sanity continued for three years should not be a sufficient ground for granting a divorce. I will go so far as to say that if we were to frame a law in such a manner as to permit of judicial separation for a lengthy period, on any of the grounds set forth in the Bill, upon the understanding that, at the end of the specified period, say five years, it should be competent for either of the parties in the marriage contract to apply to a court and obtain a divorce, such a law would do all that is required. But to provide for granting a divorce, say after three years, would be too harsh a provision, and one liable to abuse. If we provided for five years' judicial separation before a divorce could be granted, there would then, if the same conditions were continuing, be more reason to ask for a divorce; whereas to give an absolute divorce on the grounds set forth in these sub-clauses of clause 1 would not only be rash but morally wrong. As to clause 2, providing that if a case for judicial separation has been established the court may pronounce a decree for judicial separation, this has been quoted as a means of reassuring those members who, like myself, may be timid about accepting this Bill. But what is to prevent collusion between the parties applying to the court? Everyone knows there is nothing so difficult to prove as collusion in matrimonial cases unless perhaps it be a charge of perjury. Collusion or perjury is invariably hard to prove, and the provision in clause 2 would be difficult to administer.

MR. EWING: It so seldom exists.

MR. VOSPER: That may be so. In the case of the week's record of divorce in Melbourne, which I have read to the House, those might be called cases of collusion; yet we see that the judge had no alternative before him but to grant, in each case, the decree prayed for. Clause 1 of this Bill would, to a great extent, be a dead letter. Referring to what was said by the member for East Perth (Mr. James), I listened with sympathy to his appeal in connection with sub-clause (*a*) (clause 1), for giving the same right of divorce on the ground of adultery to either man or woman. It is a grave injustice that a woman is not allowed to go into court and obtain divorce on the same ground as a man can obtain it under the present law. That is an absurd distinction, and not only absurd, but morally unjust; and if this Bill contained nothing but the proposal that the sexes should be placed on equality, in regard to the grounds for divorce and the grounds for judicial separation, I think every member of this House would give to the Bill in that form a hearty support. But this is a Bill for widening the avenues of divorce, and, therefore, I feel bound to oppose it. Yet I venture to express a hope that, sooner or later, the hon. member (Mr. Ewing) will see fit to bring in a Bill for placing the sexes on equality in regard to adultery as a ground for divorce. I have been unable to give great consideration to this Bill; but my cautionary instincts are against it, and I ask hon. members to weigh carefully the remarks made against the Bill, and to cautiously consider a measure which, as the Premier has aptly said, involves a social revolution.

MR. OLDHAM (North Perth): I move that the debate be adjourned.

Put and passed, and the debate adjourned to the next sitting.

ADJOURNMENT.

The House adjourned at 10.37 p.m. until the next day.

Legislative Assembly,

Wednesday, 20th July, 1898.

Motion: Leave of Absence—Motion: Civil Service, and Proposed Board of Management; Amendment (passed)—Motion: Supreme Court House, New Building—Public Education Bill, further considered in Committee, clause 39 to new clauses Message: Supply (temporary)—Paper presented—Shipping Casualties Inquiry Bill, third reading—Interpretation Bill, third reading—Adjournment.

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

PRAYERS.

MOTION: LEAVE OF ABSENCE.

On the motion of the PREMIER, leave of absence for one fortnight was granted to Mr. Hassell (Plantagenet)), on the ground of urgent private business.

MOTION: CIVIL SERVICE AND PROPOSED BOARD OF MANAGEMENT.

MR. KENNY (North Murchison) moved:

That, in the opinion of this House, the time has arrived when the best interests of the colony would be served by bringing the Civil Service of West Australia under the operation of a Civil Service Act, and the appointment of a Board to administer the same.

He said: In rising to submit this motion, I feel that I am addressing a sympathetic House. It is generally admitted on every side of this Chamber that a Civil Service Board is essential to the proper management of our civil service. I have examples of the great advantages that have been derived from the management of the civil service by a board, not only in the neighbouring colonies, but also in the old country. As far back as the early eighties, Victoria adopted the system, and in 1883 an amending Bill was introduced, also another amending Bill in 1887, again a Bill in 1890, and the last amendment of this law was passed in 1893. It is generally admitted that there is no civil service throughout Australasia better managed, or in a more perfect state of efficiency than that of Victoria. I need not inform the House that I have no desire to make this proposal as a reflection on the civil service of the colony. On the contrary, I think it is generally admitted—all things considered—that our civil service possesses some really hard-working and loyal servants. At the same time, I do not think it will be denied that there is room for improvement in the general management of the service; not only in the matter of appointments and promotions, but in many things that could be far better managed by a board than as managed at present. I am sure not only Ministers, but members of Parliament, will certainly hail with an amount of pleasure, and will experience a sense of relief from responsibilities which are now placed upon their shoulders, if a board were appointed. I am sure there is no need for me to go further into this question. I simply move the motion.

MR. ILLINGWORTH (Central Murchison): I have pleasure in seconding the motion. I have been advocating the appointment of a Civil Service Board for a great while, and I hope, now that a distinct motion has been tabled, the House will affirm the principle unanimously, and that the Government will see their way to act upon the motion at the earliest possible date.

THE PREMIER (Right Hon. Sir J. Forrest): The Government have no objection to the motion, because we have had the matter under consideration, and I think we have made several promises to the House, which I regret have not been fulfilled. The matter is now under consideration—the want of a Civil Service Act—but for one reason or another we have not been able to give that attention to the matter that it deserves. I may say it is not a simple matter to frame a Civil Service Act. All the colonies that have Civil Service Acts are dissatisfied with them. Only the other day I inquired as to the Civil Service Act of South Australia, that being a colony more like our own than any other in regard to revenue and its financial conditions; and I was informed that the Government were not satisfied with the Civil Service Act there, and that they were bringing in another Bill, and they promised to send me a draft of it shortly. I do not approve of the latter part of the motion, and I ask the hon. member to leave it out. It is no use our committing ourselves to the appointment of a board until we have the matter before us. It may form part of the Bill, or it may not. For my part, I should feel great pleasure if the civil service were removed from political patronage. It is a great trouble to me, and no doubt it is a trouble to other Ministers, to have the civil service under the patronage of Ministers; but, at the same time, the appointment of a board is somewhat difficult and troublesome. There would have to be two or three officers, highly paid, to look after it, and I do not think boards have worked well in the colonies in which they exist; at any rate, boards have not given that satisfaction which the hon. member who moved this motion would lead us to sup-

pose. I do not think he has any particular object in adding the latter sentence, as to the appointment of a board to administer the civil service. If these words were omitted, we could all agree to the motion. It would not prevent a Civil Service Bill being framed, and a board could be appointed if necessary. I think I can promise, as far as the present Government are concerned, that the matter will be taken early in hand, and this motion is an assistance rather than otherwise. I move, as an amendment, that the words, "and by the appointment of a board to administer the same" be omitted.

MR. KENNY: I have no objection to the amendment.

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

MOTION: SUPREME COURT-HOUSE, NEW BUILDING.

MR. LEAKE (Albany) moved:

That in the opinion of this House, the Government should consider the advisability of erecting the proposed new Supreme Court-house without any unnecessary delay.

He said it would be within the recollection of hon. members that in 1896 a sum of about £20,000 was voted by the House to commence the erection of a new Supreme Court building. The want of such an edifice had been apparent for a considerable time past, and it seldom happened that a session of the Supreme Court passed without remarks from the judges, not only in regard to the inadequacy of the building, but to the inconvenience generally. From time to time that old building, which was once the old commissariat store, under the Imperial *regime*——

THE PREMIER: A good old servant.

MR. LEAKE: That old building had been patched, and now it was surrounded by a lot of old pigeon-holes, made of jarrah, and placed there to serve the purpose of offices. It might astonish hon. members to see what a firestick would do in such a building. When they remembered that valuable records were kept in this building, it behoved them to consider if they were not guilty of neglect in permitting such work to stand over so long. The question was asked by him (Mr. Leake) a few days ago as to whether it was the intention of the Government to proceed with the work, and he only received what was practically an evasive answer. The Director of Public Works replied that it was the intention of the Government to proceed with the work as soon as funds were available. With all due deference to the Minister, that was only a quibble. The money had been voted for some time past.

THE DIRECTOR OF PUBLIC WORKS: Only £3,000.

MR. LEAKE: Why not make a start with that? Tenders had not been called for. The House would vote the money when it was wanted. He (Mr. Leake) had seen the plans some months ago in the late Attorney General's hands, and he was told on reliable authority — he thought it was the Director of Public Works who himself said the other evening that the plans had been approved.

THE DIRECTOR OF PUBLIC WORKS: They were only recently approved; within the last fortnight.

MR. LEAKE: There was no reason for delaying this very necessary work. There had been two courts sitting that very day, so great was the pressure of business.

THE PREMIER: There was room for two courts there.

MR. LEAKE: There were two courts sitting; that was what he was saying.

THE PREMIER: There was accommodation for the courts.

MR. LEAKE: Provision had been made for three courts in the new building, and that was as it should be. It should not be supposed that this was a lawyers' question: it mattered not at all to him. The greater the inconvenience and the older the building, the higher the fees the lawyers obtained; but the lawyers did urge upon the consideration of the House that the convenience of litigants, of witnesses, and of jurors should be considered. Positively there was no place on a rough and wet day where a respectable woman could go. There was a miserable little sitting room, and altogether the accommodation was inadequate and insufficient. The judges performed a tremendous lot of work, and important work, too, in their chambers, and in those chambers there was hardly room to walk around; and when it was re-

membered that sometimes judges had to take important cases in chambers, and had to call witnesses, it would be seen how inconvenient this was. He urged upon hon. members to support the motion and insist that the work—which was an eminently necessary and important work—should be put in hand without delay. He did not think there would be any opposition to the motion: he trusted not. If there was, he would listen carefully to the arguments adduced, and if he rose again he hoped he would be able to refute the arguments.

THE PREMIER (Right Hon. Sir J. Forrest): The Government had had this matter under consideration for a good while. There were many difficulties in the way of commencing a new court-house. There was the question of site, and there was the question of plans. He did not know that the question of funds was so important. We could have made some provision which no doubt could have been continued if the question of site and plans had been settled, but for one reason or another delay had occurred—that he admitted. One of the reasons no doubt which probably influenced the Government was that they did not want to begin a building of this sort unless they could build upon a plan that was likely to last for a considerable period. He was not prepared to admit that the accommodation in the Supreme Court was as bad as it was stated to be, even by the judges. He had it on the authority of persons who practised in that court, that the building was not at all uncomfortable at the present time, and during the last year £1,000 had been spent in improving that building. Either that £1,000 had been thrown away, or some improvement had resulted; but no doubt it was customary to abuse the court-house. Its appearance was not so very good, perhaps; but those who knew the building a year ago, and saw it now, must admit that there was a considerable improvement in its appearance. The Government would have gone on with this work without this motion, which, he thought, had been modified in some way.

MR. LEAKE: It had not been modified by him.

THE PREMIER: It was not in the terms in which the hon. member gave notice. Probably it was out of order in the way in which it was given.

MR. LEAKE: No doubt it was improper.

THE PREMIER: Hon. members, as well as himself, would no doubt be glad to see a good Supreme Court building. An amount had been on the Estimates for some time.

MR. A. FORREST: Would it be a reproductive work?

THE PREMIER: This great eagerness on the part of the judges and others to have the new building erected was not justified. He had read that one judge had said the action of the Government was scandalous in this matter. He (the Premier) said that judges in England did not use these terms in regard to the Government of the country; and he was sorry to see that the judges in this colony used such terms in reference to those who held responsible positions. It did not make one feel more eager to assist, in a matter of this kind, when expressions of that sort were used towards persons who were doing their best to push forward public works, and when the delay in this matter could not be laid at the door of the Government. He did not say the delay was anyone's fault in particular, but the plans had been going about from one place to another, and no doubt the first estimate, which was made some two or three years ago, was altogether too extravagant. A sum of £50,000 was estimated for erecting this building. Hon. members would not wonder that the Government hesitated to erect a building to cost £50,000; and his colleague, the late Attorney-General, was right in hesitating to recommend plans which would cost £50,000 to carry out. Other plans were prepared on a more moderate scale, and these had been going about from the Law Department to the judges and back again, and now he believed they had been approved of. So far as he was personally concerned, he was not responsible for recent delays, and it would be difficult to find who was. He did not think, however, that any harm had been done. This was not a great and pressing work which everyone considered should be carried out at once. As he had said, there had already been spent about £1,000 in improving the building, and he did not think the officers could be so

uncomfortable as had been stated. A few years ago, when in England, he went to Downing-street, and there saw some of the principal officers of the State in rooms much worse than the rooms occupied by the judges of the Supreme Court of this colony. When it was remembered that Judge Burt and other judges had occupied these rooms——

MR. LEAKE: There were three judges now.

THE PREMIER: The judges were not all in one room.

MR. LEAKE: But the associates were.

THE PREMIER: The Government had not been other than anxious to do everything possible to add to the convenience and comfort, not only of the judges but of the members of the legal profession. It was altogether unfair to be told by anyone, whether Chief Justice or anybody else, that the accommodation at the Supreme Court was scandalous. That was an improper observation which should not have been made, and he resented it, and was glad to have an opportunity of resenting it at the present time.

MR. SIMPSON: The Chief Justice would reply.

THE PREMIER said he had no objection to the motion, because it was intended by the Government to go on with the work. Plans had already been laid on the table of this House, and as soon as the total cost of the building was ascertained there was no reason why the work should not be proceeded with. It was intended to provide for this work in the incoming Estimates.

MR. A. FORREST (West Kimberley) asked the member for Albany (Mr. Leake), whether he considered the motion necessary, after the hon. member's action a few evenings ago, when he took up the position that no further money should be spent.

MR. LEAKE: When was that remark made?

