

Roman Catholics, and the Presbyterians, and other Churches; all of them owned valuable land which had been given to them by the Government in the past, and which ought to bring them a large amount of revenue; and he congratulated the Government of the past for having given them these lands, so as to make them independent of the money grant, when that grant disappeared.

MR. R. F. SHOLL said he had had no wish whatever to refer to any particular denomination when he moved for this return; he had purposely abstained from mentioning any particular Church, and he was sorry that the Premier had thought fit to bring up that question at all. He did not object so much to the principle of granting land to religious bodies, as he did to the fact that the land given to them was very often not applied to the purposes for which it was granted. He thought that if these grants were going to be continued in the future, it should be a condition that when grants of land were made to a religious body they should, within a reasonable time, be utilised for the particular purpose for which they were given. He was certainly amused with the consistency of the hon. member for Kimberley (Mr. A. Forrest) in speaking to this motion. The hon. member said he was glad the Government made these large grants. It certainly was amusing to hear an hon. member who was one of the strongest advocates for abolishing the Ecclesiastical Grant, now congratulating the Government upon their liberality in giving grants of land to religious bodies. He thought the hon. member's consistency was worthy of him. As for the hon. member congratulating the present Government, no doubt the hon. member would continue to congratulate them, whatever they did, so long as they remained in office.

Motion put and passed.

PROTECTION TO PARLIAMENTARY PRINTERS BILL.

THE ATTORNEY GENERAL (Hon. S. Burt), in moving the second reading of this bill, said if members would read the preamble of the bill they would see its object, and know as much about it as he did. It was necessary to protect those

who had the duty cast upon them of publishing the reports and other proceedings of Parliament, so that in the event of any libels appearing they would not be liable to be hauled up before the Supreme Court. Provision was also made in the bill for facilitating the proofs of Acts of Parliament and other matters, whether printed and published by the Government Printer or other printer authorised by the Government.

Motion agreed to.

Bill read a second time.

The House adjourned at half-past 3 o'clock, p.m.

Legislative Assembly,

Monday, 2nd February, 1891.

Sand Drift on Fremantle Road—Railway Siding at North Fremantle—Unlicensed Sale of Liquors at the Midland Junction—Ballast used by Contractor, Midland Railway—Return of Public Works constructed out of Current Revenue—General Loan and Inscribed Stock Act, 1884, Amendment Bill: first reading—Audit Act Amendment Bill: first reading—Improvements to Lunatic Asylum, Fremantle—Standing Rules and Orders: adoption of—Return of Expenditure and Revenue of Government Railways and Tramways—Protection of Parliamentary Printers Bill: in Committee—Adjournment.

THE SPEAKER took the Chair at 7:30 p.m.

PRAYERS.

SAND DRIFT ON FREMANTLE ROAD.

MR. PEARSE asked the Commissioner of Crown Lands, what steps he proposed to take in assisting the Fremantle Municipal Council in connection with the sand drift on the Fremantle Road?

THE COMMISSIONER OF CROWN LANDS (Hon. W. E. Marmion): A survey has been made of a proposed deviation, to escape the site of the sand-drift on the Perth-Fremantle Road, and the Government intend to make the proposed deviation. In the meantime the Fremantle Municipality and Roads Board have asked for a vote in aid to enable them to keep the road open for traffic, and the Government hope to be able to secure for them a certain sum out of the vote for Roads and Bridges for 1891.

RAILWAY SIDING, NORTH FREMANTLE.

MR. PEARSE asked the Commissioner of Railways, whether it was the intention of the Government to make provision on the Estimates for this year for the construction of a railway siding at North Fremantle?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said it was his intention to make provision on the Estimates for this work.

UNLICENSED SALE OF LIQUORS AT MIDLAND JUNCTION.

MR. TRAYLEN—who had given notice of his intention to ask the Government whether their attention had been directed to unlicensed sales of intoxicating beverages at the Midland Junction, under the guise of a club—said that as he saw from the newspapers that the Government had taken action in the matter, there was no need for him now to ask the question standing in his name.

BALLAST USED BY CONTRACTOR FOR MIDLAND RAILWAY.

MR. TRAYLEN, in accordance with notice, asked the Commissioner of Railways, whether the contractor for the Midland Railway had had permission, by the authority of the Government, to use sand ballast; and, if not, whether he was using ballast equal in efficacy to that of the Great Southern Railway?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) replied, as follows: Clause 6 of the Contract entered into by the Contractor of the Midland Railway, and approved by the Commis-

sioner of Railways, 2nd November, 1888, reads thus:—

"Ballast is to consist of hard stone, broken so as to pass in every direction through a ring two and a half inches in diameter, or good clean gravel, free from loam or earthy particles, *excepting that the bottom ballast may consist of good suitable sand, thoroughly boxed up with gravel or broken stone, &c., &c.*"

There has been no departure from the approved specification; the work is going on satisfactorily.

