointment, it was only intended to have a general report upon improvements and the possibilities of tropical agriculture, for which Mr. Dreyer was considered to possess special qualifications. 8, No. 9, Answered by No. 8. 10, Yes; temporarily, as a surveyor at 35s. per diem. 11, No.

MOTION: RABBIT PEST, PREVENTION.

HON. C. A. PIESSE (South-East) moved:

That, in the opinion of this House, the Government should take prompt measures to prevent the further advance of rabbits into this colony.

The subject matter of this motion had been brought before the House by him on previous occasions. To a great extent, however, his efforts had been received with some apathy; but he hoped hon. members would give this short motion the consideration which its importance deserved. There could be no two opinions as to the danger this colony was running in allowing rabbits to enter on the territory in the uninterrupted manner they were. The latest reports showed that rabbits were within a few miles of Norseman, and it was possible they might be found in small lots on this side of that place. It had been freely stated that residents on the goldfields would somewhat welcome the advent of the rabbit; but that he could not believe. Possibly one or two residents there might have made statements to that effect, and it was not necessary to go to the goldfields to hear similar opinions expressed, as some people had been heard to say that rabbits would create sport and provide another dish; but he could not believe the people on the goldfields would wilfully allow a pest of the kind to come into the colony, if any possible means of prevention could be found. He mentioned this, because it had been said that no matter what steps were taken by the House, those steps would be nullified to a great extent by the action of residents on the goldfields. The fact remained that rabbits were drawing near, but he would not, on the present occasion, enter into the details of the dangers we ran, nor dilate on the trouble and damage the pest had created elsewhere. Comments in the Press lately on this question did

not afford much help to those who took an interest in the matter in arriving at a conclusion, or in deciding the best means of preventing any further incursion of rabbits. The remedies that had been tried in the other colonies had failed to a great extent; and though fencing had been advocated in some places and poisoning in others, the rabbits had still got ahead. In this colony the circumstances were different, and, in his opinion, we could with safety take some steps in the way of fencing, say 50 miles this side of where the rabbits were said to exist. A rabbit-proof fence could be erected for, say, 100 miles, and the cost would not be excessive, because there were plenty of timber patches from which posts could be made. Failing fencing, however, there could be two different parties sent out, lightly equipped, at a cost of about £1,000 a year for each party, to destroy the small bodies of rabbits as discovered. Such action would, at least, show willingness on the part of the Government to check the pest, and no one had suggested any other means of preventing its further progress. He was not wedded to either of the plans he had mentioned, but he placed the motion before the House with the object of getting some useful information and suggestions as to the best means to be adopted, and in the hope hon. members were with him.

Question put and passed.

CONTRACTORS AND WORKMEN'S LIEN BILL.

Introduced by the HON. J. M. SPEED, and read a first time.

MOTION—PAYMENT OF MEMBERS, TO LEGISLATE IMMEDIATELY.

HON. W. MALEY (South-East) moved:—

That, in the opinion of this House, it is desirable that members of Parliament should be paid for their services, and that the necessary legislation should be brought forward this session.

He said: I recognise that the principle of payment of members is not a new one, but is perfectly understood by hon. members, and on the present occasion I need not speak at great length. The Federal Constitution which has recently been established, admits the principle,

seeing that members of the Senate are to receive £400 a year, and members of the House of Representatives are also to be remunerated. In all the other Australian colonies, members of Parliament are paid for their services; in some instances £200 a year, and in others £300 a year. In France, in Russia, in Austria, and in Switzerland, the representatives receive payments of various amounts. Some receive payment at so much per sitting, and others so much per annum. In the United States the members of the Senate receive, I believe, something like £1,000 a year, and a Senator is also allowed 10d. per mile for expenses, and £25 for stationery. Then again the principle is well established in all Ministries. Ministers receive payment for their services, and the same principle which applies to Ministers in my opinion applies to members of Parliament. There should be no false modesty on the question. If a labourer renders services and is worthy of his hire, he should be paid. Ministers are paid, and they are paid simply because they give the whole of their time and their ability for the good of the country. They are none the less patriots, and they are esteemed just as highly as if they were not paid; so that no sense of modesty should prevent members from voting for establishing this principle of payment of members. The question has been discussed in another place by an Assembly which was then elected fresh from the people, in 1897. On that occasion, by a majority of two to one, the other House decided in favour of the principle of payment of members. So what was done in another place on the commencement of a new Parliament was evidently done at the express wish of the people. I think the matter was then threshed out pretty largely and ably for the first time in this colony, and members were returned wedded to the proposal. I trust that what they did then they will confirm now by passing the measure. I believe that a Bill will be introduced during the present session, and I think that if this hon. House on the present occasion decides in favour of the principle, the Government will be strengthened in the desire I trust they possess to introduce this particular Bill in favour of the principle. I may say that so far as the recent election of

members to this House is concerned, almost all, if not all, of the members returned have been returned expressly pledged to the principle of payment of members. I myself distinctly remember that I gave a pledge that I would not only vote for it, but work for it, and endeavour to see a Bill passed at the earliest possible opportunity. Payment of members will give a wider range than at present exists in the selection of members of Parliament. Members of Parliament will be selected from young men who at the present time have not the means; men who are in poor circumstances, and have no probability of acquiring the means. By the adoption of this principle means may be placed at their disposal. Hitherto it has been practically "Hobson's choice" with regard to the election of parliamentary candidates in some districts. It is well known that in certain districts—I need not refer to any particular House of Parliament—members have been returned to one Parliament after another without any contest at all. Absolutely these members are the only persons the people have had to elect. I propose that the range shall be made wider, and that constituencies shall have better opportunities of selection. I do not think that we need fear adventurers. It is said by some that men will come forward for these positions who are mere adventurers, without any stake in the colony. I think we can safely trust to the wisdom of the people to select fit men, to distinguish between men of substance, intelligence, and integrity, and men who are mere adventurers. I do not think a referendum on the question desirable.

HON. R. S. HAYNES: What authority have we for a referendum?

HON. W. MALEY: I do not believe there is any authority established for a referendum; but even supposing the necessary legislation for a referendum were introduced during the present session of Parliament, I should still regard that course as undesirable, because in all probability the referendum would be taken at the same time as the voting was being conducted for the election of candidates, and it would then be too late for the constituencies to elect men who have not the means of presenting themselves to this House. I think that

if a Bill were brought forward during the present session and it became law, these constituencies would be placed in a fair position. They would know it would be feasible for them to elect members who would represent them, and who would probably require to be paid for their services. A referendum would not admit of that. I have very much pleasure in moving the motion.

HON. J. M. DREW (Central): I have pleasure in supporting the motion. During the present session I have already asked a question in regard to this matter, as to whether the Government intend to provide machinery during the present session of Parliament to enable a referendum to be taken at the next general election. The leader of the Government replied simply that the Government intend to carry out their undertaking. I submit that this was no reply to my question. I have not long been a member of the House, and am not aware whether this is the usual reply given to persons seeking information which is of interest either to their constituency or to the country. It is certainly not the class of reply which bespeaks a high regard for or appreciation of the intelligence of the men who constitute this Chamber. I think, however, that I can interpret the reply of the leader of the Government in this instance. It is abundantly clear to my mind that the Government have not the slightest intention to provide any machinery by which the referendum can be taken at the general election; and I shall be glad to hear from the leader of the Government in this House how they will be able to take a referendum at the general election without a special mandate from this and another House. How can a vote be taken without a special mandate from the Legislature of the colony? Can it be taken on the authority of the Premier? Can it be taken on the authority of the Government? Who will issue instructions to the returning officers in the various districts? What will be the penalty for impersonation? Can the Government, without the authority of Parliament, issue instructions to the returning officers of the colony authorising them to take a vote in connection with this matter? If they can, then I say there is no necessity for Parliament at

all: let the Premier fulfil all the obligations and duties of Parliament.

HON. F. WHITCOMBE: He does.