MR. A. FORREST: The hon. member voted against loan money expenditure, and it was to be presumed that the money spent on the proposed new Supreme Court buildings could not be found out of the current revenue of the country. There were many more urgent works than the erection of a new Supreme Court. He would ask the member for Albany, in view of the large amount of damages that had lately been given in the Supreme Court of this colony, and the large number of writs that had been placed in the hands of people in the colony, whether if a new and more comfortable Supreme Court were built, these heavy damages would be on the increase or the decrease.

MR. LEAKE: The hon. member ought to give notice in writing of a question of that kind.

MR. A. FORREST: An answer would help hon. members, especially on the Government side of the House, and he would not speak of others, in making up their minds as to whether a new Supreme Court should be built. Those in the country who had anything at the present time felt the verdicts lately given, not only by juries, but by the Chief Justice and judges, to be almost unbearable. They heard of a verdict, the other day, for £7,500 for a piece of land that was not worth more than £200 or £300. They had also heard of a case in connection with a man who came from another colony to avoid his liabilities, in which a person was mulcted in £5,000.

THE SPEAKER: The question referred to by the hon. member had nothing to do with the question of the erection of Supreme Court buildings.

MR. FORREST: If the new Court buildings were erected, would there be any chance of the people of the colony being placed in a position where it was not safe to say a single word? People were not able to discharge a servant now, unless a writ followed for damages. Another reason given for the erection of new buildings was that the present buildings irritated both judges and juries, and it was absolutely necessary to have a better place for them. [MR. LEAKE: Hear, hear.] Perhaps the hon. member would reply. The hon. member knew—he would not say the hon. member had told him, though it could be inferred—that it was not safe for anyone to go down to the court at the present time. It was, at any rate, not safe for anyone who had anything to lose.

MR. LEAKE: Juries had been very liberal, lately.

MR. A. FORREST: Juries and judges, both. He could see no difference between them. It seemed a case as to who could get the most, and they never seemed to consider how much a man could pay. He (Mr. Forrest) had no objection to the motion proposed; but he asked the member for Albany to give a little information as to whether the motion would be the means of reducing costs and charges at the present time.

THE DIRECTOR OF PUBLIC WORKS (Hon. F. H. Piesse): There was no necessity for the motion, for the reason that the Government had already recognised the necessity of erecting new court buildings.

MR. LEAKE: Why not say so?

THE DIRECTOR OF PUBLIC WORKS: The hon. member knew, because that gentleman asked the question the other day, and was told that plans had already been approved for the work. The only thing was that there were not sufficient funds to go on with the work. No delay had occurred, so far as the Public Works Department was concerned. Unfortunately, the plans for some little time were in the Law Department, and a great many people were responsible for the delay in their preparation. In the Works Department there had been no delay which could possibly be obviated. The Government intended coming to the House, when the Estimates were on, for an amount sufficient to enable a commencement to be made with the work of erecting new courts of justice, and there would be no delay after Parliament voted the money. The amount estimated as the cost of the work, before it would be completed, was £40,000 or £50,000; but it was now proposed to ask for only £10,000 to make a commencement. It was hardly necessary to bring forward this motion, because the Government were quite willing to carry out the work immediately the funds were provided. If the hon. member would leave the matter in the hands of the Government, it would be seen that the necessary amount was provided on the Estimates. On these grounds, he would ask the member for Albany (Mr. Leake) to withdraw the motion.

MR. EWING (Swan): It struck him today, as it had struck him previously, that it was a sad thing, time after time, to sit in this House and hear the administration of justice in the colony slandered. It appeared to him that gentlemen who filled judicial positions in this colony, if wrong, were wrong honestly, as the outcome, perhaps, of a mistake on their part—if they were wrong. On a motion like this, nothing should be said with regard to the judges of the colony, who administered their duties to the best of their ability. Whether those duties were administered well or ill had nothing to do with this House or the motion before it. That was exactly the position he took up, and, therefore, he did not intend to deal further with the question, except to refer to words used by the Premier. A judge of this colony had said that the condition of the courts, and the courts themselves, were scandalous.

MR. SIMPSON: So they were.

MR. EWING: And the judge was perfectly justified in the words he used. The Premier now said the courts were not scandalous. He (Mr. Ewing) would like to ask the Premier whether it was scandalous or not that three judges of the Supreme Court should be sitting when only two courts were provided for them; that the courts were inadequate for the persons required to attend; that jurors and witnesses in waiting, ordered out of court, had to stand out in the sun or the rain; and that the legal profession had no facilities for performing their duty towards the State? The judges were harassed by the noise in the vicinity of the court, occasioned by the cramped condition of the building. Practitioners, lawyers' clerks, and witnesses were divided from the judges only by a thin boarding, and at times it was almost impossible to hear the evidence given.

THE PREMIER: That was exaggerated.

MR. EWING: All that was scandalous.

THE PREMIER said he had been at the courts himself.

MR. EWING: The words of the learned judge were well chosen, when he said the condition of affairs at the Supreme Court was scandalous to any civilised community.

THE DIRECTOR OF PUBLIC WORKS: Give the Government time. The hon. member wanted the Government to act with a magic wand.

MR. EWING said he did not want anything magic, but what was wanted was something more than promises. Courts had been promised so long that they might have been provided even with such a slow-going Government as the present.

THE PREMIER: How long had the hon. member been in the colony?

MR. EWING: So long as he was here, he would claim the right to express an opinion. Was the condition of affairs as it ought to be? It was not. It was a condition of affairs which harassed the administration of justice. He was conducting a case the other day when the court had to adjourn because there was no ceiling above, and it was impossible to make the witnesses hear counsel, while at the same time the judges could not hear.

THE PREMIER: That had happened in Parliament House.

MR. EWING: That was no reason why it should happen in the law courts. The Premier should hold the administration of justice dear, and should provide a proper means of administering justice. At any rate, he should enable judges and juries to hear the evidence given before them on which they had to base their decisions. He (Mr. Ewing) said, advisedly, that in very many cases judges and jurors lost a large portion of the evidence because of the noise in the immediate vicinity of the court. So long as the present building was used, the condition of affairs he had described must continue; and he repeated the words of the Chief Justice when he said that the condition of the courts of the colony, notwithstanding what the Premier had said, was scandalous and a disgrace to the community.

HON. H. W. VENN (Wellington): The House could hardly object to the erection of a new court house, as the subject had been before hon. members on several occasions, and we were almost committed to it. He thought the Government had very wisely taken time by the forelock in having designs prepared. It appeared to him, however, that to commit ourselves to an expenditure of between £30,000 and £50,000, or anything like that, would be very foolish, in the present condition of the colony. The existing building was said to be scandalous, but it would be some time before the evil could be remedied, and it was just possible that in order to prevent people standing in the rain, a good-sized verandah might be erected round it. It would be far better to do something to fill up the gap between now and the two or three years that it would take to construct a new building than to do nothing. We might postpone for some time incurring such a heavy expenditure as was proposed.

THE PREMIER: £57,000 is the estimated cost.

HON. H. W. VENN: Hon. members would not agree just now, he thought, in incurring any large expenditure for bricks and mortar. Some hon. members had recently been through the other colonies, and had enjoyed the advantages and comforts of the magnificent buildings there; but had felt very sorry for the people who built them, and did not want to follow in their footsteps here. The present court house buildings had been good old friends. They had lasted so long that under certain conditions—perhaps by the expenditure of £2,000 or more—they might be made so as to last us longer. When we had a larger population, it would be time enough to consider the question of erecting costly buildings. The House would hesitate very much before urging upon the Government to go in for this extravagant expenditure.

MR. MORAN (East Coolgardie) trusted the House would not approve of another waste of public money like that which had been incurred on the building next door, which faced nowhere, which had a front of the Corinthian order running through three storeys, and an enormous amount of corridors fit to grace any building in the world, but now gracing a lane. It was a magnificent design, with thousands of pounds' worth of work stuck over a narrow street, affording no accommodation whatever apart from the ornamental point of view, and which ornamentation no one ever saw. The Director of Public Works must know it was an absolute waste of public money.

THE DIRECTOR OF PUBLIC WORKS: It only cost £2,000.

MR. MORAN: There was no contractor to-day who would construct the front of that building for so small a sum.

THE DIRECTOR OF PUBLIC WORKS: The whole building only cost £26,000.

MR. MORAN did not object to a certain amount of ornament in the capital city of the colony; but to place it opposite a lane——

THE DIRECTOR OF PUBLIC WORKS: It was opposite the Cathedral.

MR. MORAN: It was not; and even if it were, that would be no argument in its behalf. The expenditure on the Supreme Court building was not more urgently required than for buildings in other parts of the colony. Some means might be taken whereby the proposed expenditure need not be incurred. If, however, a new building were erected, the ornamentation should be cheap as well as effective; and then there would not be such waste of public money.

MR. LEAKE (Albany): The member for West Kimberley (Mr. A. Forrest) had asked him whether the proposed expenditure on a new Supreme Court house would reduce litigation or the cost of litigation; whether more writs would be issued, and whether there would be more trouble for gentlemen of his calibre generally. He (Mr. Leake) did not think that these ends would be attained. There would not be any less litigation, nor would it be less costly, but it would be more convenient. As to the verdicts being unbearable, that was always the case with those against whom the verdicts were given. His experience was that sometimes the jury did not give enough. He only got £1,000 out of the Government the other day, and he wanted more.

THE PREMIER: How much did the hon. member expect?

MR. LEAKE: Others had been made to pay pretty heavily lately, and they, too, were complaining. He wanted to point out one or two facts to the Premier which really justified the remarks which had been made from the bench with regard to the present Supreme Court buildings. He considered these buildings were scandalous, judged from the point of view of those who had to occupy them.

THE PREMIER said he had heard a practitioner say they were very comfortable.

MR. LEAKE: It must have been the Attorney General, then.

THE PREMIER: It was not the Attorney General.

MR. LEAKE: The majority of the bench would, he was sure, support those who were asking for the erection of a new building.

THE PREMIER: Was not the present building much more comfortable now since £1,000 had been spent on it?

MR. LEAKE: The inconvenience had been certainly lessened to a very considerable extent; but it was not to the best interest of the colony to keep on patching up an old building which must eventually come down. There were some most important records kept in that building, which might very easily be burnt. Gentlemen who did not go into Court did not appreciate the disadvantages suffered by those who had to do business there. He would assure them that all that the member for the Swan (Mr. Ewing) had said with regard to the discomfort of the present building was no exaggeration. It was sometimes impossible to hear the judges, and the judges could not hear the witnesses, and the witnesses could not hear the counsel, owing to the noise made immediately above them. There was a library in an open gallery round the hall. He had been obliged to pause when addressing the bench to ask the people there not to make so much noise; and the judges occasionally made similar requests. There was one point in connection with that building which was a most serious blot on the administration of justice. When juries retired they were put into a room which was so badly and faultily constructed that their deliberations could be overheard. Would hon. members believe that it was possible for people to hear which way the jurors were going to vote!

THE PREMIER: That could be easily remedied.

MR. LEAKE: No. The building was so antiquated that you could not render it serviceable without a great expense. Then there was no gas there, and the usher had to bring out a couple of old candlesticks or kerosene lamps when it got dark. You could see to write, and you could even see the judge on the bench. Then it was very cold there. He had often seen the judges shivering, wrapped up in their own rugs to keep themselves warm. The late Chief Justice would shiver like an aspen leaf. He always had his legs under two or three

heavy rugs. He was an elderly man, and used to feel the cold. He (Mr. Leake) did not know why the member for West Kimberley (Mr. A. Forrest) should wax so indignant about the proposal, or why the Director of Public Works should say it was not justified. It was proposed to erect a building which would cost £57,000. That suggestion did not emanate from this House. If the Minister had big ideas and extensive designs prepared——

THE DIRECTOR OF PUBLIC WORKS: The reason for the expense was in order to provide the accommodation which had been asked for.

MR. LEAKE: Better accommodation could be got, he believed, for much less than the sum named. If hon. members would refer to the Estimates for the year ending 1897, which were passed in 1896, they would notice that the sum of £4,000 was passed for the erection of the Perth Supreme Court. The cost of the work, when completed, was estimated in June, 1896, not at £57,000, but at £25,000.

THE DIRECTOR OF PUBLIC WORKS: They had asked for a great deal more since.

MR. LEAKE: Who had asked? The Attorney-General?

THE DIRECTOR OF PUBLIC WORKS: No.

MR. LEAKE: Perhaps the judges. No doubt they asked for what accommodation they required; but the judges did not dictate to the Government that they should spend £57,000. He regretted that the Premier and his henchman—the member for West Kimberley——

MR. A. FORREST: Whom did he mean by "the Premier's henchman?"

MR. LEAKE: The hon. member became angry and snapped at the judges. We should be careful not to say anything to impugn either the ability or the integrity of the judges who occupied such important positions in the community. He would ask hon. members to be careful in what language they used. He did not feel annoyed about it himself, but a lesson in courtesy was not out of place even in a Legislative Assembly.

Question put and passed.

PUBLIC EDUCATION BILL.

The Bill having lapsed as an Order of Day for Committee, consequent on a count-out (7th July), and the Order having been restored by motion to the Notice Paper,

THE MINISTER OF MINES (Hon. H. B. Lefroy, in charge of the Bill) now moved:

That the House do now resolve itself into a Committee of the whole, to further consider the Public Education Bill (Clause 39—Proposed amendment of Mr. Moran, in line 4, to strike out the word "if," and to substitute the word "unless" in lieu thereof).

Put and passed.

IN COMMITTEE.

Consideration resumed at Clause 39—Objections to religious instruction:

The amendment which had been moved by Mr. Moran (7th July) was to make the clause read as follows:—

Notwithstanding anything contained in this Act, no child being instructed in any Government school should be required to receive any instruction in religious subjects, whether included in secular or otherwise, unless the parent of such child signifies his objection to such religious instruction by notice, in writing, to the head teacher of such school.