RETURN OF PUBLIC WORKS CON- STRUCTED OUT OF CURRENT RE- VENUE.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) laid on the table the return moved for by Mr. Traylen on the previous day (which motion was negatived on a division), showing the Public Works constructed out of current revenue since 1874. (*Vide* p. 98, *ante*; also p. 114, *post*.)

NEW BILLS.

THE PREMIER (Hon. J. Forrest) asked the Speaker, whether it was competent for him, in the absence of the Attorney General, to move, on behalf of his hon. and learned colleague, the motions standing in his name on the Notice Paper?

THE SPEAKER said it was permissible, according to Parliamentary practice, for a Minister to move a motion on behalf of another Minister, but the same rule did not apply to private members.

THE PREMIER (Hon. J. Forrest) then moved for leave to introduce a Bill to amend the General Loan and Inscribed Stock Act, 1884; and a Bill to amend the Law relating to the Receipt, Custody, and Issue of Public Moneys, the Audit of the Public Accounts, and the Protection and Recovery of the Public Property.

Leave given.

Bills read a first time.

IMPROVEMENTS TO LUNATIC ASYLUM.

MR. SCOTT, in accordance with notice, moved the following resolution: "That this House having taken into consideration the Report of the Superin-

tendent of the Lunatic Asylum, together with the remarks made by the authorised visitors to that Institution, is of opinion that a Select Committee from this House should be appointed to consider and report to this House what may be necessary to put the said Institution upon a satisfactory basis, both as to accommodation and maintenance." The hon. member said the motion was one that might not command the active sympathy of the members of the House, but he was sure that so far as their passive sympathy was concerned he should certainly receive that. He knew that, outside the walls of the House, the Press had lately been moving in the direction he now wished to advocate, and, further than that, he knew that the House had had the matter brought under its consideration on several occasions since he had had the honor of a seat in it. The question, to his mind, was this: Whether they should allow, under our new order of things, an institution like this to continue in a state which certainly somewhat reflected upon that liberality, that good feeling, which he thought was proverbial amongst West Australians. When men or women had the misfortune to lose their reason, they became, as it were, dead—dead to the world; but he thought for all that they should be borne in mind by those who had to legislate for the colony, and in dealing with this matter it seemed to him it really was a question whether they were acting justly to those unfortunate people. They were put into the Asylum by a process of law, in the hope that with care and proper treatment they might receive some benefit; but, once there, it seemed to him that we did our very best to prevent their ever coming out again. He had been over that Asylum many times, and he did not know that he had ever come away without feeling more disgusted than upon previous occasions. It seemed that the accommodation was becoming gradually more and more inadequate, and the demand upon it, both as regards the accommodation itself and the staff required, was getting greater every year, with the result that it was getting more and more difficult to keep the institution in proper order. He thought—if hon. members had taken advantage of the time between the day

he gave notice of his intention to move this motion and the present—they would probably have looked over the report of the Surgeon Superintendent, but, in case they had not, he would just read what he said in his last report. He would do so for this reason, that it put the case in more concise and forcible language than he had at his command. Before referring to what was said by Dr. Barnett in his last report, he should like to read an extract from another report from the same gentleman, so long ago as 1886. He said: "As in former years, I would respectfully press on the Government the crying need which exists for a separation of incurable patients from those whose reason is only for a brief time under a cloud." That was what he (Mr. Scott) was pointing out a moment ago, and it was one of the chief reasons why he thought something was required to be done to separate the curable from the incurable patients. He knew that the Government intended to do something, but he wanted to find out whether that something was what ought to be done. "At present," the Surgeon Superintendent went on to say, "the want of space and of attendants necessitates that cases of temporary insanity, amenable to treatment, and above all things quiet and rest, should be associated, and eat their meals with incurable congenital idiots and noisy maniacs." He (Mr. Scott) could imagine nothing that would have a greater tendency to keep a man a lunatic all the days of his life than that. "I have before frequently," Dr. Barnett said, "had the honor of stating that the present condition cannot be changed without incurring a comparatively large expenditure in building, and in providing a considerable addition to the present staff, male and female; but I consider such an outlay to be an imperative necessity on grounds of humanity. Patients whose friends are in circumstances to pay for their maintenance and treatment could then be admitted instead of having to be taken to England or to the other colonies, as frequently occurs at present." This was a matter he had himself frequently noticed in going over that Asylum. They found within its walls people belonging to those to whom, he was sure, it must be a source