HON. J. M. DREW: Another point is: what will occur in the case of constituencies in which there is no contest? Will a vote be taken in those constituencies? This is a point upon which I should like to be enlightened, and I hope that before the close of the debate the leader of the Government will enlighten me in connection with this matter. I myself see no necessity for this referendum. That the country has unmistakably decided in favour of payment of members is shown by the fact that at nearly every election the successful candidate has been pledged in favour of the system. Nearly every member of this House, from the President downwards, has been pledged by the electors who returned him, to the early introduction of the system. What does this fact imply? It implies that the people of the colony desire payment of members. In view of this I see no necessity for the referendum; and I say that it is the duty of Parliament to take steps to introduce this system as speedily as possible. I am quite sure that if the question were referred to the people, it would be carried by even a larger majority than was federation by the people of Western Australia. If there was any doubt in my mind as to the result, I should be in favour of a referendum; but there is no doubt whatever, and I for one shall support payment of members as soon as it can possibly be introduced into this colony. When I came forward for election I had to pledge myself. If I had not pledged myself in favour of that principle, I should not have been elected; and my advocacy of that principle was indorsed by the electors in the farming communities, mining communities, and pastoral communities, because people recognised that without payment of members there could be no local representation. It is said that payment of members will lead to the return of disreputable men to the Legislature. I consider that any person who uses that argument reflects upon the intelligence of the electors of this colony. It is tantamount to saying that the electors of this colony are not fit to enjoy the franchise. Those members who adopt that attitude should

take steps to deprive the people of the colony of the franchise, because if the people of the colony are not entitled to have a free selection of representatives, they are not fit to have a vote for either the Legislative Assembly or the Legislative Council. Would any member of this House get on the hustings and say he was not prepared to allow the people whom he was addressing to have a free choice in electing a representative? I do not think so; and if a member would not get up before his constituents and say that, I do not think he should do so in this House. I admit there are members of Parliament who say they come here to perform their duties to the country out of pure patriotism. I do not wish to impute motives, but I do not believe a word of it. A man who parades his patriotism is something on a par with a woman who flaunts her virtue—both are equally open to suspicion. There is another point in connection with this matter. Without the system of payment of members, there can be no representation of country electorates. These cannot secure local men without payment of members. It is a fact there are no less than 24 members of this House and another place, who live in the city and represent country districts; therefore country districts have not that representation in Parliament which they would desire. It is also stated that it is improper and indecent for members of Parliament to vote themselves pay. I see nothing at all improper in carrying out a pledge that I made before my constituents. I see nothing at all indecent in fulfilling a promise that I made to the people who placed me in my present position. Therefore I intend on the present occasion to support the motion of Mr. Maley.

HON. R. S. HAYNES (Central): I do not know whether the Colonial Secretary intends to speak on this question.

THE COLONIAL SECRETARY: I had no intention of speaking to-day.

THE PRESIDENT: I think that a debate which involves expenditure should be adjourned until a similar motion has been decided in another place.

HON. R. S. HAYNES: That might be used as an argument that this House was against the motion. I understand that some time ago, when a similar motion

was passed in another place, it was not sent on here, because there was an expression of opinion against it.

THE PRESIDENT: This House has no power to initiate expenditure; and therefore I think the best plan would be to postpone the debate until the matter has been decided in another place.

HON. R. S. HAYNES: If that be the wish of the House, I am quite willing, but I understand a general desire has been expressed to proceed with the motion.

THE PRESIDENT: The House can, of course, decide.

HON. R. S. HAYNES: I support the motion. At the present time there is a promise by the Government to obtain an expression of opinion from the electors as to whether there shall or shall not be payment of members. I cannot see how there can be a referendum, or an Act of Parliament authorising a referendum, which I regard as introducing a new and vicious policy into the administration of affairs. There are occasions, such as, for example, the selling of our country—I mean federation—when a question should be left to the people to decide; but, on anything less than that, I should certainly oppose a referendum. I do not see what good a referendum can be, or how an expression of opinion can be so obtained; and I would like the Colonial Secretary to tell me by virtue of what power the referendum is going to be held?

THE COLONIAL SECRETARY: I do not understand that there is going to be a referendum.

HON. R. S. HAYNES: It was stated by the leader of the Government that there had to be a referendum: indeed, the Colonial Secretary answered a question in the House to the effect that the Government were taking steps to that end.

THE COLONIAL SECRETARY: To submit the question to the electors.

HON. R. S. HAYNES: And how could the question be submitted to the electors except by referendum? By sending a postcard round? This loose way of obtaining the opinion of the people by referendum is not to be approved of. What penalties would there be for a person voting a dozen or even a hundred times either way, or for personation? There is no penalty; and, as Mr. Drew has

asked, what steps could be taken where there is no contest? There are lots of places in the northern parts where it needs a blacktracker to find the electors; and there never is a contest there, because nobody knows where the polls are held.

HON. J. M. DREW: What about Bunbury?

HON. R. S. HAYNES: I do not know, but I think there is to be a contest there. Under the present Act there is plural voting, and has that voting to be recognised or abolished in the proposed referendum? There are several objections to this method of obtaining the opinion of the people; and when an expression of opinion has been obtained by the loose method of a referendum, is that to altogether gag and bind Parliament, which is supposed to be supreme? Members of both Houses are supposed to represent public opinion, and I venture to think that in nearly every one of the constituencies the people are in favour of introducing payment of members. I may say I was opposed to payment of members, and no doubt in consequence, I lost a great many votes in my constituency at the last election. I regarded payment of members as a vicious principle; but since then I have been a member of Parliament, and have had an opportunity of judging more closely the effect of nonpayment. I have come to the conclusion that the sooner members are paid, the sooner there will be independent representatives, and the sooner the shaking of the "bullock-bell" will cease. At present I do not know whether we have independent members or not, but the conclusion has been forced on me that the sooner we have payment of members introduced, the sooner we will have an independent Parliament. For myself, I have been five years a member, and have never asked for payment, and as I have only twelve months to run, I cannot be said to be personal in my advocacy any more than are other members; the only difference being, perhaps, that I have the honesty to say what I think, whereas other members have not. Payment of members prevails in all the Australian colonies and in New Zealand, and the principle is recognised in the Federal Parliament. All officials of Parliament and members of the Ministry are now paid, and if I were on the

Treasury benches, I would be very pleased to introduce payment of members, because it would largely prevent angling for office; indeed, that was one of the main arguments in favour of the introduction of payment of members in the New South Wales Parliament.

A MEMBER: Is there payment of members in the House of Commons?

HON. J. M. DREW: A motion has been carried there affirming the desirability of payment of members.

HON. R. S. HAYNES: The principle of payment of members is already recognised in the fact that members of this Parliament have free passes over the railways, and it is no use to "strain at a gnat and swallow a camel." I hope the House will pass the motion, though I am speaking more in reference to the Legislative Assembly; and I trust a Bill will be introduced before this Parliament expires, so that persons returned to the next Parliament will be able to attend to their duties without practically making themselves insolvent.

THE COLONIAL SECRETARY: When do you suggest payment of members should begin?

HON. R. S. HAYNES: I do not care whether payment of members begins with the commencement of the new Parliament, or with the commencement of the year: that is immaterial. At the same time I hope hon. members will not keep silence from a false sense of modesty, but will express their opinion. It is time we spoke out plainly, because we have not so much a sense of modesty as a fear that an expression of opinion in favour of the principle will bring a lot of people to oppose us at the next general election.

THE COLONIAL SECRETARY (Hon. G. Randell): I was under the impression this debate would have been adjourned until next week, and I am not in a position to speak now with any authority on the question. Mr. Drew has addressed some very pertinent questions to me, which I am not prepared to answer to-night. I think, however, the hon. member has taken an extreme view of the answer I returned to him. I can assure him there was no intention of flouting hon. members; and if Mr. Drew will read *Hansard*, which has just been distributed, he will find the action taken

the other day in the Legislative Assembly was in consequence of a compact entered into with that House—I forget on what date, but I think in the previous year. The Premier's intention is to fulfil that compact, and to have legislation introduced to give effect to what seems to be the desire of hon. members, that there shall be payment of members. So far as I have been able to gather from by-elections which have taken place recently, I think, as I stated a short time ago, the direction of public opinion is entirely in favour of payment of members. I have not followed closely the speeches of recently elected members, but I believe they have been asked to support payment of members, and have given that promise. If I remember rightly, however, the present House of Assembly was elected without any reference at all to payment of members; that scarcely a member of the Lower House was elected on that cry, which has arisen since the last general election.

HON. J. M. DREW: No.

THE COLONIAL SECRETARY: I am only speaking from memory, and I may be wrong, but, at any rate, there were very few members of the present House of Assembly elected on that cry.

HON. J. M. DREW: There was a great majority.

THE COLONIAL SECRETARY: But this question was discussed in the Assembly, where hon. members assented very readily to the amendment of the Premier, and it may have been their extreme modesty, from Mr. Maley's point of view, that prevented their voting otherwise, on the ground that it would look like voting money to themselves.

HON. A. B. KIDSON: We do not mind that.

THE COLONIAL SECRETARY: I am sure the hon. member does mind it.

HON. J. M. DREW: But he has pledged himself to take payment.

THE COLONIAL SECRETARY: I am not so sure of that.

HON. R. S. HAYNES: The hon. member has, at both elections.

HON. J. W. HACKETT: The hon. member was sensible enough for that.