MR. MORAN said: The amendment which he had moved in clause 39, on the last occasion that the Bill was before the Committee, was not such an important matter that the Government ought to have allowed the House to be counted out on it. He believed the feeling on the matter in the House at the present moment was rather in favour of allowing the clause to go as printed, instead of in the amended form which he had proposed. Therefore, as he had no intention or desire to push anything that was unreasonable in this Bill, he now asked permission to withdraw the amendment which he had moved at the previous sitting. In doing so, he regretted that the Government should have allowed the Bill to be counted out on his amendment, as it was not his intention to have brought about any such issue.

MR. SIMPSON: It was the duty of the Government to keep the House together.

MR. MORAN: Having no intention of either conniving at or bringing about such an issue, he regretted the incident that had occurred. This Bill was too important to himself and to everyone in the

colony to allow such a result to come about. He regretted also that so much religious feeling should have been stirred up in the community anent this matter. The part he had taken was, he hoped, a straightforward one, and it was simply that he had objected to the terms "secular education" and "religious instruction" being intermixed in any way. Without referring particularly to what had appeared in the Press on this subject, he wished to state that from more than one quarter—and in saying this he did not profess to be authorised—he regretted exceedingly that any language should have been used in speaking of persons in high places, that was not in consonance with the dignity which should hedge them round, or the respect in which they held them in, whether they were the dignitaries of his own church or any other church.

MR. SIMPSON: Who said anything about dignitaries?

MR. MORAN regretted that any language should have been used in any part of the public Press, in speaking of the dignitaries of any church, which was not in keeping with the position they held in the colony. He hoped he had the highest respect for the dignitaries of all the Christian churches which were endeavouring to do real good in the colony; and he hoped the day was far distant when he, or any other member, would be a party to any writings or any action which would not be in keeping with the high and responsible position which those dignitaries held in their respective churches and in the community. In differing from members of the Church of England on this question, he did so with the greatest respect for the Bishop of the Anglican Church in this colony, having regard to the undoubted learning and ability and the eminent position of that dignitary, and which he (Mr. Moran) would not impugn in any way. He felt the greatest respect for religion in every possible way; not only for the religion of his own church, but for every Christian community which had for its aim the lifting up of mankind. He did not want any newspaper in the colony to be accusing him of having ulterior motives in what he had done, in proposing the amendment to this Bill; and he did not want his motives to be misinterpreted. He felt sure they were not misinterpreted inside this Chamber, and hoped they would not be misinterpreted outside. With these remarks, he asked leave to withdraw the amendment.

Amendment, by leave, withdrawn.

THE MINISTER OF MINES, by leave of the Committee, and in reply to the remarks just made, said he thanked the member for East Coolgardie (Mr. Moran) for the position now taken in regard to this clause. He did not consider the Government were in any way responsible for the action taken by the House in the previous week, in causing the count-out while the amendment was being discussed. When the Bill was going through the second reading it was distinctly stated by members, and particularly by the member for Central Murchison (Mr. Illingworth), that this was a good Bill, and that the House had no intention of interfering with its vital principles.

MR. ILLINGWORTH said he had not spoken on the second reading.

THE MINISTER OF MINES: The hon. member spoke to him across the House, to the effect which he had stated. It was customary, when any member intended to alter the vital principles of a Bill, that he should give notice of any such amendments.

MR. MORAN: The Minister had not given notice of this new clause, and it was dealing with a vital matter.

THE MINISTER OF MINES: The clause which the hon. member (Mr. Moran) had attempted to alter in the Bill was one which had been in existence in this colony for years.

MR. SIMPSON: The Minister did not explain the Bill when speaking on the second reading, but merely read the marginal notes: and it was his fault if members did not understand what were the vital principles.

THE MINISTER OF MINES: The Government did not expect that any member would attempt to alter the principles of the Bill in the way the member for East Coolgardie and others had attempted to do it. Possibly the member for East Coolgardie had not understood the position when proposing his amendment, and did not realise the fact that this provision had been the law in this country

for years. He had evidently not understood that there had been no attempt on the part of the Government, as had been stated in a newspaper, to impose a penalty which would operate detrimentally to any section of the community. He thanked the member for East Coolgardie for not continuing the discussion on the amendment, and for consenting to withdraw it.

Question—that the clause as previously amended (by striking out the words "included in secular instruction or otherwise") be agreed to—put and passed.

Clause 40—agreed to.

Clause 41—All schools other than a State or other school established under this Act, may be found efficient:

MR. MORAN moved, as an amendment in the third line, that after the word "apply" the word "annually" be inserted. This would simply give those schools which were not State schools an opportunity of proving their worth every year.

MR. HALL: Say "shall apply annually."

MR. MORAN: No; he did not wish to interfere with a vital matter.

MR. LEAKE: If there were any force in the word "annually," the suggestion of the member for Perth should be carried out by making the provision compulsory; but the amendment was not really necessary. Schoolmasters should apply in order to have their schools declared efficient.

THE MINISTER OF MINES: There was no necessity to add the word "annually." If a school was not found to be efficient after examination, the right to keep that school open would be taken away.

MR. SIMPSON: How would the inspector find out?

THE MINISTER OF MINES: The inspector had the power to find out whether the school was efficient. If a child attending a private school was found not to be efficient, the parent of that child could be proceeded against under the compulsory clauses of the Bill, and be compelled to send the child to an efficient school. Private schools would be open to inspection, and if these schools were not found to be efficient, the certificate of efficiency would be taken away.

MR. HALL: No harm would be done by striking out the word "may" and inserting "shall," in the third line. Many private schools were carried on by teachers who were not fit in any way to conduct a school, other than as a nursery, and the consequence was that many of the children attending these schools were supposed to be educated, but they obtained only a smattering of knowledge. If a school was not efficient, the school would not be advertised in the *Government Gazette* as an efficient school; but as very few people saw the *Government Gazette*, the public would not know which were efficient schools and which were not. He did not see what harm would be done by making private schools apply to be declared efficient. He moved, as an amendment in the third line, that the word "may" be struck out, with a view to inserting the word "shall" in lieu thereof.

THE CHAIRMAN: An amendment was already before the Committee.

THE MINISTER OF MINES: A child must, under the Bill, attend the Government school or an efficient school for so many hours during school days. In order to make a school efficient, it must be inspected and passed as efficient. If it was not passed as efficient, the parent of the child attending that school could be brought up for not sending it to an efficient school. Private schools would be open to inspection by inspectors every year, and if the schools were not found efficient, the certificate of efficiency could be taken away.

MR. SOLOMON: The clause should remain as it was. The word "annual" seemed to be superfluous.

Amendment put and negatived.

MR. HALL. The clause provided that the Minister might certify that the school was efficient without having an inspection of that school. This was a bad precedent to adopt, to allow the Minister to say that any school was efficient without examination.

MR. LEAKE: Certain schools had reputations.

THE MINISTER OF MINES: A university, as well as certain schools, had reputations, and these establishments should not be interfered with by the Minister, who knew by the reputation of the school that it was efficient. The Minister would know by the

work which the school performed, whether it was efficient; and if he were satisfied without examination, he could certify, and not compel the principal to undergo the inconvenience and trouble of an examination.

Amendment (Mr. Hall's) put and negatived, and the clause passed.

Clause 42—Compulsory attendance:

MR. VOSPER: Under the first subclause, any child not less than six nor more than nine years of age must attend a school, if such school were two miles away. If they took into consideration the age of the child, the distance was rather severe. The idea of asking a child six years of age to go two miles to school was too much. Two miles might be altered to one mile. That would be much more reasonable. Provision could be made for children from six to eight years of age having to go one mile; and from eight to nine years, two miles.

THE MINISTER OF MINES: There had never been any complaint in regard to this provision, and it was exactly the same as that in existence at the present time. This provision did not affect the people in towns at all. It was a good thing, however, to compel people to send children within two miles to a school in the country districts, because a school could not be kept together unless a sufficient number of children of school age were to be obtained. People in the country districts did not think two miles was too far for a child of six years of age to walk.

MR. VOSPER: How would the road be measured?

THE MINISTER OF MINES: Two miles by the nearest road.

MR. ILLINGWORTH: Some parents selected a school, and did not send their children to the nearest school. The intention of the clause was, as he understood it, to compel parents to send their children to the nearest school, provided it was not more than two miles distant. He had had a conversation with the Minister of Education on this point, and that seemed to be the explanation.

THE MINISTER OF MINES: That was not the intention of the clause. Clause 50 dealt with the point referred to by the hon. member (Mr. Illingworth). In clause 50 it was provided that the Minister might "refuse the admission of a child to any State or provisional school in the case of any child for whom accommodation had been provided in another State or provisional school nearer to the dwelling place of the child, or if there was more suitable accommodation in some other school within the prescribed distance." If a child was receiving efficient instruction at home or elsewhere it did not come under the compulsory clause.

MR. ILLINGWORTH: Why compel a child to go to school two miles off?

THE MINISTER OF MINES: That was not the intention. No child of less than six years of age was compelled to go to a school which was more than two miles from the child's residence.

MR. ILLINGWORTH: There was no provision made for children beyond that distance from a school.

THE MINISTER OF MINES: There could not be a school for every child.

MR. ILLINGWORTH said he merely wanted to show the inconsistency of the clause.

THE MINISTER OF MINES: There was no inconsistency.

MR. ILLINGWORTH: There was sufficient reason to say there was inconsistency.

THE MINISTER OF MINES said he would like the hon. member to prove it.

MR. HALL: According to the clause, it was necessary for every child of not less than six years of age to attend school within two miles, in spite of the fact that there might be a school three miles away to which the parents might prefer to send the child. In order to remove the difficulty he would move that between the words "school" and "on" in the fifth line of sub-clause 1 there be inserted the words "or other school in the vicinity."

THE MINISTER OF MINES: The amendment did not remove the objection raised, but simply provided for another school within two miles. A parent could send his child 20 miles to a school if he liked. If there was no school within the limit, then there was no compulsion. The clauses with which the Committee were now dealing were the compulsory clauses.

MR. MORAN asked the leader of the Opposition to make the legal meaning of the clause clear.

MR. LEAKE: Ask the Attorney General.

MR. MORAN: The Attorney General had too much to do.

THE MINISTER OF MINES: If a child was receiving an efficient education elsewhere, it was not compulsory for that child to go to a school.

MR. SOLOMON: A parent could send his child to any school so long as that school was efficient, even though that school were next door to the parent's residence. It was difficult to see where the amendment came in.

THE ATTORNEY GENERAL: The compulsion was limited to two miles in the sub-clause.

MR. MORAN: It was not optional for a parent to send his child beyond the two miles' radius.

THE ATTORNEY GENERAL: The hon. member had—if the phrase might be used—got hold of the wrong end of the stick. The compulsion was limited to two miles, but beyond that the parent might send his child as far as he liked to school.

MR. MORAN referred to the word "shall" in the clause, and said he took it as meaning that the child was compelled to go to school within the two miles' radius.

THE MINISTER OF MINES pointed out that the clause started with the words "unless some reasonable excuse for non-attendance is shown."

MR. LEAKE: It was an excuse if a child went to a school three miles away.

THE MINISTER OF MINES: It was an excuse to say that a child went from Perth to Fremantle to school every day.

MR. HALL said that in view of the explanation of the Minister of Mines, he would withdraw the proposed amendment.

Amendment, by leave, withdrawn.

MR. LEAKE: Would the Minister, since he was anxious to explain, show the Committee the object of the proviso, "that a continuous attendance for two hours for secular instruction by any such child shall count as half a day's attendance"? Clause 1 already declared that a child should attend every day during school hours, except for some excuse.

THE MINISTER OF MINES: This proviso, in his opinion, was not really required. Under the old Act it was provided that a child should attend for a certain number of half-days—70 days per quarter—but in the present Bill it was set out that two half-days on two separate days should count as a whole day.

MR. LEAKE: The only possible advantage that could be derived would be in regard to making up the returns.

THE MINISTER OF MINES: The Bill made it necessary for a child to attend school every day the school was opened. At first sight the proviso seemed superfluous, but he would look into it.

SIR J. G. LEE STEERE: The words of the proviso were simply intended to provide for accurate returns. If a child was not able to attend a full day, it could attend half a day, and each half-day counted in the aggregate attendance.

MR. LEAKE: It was a question of returns.

SIR J. G. LEE STEERE: Yes.

MR. KENNY suggested that the children should be carried by railway to and from any school free of charge, if it were situated more than two miles from their home.

THE COMMISSIONER OF RAILWAYS: School children were carried free of charge on all railway lines at present, if the school were situated at a distance of three miles.

MR. MORAN: Did this apply to all schools, both State and private, or did the Commissioner only mean it to apply to children attending a State school? Did the Commissioner think it fair that a parent who sent his child to a private school should not have the same advantages on the railway as the parent who sent his child to a State school?

THE COMMISSIONER OF RAILWAYS: This was a very controversial subject. He had already decided that children attending a State school should be carried to any school free of charge by the railway, provided the school was not less than three miles away from its home. That course had been adopted after a great deal of consideration. He did not see why it should apply to private schools.

MR. KENNY moved an amendment in accordance with his previous suggestion.

THE COMMISSIONER OF RAILWAYS: Notice should be given by the hon. member of his intention to introduce such an amendment, as it dealt with the railways, and concerned the revenue.

THE MINISTER OF MINES: Did the member for North Murchison (Mr. Kenny) mean by the expression "any school" a private school as well as a State school?

MR. KENNY: The expression applied to any school included in the Bill.

THE COMMISSIONER OF RAILWAYS: This amendment could hardly be acepted, or the question discussed, as it affected the revenue of the country.

MR. KENNY said he would be perfectly within his rights in formally moving the amendment as a new clause at the end of the Bill, and he asked leave to withdraw his amendment at this stage in order to be able to introduce it later on.

MR. MORAN: Did the Chairman rule that the amendment could not be put as a sub-clause at this point?

THE CHAIRMAN: Yes.

Amendment, by leave, withdrawn, and the clause passed.

Clauses 43 and 44—agreed to.

Clause 45—Truant officers may accost children in public places:

MR. ILLINGWORTH: If every truant officer could stop a child in the street, he would be able to exercise a power which might be abused.