of very great regret that they could not keep them in a different position and under different circumstances from those in which they were unfortunately placed. In his report for 1888, the Surgeon Superintendent became a little more hopeful. He said: "The urgent representations which, during many past years, I have made on this important subject have at last the promise of bearing fruit. A sum of money has been voted, plans have been drawn out, but as yet no actual work has been commenced. At my request a considerable addition has been made to the Asylum grounds, but the land has not yet been enclosed." And, further on, he said: "During 1888 we have had several very violent maniacs, male and female, with a tendency to injure themselves and attack others. Even in Asylums where the number of attendants is very large there is much difficulty in controlling patients of this character; but the difficulties are vastly greater in an establishment such as this where every attendant has in the ordinary day's work as much as it is possible to do, and there are no spare attendants to tell off for this special work." With reference to that, he believed that if the House granted permission to have this select committee appointed, it would be shown that patients were kept in solitary confinement simply because there was not the necessary number of attendants to look after them; and there could be no doubt that this solitary confinement was most prejudicial to those so confined. This was really a very distressing state of things. The Surgeon Superintendent added: "This paucity of attendants is felt most severely at the female side of the Asylum, and cannot be rectified until additional rooms are provided." Dr. Barnett's last report was even more forcible. He said: "However wearisome my reiterated complaints may be, I feel compelled to continue to advocate and press for those changes which I know are required. The correctness of my assertions as to the advisability of separating curable from incurable patients has never been questioned, yet I have been left year after year to get on as best I could with unsuitable buildings and overworked attendants; my urgent representations have almost been ignored, and no prac-

tical action taken to give effect to that which every one acknowledges should be done." That was what he (Mr. Scott) complained of in this matter. The Government and everybody acknowledged the necessity for these reforms, but the difficulty was to get them to take any active part in dealing with this dreadful subject. Dr. Barnett went on: "I am well aware that the expense of this alteration would be great, necessitating, as it would, not merely the erection of additional buildings, but also increase in the number of male and female attendants; yet the subject is one of such importance and urgency that I venture again to draw His Excellency's attention to it. A suite of rooms for the reception of lunatic patients whose friends are in a position to pay for maintenance and medical supervision might be added, and would not only tend to meet an extremely urgent public want, but also would probably considerably diminish the expense of the proposed additions." He had reason to believe it was the intention of the Government to do something to improve the present state of things; still he should like to find out whether it was their intention to put up buildings that would be adequate for the next six or seven years, or whether it would be a process of cobbling rather than providing for the future. As the population of the colony increased, we must expect that, like all other countries, we shall have a proportionate increase in the number of our insane; and what he should like to know was whether the Government intended to make provision for this increase of patients. Simply cobbling up the present accommodation would be no good. As Dr. Barnett said: "The Asylum has now to be re-modelled and re-arranged. If I am to carry out the improvements which I have for so many years been planning, I must ask to be justly and generously treated, so that I can give my whole time to this most important work, and to prepare for that increase of insanity which is certain to accompany the increase of population. I could, with more certainty and confidence of success, enter on this important work if I was placed in a position to visit the neighbouring colonies, study the systems in use there, and inspect the working of various Asylums. My

"aim is to do away with, as far as may be possible, the sad, gloomy, and poverty-stricken surroundings of the patients, and, in some degree, make the place a cheerful home for those unfortunate ones who suffer from this worst of all human calamities; but in order to do this, I must be treated liberally, and have a free hand." Words such as those coming from a gentleman who had had the superintendence of this Asylum for the last twenty years certainly ought to bear more than ordinary weight. He said more than ordinary weight for this reason: the gentleman who made these assertions was well known to them all, and he was perfectly certain he would not make such assertions unless he were quite prepared to give such evidence in support of them as would convince a committee of that House. If this gentleman, as he said in his report, with all his experience of twenty years, felt that in order to deal satisfactorily with this question it was desirable that he should visit the other colonies and inspect the working of similar institutions there,—if this gentleman felt that this was necessary in his case, then he (Mr. Scott) did not think there was any other man in this colony who was capable of dealing with the subject. If the House would be good enough to give him this committee he was asking for, he believed they would be able to place before the Government and the House such information as would satisfy them of the urgent necessity of carrying out these improvements. He had much pleasure now in moving the resolution.