THE COLONIAL SECRETARY: As I said on a recent occasion, I feel sure payment of members must come, because, since we have agreed to pay the members

of the Federal Parliament, I can see the position has been given away by those who are opposed to the principle, not on selfish but on honourable grounds, and from high motives, notwithstanding what Mr. Drew has said. I have been a member of the legislative bodies of this colony for a great many years, and I am sure I have given my time and attention without any desire or expectation of payment before I became a member of the Ministry; and I think the two positions are entirely different, it not being a logical sequence, that because Ministers are paid for their services members should also be paid. In the British House of Commons, for a great many years Ministers have received salaries high in proportion to those which are paid in the Australian colonies, but, so far, payment of members has not made much progress in the old country. I admit, however, that in all the Australian colonies payment of members obtains, though I am not sure about Canada or the United States.

HON. J. W. HACKETT: Yes; in every responsible Government in the world.

THE COLONIAL SECRETARY: The principle has been admitted on the ground that people should be given a free hand in the choice of their representatives. It enables people of small means to stand for Parliament, and run the chance of being elected, and I think that a very good ground; and the whole tendency of the Forrest Government has been to liberalise in this matter, and give the people a free choice.

HON. G. W. HACKETT: But the Government have refused payment of members.

THE COLONIAL SECRETARY: Yes, because they thought public opinion was with them, and the majority of public men have been with them up to the present time.

HON. A. B. KIDSON: The Government ought to lead public opinion.

THE COLONIAL SECRETARY: The hon. member (Mr. R. S. Haynes) tells us that even at the last general election he stated he was opposed to payment of members; and the conversion has taken place since.

HON. R. S. HAYNES: Four years ago.

THE COLONIAL SECRETARY: We are all entitled to change our opinions,

and the whole trend of public opinion in the larger constituencies, at any rate, is in favour of payment of members. I am not prepared to speak for the smaller constituencies, the agricultural constituencies, but the larger constituencies, as Perth, Coolgardie, and the large gold-fields, desire to see the question discussed, and I am sure the Government will place no obstacle in the way of that being done. I am not prepared to say whether a Bill will be brought into this House for the purpose of facilitating the object the hon. member has in view, but certainly no difficulties will be placed in the way by the Government.

HON. J. W. HACKETT: The Government must bring in a Bill to provide that. A private member cannot do so.

THE COLONIAL SECRETARY: My idea is that it will be in a different direction altogether. When the Premier used the word "referendum" he used it in a qualified, in a loose (if I may make use of the expression) sense, not intending anything like what took place on the question of federation or no federation. Not at all, I certainly am not in favour of any referendum of that kind.

HON. J. W. HACKETT: Then it would not be worth anything at all.

THE COLONIAL SECRETARY: I believe that in many parts of the world an expression of opinion by the people at a general election has been regarded as a direction regarding the legislation to take place afterwards, and I think that would be quite sufficient.

HON. J. W. HACKETT: Introduce it now.

THE COLONIAL SECRETARY: I am not saying there will be any Bill.

HON. M. L. MOSS: The result of that will be that those to be elected will not know whether there will be payment of members, and it will practically postpone for three years the adoption of the principle.

THE COLONIAL SECRETARY: What I understand is that after an election members come back to the House pledged to a certain course, and they follow that course.

HON. R. S. HAYNES: Do they? That is in the old country.

THE COLONIAL SECRETARY: I am not prepared at the present moment to say that a Bill will be brought in

during the present session of Parliament, but I take it that will depend entirely on the will of members both in this House and in another place. We have as much right to an expression of our abstract opinions on a question of this sort, as the members of the other House. Although we cannot initiate money Bills, the initiation of such Bills remaining with the other House, I feel sure that the Government, and the leader of the Government especially, will pay attention to the opinions which may be expressed by members of this House as well as to the opinions expressed by members of another House. I am sorry I cannot speak more definitely than I have done to-night. I have indicated that my own opinion is that payment of members must take place. I formed the idea in my own mind without conversation with anybody else that it would take place during the general election, which will occur early next year at the latest. I think the hon. member (Mr. Haynes) seemed to indicate that would be a desirable time for it to come into operation.

HON. R. S. HAYNES: I said at the end of the year.

THE COLONIAL SECRETARY: I must leave the matter in the hands of hon. members. If they wish to express an opinion this afternoon, I have not the slightest objection on the part of the Government. What we want is that hon. members shall throw what light they can on the subject by giving expression to their opinions. I should like to hear a general expression of opinion on the part of the members of this House.

A MEMBER: That is very fair.

HON. M. L. MOSS: I do not propose to deliver more than a very brief speech in support of this motion. I am not going on the present occasion to discuss or produce the arguments in favour of payment of members, because I take it that throughout the length and breadth of Australia the principle of payment of members has been approved on innumerable occasions. It is sufficient to say that so far as this colony is concerned the principle has been strongly confirmed by the adoption of the Commonwealth Act. The Commonwealth Act provides for the payment of £400 per annum for every member of that body. After the electors of this colony, by such a tremendous

majority, have agreed that payment of members is desirable so far as the Federal Parliament is concerned, I take it the verdict of the colony must be the same as far as the local Parliament is concerned. Mr. Drew has drawn the attention of the House to the large number of members living in Perth who represent country constituencies, and that is the only argument I propose to reiterate with regard to the necessity for legislation in this colony. The Colonial Secretary regrets that he has been unable to speak more definitely on the question. I am glad he has not spoken with the authority of the Government, because it seems to me that to defer this question or to take a vote of the people on it in the manner he has intimated, would be to perpetuate the present state of affairs for nearly three years.

HON. R. G. BURGESS: Nearly four.

HON. M. L. MOSS: I think that if one thing more than another is desirable it is that, when the general election takes place next year, candidates who are putting up for the Legislative Assembly throughout the colony shall know perfectly well that if they are elected they will be paid for their services. If that principle is not affirmed by a Bill passing through both branches of the Legislature during the present session, we will practically have the Parliament constituted as it is at the present time. One word in reply to the observations of the Colonial Secretary with regard to the question not having been prominently before the electors and the public mind, except during recent years. I remember that as far back as eight years ago in this colony, or seven years, when I first stood for a legislative position, I was called upon to give an expression of opinion upon this question. I gave an expression of opinion, saying in effect that whenever opportunity arose I would give my vote in favour of payment of members. I have never deviated one iota from the position I took up seven or eight years ago, and on every occasion on which I have had to express an opinion I have had to express the same view—and I may say I have cheerfully done so—in regard to this important question. Before I was elected a member of the Legislative Council I gave a similar pledge. I think I shall not be going away from the subject when I say

the nine members recently elected to this House (six elected in May and three who have just come from the goldfields) have all pronounced opinions that this is a desirable reform.

HON. J. W. HACKETT: Eight in May and six since.

HON. M. L. MOSS: All those gentlemen who have recently been elected members of this Council have been obliged to express an opinion in favour of this principle.

HON. J. M. SPEED: Not obliged.

HON. M. L. MOSS: Obligated. I use the word advisedly. If candidates had given an expression of opinion to the contrary, the electors would have sent them to the right-about.

HON. R. S. HAYNES: Some may prevaricate.

HON. M. L. MOSS: I do not think the electors of the colony will allow any prevarication on this question. Every candidate must give an expression of opinion and speak definitely upon the subject. My opinion is that, so far as the Legislative Council is concerned, members will fail in their duty to the public at large if they fail to agree to a measure providing for payment of members. The responsibility of such a measure not being brought before Parliament must rest absolutely and entirely upon the shoulders of the Government, because members know perfectly well that such a Bill cannot emanate from a private member. It is a Bill dealing with the appropriation of money, and must emanate from the Ministry in the Legislative Assembly. So far as members of this House are concerned, all they can do is to express their opinion, and agree to some motion. If we pass this motion, it will be some fortification to members in the Legislative Assembly. For that reason I am very glad the wisdom of this House has been such that the motion has not been adjourned; and I think it is highly desirable in the interests of this reform that it should be agreed to, so that the Legislative Assembly may use it as an additional argument. It is, I think, important in this respect: I do not think we are speaking disrespectfully of the other branch of the Legislature when we say this House is more in accord with public feeling than is the Legislative Assembly.

THE PRESIDENT: The hon. member must not refer to the Legislative Assembly, but to "another place."

HON. J. M. SPEED: The same thing under another name.

HON. M. L. MOSS: I bow with much respect to the President's ruling. I thought there was no reason why we should not refer to the Legislative Assembly, but I will refer to it as "another place." I say we are not acting disrespectfully towards the other branch of the Legislature when we say that this Legislative Council is more in accord with public opinion than is that body. A large proportion of the members of the Legislative Council have recently been returned by the electors, and the opinion that these representatives hold is a strong indication as to the feeling generally throughout the country. I shall be very much surprised if there is one member of this Legislative Council who will get up during the course of this debate and speak against this motion. I congratulate the hon. member who brought it forward, and it has my hearty concurrence and support.