THE MINISTER OF MINES: The truant-officer should be obliged to use ordinary discretion. If he abused the power granted under this clause he would probably lose his position. If the State said that children must go to school, the State must take every means of enforcing its command, and the only way to enforce it was to have truant-officers who could make inquiries of the children in the street. It would be his own endeavour to see that this power was never abused, and he was sure the Education Department would take steps in the same direction.

MR. ILLINGWORTH: Great care would have to be taken to prevent the abuse of the power given under the clause.

MR. MORAN: The clause should be very jealously guarded, as, in his opinion, it was giving the truant-officers dangerous power.

[Amendment (Mr. Leake's) not formally moved: the intention being to move it as a new clause, later.]

Clause put and passed.

Clauses 46 and 47—agreed to.

Clause 48—Employment of children of compulsory age:

THE MINISTER OF MINES said he wished to insert after the word "child," the words "during school hours."

MR. VOSPER: The clause would be better as it stood. He did not think it was the desire of the Committee to do anything which would allow persons to put their children to work out of school hours. The age provided in the Bill for children to attend school was too young to allow of their doing any hard physical labour, and he did not think children of that age should be employed in any such labour. In his opinion, the clause would be spoilt if it were altered.

THE MINISTER OF MINES said he was not wedded to the words. He had thought this was hardly the place to deal with the employment of children, but he now thought otherwise. He quite agreed with the member for North-East Coolgardie (Mr. Vosper). If the clause in its present form would effect the object the hon. member had in view, he should be very pleased, indeed.

Put and passed.

Clauses 49 to 54, inclusive—agreed to.

Clause 55—No action against Minister for nonfeasance or misfeasance:

MR. VOSPER said he did not exactly understand the meaning of the clause. Did it mean that no action for damages should lie in spite of any neglect of duty on the part of the Minister, or on the part of his subordinates? Supposing a school was allowed to get into a dilapidated condition, and fell down on the children, would there be no means of bringing an action against the Minister?

At 6.30 p.m. the CHAIRMAN left the chair.

At 7.30 the CHAIRMAN resumed the chair.

MR. VOSPER moved that the clause be struck out.. A little while ago the House had under consideration the Crown Suits Bill, which proposed to abolish the exclusive right of Ministers of the Crown to be exempted from the payment of damages which might be obtained against them. This clause was entirely inconsistent with the spirit of such legislation, and he did

not approve of any measures that would absolve Ministers from responsibilities which should attach to them. If by any means an accident happened to State school children, or to persons employed about State schools, such as building materials falling, the Government, if it were due to their neglect, should suffer for the injury done, the same as a private individual would, but within the limitations laid down by the Crown Suits Bill.

THE PREMIER: The Crown Suits Bill would not protect the Government against such action.

MR. VOSPER: The Crown Suits Bill would protect the Government to this extent, that no claim for a larger sum than £2,000 could be preferred against them.

THE PREMIER: Was not that only in respect of railways?

MR. VOSPER: No; apparently it was general in its application. That a Minister should be exempt from an action for damages was certainly a vicious principle to incorporate in a Bill. The rights of the subject in this matter should be strictly respected.

THE MINISTER OF MINES (in charge of the Bill): As the State would give free education under this Bill, the Minister who carried out the work of education should certainly be protected. The clause only protected the Minister from any action for nonfeasance or misfeasance in respect of the duties imposed on him by statute. If, for instance, inspectors did not visit a school at the proper time, or if the school were not open at the proper time, the Minister was protected against any action for damages on account of such neglect. That was only right. It did not appear that the Minister or the Government would be altogether exempted from any civil action under this Bill, in cases where there had been any wilful wrong done to children or accidental injury, while attending State schools, or in cases of wilful neglect; but the Bill provided that certain things must be done in the way of teaching and inspection, and this clause provided that no action should lie against the Minister for not doing, or for misdoing, any of the things provided for.

MR. VOSPER: If this clause referred specially to such matters, there could be no objection to it; but it appeared to protect the Minister against every kind of action, or would be so interpreted. Certain wrongs could be committed against pupils or against parents or teachers, which should certainly have their remedy. It was provided, for instance, that the Minister might declare a school efficient without inspection, or might refuse inspection. If the managers of a school demanded inspection in order to prove that their school was efficient, the Minister was not bound to grant it, and could declare the school to be non-efficient, thus placing the management in an awkward position. Yet there would be no remedy.

THE MINISTER OF MINES: Except through Parliament.

MR. VOSPER: Yes; but, while the managers of the schools were waiting for the matter to be discussed in Parliament, and working up public sympathy, they would be losing time and money, and also losing reputation. If the Minister were to take such action it would cause serious loss.

THE PREMIER: What action could be brought against him in any case?

MR. LEAKE: It would only be neglect of duty.

MR. VOSPER: But why should the Minister be allowed to neglect his duty?

THE MINISTER OF MINES: Private schools were not required to pay for such services.

MR. VOSPER: Nevertheless they did pay, because every person paid rates and taxes in some way or other. Supposing a building had been faultily erected and an accident happened, causing personal injury, the Minister would be liable?

THE PREMIER: There was nothing about building in this Bill.

MR. VOSPER: A person should have some remedy, if injured in any way. This clause was setting up a bad precedent.

THE PREMIER: Too much law altogether.

MR. VOSPER: Too much of this kind of law.

MR. LEAKE: This Bill merely protected the Minister from personal liability. It would not shut anybody out of a remedy against the Government.

MR. MORAN: Was this an old or a new clause?

THE MINISTER OF MINES: This was new, and he had previously stated

that the Government were starting forward in a new direction.

MR. SIMPSON: Was this provision in the previous Act?

THE MINISTER OF MINES: A clause like this was not, but this provision should commend itself to hon. members. There was a deal of new matter in the Bill, and he regretted to hear any hon. member say the Government never struck out in a new direction.

MR. SIMPSON: It was striking out in a new direction, to count out the Bill, the other night.

THE MINISTER OF MINES: The Government did not count out the Bill.

MR. SIMPSON: It was an absolute failure of the Government in their duty to the country, to count the Bill out.

THE MINISTER OF MINES: The Government were not supposed to shepherd the Opposition. It was the duty of the Opposition to remain in the House.

THE PREMIER: Mistakes would happen.

THE MINISTER OF MINES: Members seemed to have got tired, on the previous occasion, when discussing the Bill. This provision was to protect the Minister from actions brought under the Bill; and as the Minister was responsible to Parliament for his actions, if he did any wrong he had to come to the House and account for it; consequently the Minister would be careful in his actions. The House should give this protection to the Minister.

MR. LEAKE, to remove any doubt, moved, as an amendment, that the word "personally" be inserted after "Minister," in line 2.

THE PREMIER: The Minister could not be liable personally.

MR. LEAKE: Then the clause was wanted to protect the Government.

THE PREMIER: Members could "fleece" the country if they liked.

MR. MORAN: Would this clause prevent an action against the Minister of Education similar to that which was before the court? Would it prevent litigation by a teacher, such as that brought by the teacher who had been appointed to the Boulder school?

THE MINISTER OF MINES: The hon. member had better leave that case alone.

MR. MORAN: Would the clause prevent an action such as the one which was now before the court, in which a teacher was sent to the Boulder. That teacher was not allowed his travelling expenses, and no dwelling house was provided for him, nor was he allowed anything for lodging, according to the agreement. Would this clause prevent the Minister being sued in a case of that kind?

THE ATTORNEY GENERAL: The hon. member, he understood, was referring to a case now before the court.

MR. MORAN said he was referring to any case of the kind he had quoted.

MR. VOSPER: This clause was to protect the Minister when he failed to do his duty, or had done his duty badly. If the clause prevented such a case as that cited by the member for East Coolgardie being brought against the Minister, then it was an argument in support of the striking out of the clause.

THE ATTORNEY GENERAL: Most undoubtedly the clause would have the object of preventing actions against the Government. It had been included in the Bill to protect the Minister who might have done something badly, or had omitted to do something.

MR. LEAKE: On the Attorney General's opinion, supposing a teacher had his salary in arrears, the teacher could not sue for it. Therefore the clause should be struck out.

MR. ILLINGWORTH: Why was there any necessity to have a sub-clause of this kind in an Education Act? The Crown was surely not going to hide itself behind the miserable subterfuge that, because it was giving free education, the Minister was to be protected from wrongdoing.

THE MINISTER OF MINES: Having lived all this time without such a clause in the Education Bill, we might live in the future without it. He had no wish to press this clause. The legal gentleman who framed the Bill thought that such a clause was necessary. The Government had no desire to get out of their liabilities under the Bill; and if the Minister did not pay the wages of one of its servants, the Minister should be prepared to be sued.

Amendment put and passed, and the clause struck out.

Clause 56—Penalty for disturbance:

MR. VOSPER: The clause said: "Any person who wilfully disturbs any State school established under this Act, or who upbraids, insults, or abuses any teacher," etc. Was it necessary to have the word "upbraids" in the clause? If a parent complained to a teacher of anything which had been done, it might be taken to be "upbraiding," and a person could be brought before the court for it. He moved, as an amendment, that the word "upbraids" be struck out.

THE MINISTER OF MINES: If any parent went into school and upbraided even the teacher, the teacher must be protected. If discipline was to be upheld in the school, the teacher must have the respect of the children; and if the teacher had not the respect of the children, that teacher had better go. The teacher should be protected from every kind of insult, and the word "insult" in law had a wide significance. If a parent angrily accosted a teacher and said he had no right to do this, or that the parent was not going to allow his child to attend the school if the teacher behaved in this manner, or that he did not think the teacher had carried out his duties, that would be upbraiding the teacher. The clause would have a salutary effect. It would be seen that an offending person was only liable to a penalty not exceeding 40s., and not less than 10s. The clause would be useful for the sake of the children, and it was to be hoped the hon. member (Mr. Vosper) would not press his amendment.

Amendment, by leave, withdrawn, and the clause passed.

Clause 57—agreed to.

New Clause:

THE MINISTER OF MINES moved that the following new clause be added to the Bill:—

> Secular instruction in Government schools shall include general religious teaching as distinguished from sectarian theology; provided that such general instruction shall be given for not more than half an hour daily, and only between the first and second roll call, as provided for by the regulations.

THE MINISTER OF MINES: The fact that hon. members had left the Chamber the other evening seemed to be plain proof that they had not sufficiently considered this question, and the amendment which had been carried, that a certain provision in the interpretation clause should be struck out, came rather as a surprise at the time. If he had himself proposed to submit such a vital amendment as that introduced by the hon. member for Central Murchison (Mr. Illingworth), the other evening, he would have given notice of it. He (the Minister) had no desire to spring anything on the House. The only desire of the Government was to carry out such legislation as would meet with the approval of the majority of members; and the Government believed that a majority of members were distinctly in favour of some sort of religious instruction being given in the State schools. For a number of years certain religious instruction had been given in the public schools. Children had not been obliged to attend this general religious instruction; as it had been optional with the parents to give notice, when they did not wish their children to attend the religious lessons. Few parents indeed had taken advantage of that provision in the old Act. He was informed on the best authority that only three persons had been known to send, in writing, any objection to the general religious instruction. There was no necessity now to enter into a dissertation on theology, as members well understood what ordinary religious instruction meant. Parents desired that their children should be instructed in the ordinary principles of morality, and that they should, at any rate, be taught some little of that Bible history which was common to the different religious denominations, and to which no religious denomination would probably object. At the same time, a parent had a right to withdraw his child from that general religious instruction, if so desired; but, as he had stated, that privilege had been taken advantage of only on very few occasions. The member for Central Murchison (Mr. Illingworth), when speaking on this question the other evening, stated that he had heard of certain books used in the schools to which he objected; and at the same time said he did not object to the Irish National School books.

MR. ILLINGWORTH said he was sure he did not say that.

THE MINISTER OF MINES said he would accept the assurance; but that was the idea conveyed by the words of the

member. Many members of the House, from their utterances the other evening, could not have been aware of what this religious instruction in the schools really was. It had been supposed, in some quarters, that a new penal enactment was being introduced by the Government; whereas the books now used in the schools had been in use since 1862, and there had been very few objections on the part of the parents to send their children to the religious lessons. He did not intend to enter into the question of whether religion was a good or a bad thing. He was convinced that all members believed religion was good. At the root of religion lay self-respect, and to have self-respect was a great advantage for a child. Without religion, very few people had what was really self-respect. A large majority of the people in this country desired that general religious instruction should be given in the schools. The Government, therefore, did not desire this matter should be handled lightly, or that advantage should be taken of a small House, such as there was the other evening, to do away with this religious instruction altogether. Personally, he did not see that the Bill was jeopardised by the striking out of the words from the interpretation clause the other evening. In the Act, the words did not appear in the interpretation section, but appeared in the body of the Act; and when it was proposed to strike the words out of the interpretation clause in this Bill, he saw there would be an opportunity later on of bringing up a similar clause to that now in existence and embodying it in the Bill as a distinct clause. That was passing though his mind when he allowed the hon. member to strike out a portion of the definition clause relating to religious instruction, without then dividing the Committee on the question. The Government had great respect for the opinion of all members in the House, and desired to meet the views of all sections of the community as far as possible. The Government had considered, above all things, the rights of the majority, and the majority of the people of this colony desired that there should be some religious instruction in our schools. This matter might not come home to all the parents of children who went to school in town, but it did come home forcibly to the parents of children attending country schools. There were many homes in this colony, and in other countries in the world, where parents were unfortunate enough not to have had an education themselves in their childhood, and such parents were unable to impart any education to their children, religious or otherwise. He believed there were many such homes in this colony, which had a very scattered population. People had settled throughout the whole length and breadth of the coastal area of the country, and many of those living in isolated parts had grown up there and reared families, and yet were unable to read or write. Therfore it was in country districts more especially where children should have the oportunity of getting some religious instruction. It was proposed in the new clause that general religious instruction need not be given, except at a certain time of the day. Even members who might be opposed to the insertion of a clause relating to religious instruction were not opposed to religious instruction in itself.