MR. TRAYLEN said he had very much pleasure in rising to support the motion made by the hon. member for Perth, who had been extremely careful in placing the facts before them. There was only one portion of the hon. member's remarks that he felt inclined to find fault with. The hon. member said he had no doubt he could claim the passive sympathy of members in this matter; he (Mr. Traylen) thought the hon. member might have gone further than that, and said he could claim their active sympathy if all the facts were placed before them, as they could and would be, if this select committee were appointed. Having a firm belief in their

common humanity—a humanity which was to be found running through all members in the House—he felt satisfied that if the select committee which the hon. member asked for were appointed and laid the facts of the case before the House, the House would be very glad to make some much more suitable provision for the wants of this institution,—this painfully necessary institution—than had been made in the past. And perhaps one of the reasons why the House had not in the past listened to the strong representations of the Surgeon Superintendent was that there had been no such general investigation into the condition of affairs at this Asylum as would be made by the appointment of a select committee. With these few observations, he was very glad to support the motion.

THE PREMIER (Hon. J. Forrest) said the Government had no objection to this motion, nor had he any reason to say anything in opposition to what the hon. member had put before the House. He did not know that the hon. member was quite right when he said that the Government had not done much in the past for this institution. He thought there had been a great deal of money spent on that building by the Government. Year after year money had been voted for it. Even some of the loan money raised for harbor works had, some years ago, been re-voted, and diverted for improving the condition of the building; and a good many additions had been made during the last year or two. He might also add that the Government now proposed to make further additions, and to make provision for the work on this year's Estimates. He had no doubt that great improvements were necessary in these buildings, but members must be aware that we were a struggling colony, and that we had a very large extent of territory to look after; and the money had really not been available for this work. That was about the truth of the matter. He had no doubt that the hon. member for Greenough was in "active sympathy" with the object in view; but active sympathy, he took it, meant putting one's hand in one's pockets; and if they could only find the funds necessary for all these improvements he was sure they would all be very glad.

But, considering the other demands upon the Government, considering the large amounts now necessary to carry on the affairs of this country, it was a matter for consideration whether any large sum could really be devoted to this very laudable object, at the present time. He only hoped it might be found possible to place on the Estimates a sum that would enable them to carry out some of the suggested improvements. He did not suppose they could do all that was wanted. It appeared to him that to do all that was required by the Surgeon Superintendent would cost a very large amount of money,—he should say £20,000 at any rate; perhaps more. However, if members thought they were prepared to find that money out of loan—for he did not think they could spare it at present out of current revenue—that was a matter for the House to consider. He could only say that the Government had no objection to the appointment of this committee. No doubt the committee would be able to give them some valuable information, which would place them in a better position to go into the matter. At the same time he was not prepared to admit that this Government were not willing to do all they could in this matter. They had not had time yet scarcely to look into the requirements of the various departments; the House would bear in mind they had only been in office a few weeks, so that they could hardly be blamed in this matter, whatever might be said as to any remissness or blame on the part of the late Government—and he was not prepared to admit that there had been any blame attached to the late Government in this matter, for he believed they had been equally as anxious as the present Government were to do all they could, but they found they could not do all they wished simply because the money was not available. The fact of the matter was, the whole establishment had been founded on a wrong basis; it was founded with an entirely different object from that which they now had in view, and the whole thing wanted to undergo a transformation. To do that would take a great deal of money. He only hoped this committee, if appointed, would go to work in a way that would assist the Government in carrying out

the object they had in view. He was sure it was the desire of every member of the present Government to do all that could be done in the matter; the only obstacle in the way was the want of funds. At the same time he was quite willing to do his best to see if they could not make this institution a credit to the country. He was formerly, for some years, one of the official visitors to this asylum, and he used to go and look at the Visitors' Book, and he always noticed that the remarks entered there were something to this effect: "This is a most excellent institution; found everything in excellent order; everything seems to be working very nicely; it reflects the utmost credit upon those in charge,"—and so on. He never saw an entry made in that book reflecting in any way adversely upon the management or the state of the institution; so that, perhaps, some fault was attached to the visitors who made these very favorable comments upon the Asylum, and who seemed to think there was nothing wrong. Possibly he himself had not been blameless in this matter; no doubt, as a visitor, he had entered many complimentary observations in that book; at the same time, he must confess he did not altogether like it. He had not been there since he had ceased to be one of the official visitors, but he believed there was room for improvement. He knew that in other parts of the world these institutions were, as a rule, very admirable institutions, where the inmates were allowed a considerable amount of freedom and recreation; pleasant walks were provided, with nice plants and flowers, and everything that could possibly be done was done to minister to their comfort, and every care was taken to divide the curable patients from the incurable. Of course, if we could do something in the same direction with this establishment, it would be very desirable. He did not know, however, whether the site was a good one, or whether it would lend itself to any great improvement in the way of making the place agreeable to the eye. Possibly plants might be made to flourish there, but it was a bleak and exposed situation. No doubt the committee would take this matter into their consideration. Of course, if they had to change the site of the present institution,

that would entail a very large expense. At any rate, the committee could do no harm. The motion, he was sure, had the sympathy of them all. He did not know whether he could say their active sympathy—that depended upon the definition which the hon. member put upon the words; at any rate, he assured the hon. member he had the sympathy of the Government, and they would be very glad to assist him so far as they could in the good object he had in view.