HON. A. B. KIDSON (West): With all respect to you, sir, I do not think it would be wise to postpone the consideration of this motion, because if the motion were postponed, the real benefit that would result from the passing of the motion would, I think, be lost. I think the motion which has been placed before the House will be carried unanimously: but every member of the House should express his opinion now whilst the debate is on, because, by that means, whatever weight may attach to the motion, it will be thereby very considerably enhanced. It has been shown very clearly by the shortness of the speeches delivered on this very important question that the members of this House at all events have practically made up their minds on the subject. And therefore it has been shown that the country also has made up its mind on the question. I have always been in favour of the principle of payment of members, because I consider it is absolutely essential in order to get proper representation in Parliament. We all know that in the country there are different interests which at the present time are not properly represented in the Parliament of the colony, and until pay-

ment of members becomes an actual fact those interests cannot properly be represented. With regard to the referendum which has been referred to by several hon. members, including the Colonial Secretary, I hope the Government will take prompt action in this matter, and not allow it to stand over until the next general election as proposed or suggested by the hon. gentleman, because there is absolutely no necessity for such postponement, and the Government must be as well aware as every member of this House is, that the country also wishes the principle to be adopted, and desires it to be done at once. With regard to the question of paying the present members of this House for their services, I interjected a small remark when the Colonial Secretary was speaking, that we do not mind that, and I say so still. I say that we do not mind that, and are not going to allow a small matter of that kind to stand as an objection. I know there are many members in the House—at all events some—who probably would refuse payment for their services; but at the same time we cannot allow that to weigh with us in the consideration of this great question, because we know and feel that the country desires the principle to be adopted, and adopted at once. I cannot see that there is any indecency in the motion. If hon. members in the future are going to be paid for their services, what harm is there in hon. members being paid now? I would like to refer to a remark I was sorry to hear fall from Mr. Drew, namely that he did not believe hon. members up to the present had worked out of patriotism.

HON. J. M. DREW: I did not refer to hon. members in this House, but to other places.

HON. A. B. KIDSON: To hon. members of another place?

HON. J. M. DREW: No; not in this colony.

HON. A. B. KIDSON: I accept the explanation with pleasure, because I certainly understood the hon. member in that remark to refer to members of this Parliament. However, it is unnecessary to speak further of the matter, which I am glad has been cleared up, because the inference I drew was the only one which could be drawn from the hon. member's

remark. I again express a hope that hon. members in the House will express their views, and that the motion will be carried, as I have no doubt it will, with all the weight that should be attached to it.

HON. T. F. O. BRIMAGE (South): As one of the recently elected members of the House, I may say I came into Parliament distinctly pledged to support payment of members. I know it is a principle which is earnestly supported by goldfields residents, on the ground that a labourer is worthy of his hire, and I trust the House will pass the motion.

HON. F. WHITCOMBE (Central): In speaking on this motion I would like to correct an impression of the Colonial Secretary, that the support in the country of this principle has been of quite recent growth. So far back as I can remember contested elections in the North, the question has been invariably put to candidates, and they have had to answer in the affirmative in order to obtain any support at all; and, if I recollect aright, this was a test question in the majority of the constituencies at the general election for another place three and a half years ago. I certainly was questioned on the point when I went up for election for the Central Province, and, so far from being of recent growth, it may be taken for granted, there has been a pretty considerable expression of public opinion throughout the whole of the colony in favour of payment of members for some years. For that reason I would like to see the motion, after being carried, followed by an insistence on the part of the House, so far as such insistence is possible, that there shall be legislation in the direction demanded. If hon. members will take their recollection as far back as last year, they will see this Chamber did not pass the federal referendum measure until after a distinct public opinion had been expressed outside, and expressed so that it could be understood by all members of Parliament; and on that insistence the referendum Bill was carried. Prior to that, it will be remembered, the House decided it would not pass the federation referendum Bill on any condition; and there has been an equally strong expression of public opinion throughout the whole of the colony in regard to payment of members,

a public opinion of very much longer standing than that in favour of the federation referendum. There will, therefore, be no necessity for Parliament to go further than to pass a measure for payment of members to take effect from the passing of the Bill. There is no reason why the measure should remain inoperative until after the next general election, because if it be felt indecent for members of Parliament to pass payments to themselves, the same argument will hold good in regard to the next Parliament, and the reform will never be carried into effect, provided the electors return candidates troubled with so delicate a sense of what is right and proper.

HON. J. W. HACKETT: There are a lot here.

HON. F. WHITCOMBE: Looking round, I cannot agree with the hon. member, because I think such a Bill would be carried without a dissentient voice in the Chamber. I do not like to pass this question without reference to the Colonial Secretary's remark that he was speaking without authority, because it seems to me he must have been speaking with authority unless he chooses to go back and contradict a statement made by the Premier. If my recollection serves me right, it was during the present Parliament that the Government, or the head of the Government, stated there was an intention on the part of the present Administration to inaugurate legislation to provide either for the referendum or for payment of members. Last year it was distinctly understood from the remarks of the Premier, when this motion was brought forward, that he intended to take a referendum in the same way as was taken on the federal question, and the words he used cannot be capable of any other interpretation. He deprecated the expense attaching to the referendum, but at the same time he did not deny the fact that special legislation would be necessary to enable such a referendum to be taken. He thought the expense would be small, because the referendum could be taken at the same time as the general election, when each elector would be asked whether he was, or was not, in favour of payment of members. If what the Premier said on the 19th July, 1899, is to be carried out, he must have intended to introduce

legislation to that end; and why does he turn round now and say he will not introduce a referendum measure?

HON. R. G. BORGES: He is afraid for the revenue.

HON. F. WHITCOMBE: Afraid for the revenue! What the Premier wants to do is to postpone the question as long as possible and dangle it before the electors at the next general election, simply making a promise in 1899 and postponing the fulfilment of the promise to 1901; and yet the head of the Government has proclaimed that promises on the part of the Government have never been broken. I hope hon. members will pass the motion as it stands, and at the same time go a little further, and give the Government to understand that unless legislation be introduced, other steps less satisfactory to the Government of the day will be taken.

HON. A. JAMESON (Metropolitan-Suburban): I should like to say one word in support of the motion, as one of the recently-elected members, and that word is simply to testify to the correctness of what has been said, namely that I, amongst other new members was pledged to support payment of members. It is now many years since I made up my mind on the question, and it was one of the planks of my platform ten or twelve years ago, when I stood for the Legislative Assembly of this colony, and at that time I got very liberal support on that ground. Of course, to those who have observed the trend of public affairs in the last few years, it is evident the public mind has been made up on this question, and that it is hardly reasonable for the Government to hold back any longer. The time has come now, undoubtedly, when the Government ought to see that the mind of the people, and what is evidently the public feeling throughout the whole colony, is carried out without the necessity of any referendum whatever, and payment of members made an established fact before the next general election.

Question put and passed.

PUBLIC HEALTH ACT AMENDMENT BILL.

Introduced by HON. A. B. KIDSON, and read a first time.

MOTION—POST AND TELEGRAPH OFFICES, HOURS OF CLOSING.

Debate resumed from 18th September, on the motion by HON. C. A. PIESSE, affirming that post and telegraph offices throughout the colony should not be closed earlier than 7 p.m. on week days, and that the Sunday morning and evening hours be permanently fixed.

THE COLONIAL SECRETARY (HON. G. Randell) said he would like to give a little information to hon. members on the subject of the motion. The question came before him for consideration some time ago, when there was a strong recommendation from the Superintendent of Telegraphs and the Postmaster General, also a request from many officers in different parts of the colony, to the effect that hardship was imposed on them in keeping offices open for long hours, especially in places where there was practically no business and possibly not a single telegram transmitted for months together; and looking at the question all round, he realised that the motion would not be a convenience to the public, inasmuch as where postmasters or postmistresses resided on the premises, they could at any time, when requested, communicate with the Perth office or with any office open during the night.

HON. C. A. PIESSE: That could not be done now.