MR. MORAN said he was opposed to State-paid religious teaching.

THE MINISTER OF MINES: The State desired that there should be some religious instruction. If not, it would have taken out that special religious instruction clause altogether, as also the general religious clause. But no. Parliament had allowed Ministers to give religious instruction in elementary schools. The member for North-East Coolgardie (Mr. Vosper) had said the State objected to religious instruction being given in schools.

MR. MORAN: This House did.

THE MINISTER OF MINES said he had fought hard for the system that religious instruction should be given. He had always supported it, and the Government had supported it, and had done everything in their power to assist the carrying out of the principle.

MR. MORAN: That was not the question.

THE MINISTER OF MINES: There was no other question. The question was with regard to religious instruction in State schools. Parents of children were compelled to cause their children to attend school for only four hours during

the day. The hours of instruction under the Bill were five, but the system at present was that there was a first roll-call at 9 o'clock, and second roll-call at 9.40. If a child came at 9.40, and started school and continued the rest of the day at school, it would have had the four hours teaching required under the Bill. That was all the Government wanted. He was convinced that a very large majority of the people of this colony desired that some general religious instruction should be given to their children.

MR. VOSPER: The wish was father to the thought.

THE MINISTER OF MINES: It was often so. Hon. members objected to the State paying for this religious instruction; but if the people desired it, this ought to be done. Members often talked about the majority ruling, and he thought this was a case in which the majority should be allowed to rule.

MR. MORAN: That was coercion.

MR. OLDHAM: It was the new policy of the Government.

THE MINISTER OF MINES: The majority had always ruled. The Government were anxious that the children should be brought up in the way in which the people generally desired. Parents were allowed under this Bill to keep their children away till the second roll call. He believed this clause would be inserted in the Bill, and that it would be found that very few parents indeed would keep their children away from the State schools during the first half-hour when religious instruction of a general character would be imparted. He did not think that one in ten children would be kept away on account of the general religious instruction, and doubted if even one in one hundred would be kept away on that account. He believed all, with very few exceptions, would be allowed to attend when the general religious instruction was being given. Members might urge that teachers were not able to give general religious instruction. If they were not able to do so, they were not fit to be heads of schools. The teachers wanted to have some idea of religion in their mind when they taught children.

MR. ILLINGWORTH: Did the Minister insist on their being religious?

MR. SIMPSON: What sort of religious instruction was it expected the teachers would give?

THE MINISTER OF MINES: It was laid down in the books that were used in our schools.

MR. ILLINGWORTH: Then why not put it in the Bill?

THE MINISTER OF MINES: If members wished to move in that direction he had no objection. He thought the books used in the schools were very good. They had been used since 1862 till now, and not a single denomination had objected. If this clause were passed, it was the intention of the Education Department to continue to use them. Members knew the meaning and intention of the clause.

MR. ILLINGWORTH: What did secular religious instruction mean?

THE MINISTER OF MINES: The clause did not contain such an expression. It provided that secular instruction should include general religious instruction. If black included——

SEVERAL OPPOSITION MEMBERS: White!

THE MINISTER OF MINES: If yellow included a light yellow or a bright yellow, still it was yellow. Secular religious instruction included general religious instruction which should be given during the first half-hour of school. It was optional under this clause. He would repeat to members that children need not attend this general religious instruction unless they desired. Members could put their own meaning on this clause, but he thought it was plain. It was provided that such general religious instruction should be given not more than half an hour daily, and only between the first and second roll-calls—that was between 9 and 9.40. If members wished the regulations to provide that the second roll-call should not commence till 10, the alteration could be made. He hoped the clause would be passed.

MR. MORAN rose to a point of order. Was it permissible to deal with the same subject twice during the same session, after the House had rejected it?

THE CHAIRMAN: The House had not dealt with it, except in Committee.

MR. MORAN: That was not an answer. Could a question be introduced after the House had given an adverse vote on it?

THE CHAIRMAN: Certainly.

MR. ILLINGWORTH: Before moving, on the previous occasion, to strike out the definition of religious instruction, he had asked for information which the Minister had been unable or unwilling to give—he preferred to think unable. He now repeated the question: What books were to be used for imparting this general religious education?

THE MINISTER OF MINES: The Bill did not contemplate any books.

MR. ILLINGWORTH: Was it to be left to the teacher. He (Mr. Illingworth) had asked whether the books proposed to be used were the books now used in New South Wales? No reply had been given to that. Members were in this position, that after the strange language used in the Bill had been pointed out, in which secular instruction was declared to include general religious instruction—two opposites, two separate things emanating from two separate realms—we had the spectacle of a Minister seeking to introduce a new clause affirming the same absurdity. The Minister in charge of the Bill had stated that there was no objections to the present system of education; but the Minister knew that this was the first time that a Bill which the whole country had for years been crying out for, and which had for its title "free, secular, and compulsory education," had been introduced into the House. It was necessary, first of all, to do away with the present system, in order to clear the ground for free, secular, and compulsory education. He affirmed that almost every one of the members who had dealt with this question at the hustings, and who had declared in favour of education being secular and free, had received the cordial support of their hearers. Consequently, as it was now proposed for the first time to introduce free, secular, and compulsory education, it was too early for the Minister to ask that evidence should be given of objections from any individual as to the operation of a system which had not yet come into force. Every man had a right to express his opinion on a question of so great importance; and, as this was a new departure, the Minister had spoken of not handling this subject lightly. He (Mr. Illingworth) hoped no hon. member would treat the education of children as a light matter. If there was one subject more grave than another with which the State had to do, that subject was the education of children. He had been contending for free, secular, and compulsory education ever since he had a seat in this House, and long before in another colony; and though he was aware there was and must be some opposition to this principle, just as there was opposition to the existing system, yet this principle had been established in all other colonies except this one; and in no colony, notwithstanding some objections, had there been any serious attempt to upset the system after it was once established. The Minister had referred to country schools, but these were of all places the very places where this question should be utterly dismissed; for while there could be some excuse for dealing with the religious question in towns, there could be none for introducing it in country districts, where the church or the chapel was usually the only place of meeting for any purpose whatever, and where the teacher of a day-school established by the State should not be placed in an equivocal position towards the people around him, by being called upon to teach religion to the children in the State school. The Minister had said the people desired in this colony to have religious teaching in the State schools; but how could it be said the people desired this, when the State had already paid £15,000 to abolish the denominational system of education, the very element of which was the teaching of religion in the day schools? In this Bill appeared a seductive expression, in the simple definition of a term, stating that in secular instruction was included religious instruction. He could understand this having being thus located in the Bill, from a fear on behalf of the originators of the Bill that this question would be raised; and, if hon. members had happened to miss it in dealing with the definition clause, the measure would have gone forth with that definition, and these books would have continued to be used. The Minister had said no hon.

member was against religious instruction. He (Mr. Illingworth) had been a Sunday-school teacher nearly all his life, and, therefore, could not be accused of being against religious instruction; but he was against the giving of instruction in anything by a man who did not know what he was talking about. The objection was to the principle that a teacher should be put in a school to teach that which he did not himself understand. If the Bill was to require that every teacher should be religious, there would then be consistency; but there could be no consistency in allowing the teacher to give instruction in a subject which he did not understand. The late Chief Justice Higinbotham, of Victoria, said on one occasion that the State could not teach, that it could only instruct. He (Mr. Illingworth) held that a man's education was at least two-fold, if not three-fold; that his moral and religious nature required to be educated; for a man who was educated only on the one side of his nature, by receiving such education as a State school was able to give, would be, as a criminal, more dangerous when educated, than when uneducated. Religious activity was very much alike in all the colonies, and he was going to make a comparison by quoting the departmental figures of the Victorian year-book for the year 1893.

THE PREMIER: 1893!

MR. ILLINGWORTH: Yes. That year would serve as well as any other for the comparison he was going to make, and he asked hon. members to carefully weigh these figures. The State schools in the colony of Victoria in that year numbered 2,038; the Sunday schools numbered 2,552; the State school teachers numbered 4,968; the Sunday school teachers numbered 19,658; the average attendance in the State schools was 129,678, and the average attendance in the Sunday schools was 154,996. Thus, these figures showed that there were more Sunday schools than State day schools; that there were nearly four times as many teachers in Sunday schools as there were in the State day schools; and that there were more scholars attending the Sunday schools than were attending State day-schools. These were the returns from only 18 denominations; and as the Sunday school statistics were not carefully kept, many such schools did not make a return, so that there would be an understatement. Every child attending a State school was duly accounted for in the Government returns; whereas for Sunday schools, many children attending were not accounted for in these returns, the Sunday schools being much understated. These were the facts, as far as Victoria was concerned in 1893; and the same was true of every other colony, in proportion to its numbers, showing that on the whole there were more teachers engaged in Sunday schools giving religious instruction than there were teachers in day schools. The teachers in Sunday schools were, for the most part, godly people who were voluntarily doing this work, and he (Mr. Illingworth) must affirm that these were the proper persons to take up this work. In adopting free, secular, and compulsory education in this colony, a personal responsibility at once rested on every Christian, and on all religious people in the colony, to see that their Sunday schools were properly supported. In these religious communities there were four teachers voluntarily engaged, properly trained, and under the supervision of the churches, giving religious instruction to children in the Sunday schools, as compared with every teacher engaged in secular instruction in the State schools. Therefore, why should there be any desire to hand over religious teaching to teachers in our State schools as another subject in addition to the secular subjects which they had to teach, seeing that religion was a subject which many of these teachers knew nothing about? In Victoria at least 40 per cent. of the teachers were Roman Catholics, though he did not know what was the proportion in this colony; and to the conscientious Roman Catholic there was a difficulty in his taking up the Bible, or any text-book of Bible extracts, as a means of imparting religious instruction to children. Why should those teachers who were of the Roman Catholic faith in our State schools be called upon to teach religion to the children? Why should men of no religion whatever—a Jew, for instance, who had no faith in the New Tes-

tament he was called upon to teach from —why should he be called upon to teach our religion as a part of secular instruction in State schools? Such a person might teach arithmetic without bias, for it would not matter, in dealing with such a subject, what his religion happened to be; but when a teacher had to take up these religious books and use them in State schools, it became impossible for him to teach from these books without bias. Up to this date we had not had this system in operation, but a denominational system which we had paid £15,000 to get rid of.

THE PREMIER: The State schools had not been altered in any way.

MR. ILLINGWORTH: This book (N.S.W. religious lessons), containing quotations from holy writ, was to be brought into our State schools. Sometimes it quoted the Douay Bible and sometimes the ordinary King James's version. The lately revised version was not taken into consideration. The moment this book was introduced into a State school, that school became one which the child of a conscientious Roman Catholic could not enter.

THE PREMIER: Why not? They need not go there until the religious instruction was over.

MR. ILLINGWORTH: If religious teaching were introduced into State schools, there was nothing left for conscientious Roman Catholics but to maintain their own schools as they were now doing, and he honoured them for doing it, much as he differed from them. Sooner than accept from the State instruction which they disapproved of, they paid for the education of their own children. This was a manifest injustice; because the conscientious Roman Catholic had first to pay for the education of his children in his own school, and then he was taxed by the Government to pay for the schools which he could not use, because religion was taught in them. And the only logical end of such a system was a separate grant to the Roman Catholics, which, when conceded, entitled the Anglican and every other church to a like grant; and then we would be going right back to the old denominational system which had been previously abandoned.

THE PREMIER: It was a new thing to hear the hon. member advocating the cause of the Roman Catholics.

MR. ILLINGWORTH said he hoped he would always be found arguing for the right on any side. The Minister who introduced this Bill had particularly requested that it be discussed seriously; and he (Mr. Illingworth) was surprised at the levity of the Treasury benches on the subject. According to this book which it was proposed to introduce, the teacher was required to have a certain lesson read, and to ask certain questions on "words to be explained by the teacher." The first of the words to be explained in lesson 2 by the teacher was the word "circumcise." Fancy a young lady teacher of 16 or 17 years of age explaining that word. Turning over the page he found the word "repentance," with an explanation as follows:—"The Greek word here rendered 'repentance,' as well as the kindred verb rendered 'repent,' is, in this and several other passages translated in the Vulgate Latin by pænitentia; and in the Rheims version by the English word (derived from that) 'penance,' which is contracted from 'penitence.'" And this was said to be "undogmatic teaching," although the teacher was required to teach with respect to the very groundwork of the division between the Protestant and Catholic Churches. This was the sort of teaching which was declared unsectarian and undogmatic in the Bill. Taking up another lesson in the book, the word "converted" was required to be explained by the teacher. Here was a word which was the battle-ground between two large Protestant sects. If hon. members were not aware of this, that did not alter the fact. Another word to be explained was "quickening;" comment unnecessary. The next expression to be explained, "Day of the Lord," was one on which the whole Christian Church was divided with regard to the pre-millennial and post-millennial doctrines.

MR. LEAKE: The children would not be taught in such terms as the hon. member was using.

MR. ILLINGWORTH: The statement that this was unsectarian and undogmatic teaching was utterly false. It was of the most dogmatic character conceivable, when the words to be explained formed the battle-ground of the sects.

MR. JAMES: Some people were better casuists than Christians.

MR. ILLINGWORTH: Christianity was good if a man was a hypocrite. Suppose a teacher took the pre-millennial side of the question, he would naturally explain the phrase "Day of the Lord" according to his own faith; and the same would be the case with a teacher holding post-millennial views. There were page after page of similar words, of which the interpretations constituted the battle-ground of all the sects in existence; the primary battle-ground between the Protestant and the Catholic, between the Anglican and the Wesleyan, between the Arminian and the Calvinist, between the post-millennial and the pre-millenial.

THE PREMIER: Were there many of these people in the colonies—the "post" and "pre's?"

MR. ILLINGWORTH: There were. Every Christian who understood his creed was either one or the other. Everyone who spoke of the resurrection of the body and the life everlasting, every member of the Anglican Church when he prayed to God to speedily make up the number of His elect, was dealing with either the post or the pre-millennial phase of the question. He was either a believer one way or the other, or else he was no believer at all. If he went to his church and repeated his creed, he ought to believe it or else refrain from going. If this book were introduced, when it happened that the Catholic, or the Jewish, or any other church asked for a separate grant, he (Mr. Illingworth) would vote in favour of it. The next point he wished to make was that religious teaching in State schools was wholly unnecessary, because the work was better done on Sundays by people who were properly fitted to do it. The domain of the State was entirely different from that of the Church. Religion belonged to the Church, and the Church should keep its own domain. Just as the community resented, and rightly resented, the interference of the Church as an organisation in secular affairs—in our State Government—so the State ought not to overstep the line and enter upon that which properly belonged to the Church. The State could not teach religion. If it pretended to teach religion it must teach some religion, and that religion must necessarily become the religion of the State; consequently, the system reverted to one of the worst possible phases in connection with this religious question. It did away with the liberty for which the British people had been contending for hundreds of years; and the House would be committing a fatal mistake if it allowed this book, or any other book which called upon the teacher to give religious instruction, to enter State schools. Consequently he was opposed to the amendment, and would not only vote against it himself, but would call upon all hon. members who thought with him to vote against it also.

MR. LEAKE (Albany) said he did not intend to vote for the new clause, for the same reason as he had supported the striking out of the particular sub-clause of the interpretation clause. This new clause only introduced in another form the words of the sub-clause already struck out. He objected to religious teaching in schools being given by State school teachers. The principle had been affirmed that religion should not be taught in schools except by the clergy, and he was going to propose to the Committee what seemed to him a modified and a fair course. This modified course would not only carry out the views of the Government, but would affirm the practice that had been in vogue for some years past. The Committee should not leave to regulation or to the whim of Ministers that which should be affirmed in the Act. It had been announced over and over again that the particular books in question had been in force for years past, and were still in force in the Government schools. He saw no objection to that, because it had been explained to him they were for the most part stories of the Bible. At any rate, it was the intention of the Government to allow those books not merely to be read, but to be taught in the State schools. He asked the Committee to draw a distinction between reading the books and having the books taught. If a book like this

were merely put into the hands of children, and they were allowed to read it, and get, as it were, a general idea of the stories of the Bible, no harm would be done to anyone. But it was when doctrines or dogmas were taught to children that the difficulty arose of children being led to follow the peculiar ideas or teaching of the particular individual. The words he proposed to substitute for those proposed by the Minister were clear and emphatic, and read as follows:—"Nothing in this Act contained shall prevent the voluntary reading of the authorised version of the Bible, or the books known as Scripture lessons published by direction of the Commissioners of National Education, Ireland, in any State or Government school, during the first half hour of the school day."

MR. MORAN: What did the hon. member call the authorised Bible?

MR. ILLINGWORTH: That would depend upon the teacher.

MR. VOSPER: Version authorised by whom?

MR. ILLINGWORTH: King James the First.

MR. VOSPER: Or the Pope?

MR. LEAKE: It did not matter whether the authorised version was what was known as the Protestant Bible, or what was known as the Douay Bible. For all practical purposes the story of the Bible was mainly the same in the two versions.

MR. MORAN: Yes, in the two Maccabees, for instance.

MR. ILLINGWORTH: Not exactly.

MR. LEAKE: No harm could be done to any child who read the Douay Bible or the Protestant Bible. He would put all these books into the hands of his own children for the purpose of letting them learn the history of the Bible, or the history of one of the greatest nations the earth had ever known—the history of the Jews. What possible harm could come to anybody by being taught that remarkable history.

MR. MORAN: "Taught?" He thought the hon. member would not teach religion.

MR. LEAKE: The hon. member was quite right to check him in the use of the word "taught." What objection could there be to children learning the story by reading?

MR. MORAN: Historically?

MR. LEAKE: Historically, certainly.

MR. MORAN: And the New Testament?

MR. LEAKE: What the children learned in the morning could be taught and explained not by the teachers, but by the clergymen in the afternoon.

MR. MORAN: Did the hon. member include the New Testament as well?

MR. LEAKE: Yes. Why not include the leading facts in the New Testament? Whether the Anglican or Roman Catholic version was taken, it was practically the same.

MR. MORAN: There would have to be a pair of Bibles for that.

MR. LEAKE said he did not want to keep anything back, or to hesitate to express his opinion. When he used the words "authorised version" he undoubtedly had in his mind what was known as the Church of England Bible, and he did not want members to think he was fencing with the question at all.

MR. MORAN: That version was dogmatic itself.

MR. LEAKE: No, it was not.

MR. MORAN: Oh, certainly.

MR. LEAKE: Why he preferred the Anglican Bible was because it conformed to the ideas of the majority of those who attended the schools. It was known that the minority, the Roman Catholics, were against the Bible being read in schools at all. At least he assumed they were. Why should that minority interfere with the ideas of Protestants?

MR. MORAN: There, now!

MR. LEAKE said he did not care whether the member for East Coolgardie liked it or not, he was not there to say things to tickle the ears of that member.

THE PREMIER: The argument of the hon. member (Mr. Leake) held good in support of the proposal of the Minister.

MR. LEAKE: That was not the case, because he (Mr. Leake) was drawing the distinction between teaching and mere reading. The Minister's idea was to allow religion to be taught, and that threw a rather unnecessary burden upon the shoulders of the teacher.

THE PREMIER: Anglican children and their parents did not object to be taught.

MR. LEAKE: No, they did not object to be taught, but out of consideration for the Roman Catholic Bible, he now proposed that religion should not be taught.

THE PREMIER: The Roman Catholic children need not be present.

MR. LEAKE: Then why did the Roman Catholics make this fuss?

THE PREMIER: Why not agree to the Minister's proposal?

MR. LEAKE: Because the Minister's proposal was a contradiction in terms, and was really what had already been negatived by the Committee. The Minister proposed "general religious teaching," which was too wide altogether.

THE PREMIER: But it was confined to half-an-hour.

MR. LEAKE said he was coming to that point.

THE PREMIER: The books must be approved before being used.

MR. LEAKE: If the Church of England Bible was read in the schools it would not be doing any injustice to the Roman Catholics, but it would be doing justice to the Protestants.

MR. MORAN: That was an invidious distinction. That was not secular education

MR. LEAKE: It was not secular, but it was modifying the views of "general religious teaching" which had been advanced by the Minister. His (Mr. Leake's) desire was to steer a middle course. He was conscious there was a strong feeling in the Protestant portion of the community that the Bible, or these books, should be read in the State schools. Most people said that the books should be taught, but in his opinion it was sufficient to read them.

THE PREMIER: No one had complained, and these books had been taught for years.

MR. LEAKE: But some people were objecting to these books being used, and were objecting to the Government proposal. The Government were going further than he proposed to go.

THE PREMIER: The Government were only continuing the present law.

MR. LEAKE said he was trying to put a limit to the present law.

THE PREMIER: So were the Government.

MR. LEAKE: In order to meet the views of those persons who were objecting?

THE PREMIER: The Government limited the time.

MR. JAMES: Who objected?

MR. LEAKE: The Roman Catholics objected, but if the Catholics did object to their children going to school during the time the Bible was being taught, those children were only losing the first half-hour of the day, so that really no injustice was done to them at all. The little book was in use in the schools now. He did not shut his eyes to the fact that two years ago, in order to meet the religious views of the Roman Catholics, and to enable them practically to endow their schools, the State gave that denomination £15,000.

THE PREMIER: Very little it was, too.

MR. LEAKE: At any rate the Roman Catholics got £15,000, while the other denominations got nothing.

THE PREMIER: They had done nothing, either.

MR. LEAKE said he did not want to go back on the old question, but there was the fact that £15,000 was paid. What the Government said now was, "Let the practice of teaching religion in a modified form prevail in the State schools." He urged the Government not to push their ideas to that extreme, but to be satisfied with the modified suggestion that the Bible and those other books should be read only.

THE PREMIER: The other was preferred by parents, he believed.

MR. LEAKE: There had been no expression of opinion from them yet. He was not particularly wedded to his amendment, but he wanted to see the question settled, and he wanted to see it settled in the Act, and not left to regulations. If this religious question was left to regulations there might be a Roman Catholic Minister of Education two or three years hence, and then what would be the trouble? That Minister might alter the regulations just as they might be altered by an Agnostic, a Jew, or an unbeliever.

THE PREMIER: The Minister could not alter them.

MR. LEAKE: So long as there were only regulations to go on there would be a constant state of ferment; but make the provision in the Act, and it was settled once for all. He hoped the amendment

he had moved would be a fair and reasonable compromise.

THE PREMIER: If the hon. member supported the Government proposal it would be all right.

MR. LEAKE: The amendment was better than the proposal of the Government. He could not support the Government proposal because he did not believe in religion being taught in schools except by the clergy. The Bible was valuable for teaching purposes, as a history.

MR. ILLINGWORTH: It was taught two days a week.

MR. LEAKE: It should not be taught in a school. He knew there was a strong feeling that the children should not be brought up in entire ignorance of the Bible. We were all agreed on the question of biblical lore—that is, we were all agreed as to the story of the Bible. All he asked was that the children in the schools should have an opportunity of learning what that story was by reading it, and not by having any doctrine forced upon them by the teacher. There was a further danger in this system of teaching—whether teaching the Bible or teaching general religion. It would be made a task for the children, whereas reading would be a pleasure for them, and they would be more likely to acquire useful information if they regarded it as a pleasure than if it was thrust upon them as a task.

MR. EWING: The clause proposed to be inserted by the Minister was practically a repetition of the clause struck out the other night. It contained the absurd definition we had previously dealt with. He was just as strongly of opinion now as then that it was a highly improper and undesirable thing to allow the ordinary school teacher to teach what he called religion. There had been a certain proposition made by the leader of the Opposition to the effect that the authorised Bible should be read in the public schools, and he agreed with him to that extent. So far as he was concerned, if any Bible was to be read in the schools of this community it should be, so far as his vote was able to control it, the Bible that was used by the Protestant bodies.

MR. MORAN: That was limiting it indeed.

MR. EWING: He believed in that Bible and in the teaching it contained, and he did not believe in the Bible used by the Roman Catholic Church. There were several books in the Douay version which he had been taught to believe ought not to be contained in it, and commandments were omitted from the Douay version which were contained in the Protestant Bible. So far as he could prevent it he would not have the Bible that the Roman Catholics believed in, and which he as a Protestant did not believe in, read to the children in the school.

MR. MORAN: The hon. member wished to ram the Protestant version down the children's throats.

MR. EWING: No; he held that there should be no teaching of religion in the public schools, except by the respective teachers of religion, to the children whose parents wished their children to be so instructed. He hoped he would not be misconstrued. He would have no Bible taught to Protestants except the Protestant Bible, and he realised that the member for East Coolgardie (Mr. Moran) was just as much entitled to say that he would have no Bible taught to Roman Catholic children except the Douay version.

MR. MORAN said he did not want any version taught.

MR. EWING: If the hon. member was in favour of having any version taught, he would no doubt say that it should be the Douay version. There were grave distinctions, notwithstanding what the member for Albany (Mr. Leake) said to the contrary, between the two Bibles. There were books in the Douay version which were not contained in the authorised version. There was a difference between the commandments in the Protestant Bible and those in the Douay version. Which was right and which was wrong he was not in a position to say, but he had been taught that the commandments in the Protestant Bible were right, and that those in the Douay version were wrong. If the member for Albany (Mr. Leake) said there was no difference between the two Bibles, he was much mistaken. Differences did exist, and they were most material; and as a Protestant he said that we should have no Bible taught or read in the public schools unless we could define and agree as to what Bible it should

be, and he did not see any chance of our doing so. Therefore, he would exclude the teaching of the Bible from public schools, except as provided under the Bill. We had surely given ample provision for the clergy to impart religious instruction. We had set apart a certain time every day for religious lessons to be given.

THE PREMIER: What about the schools in the country, where there were no clergy?

MR. EWING: The Government might provide that where there was no denominational clergyman in any locality, some one might be appointed by the denominations concerned to impart the religious instruction required to the children.

THE MINISTER OF MINES: That was the law now.

MR. EWING: That met the position taken up by the Premier.

THE MINISTER OF MINES: It was next to impossible to get people to do this work.

MR. EWING: Were the religious denominations so lax in their duties that they would not perform this task? If that were so, the State had no right to do it for them. It would be wrong to shift on to the shoulders of the State the responsibility which belonged to different denominations. He was glad to learn from the Minister that in the outlying districts persons might be appointed by the several denominations to impart religious instruction to the children.

THE MINISTER OF MINES: The people in these outlying districts had their daily occupations to attend to, and could not look after the teaching.

MR. EWING said his experience was that in the country districts and in the towns people were only too willing to impart religious instruction.

THE MINISTER OF MINES: Not during working hours.

MR. EWING: There were hundreds of people who willingly devoted their spare time to the teaching of religion. The Minister must know many such.

THE MINISTER OF MINES: Not in the outlying districts.

MR. EWING: The amendment of the member for Albany (Mr. Leake) was better than the Government proposal, but both were bad. The Government wished to put in the hands of the schoolmasters the right to teach without any restriction. He (Mr. Ewing) said that no Roman Catholic dare teach Protestanism, and that no Protestant would teach Roman Catholicism. This was the case now, and would be so to the end of the chapter. The member for Albany (Mr. Leake) proposed that certain books should be read in the schools.

MR. LEAKE: The proposal was that there should be nothing to prevent the reading of those books.

MR. EWING: That practically meant that those books would be read. The books provided for the teacher distinctly said that certain words should be explained. Now a man could not explain the doctrine of conversion or any other doctrine contained in those books without going into religious dogma, and he was bound to explain the particular views held by his particular church. How was a Jewish teacher to explain and teach from books containing the words of Christ? How were Jewish children to read the New Testament with advantage?

THE PREMIER: They need not do it. They need not attend the school at the time that the religious instruction is given.