THE COLONIAL SECRETARY: The Postmaster General had informed him only the previous day that this could be done by postmasters and postmistresses; and, in addition, should any special circumstances arise, the railway telephones could be used. In the case referred to by Mr. Piesse, it was because the postmaster knew a telephone message had been received and in consequence of the action of the hon. member's own foreman, that the telegraph message was not delivered. Members should hesitate before interfering with departmental questions of this description. The hours, from 9 o'clock in the morning till 6 o'clock in the evening, were long, and the employees were expected to be on the premises during the dinner hour. We found that in many cases the strain upon those officers (many of them with very small salaries) was very considerable. He hoped the House would not agree to the motion. He was satisfied that no injury was done

to the public in this matter. There were about 50 or 60 offices, some of which had grown and had become more important, and immediately an office did that the hours were extended to 7 o'clock. The hours were not fixed by statute, but this was purely a departmental question; and in the interests of humanity and of the employees who were out in distant parts of the country, many of them isolated to a very considerable extent, it was desirable that those officers should be relieved from their duties at 6 o'clock in the evening, so that they might at least have some little time to themselves. He was sure none would wish the employees of the Government to be penalised in the way proposed, where there was no necessity for it, and in the cases referred to there was no real necessity for it.

HON. C. A. PIESSE: The principle was already admitted. Employees worked elsewhere up till 7 o'clock.

THE COLONIAL SECRETARY: If the member argued in that way, it might be argued that we should keep open the post and telegraph offices during the night. They were kept open in Perth, Fremantle, Kalgoorlie, and Coolgardie, and he thought the Boulder. The other night he gave some statistics with regard to telegrams which passed through Menzies, and he thought the number was something like 130,000, the revenue being considerable; but in some of these out-of-the-way places to which he had referred, possibly there was not a telegram for months together. In the towns the employees left at 5 o'clock, and he supposed that in the country they worked later. If a man wanted to send a telegram it could be managed. He (the Colonial Secretary) was informed, on what he believed to be very good authority, that we in Western Australia gave far greater facilities in the way of postal and telegraph services than were afforded in the other colonies. He had a statement here which would bear out what he said, and he would read it out for the information of hon. members:

It is stations with only one officer attached that close at 6 p.m.; and though many of them may not be hard-worked, yet they have to be in constant attendance from 8 or 9 o'clock in the morning, as the case may be.

In South Australia, out of the 242 stations, only 72 speak at 10 p.m., at which hour telegrams are accepted at double rates.

In Victoria, 791 stations; office hours, 8.30 a.m. to 8 p.m. Of these 115 close, some at 5.30 and some at 6 p.m.

In New South Wales, 970 stations; office hours, 9 a.m. to 8 p.m., except unimportant stations, which close at 6 p.m.

Queensland, 218 stations open 9 a.m. to 6 p.m., and 214 9 a.m. to 5 p.m.

Re Sunday work :

South Australia. — Telegraph offices are closed Sundays, but about 70 principal stations speak Adelaide at 10 a.m. and 10 p.m. Principal ports speak every three hours. A large number of stations do not speak at all.

Victoria. — Closed Sundays. Principal offices speak Melbourne morning and evening.

New South Wales. — Closed Sundays. Principal offices speak Sydney at 6 p.m.

Queensland. Offices opened on Sundays from 9 to 9.30 a.m. only.

From this it will be seen that in the Eastern colonies the smaller offices are closed earlier than the larger, and that on Sundays our offices are open considerably more than in the other colonies.

That showed we were giving the public here as great or greater facilities than the public enjoyed in the Eastern colonies. He objected to Sunday labour where it could be avoided, and he was informed as follows : —

Any station that is closed while the Head Office here is open can always communicate should anyone be wanted; and again, any person may, on application, have any office kept open at any time, and at many stations the railway telephone is available.

It mattered little to the head of the Postal Department whether the offices were kept open, but it mattered a very great deal to the unfortunate officers in those isolated stations; and he trusted members would hesitate before they imposed further duties upon them and made their life less pleasant than it was now.

Hon. R. G. BURGESS (East) : This motion referred not only to telephone offices, but to post and telegraph offices. He did not altogether approve of long hours being imposed upon employees, and Mr. Piesse must know as well as anybody that the officers at these places were not well paid. It would be rather unfair to increase the time, looking at the small pay given in these country places; but now the matter was before the House, he would draw attention to questions he asked last year as to the way some people living on the Great Southern Railway line were served. He

drew particular attention to this and to the way things were carried on in this colony, which was not altogether satisfactory. It was very well known that it was very hard to move the post office. It was as hard to move the post office as it was to grub a blackbutt and burn it. All along the Great Southern Railway, unless one was in favour of the Government, the mail was not allowed to stop at these siding places. The mails went by the second train, which left Beverley about eight in the morning, and got to Perth about six p.m., and letters were not delivered till the next day, which was a very unsatisfactory state of affairs. It was unfair to those people living on the line, who were conducting business in this colony. Those people paid part of the taxation of the country. They were induced to settle on the land, but they did not get justice, and that was unfair. He would advise the mover of the motion to amend it. The people of the country should have a fair share of justice, and people who were induced to come and settle in this country should not be treated in such a manner. We wanted people to settle in the country, and we must give justice to people in the country as well as to those in the towns and on the gold-fields. He could not altogether support the motion, because it would be most unfair to impose on the people engaged in the post offices referred to the hours proposed, but he regarded this as an opportunity to criticise the position of affairs, and he embraced it, although he knew that not much notice would be taken of what he said. He could give utterance to some hard remarks on the Postal and Telegraph Department. Certain telegraph offices were kept open, and he would like to know who got any benefit from them: just one or two individuals. That was a positive fact, and he did not make statements which he could not prove. Certain people had these telegraph offices pretty nearly to themselves, whilst other people were under these disadvantages with regard to mails, and were thus put on an unfair footing. This was injurious to these people, who helped to pay the revenue, but who did not get the same chance to carry on their business as others. He hoped the hon. member who proposed the motion would

amend it, and perhaps then it would get his (Mr. Burges's) support.

HON. W. MALEY (South-East): Having for a time lived in the country, he had had more or less experience of post and telegraph offices in country districts, and he invariably found that if he required anything specially done after 6 o'clock in the way of getting letters or sending a message, he was dealt with liberally and fairly by the postmaster. The brother of Mr. Piesse had himself on several occasions offered to do a similar service for him, and he had certainly at times made use of offices at very late hours. Postmasters in the country would invariably meet one's wishes. Postmasters in the back blocks had very hard times, even if they did not do hard work. He thought there was nothing more severe than to be in a little office the whole of the day, to receive any telegram which might be sent or to receive or send away a few dozen letters. Certainly if one served for nine hours a day, as at the present time, including the hour for a meal (during which he had still to be in attendance), that officer did his duty to the state, and well earned the pittance received. He (Mr. Maley) would certainly oppose any extension in such cases, because to extend hours of labour was to trespass on the rights of the community. All recent legislation tended to the reduction of the hours of labour to something like eight hours a day, but the motion meant men working ten or eleven hours a day.

HON. C. A. PIESSE: Was it labour?

HON. W. MALEY: Whether it was labour or not, it was imprisonment, and "durance vile" was worse than hard labour.

HON. A. B. KIDSON: It was solitary confinement.

HON. W. MALEY: Practically solitary confinement. In cases of sickness he had received and sent messages, and had found the railway telephone most serviceable. On one occasion he sent a telephone message and a telegraph message away at the same time, and while the former reached its destination next day, the telegraph message did not arrive over a distance of 200 miles until after he himself had arrived; so that in case of emergency, he would rush for the telephone, and not for the telegraph, so far

as the Great Southern railway was concerned.

HON. J. M. DREW (Central): While in favour of seeing the telegraph offices of the colony opened as early as possible, and closed as late as possible, yet, after hearing the clear explanation of the Colonial Secretary, he did not see that the public could have the privilege sought, without inflicting serious hardships on telegraph operators in country districts, who at the present worked ten hours a day. True, these men had an hour for meals, but they had to be within call of the instrument the whole of the time, and telegraph operators in country districts could hardly be expected to attend in that way for eleven hours a day. If there were means for providing assistance, he would be happy to support a proposal in that direction. In the old days, the offices used to be open from 7 o'clock in the morning till 8 o'clock at night, with the difference that they were closed from 8 o'clock to 10 o'clock in the morning, and from 4 o'clock to 7 o'clock in the evening; so that the hours of labour were then no longer than now. If some such principle could be introduced, he would probably support it; but he could not support a motion which involved longer hours of service for telegraph operators in country districts.

HON. C. A. PIESSE (in reply): It was news to him that facilities could be obtained by the public, on a request being made to the operators at the offices contemplated in the motion; and the official announcement put a different complexion on the matter. His own experience was that though a message could be sent to a country district, the operator there did not deliver it, but kept it back because it had arrived after office hours; and in the special instance to which he had referred, the statement that the operator knew the message had been sent by telephone, was a deliberate untruth as he could prove. As a matter of fact, the telephone message did not reach there until half-past 9 o'clock, while the telegraph message arrived some time after 6 o'clock, and yet the telegraph operator would not walk across the road with the telegram. The Colonial Secretary admitted that now work had increased, an hour had

been added to the working day, but he did not say extra operators had been put on; and seeing the principle had already been adopted, he was only asking that the same convenience should be extended to country districts. No doubt messages could be sent from up-country to Perth, but the Perth operator could not get the country operator after hours, so that it was utterly impossible to send a telegraph message from the city to the country after 6 o'clock. There was no injustice to the operator in the motion; and he did not suppose anyone knew more about telegraph offices than himself, his family having been intimately connected with the work for years. When long hours of work were spoken about, the fact was the operator spent most of the time on his or her back reading novels, while in regard to using the railway telephone, if there was a class which worked long hours, it was railway men. The Postmaster General did not hesitate to give additional work to these men, but he would not let his own officers work an extra five minutes; and that was a most unfair principle. As to the convenience of railway telephones, he once gave in a message before 7 o'clock, and was simply astounded seven hours after, on arriving himself, to hear his own message delivered. He hoped the officers would be given clearly to understand that the public might on request have messages forwarded after hours, and that there would be none of the delay which he himself had experienced in a case of life and death.

THE COLONIAL SECRETARY: In explanation to Mr. Burges, it might be said that the Postal Department had no control over railways, though mails might be sent when there was carriage; but if the hon. member could give an instance of the improper conduct or neglect at any of the post offices, he (the Colonial Secretary) would look very carefully into it.

HON. R. S. HAYNES (Central): It was to be hoped the motion would be agreed to, because it was necessary telegraph offices should be open after 7 o'clock, seeing that important matters arose after 6, and, although messages could be received in Perth, they could not now be transmitted.

Question put, and negatived.

SLANDER OF WOMEN BILL.

Read a third time, on motion by the Hon. M. L. Moss, and transmitted to the Legislative Assembly.

COMPENSATION FOR ACCIDENT'S BILL.

Read a third time, on motion by the Hon. M. L. Moss, and transmitted to the Legislative Assembly.

COMMERCIAL AND BUSINESS HOLIDAYS BILL.

IN COMMITTEE.

Clauses 1 and 2—agreed to.

Clause 3—Act not to apply to shops mentioned in the Second Schedule:

HON. A. B. KIDSON: This Bill was referred to a Select Committee, and the amendments which he intended to move were those arrived at by the Committee and reported to the House. He moved that all the words after "the" in the last line be struck out, and the following inserted in lieu thereof: "shopkeeper shall, so far as concerns that portion of his shop in which he carries on a business not included in the said second schedule, be bound by the provisions of this Act." He was in favour of the amendment, from experience he had gained in connection with another measure of a similar nature.

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

Clause 4—Commercial and business holidays appointed:

HON. A. B. KIDSON moved that the following proviso be added to the clause:

Provided that if and whenever any of the days in the First Schedule to this Act mentioned are included in the Second Schedule to the Bank Holidays Amendment Act, 1899, and fall on any other day than a Monday, then the following Monday shall be a commercial and business holiday instead of such day.

It was proposed to add this proviso in order to bring the principle of the measure on all fours with the Bank Holidays Act passed last session. By that Act it was provided that the holidays mentioned in the schedule which fell on any other day than Monday should be held on the following Monday.

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

At 6.30, the CHAIRMAN left the Chair.

At 7.30, Chair resumed.

Clause 5 — Governor may proclaim holiday:

HON. J. M. SPEED suggested that the clause be struck out. It would seem that under Clause 6 the Governor could declare that any commercial and business holiday appointed by this measure should not be a commercial and business holiday, and could appoint some other day to be a commercial and business holiday. Clause 5 went further, because it gave the Governor power to declare a commercial and business holiday at any time. It was as well in the interests of the business people of the country, and especially the retail people, to restrict the operations of the Bill strictly to those holidays mentioned in the schedule of the Act.

HON. A. B. KIDSON: The measure was considered by a Select Committee, and it was not thought advisable to eliminate Clause 5 from the Bill. He must leave the House to decide whether the clause should be eliminated or not. Under the Bank Holidays Act, the Governor had power to appoint bank holidays. The only effect of this clause would be to make those holidays commercial and business holidays.

HON. J. M. SPEED: There was no necessity for the two clauses. Clause 5 could be struck out without affecting the principle of the measure in any way. Clause 5 would, as he had said, give power to the Governor to appoint a holiday at any time, and if a holiday were declared in some portions of the colony, a great amount of injury might be done in those places.

HON. M. L. MOSS: To carry out the statement made by Mr. Kidson in reply to Mr. Speed, he (Mr. Kidson) could insert some words in Clause 5 restricting the declaration of additional days as holidays to days about to be gazetted as bank holidays, because it did seem that there were far too many holidays from time to time.

HON. A. B. KIDSON suggested that the clause should read "any bank holiday" instead of "any day" as suggested.

HON. M. L. MOSS: Special bank holidays were declared from time to time, and there would be no objection to the clause, provided it was modified so as to apply only to holidays about to be gazetted. The clause ought either to be

struck out or modified in the way suggested.

HON. A. B. KIDSON said he was quite agreeable that the clause should be struck out, as it was not very important.

THE COLONIAL SECRETARY: To strike out the clause would have the effect of preventing the Governor declaring any important and special occasion as a public holiday, such as the departure and return of the South African Contingents, or the forthcoming visit of the Duke and Duchess of York. He agreed there were too many holidays, which were a tax on the storekeepers and business men generally, but it would be going to the other extreme to prevent the Governor declaring special holidays, though that power should be exercised with the greatest possible care.

HON. M. L. MOSS: To strike out the clause would not have the effect which the Colonial Secretary feared, because the Governor would still have the right to declare a public holiday in respect of the public departments, or a special bank holiday, and would merely be prevented declaring public holidays in respect of which a shopkeeper would be penalised for opening his place of business. On such occasions as had been referred to, the patriotism of the people should be, and was, sufficient to induce everybody to close their places of business without resorting to the machinery of the Bill, which prohibited shops being opened for ten days in the year; and to carry the principle further would be very undesirable.

Clause put and negatived.

Clause 6—Governor may alter holiday:

HON. J. M. SPEED moved that at the end of the clause there be added, "in lieu of any holiday appointed by this Act."

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

Clause 7—agreed to.

Clause 8—Penalty:

HON. A. B. KIDSON moved that between "conviction" and "be," line 2, the words "before two justices of the peace" be inserted.

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

Clauses 9 and 10—agreed to.

New Clause:

HON. A. B. KIDSON moved that the following be added, to stand as Clause 9 (after renumbering of clauses):

Any person aggrieved by any order or conviction of justices under this Act may appeal against such order or conviction subject to the provisions of the Police Act, 1892, with respect to appeals.

The object of this clause was merely to give the right of appeal.

Put and passed, and the clause added to the Bill.

Schedule 1:

HON. R. S. HAYNES moved that the words "Anniversary of foundation of colony (1st day of June)" be struck out. The reason he submitted this amendment was that in Victoria, Separation Day, which fell on the 1st July, was not kept as a public holiday, and he understood that neither was Foundation Day observed in South Australia.

THE COLONIAL SECRETARY: That holiday, he believed, was observed now in South Australia.

HON. R. S. HAYNES: The holiday might have been observed in South Australia until the 26th of January was accepted as the day on which to celebrate the anniversary of the foundation of Australia. When he arrived in Western Australia, the 26th of January was not kept as a public holiday, and that was the reason the 1st of June was observed. Since that time, the holiday of the 26th of January had been introduced, and had done away with the necessity of observing the 1st June, which was in the middle of winter, when it was generally raining and certainly not the time of year in which persons could enjoy holidays. He was opposed to the number of holidays observed in this colony, which were about four times as many as those in England. He was in London on New Year's Day, and all the business places and banks were open, including the London branch of the Bank of New South Wales; and when the City and Imperial Volunteers departed from London to South Africa, the day was not proclaimed as a public holiday. The departure of Contingents from this colony did not occupy more than an hour or two. There were no public holidays.

HON. M. L. MOSS: They had a floating population of about half a million in London.

HON. R. S. HAYNES: All the more reason they should have a public holiday. What good reason could be adduced for making the 1st of June a public holiday? He knew of none. As a rule, if a person came to the colony, there was a public holiday; there was a public holiday if he went away, and generally there was a public holiday if he did not. There was nothing but a continual stream of public holidays, which paralysed business. He would not mind a public holiday so much, if it did not take two days to get over the effects.

HON. A. B. KIDSON: The hon. member was speaking for himself.