MR. EWING: If we were legislating for the whole of the community, let us legislate so as not to offend against any section. Let us give to the Jew or the Gentile the fullest possible opportunity to teach their children. He would be the last to exclude religious instruction from the public schools. There were persons appointed for the purpose of teaching religion in the community, and these persons should have the right to teach their own particular denominational children. But he did, as a Protestant, object to any Protestant child being taught by Roman Catholic teachers, and he had no doubt whatever that Roman Catholics would object to their children being taught by Protestant teachers. He felt very strongly on this question, which was a very important one, and deserved to receive the most mature consideration. He would vote against the proposed new clause introduced by the Minister, as also against the amendment moved by the member for Albany (Mr. Leake).

MR. VOSPER: Following the example of the member who had last spoken, he

intended to vote against the proposed clause and also against the amendment. The Minister in charge of the Bill had said that the majority of people in this colony were in favour of religious instruction being given in State schools; but, in arriving at that conclusion, the Minister had probably not taken the best means of ascertaining the facts. If an appeal or referendum were made to the people, it would probably be found that the great bulk of them were absolutely indifferent on the question. The fact of no objection having been raised against religious instruction, as the Minister had stated, was in itself evidence of that indifference. Even if the majority did desire religious instruction to be given to their children in State schools, that was already provided for by clause 37. What the people generally did desire was that religious instruction should be given by persons qualified to teach religion, and in whom the parents felt confidence as to their ability to teach it. People did not want an indiscriminate number of persons to be appointed by the State to teach religion to children in State schools; but what they did want generally was that any religion taught in the schools should be of the type which the particular persons professed. As to the definition given in the Bill, that definition was bad enough in the first instance, and it was not much improved in the new clause which the Minister had now proposed to add to the Bill. In that definition, secular education was made to include religious instruction, and it meant that the religious instruction would be given according to the different ideas of different teachers; so that every shade and division of religious opinion would be imparted into the lessons given. People would interpret the definition in the ordinary sense as given in a dictionary, and any other interpretation they would regard as being intended to humbug them. To show how contrary this definition would be in practice, what would happen if a Jew were appointed a teacher in a State school, and were required under this Bill to give religious lessons to the children of Christian parents, and to interpret this book of religious lessons to Christian children? At the very beginning, the foundations of Christianity would be sapped by such a system, because, not only did the Jew and the Christian differ as to the divine mission and the God-head of Christ, but they differed in their fundamental definitions of the deity himself. Throughout the Old Testament, the deity was pictured in the most lurid colours as one who demanded an eye for an eye, and a tooth for a tooth, and visited the sons of the fathers upon the children unto the third and fourth generation. Therefore, the doctrine that God is the father of all mankind was not recognised by the Jew; consequently the conscientious Jew, in endeavouring to explain the book of religious lessons to Christian children, must necessarily do so from the Jewish standpoint. The Quaker and the Plymouth Brother had their peculiar dogmas; and, without referring particularly to them, there was also the Unitarian, whose principal chapel in London bore on its front this motto, "O Ores Theos," the one God. This book of religious lessons contained the New Testament doctrine of the Trinity, and how could a Unitarian teacher instruct Christian children in that doctrine? This clause would open an avenue for the destruction of Christianity in the minds of children; or, if it was not proposed to admit the Jew, the Unitarian, and the Agnostic into the ranks of teachers in State schools, then this clause would open up a system of persecution for faith's sake, because it should be the aim of the Education Department to get the most learned and the most skilled men into its teaching body, independently of what their religious faith might be. This book contained the Mosaic account of the creation, as given in the first and second chapters of "Genesis," and he knew that a large proportion of the most learned men, amongst whom might be ranked some of the greatest names in science, literature, and philosophy, believed that the Mosaic account of the creation and the deluge, and all the events described in the four books of Moses, were not historical. In dealing with the laws of the Jews and the history of the Jewish nation, it might be admitted that the account of them in the Bible was partly traditional and partly historical; yet there were many people who

did not believe that the early books of Moses contained any historical facts at all. Many learned persons thought that such a thing as the sudden creation of man and woman, of birds and beasts, and the whole cosmos, never took place; that the whole thing was gradually evolved from some inferior creation to the stage as it appeared at the present time; and this belief, he must point out, did not exclude the existence of a guiding hand. Darwin himself, who was the biological founder of the Darwinian theory and not its inventor, described the creation as a progression under divine guidance; yet here was a lesson-book which the Education Department was going to place in the hands of teachers who, so far as they understood the subject, must necessarily have diverse views on religious questions: and how could a teacher give instruction to Christian children on the Mosaic account of the creation, if the teacher did not himself believe in the Mosaic record? Ought such a man to be entrusted with the religious education of children in State schools? The highest form of education we could give to children was that which would be useful to them; and if the churches liked to look after the future life, then in heaven's name let the churches look after it, and let the State leave it alone. The book which the member for Central Murchison (Mr. Illingworth) had quoted from contained all the grounds for religious controversy. Every doctrine since the days of Christianity down to the present time was based upon some authority in that book, and every portion of it was controversial. Every conceived opinion from the days of the Agnostics down to the Salvation Army had its basis in that book. Let us keep out of this controversy, and let the State stand by and see fair-play, and take care that none should suffer because of their faith. Take, for example, such a word as "conversion": he challenged hon. members to produce any three men who would agree as to the interpretation of that word. He would except from that statement the Roman Catholic members of the House, because they had a dogma which they were taught, and they would only have to repeat it. The same difference of intrepretation applied to the word "repent," or to every other word that involved a doctrine which was in that book. This Bill was not introducing a secular system of education or a religious system of education, but was establishing the teaching of sectarian doctrines, and doing all that could be done to fan the flame of sectarian animosity. As to the amendment, there was a difficulty even in that; for while there were scientific objections to the Bill, in regard to those who differed as to the correct and authorised version of the Bible, there was also the objection that whether the lesson book which had been quoted from by the member for Central Murchison (Mr. Illingworth) was read in the schools, or whether the Bible was read without comment, the inevitable result must be that children would ask for explanations. Although he had heard hon. members say they would trust their children to read the Bible, he knew there were parts of the Bible which members would not like to see in their children's hands. We could not possibly put an open Bible in the State schools, as it would be detrimental to the religious and moral instincts of the children. Then, if we could not place the open Bible in the schools, who was to make a selection? It had not been done in Ireland. There was no authority, either lay or ecclesiastical, to carry out this work properly. If we allowed the Bible to be read without comment, the children would obtain misleading ideas about it. No two grown-up men could agree on any one passage of Scripture; therefore how could any doctrinal ideas be formed by babes and sucklings? This was not a question to be considered between Catholic and Protestant. There were people outside the Protestant and Catholic churches who had something to say. There was a mixed population in this country, and people had varied ideas. There was a large section of people growing up here opposed to no religion, but who had no faith in any religion. That section had a right to be considered also. That section did not interfere with religious teaching, and did not go to the churches and disturb the ceremonies; but if a missionary or a proselytiser came round and made disturbances in people's dwellings, they had a right to

fire him out. This section of the community was not going to run any risks by having the children taught in the way proposed in this Bill. Moreover, the moral teaching and the religious teaching which that section proposed to give their children they were content to give at home, and not worry the State at all. The amendment was a vital one. It was taking that middle course which was like being between two stools. This system of free, secular, and compulsory education which the Government were introducing would lay the foundation for animosities in the future. When the religious teachers had the right of going to the schools and expounding their doctrines in a time set apart for them, why in addition to this privilege should the school teachers teach religious doctrines? The speech of the member for the Swan (Mr. Ewing) went to show the diversity of opinion in regard to the Bible; and his idea was like that which was said to have been given by a Southern planter to a negro, who asked him what "liberty" meant. The planter said, "liberty entitles me to do as I like, and gives me the right to do as you like." The Minister of Mines had said there was no religious feeling in the country, and that the religious feelings of the children were neglected.

THE MINISTER OF MINES: What had been said was that there were no persons in country districts to give religious instruction.

MR. VOSPER: There was more religious feeling and superstition in the country than in the cities. There were to be found, proportionately, more exponents of the truth and the Gospel, and more people who made religion a hobby, in the country than in the towns. In a city there were worldly attractions during the week, and on Sunday there were football, rowing matches and what not, and there was a larger number of people proportionately who did not go near the churches at all. In the country that was different.

THE MINISTER OF MINES: The people in the country were not indifferent to religion. That was what he had said.

MR. VOSPER: If a parent had any religious zeal, what was to hinder him from teaching the child what he wished the child to believe. If there was no lack of zeal, why should the State come to the assistance of that which had already existed. If there was a leaven it would raise the loaf. Woe betide the nation that tried to socialise religion! In every country where religion had been socialised and had become a matter of the State, it was an unmitigated curse Between the religion and the State there was a great gulf fixed, and any attempt to combine the two meant a greater disaster to both. Revolution came along, and five or six years afterwards it would be found that atheism was rampant. That was what had occurred in Paraguay, and would occur where any attempt was made to socialise religion. The Minister now said the churches could not be got to do the work. Without making any invidious comparison between the Catholic and the Protestant Churches, that was where the Catholic body stood on a stronger and much more logical basis. The Ministers told the Committee that because the churches would not attend to the religious education of the country, the State must step in. The position was altogether a vicious one. If any concession had to be given to either of the parties, the Catholics should have the greater consideration. The Catholics did not ask for consideration from the State, but merely for the right to educate their own children as they pleased, and to see that the money they contributed to the State should not be used to teach doctrines inimical to the doctrines of the Catholic Church. That the Catholics had a perfect right to demand. And those outside the Protestant and Catholic faith had a right to demand that the money should be spent for free, secular, and compulsory education. This was the purpose of the Bill, and it was the rankest hypocrisy to subvert that purpose. He felt himself compelled to vote against both the original proposition and the amendment. Ample authority and safeguards were provided in clause 37 for all the religious bodies in existence now or likely to exist. If the religious bodies were not satisfied, the Committee should not sanction anything which would have the effect of marring a proposal to confer on the people that for

which they had been asking, namely, education free, compulsory, and above all secular.

THE PREMIER (Right Hon. Sir J. Forrest) said he did not intend to weary the committee by many words, especially after the long speech to which they had just been compelled to listen. The member for Central Murchison (Mr. Illingworth) again found himself in strange company. He, a Christian man, found himself working with one who was not a believer at all. Although the speech of the member for North-East Coolgardie (Mr. Vosper) might be an excellent one from his own point of view, the Committee must be careful in taking the advice of a member who did not seem to have any belief in, at any rate, doctrines which most members professed. It would be much wiser to follow the experience of this colony in the matter of religious instruction, and do what was believed to be the best, rather than be carried away by any ideas of what might be considered by some to be most desirable. He altogether combated the view that the people of the colony did not want religious teaching in the State schools. People who had children to send to school were just as able to judge on this matter as was the member for North-East Coolgardie. For his (the Premier's) own part he had always found that people who had children of school age desired that those children be in favour of some religious teaching. The generality of the people in the colony were Christian people, who desired that, at any rate, some religion should be taught in the schools. If a poll on this question were taken of all the people in the colony who had children of school age, he believed a large majority would be in favor of some religious teaching. He very much regretted that the introduction of this Bill should have again opened the floodgates of talk on religious questions. Personally, he should have advised the Minister of Mines not to introduce this part of the Bill at all, seeing that with very few exceptions, and these not important, the Bill was simply a transcript of the present law. The object of the Government in bringing in this Bill was to give free education; and possibly, if they had been a little wiser, they would have simply introduced a Bill for that purpose alone, and thus have avoided discussion so full of religious controversy. This clause which the Government sought to re-introduce was really the law as it had existed for the last thirty years in this colony, and in a more special sense it had been the law since 1895. It had been the law, too, in New South Wales for many years, as hon. members who came from that colony well knew. The very words of the clause were copied from the West Australian Act of 1895, and were identical with the law as it existed in New South Wales for some twenty years past. That being so, the law having been so long in existence in another colony as well as here without giving any cause of complaint, the Government had experience on their side when they asked members to agree to let it remain on the statute book where it had been so long. As to the religious issues raised, the religious instruction given in State schools was not whatever the teacher liked to impart, but religious instruction from books which were approved. No doubt the books in use at the present time would continue; but there was no reason why their use should be continued if they were found to be inapplicable. Still, they had stood the test of time.

MR. MORAN: They had not. They were absolutely objected to by many people.

THE PREMIER said he would deal with that later on. He did not know that many people objected to them. He could not follow the hon. member there; and, as far as the Roman Catholic portion of the community were concerned, they were provided for by a little addition which it was proposed to make, to the effect that their children should not be compelled to attend the schools during the time that these books were being read, that was, during the half-hour following the opening of the school. He was, of course, aware that the Roman Catholics here would prefer that no religious teaching should be given in the schools, except by their own clergy.

MR. MORAN: The Premier was wrong there. The Roman Catholics objected to any clergymen.

THE PREMIER: They objected to their own children being taught religion except by their own priests.

MR. MORAN: They gave perfect liberty to everybody else.

THE PREMIER: And therefore, while the clause was not all that could be desired by the Roman Catholics, still, it went a very long way in the direction of meeting their wishes. In fact, he believed it would practically satisfy Catholics if it found a place in the Bill, because it was provided that religious instruction—general religious instruction—was only to be given for half-an-hour after the opening of the school. During that half-hour, Roman Catholic children, or the children of Jews, or any other children whose parents desired that they should not be at school at that time, had a perfect right to stay away. Those who objected to this clause on the ground that children would be compelled to receive religious instruction had no reason whatever for their contention. They need not be afraid, so long as their children were not compelled to be present. The member for Albany (Mr. Leake) would be much more likely to secure his object if he would support the proposition of the Government, which would be fairly acceptable to all. Certainly, it was opposed by two classes of people to a slight extent. It was opposed, but not to a large extent, by the Roman Catholics; and it was opposed by those who did not want any religious instruction in the schools at all.

MR. MORAN: It was opposed by all the Anglican members of this House.

SEVERAL MEMBERS: No, no.