HON. R. S. HAYNES: And for his friends also. He was sure the hon. member would agree with him that there were altogether too many holidays. He was not saying the Governor could not proclaim a day as a public holiday, but it should not be a holiday on which business would be paralysed and all commercial shops shut. If people liked to close, let them do so. He did not think the people closed at Kalgoorlie or Geraldton, or in the country generally, on the 1st June. Take a place like Katanning: he did not see any reason why the 1st June should be a public holiday any more than the 1st July. Under this Bill people living at Katanning or any of the small districts would have to shut their shops, and supposing people from the country came in on one of these holidays and transacted business, the storekeeper would be liable to a penalty of £20. There was no necessity for two foundation days. This was the only colony in the whole group which had two foundation days.

HON. J. R. RICHARDSON: There were too many holidays, in his opinion, and he intended to support Mr. Speed.

HON. A. B. KIDSON: The measure had, as he stated in moving the second reading, been very carefully considered by the different Chambers of Commerce, and they all came to the conclusion that the days mentioned in the Bill should be those upon which the holidays should be kept. He took it that the persons engaged in trade knew what was most suited to their requirements. It did not matter a snap to him whether one day or

another was decided upon, but he felt rather averse to eliminating that day, because he thought the anniversary of the foundation of the colony was an event which should be commemorated. That day had always been a public holiday hitherto.

HON. R. S. HAYNES: They did not do it in Victoria.

HON. A. B. KIDSON: That might be the case, but he would rather see some other day struck out than Foundation Day.

HON. SIR G. SHENTON: One would be sorry to see the 1st June knocked off the list of holidays; for Western Australians had always looked on that day as one of the holidays of the year. If there was any holiday that could be dispensed with, he thought that now this colony had decided to enter federation it was the one which was called Proclamation Day. But if we did away with that holiday, we should interfere with what was known as the Eight-Hours Celebration Day. Taking the schedule altogether there were not too many holidays. He thought that the extra holidays gazetted by the Governor were what business people complained of most. There should be some stop put to the giving of these extra holidays. He knew that from time to time protests had been made to the Government regarding the large number of holidays. As one speaker had said, if anybody arrived or anybody departed, it was made an occasion for a public holiday. Now we had a measure specifying these public holidays he hoped that for the future the Government would abstain from granting any holidays but those mentioned in the schedule, except on some very special occasion.

HON. J. M. SPEED: The amendment of Mr. Haynes would have his support. Having gone to the trouble of finding out the feeling of the retail people of Perth, at any rate, their view was that at least one holiday should be struck out, and for preference they suggested this one. A very strange point about this measure—and it was curious that no hon. member had noticed it—was that any person in the colony could take a holiday, if he thought fit. The older colonists here had done exceedingly well. Most of them could afford to take a holiday when they pleased, but other people who had not

perhaps the older memories to look back to, and who had come here from the other colonies, came chiefly to make a living. All these holidays to a certain extent interfered with those people. We ought to allow the older colonists who had borne the heat of the day to have this 1st June as a holiday to celebrate as they thought fit, as was done in the other colonies, where these days were not public holidays, but were celebrated by old colonists' unions and that sort of thing in their own fashion. He was quite certain they would celebrate it by having kangaroo soup. He would support the amendment of Mr. Haynes.

HON. H. LUKIN: The amendment to strike out the 1st June from the list of holidays was one which he certainly must oppose. In the province he represented this day was one of the few holidays that the people enjoyed. The day had always been observed as a national holiday, and there were always sports in the Eastern districts on the 1st of June. If this holiday were abolished, it would be very much missed. We had considerably curtailed the Bill in many ways. There were only ten holidays now left, which were laid down as public holidays, and very rightly, too, he thought, as employers and everybody else could look ahead, knowing exactly what holidays they were going to have in the year. It would be a great mistake to strike out the 1st June from the list of holidays, as it had always been looked upon throughout the length and breadth of the land, by the old settlers, at any rate, as a national holiday.

HON. W. MALEY: Reference had been made to South Australia and Foundation Day there. He was born in South Australia, and in that colony Foundation Day was a great holiday to all the old colonists. To show how popular the holiday was, he could assure members that as many as 70,000 people travelled on the Glenelg railway on that particular day to celebrate that holiday. He could understand and appreciate the sentiment which animated the old colonists here.

HON. R. S. HAYNES: What was the date?

A MEMBER: The 28th December.

HON. R. S. HAYNES: That was altogether different.

HON. W. MALEY said he was quite agreeable to the elimination of Proclama-

tion Day, for it was not desirable to retain it, as we had decided to enter federation.

HON. A. B. KIDSON: That was Eight-Hours Day.

HON. W. MALEY: Federation was more important than the proclamation of responsible government. The proclamation of responsible government was practically a thing of the past.

HON. R. S. HAYNES: Speaking from recollection of the time he was in the colony of New South Wales, the only special holidays proclaimed were when the contingent left for the Soudan and when they returned. The ordinary public holidays were the Queen's Birthday, Prince of Wales's birthday, anniversary of the settlement of the colony (26th of January), Good Friday, Easter Monday, and Boxing Day.

HON. T. F. BRIMAGE: Did they not have New Year's Day?

HON. R. S. HAYNES: Yes; New Year's Day also. The reason why he wanted the 1st June struck out was that there were too many holidays about that time. The 24th May was a holiday, and the 1st June.

HON. M. L. MOSS: The 24th May would not always be a holiday.

HON. R. S. HAYNES: Not always; but he hoped it would be so for a long time. The object of his amendment was not that the 1st June should not be a public holiday, but that it should not be declared a holiday on which all store-keepers should be bound to close. If anyone wanted to have the 1st June as a holiday, let him have it, but let us not apply this drastic Bill to the 1st June, seeing that the 1st June immediately followed the 24th May.

THE COLONIAL SECRETARY: The 1st of June was a day respected by a number of the older settlers of the colony, and had been commemorated for the last 70 years; and to remove that day out of the schedule would wound the feelings of a considerable number of people. He was sorry to hear it said that people came to the colony merely to make their living, and did not care about Foundation Day, because he had thought a better feeling would prevail, and that the new comers would join with the older settlers in commemorating a day held in such honour. The proposal came with

very bad grace at a time when we had just joined federation, and, while he did not want any day to be struck out of the schedule, if a day had to be struck out, let it be the 26th of January, which did not mean much to the older settlers. He hoped the motion would be withdrawn, because he did not think hon. members should consider so much about the retail dealers of the towns, as compared with the larger portion of the population.

HON. R. S. HAYNES: The retail dealers were the only people who would be affected, and the day would still be a holiday, though not a commercial holiday.

THE COLONIAL SECRETARY: It appeared rather like an insult to strike Foundation Day out of the schedule, seeing that such an action would affect the sentimental feelings of a very large number of people.

HON. R. S. HAYNES: Strike out the 21st October.

THE COLONIAL SECRETARY: That day, as had been observed, had been selected for the "Eight-hours" demonstration, and to strike that out of the schedule would interfere with a large number of people.

HON. R. S. HAYNES: Then strike out the 26th of January.

THE COLONIAL SECRETARY: There was no objection to striking out the 26th of January.

HON. R. S. HAYNES: Then the Colonial Secretary had no patriotism at all.

HON. J. M. DREW thoroughly indorsed everything the Colonial Secretary had said, because there was no doubt that to strike this day out of the schedule would wound the feelings of all Western Australians. The day was celebrated throughout the province he represented, and the people would be disappointed unless some provision was made for a compulsory holiday.

HON. T. F. BRIMAGE: Anniversary Day was kept in each of the colonies, and he hoped the 1st of June would not be struck out of the schedule. The holidays provided for were only ten a year or not one a month, and the Chamber of Commerce, who were the sort of people to know, had agreed this day should be observed.

HON. J. M. SPEED: After all, the question was not what hon. members wanted, but as to how the holidays would

affect the business people and their employees. This Bill had been referred to a select committee consisting of three lawyers, although he could not see that the holidays would affect lawyers in any way. He had taken the trouble to see people who made their living as retailers in the town, and they assured him that there were at least two holidays too many. He did not speak of the 1st of June with irreverence, but he would point out that the Governor-in-Council would still have power to gazette the holiday as heretofore, though people would be able to please themselves whether they closed their places of business. The Colonial Secretary had told the Committee this holiday had been observed by the older residents, but in the past a good many compulsory things had been done in Western Australia, and now it would appear the people were to be made Western Australian patriots through compulsion. It would be far better to leave this holiday to the free will of the people, and have it gazetted, if thought desirable, as in past years.

Amendment put and negatived, and the schedule passed.

Schedule 2:

HON. A. B. KIDSON moved that after "chemists' and druggists' shops," line 1, the words "fruiterers and greengrocers" be inserted.

Amendment put and passed.

HON. M. L. MOSS moved, as a further amendment, that "confectioners' shops," line 4, be struck out.

HON. A. B. KIDSON accepted the amendment.