THE PREMIER: It was opposed by those who did not want any religious instruction in the State schools except by recognised clergymen. But in this large colony it was impossible to get clergymen to go to all the schools for such a purpose. State schools were scattered all over Western Australia, many of them in sparsely-populated places, where the services of clergymen as teachers could not be obtained. Why, there were places where service was held only once a month, and others where the interval was two or three months, and sometimes longer than that; and, as for getting private individuals to do the work, there was the same difficulty, for they were at work during the day time. They had to follow their ordinary avocation, and had no time to spare. Their necessities would not permit them to give up time in order to teach religion in the schools, so that plan must be dismissed at once.

MR. MORAN: Was it the duty of the State to teach?

THE PREMIER: It was the duty of the State to teach religion of that character.

MR. MORAN said that was what he wanted to find out.

THE PREMIER: It was the duty of the State to teach those children whose parents desired they should be taught.

MR. MORAN: At the expense of the whole community.

THE PREMIER: The expense was very small. Such an argument was only an attempt to draw a red herring across the track. He did not think much of the expense.

MR. MORAN: Because the Premier had not got to pay it.

THE PREMIER said that he did not know that. He helped to support the hon. member's children.

MR. MORAN: Then the right hon. gentleman would have more to do in the future.

THE PREMIER: It was said by the opponents of the clause that the Minister could do this and that—that he could, if he belonged to a particular denomination, make regulations to suit that denomination, and so on. Such an argument, everyone must admit, was perfectly absurd. No one would think that the Minister of Education could alter and twist about the regulations any way he liked. Hon. members knew that was not the case. Regulations were only made by the Governor in Executive Council. Therefore, the whole of the Ministry were committed to the regulations as much as the Minister who recommended them. It was perfectly impossible, under our present form of Government, for any Minister, however much he might desire it, to make regulations in the way suggested, and if it were possible they would only last for a very

short shrift—till the next meeting of Parliament occurred. He had hoped that the Government proposal would have solved the difficulty. He had been under the impression that the Government had met the objections of the Roman Catholic portion of the community to some extent, that they would be acting in accord with the wishes of the Anglican community, and that the clause would pass without any difficulty. But, notwithstanding all the efforts of the Government to try and solve this question, a difficulty had arisen. If the Government had been a little wiser, the difficulty would not have occurred. The question had lain dormant for the last three or four years, in fact for the last 20 years, and would have remained dormant for a longer period still if it had not been brought up before hon. members by the Government; but now the opportunity was seized of trotting out the old arguments to do service again, as they had done service so many times before. He hoped hon. members would support the Government in this matter. They would be supporting a clause which was not a new one—it was restricted a little and wisely, he thought, because it fixed the time at which religious instruction should be given in the schools to the first half-hour after the school met. If any parent objected to his child being given religious instruction, he need not send it to the school during that first half-hour. Why should we seek to reverse the law which had stood the test of time in this colony and in New South Wales? He hoped members, therefore, would support the clause, as by doing so he believed they would be acting in the best interests of the community.

MR. MORAN: The member for Geraldton (Mr. Simpson) had been the head and front of the movement in this colony for the separation of Church and State. The hon. member had started this agitation, following in the wake of other Australian colonies. The view held by the hon. member was that the State should take no cognisance of any religion, only so far as to secure freedom of conscience to everyone in the land. He (Mr. Moran) opposed that doctrine, as the hon. member knew, because he thought that the State would be acting in the interests of the people to allow the clergy of religious denominations to teach the children in the schools: but the House had distinctly declared, even before the election, that the education given by the State should be non-sectarian and secular. He (Mr. Moran) could quite understand the position taken up by the Premier. He was not even yet in touch with the people of the colony on this matter. Although belonging to a Roman Catholic body which had received £15,000 for certain vested interests, he (Mr. Moran) was in favour of private enterprise providing for education the same as for everything else. The member for Geraldton had been consistent throughout in the position he had taken up, although they had been sworn enemies on this point.

MR. SIMPSON: Not sworn enemies, but merely separated by a difference of opinion.

MR. MORAN said he had gone through the speeches of the hon. member on the Ecclesiastical Grant and on the Education Act. The hon. member held that the State should not in any shape or form allow the teaching of any religion whatever. The hon. member's position was that the State was not in a position to deal with the question of religion, but only with the question of education. In his (Mr. Moran's) opinion the amendment of the member for Albany (Mr. Leake) was worse than the motion of the Minister. If he were a State teacher, as he had been in another colony, he would not consider it right to teach from a Bible in which he did not believe.

MR. LEAKE: Under the amendment he would not be allowed to teach, but only to read the Bible.

MR. MORAN: Then what would be the good of it? If the House should insist that the Douay version be used, could any conscientious Protestant subscribe to the prayers for the dead contained in the Maccabees? There was a fundamental difference between the two religions. The word "repentance" was another point on which the two religions materially differed. He would never be one to interfere with any one's religious convictions. He respected all religions, and he would help each religion to do its work. He respected the Salvation Army, as the latest addition to religions, and he found

that it did good work. But when it came to the question of the particular form of religious belief the State would tolerate, how could we steer clear of all these objections? He desired to quote the opinions of a few of the members of the Assembly in reference to this matter. The member for Geraldton (Mr. Simpson) had said it was undesirable to perpetuate the system of State aid to religion; his standpoint being that it was time to separate the State from religion. The Minister of Education was the member of a Government which had gone back on the bargain it had made, and which said to the Roman Catholic body, "We will not support you any longer, but will support the broad principles of religion."

THE MINISTER OF MINES: The Government had done nothing of the kind.

MR. MORAN: The present Government were bringing in this new Bill in favour of State aid to religion, and they were going back on their opinions.

THE MINISTER OF MINES: The Government were not going back on their opinions at all.

MR. MORAN: If the Government said they were going to introduce into the State schools a religion which the body he belonged to did not agree with, he must say that the body he was connected with should give back the £15,000 and ask the Government to reinstate them in the same position as before. What did the present Minister of Education (Hon. G. Randell) say in a debate which took place two years ago on the question of abolishing the system of assisted schools? It was to be hoped the new Minister's future action would be consistent with what he had then said, for his words were: "Of course it is well-known that I have always been an advocate for the cessation of State aid to religion." That was said by one who had since become the Minister of Education, and was responsible for the Bill now under discussion.

THE PREMIER: This Bill was introduced last session, when he was not Minister of Education.

MR. MORAN: That was quibbling. The present Minister held these views two years ago, whereas in the present year the same gentleman, now the Minister of Education, said through this Bill, "I have gone back on my principles, and I do now believe it is the duty of the State to teach religion."

MR. JAMES: Utter rubbish! He (Mr. James) knew the Minister of Education, and he also knew the hon. member who was speaking.

MR. MORAN: "Let the galled jade wince." He wanted to show the inconsistency of the Government on the matter.

THE PREMIER: This was the same provision which was introduced in 1895.

MR. MORAN: The Government had been consistent, but the present Minister of Education was not consistent, for he was bringing in a Bill which, as Minister, he did not believe in, according to what he had said before becoming a Minister.

THE PREMIER: The Minister of Education quite agreed with the present Bill.

MR. MORAN: To take another quotation, the present Minister of Education also said, in the debate already referred to: "The State is not a religious body, and it is not part of its duty to provide for the support of the religious beliefs of its subjects. Its duty is rather to secure religious liberty for all its subjects." Could any member of the Government or any member of this Assembly show the consistency of what the Hon. G. Randell had said then, and what he was saying now through this Bill? Did not the Minister know that a large section of the community looked on this Bill as a coercion of their consciences. And where did the hon. gentleman's vote for religious liberty come in? To take another quotation, the same gentleman had said: "I oppose the principle on the ground that religion has nothing to do with the State." That was what he said on the previous occasion.

MR. ILLINGWORTH: That was what we all said.

MR MORAN: A quotation from the speech made by the member for East Perth on the same occasion might also be made, and one was inclined to quote something in reply to the hon. member's interjection, as he had been a great advocate for severing the State from everything religious; though whether the hon. member had also come round,

like the Hon. G. Randell, to the view that the State must teach religion in the public schools, was not yet clear. He hoped the hon. member would be consistent, and not say, "Because we have cut off the Government vote in aid of assisted schools, therefore we will go back now to the system of State aid for religious teaching." That was unfortunately the view which must be taken. He (Mr. Moran) had listened to the intellectual and very able speech of the member for North-East Coolgardie (Mr. Vosper), who said the Catholic body——

MR. JAMES: How could the hon. member speak of his body as the "Catholic" body, when all were Catholics? The hon. member should say "Roman Catholic," in speaking of his body.

MR. MORAN: The hon. member (Mr. Vosper) had laid it down that the Catholic body was taxed to support its own schools, and that any other body which had conscientious scruples was taxed for the same purpose. That being so, he (Mr. Moran) agreed that every taxpayer had a right to say how the State should spend the money which the taxpayers paid to the State; and therefore he objected to the money which he paid being handed over to a teacher, whether Catholic or Protestant, for instructing children in religious lessons given in State schools. There was one school in this colony, and perhaps only one, wherein all the children and also the teacher were Roman Catholics, there being presumably an Irish settlement in that locality; and he (Mr. Moran) objected on principle to State aid being given to the teacher even in that case, because a logical position must be maintained. In New South Wales and in Queensland about 40 per cent. of the teachers were Roman Catholics; yet he (Mr. Moran) would object all the same that these teachers should have opportunity of inculcating Catholic doctrines through religious books in State schools. There were two logical positions, one being the position taken by the Premier, who believed in religion being taught in the State schools; and the other being the position taken by the member for Geraldton (Mr. Simpson), who had said, in carrying on an agitation during many years, that religion should be absolutely separate from the State. The country had decided in favour of the view of the member for Geraldton; and as the policy of the country was that no State aid should be given to religion, that policy he (Mr. Moran) was going to uphold. This Bill would interfere almost as badly as ever with the consciences of half the population of the colony. The authorised version of the Bible, as it was called, was not authorised to him. The Douay Bible was authorised to him, but not authorised to people of other religions. Let the State teach education, and let the denominations teach religion; otherwise there would be a rankling sore amongst the religious bodies.

MR. JAMES: That sore seemed to be always rankling.

MR. MORAN: The member for North-East Coolgardie had suggested to him just now that a Royal Commission should be appointed to find out which was the true Bible.

MR. JAMES: That was characteristic of the Opposition, this session.

On the motion of MR. SIMPSON, progress was reported and leave given to sit again.

MESSAGE: SUPPLY (TEMPORARY).

THE PREMIER presented a message from the Governor, recommending that an appropriation be made out of the Consolidated Revenue Fund for the purpose of a Bill intituled: "An Act to apply out of the Consolidated Revenue Fund and from moneys to credit of the General Loan Fund the sum of eight hundred and fifty thousand pounds to the service of the year ending 30th June, 1899."

Ordered—that the message be considered in Committee of Supply at the next sitting of the House.

PAPER PRESENTED.

By the COMMISSIONER OF CROWN LANDS, (through the Premier): Agricultural Bureau, Return showing receipts and expenditure, as ordered.

Ordered to lie on the table.

SHIPPING CASUALTIES INQUIRY BILL.

The Bill, as previously reported with amendments, was read a third time, and transmitted to the Legislative Council..

INTERPRETATION BILL.

The Bill, as previously reported with amendments, was read a third time, and transmitted to the Legislative Council.

ADJOURNMENT.

The House adjourned at 10.50 p.m. until the next day.

Legislative Assembly,

Thursday, 21st July, 1898.

Papers presented—Question: Insolvent Estates and Official Receiver—Question: Railway Freights, Reduction—Question: Fugitive Offenders, Expenses of Arrest—Question: Government Stores and how Purchased—Question: Fruit Prohibition and Attempted Evasions—Crown Suits Bill; Amendments on Report—Chairman of Committees, temporary appointment—Jury Bill; in Committee, pro forma—Public Education Bill, further considered in Committee, new clause, Division; also, proposed new clause, Chairman's Ruling—Divorce Amendment and Extension Bill; second reading (debate concluded), Amendment (negatived), Division—Bills of Sale Bill; second reading (moved)—Supply (temporary); Committee of Supply, Committee of Ways and Means, want of Quorum—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the PREMIER: Victoria Public Library, Report for 1897-8.

By the COMMISSIONER OF RAILWAYS: Bridge Railway, Return showing cost of supervision, as ordered.

By the ATTORNEY GENERAL: Insolvent Estates, Return showing receipts and expenditure by Official Receiver (in reply to question).

Ordered to lie on the table.

QUESTION: INSOLVENT ESTATES AND OFFICIAL RECEIVER.

MR. KENNY asked the Attorney General,—1, The number of insolvent estates placed in the hands of the Official Receiver from June 30th, 1897, to June 30th, 1898. 2, The estimated value of each estate when placed in the Official Receiver's hands. 3, The gross amount realised from each estate. 4, the net amount realised and paid in dividends to the creditors of each estate. 5, the amounts deducted from each estate as costs and expenses in realising upon each estate. 6, The amount received by the Official Receiver personally, as travelling and other expenses, in connection with each estate.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather) replied that the information sought would be found in a return which he intended at once to lay on the table of the House.

Return, by leave, laid on the table.

QUESTION: RAILWAY FREIGHTS, REDUCTION.

MR. KINGSMILL, for Mr. Gregory, asked the Commissioner of Railways, whether he intended to reconsider the question of railway freights, with a view to their reduction; if so, when?

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) replied that the Government did not propose to reconsider the question, the new tariff not having been in operation for a sufficient time to enable a conclusion to be arrived at as to the necessity for such revision.

QUESTION: FUGITIVE OFFENDERS, EXPENSES OF ARREST.

MR. KINGSMILL, for Mr. Gregory, asked the Attorney General,—1, Whether he was aware that, in cases of arresting fugitive offenders beyond this colony, a large sum had to be paid by the issuer of the warrant for expenses incurred. 2, Whether he would issue instructions that in cases where a conviction was obtained, such sum should be refunded.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather) replied: 1, The Attorney General is not aware of any cases where fugitive offenders from this colony have been brought back at the expense of