HON. R. S. HAYNES said he was against the whole tenor of the Bill, and would not compel more persons to close their places of business than was absolutely necessary. This Bill was for the purpose of giving employees, and not principals, holidays, and confectioners were not such large establishments that the assistants could not be allowed these holidays. Confectioners' shops were just the kind of places where children spent their holidays in, and as the Chamber of Commerce, after solemn conclave, had decided on the schedule, it might be allowed to pass.

HON. M. L. MOSS: The arguments adduced by Mr. Haynes would apply to every one of the trades left out of the

schedule, and the object of the Bill was to insure a holiday to all persons employed in shops.

Amendment put and negatived.

HON. M. L. MOSS moved, as a further amendment, that "tobacconists' shops," line 5, be struck out.

Amendment put and negatived.

HON. A. B. KIDSON moved, as a further amendment, that after "florists and seedsmen," line 10, "bazaars and fairs held for charitable objects" be inserted; also that after "bakers," line 12, "dairies" be inserted.

Amendments put and passed.

HON. A. B. KIDSON moved that the last four lines of the schedule be struck out, and the following inserted in lieu:

Shops or premises respecting which any license or permit within the meaning of the Wines, Beer, and Spirit Sale Act 1880, or any Act in amendment or substitution thereof other than a gallon or spirit merchant's license has been granted.

This would allow hotels and public houses to be open except in the case of persons carrying on a wholesale business.

HON. A. P. MATHESON: The amendment did not quite meet the necessities of the case, in his opinion, though it went a considerable distance in that direction, because it left out any reference to boats.

HON. R. S. HAYNES: Shops included boats.

HON. A. B. KIDSON: That was perfectly right.

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

Preamble and title—agreed to.

Bill reported with amendments, and the report adopted.

REGISTRATION OF BIRTHS, DEATHS, AND MARRIAGES ACT AMENDMENT BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. G. Randell), in moving the second reading, said: It will be unnecessary for me to say much on this Bill, the object of which is to cure a defect in the Registration of Births, Deaths, and Marriages Act of 1894. A case occurred recently by which, through some accident, there was a failure to register a child within twelve months, and under the old Act it is impossible to register that child now. The present Bill is introduced in order to

cure that defect. The clauses which are of importance in the measure are Clauses 3, 4, and 5, which really contain the gist of the Bill. Clause 30 of the old Act says: "Neither the Registrar General nor a district registrar shall register the birth of any child after the expiration of twelve months next following the day of such birth if in Western Australia, or following the arrival therein of the child if born at sea or out of Western Australia." That has inflicted a hardship, and it might do so again under similar circumstances. I am sure the remedying of that will meet with the sympathy of members of this House. It is provided here that after the expiration of twelve months following the birth of any child in Western Australia, and so on, it shall not be lawful for any district registrar to register the birth of such child except by the written authority of the Registrar General. The next sub-clause provides that no registration of a birth shall be made after the expiration of seven years from the date of such birth except by the authority of a Judge of the Supreme Court. I think this hedges about the position very carefully, and prevents it from being improperly taken advantage of, while at the same time it will afford relief in more cases than one. The hon. member who is looking at me (Hon. R. S. Haynes) knows one such case, and it struck me as being a very peculiar hardship to inflict on a child, that it should not be registered on the register books of the colony.

HON. R. S. HAYNES: Not a great hardship.

THE COLONIAL SECRETARY: It might be productive of serious consequences to the child in later years. Of course the hon. member knows more about the legal question than I do, but it struck me whether the child could inherit except by will.

HON. R. S. HAYNES: He would have to prove his birth.

THE COLONIAL SECRETARY: He could not prove his birth.

HON. R. S. HAYNES: How was birth proved before the Registration Act was in force?

THE COLONIAL SECRETARY: Those were the antediluvian days. The purport of the Bill is to strike out Clause

30 of the old Act, and insert these words. Then the following sub-clause is one providing for a penalty to be inflicted on a district registrar, if he registers a birth improperly. The fourth clause provides for personal information to be given, and also that a person may send the information through the post, which, I think, is a concession that may very properly be appreciated. Clause 5 provides that no existing or future entry in a register kept under the principal Act, and no certified copy of any such entry, shall be inadmissible in evidence merely by reason that the entry has not been signed by the informant. I do not know that I need say anything more about the Bill. It is, as I say, a Bill which proposes to cure a defect, and so far as a layman may be able to pronounce an opinion upon it, I believe it does so. At any rate, I know a difficulty has occurred in this colony, and I think the Legislature should endeavour to prevent any hardship which may arise from non-registration, through some accident or other, of the birth of a child. The Bill is very much needed, and it is a step in the right direction. I move that it be read a second time.

HON. R. S. HAYNES: I am perfectly with the Colonial Secretary, but I will ask whether he will accede to an adjournment till to-morrow.

THE COLONIAL SECRETARY: I will agree to take the Committee stage to-morrow.

HON. R. S. HAYNES: Under these circumstances I will agree to the second reading.

Question put and passed.

Bill read a second time.

PUBLIC SERVICE BILL.

Received from the Legislative Assembly, and, on motion by the COLONIAL SECRETARY, read a first time.

MESSAGE—ASSENT TO BILLS.

Message from the Administrator, received and read, assented to the Constitution Amendment Act Errors Bill, and the Supply Bill.

ADJOURNMENT.

THE COLONIAL SECRETARY said he would like to consult hon. members as

to meeting next day. Would they prefer to sit in the afternoon at the usual hour, or to meet at 7:30 ?

Two or three MEMBERS: The usual hour.

The House adjourned at 8:30 o'clock until the next day.

Legislative Assembly,

Tuesday, 25th September, 1900.

Election Return, West Perth (Mr. Wood)—Appropriation Message—Cottesloe, etc., Electric Light and Power Bill (private): Application as to Evidence; Ruling—Papers presented—Urgency: Contingents (South Africa), Reception of Returned Soldiers—Health Act 1898 Amendment Bill, first reading—Land Act 1898 Amendment Bill, first reading—Customs Duties (Meat) Repeal Bill, Amendment on report—Industrial Conciliation and Arbitration Bill, in Committee (resumed), clauses 2 to 4, Divisions, progress—Message: Assent to Bills (2)—Bills received from Council (remarks)—Adjournment.

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

PRAYERS.

ELECTION RETURN, WEST PERTH.

THE SPEAKER reported the return of writ issued for election to fill the vacancy in West Perth (Mr. Wood having accepted the portfolio of Commissioner of Railways); and that the late member, Mr. B. C. Wood, appeared to have been duly re-elected.

MR. WOOD took the oath and subscribed the roll.

APPROPRIATION MESSAGE.

Message from the Administrator, received and read, recommended an appropriation for the purpose of the Industrial Conciliation and Arbitration Bill.

COTTESLOE, ETC., ELECTRIC LIGHT AND POWER BILL (PRIVATE).

APPLICATION AS TO EVIDENCE—RULING.

MR. MOORHEAD: As Chairman of the Select Committee appointed to inquire into the Cottesloe, Buckland Hill, etc.,

Electric Light and Power Bill, I wish to appeal to you, Mr. Speaker, for a ruling on a point of procedure. It would appear that under the Standing Orders, no petition against the Bill was laid before this House within the time prescribed; and in these circumstances the committee are anxious to know whether we have power to receive evidence against the Bill, no petition against it having been presented to this House, as required by the Standing Orders before receiving evidence.

THE SPEAKER: I am of opinion that the Select Committee cannot receive evidence against the Bill, as the petitioners have not presented a petition to this House within the stipulated time, stating it was their intention to oppose the Bill. There is, however, a provision in our Standing Orders which empowers the Chairman of Committees if, on an inquiry into any Bill, he thinks there would be a miscarriage of justice by witnesses not being examined before the Select Committee, to make a report to that effect to the House. If he does that, then the Select Committee can examine the witnesses. Therefore, I think they have no *locus standi* unless they present a petition stating that they intend to oppose the Bill, and give reasons for lodging objections.

MR. JAMES: In reference to the question, I would like to ask: how would the Select Committee be able to prove the preamble of the Bill unless they heard evidence from local persons? The preamble of the Bill has to be proved; and it says certain people are desirous of having certain powers conferred upon them.

THE SPEAKER: I do not know what the wording of the preamble is.

MR. JAMES: It is a somewhat long preamble. It appears to me that the Select Committee's duties would be simply formal, unless they were entitled to receive evidence to see whether the preamble was or was not justified. The preamble sets forth:

And whereas the authority of Parliament is requisite to enable the said Company to carry out, within the area of the said Roads Board Districts, the objects for which it has been formed, and it is therefore desirable to confer on the said Company all rights, powers, privileges, and immunities necessary or convenient for that purpose.