Motion put and passed.

MR. SCOTT moved that the select committee consist of the Director of Public Works, Mr. Traylen, Mr. R. F. Sholl, Mr. Randell, and the mover, with power to call for persons and papers.

Agreed to.

STANDING RULES AND ORDERS.

The House then went into committee for the consideration of the report of the select committee on the Standing Rules and Orders of the Legislative Assembly.

THE SPEAKER said perhaps it would be convenient if he stated what had been done by the select committee in drawing up these Standing Orders, and probably members would be inclined to accept them without further discussion. He might state that they were almost word for word the same rules and orders as were in force in South Australia, and which he believed had been found to be so well adapted and so efficacious in regulating the proceedings of Parliament there that they had scarcely ever been amended. Here there had been some few amendments made in them, in accordance with some recommendations of his own and other members, by Mr. Blackmore, the Clerk of the Parliaments in South Australia, a gentleman of large experience in Parliamentary procedure; but they were not many, and were chiefly verbal. There were also two or three rules introduced from the Standing Orders of the Imperial Parliament. But, generally speaking, they were word for word the rules adopted by the South Australian Legislature. The select committee had not at present made any rules dealing with private bill legislation, because in the other colonies those rules were usually framed by a joint committee of the two Houses, so that there

might be a uniformity in their method of dealing with such bills. It was obviously inexpedient that there should be two distinct modes of procedure in dealing with private bills in the two Houses; and his intention was to call a joint committee of both Houses to consider the rules to be adopted with regard to private legislation.

The Rules were then dealt with chapter by chapter.

Chapters I. to VI. were agreed to without comment.

Chapter VII.—“Contempt or other misconduct:”

THE SPEAKER said he might point out that Rules 72 and 73 had been adopted from the Standing Orders of the House of Commons, and he wished to move an amendment in Rule 76. That Rule, as it now stood, provided for the infliction of a penalty not exceeding £50 in the case of any member of the House declared guilty of contempt; but it did not provide for a similar punishment in the case of a stranger, or any other person except a member, misbehaving himself. It was necessary that the Speaker should have this power of dealing with strangers as well as with members of the House, and he had therefore to move that, after the words “Any member,” the words “or other person,” be inserted.

Agreed to.

THE SPEAKER said he had also an amendment to move in Rule 78, dealing with the scale of fees payable on the arrest of any person for contempt. The Rule, as it stood, only dealt with arrests or committals made “by order of the Assembly,” whereas Rule 75 contemplated arrests being made also by order of the Speaker. It was necessary, therefore, in order to deal with all persons who might be fined and arrested, that Rule 78 should be amended, so as to provide for the enforcement of any fees or fines in the case of those who were committed by order of the Speaker, as well as by order of the Assembly. He therefore moved the insertion of the words “Speaker or of the” before the word “Assembly.”

Amendment agreed to, and Chapter VII., as amended, adopted.

Chapters VIII. to XII.:

Agreed to, without comment.

Chapter XIII.—“Questions:”

THE SPEAKER pointed out that there was one rather important alteration made here, with regard to the form in which the “previous question” should be put. The alteration had been made upon the advice of Mr. Blackmore, the Clerk of the Parliaments in South Australia, in addition to which the committee had ascertained that the form now proposed was the form adopted in the House of Commons, and also in the House of Congress, in America, and in most of the Parliaments of the other colonies. The form formerly used was, “That the Question be now put;” but the form now proposed was, “That the Question be not now put.” Under the old form, the member who moved it had to vote against his own motion; but under the proposed new form this anomaly would be removed, and the member making the motion would vote in accordance with it, instead of against it.

Chapter XIII. was then agreed to.

Chapter XIV.—put and passed.

Chapter XV.—“Divisions:”

THE SPEAKER said there was one little difference made here with regard to the mode of conducting divisions. Under these rules, members would take their seats and remain sitting on whichever side of the House they intended to vote, instead of congregating together, and standing in a group behind the seats as they used to do. This innovation was in accordance with the practice in other Legislative Assemblies where they did not go out of the Chamber into a separate lobby, upon a division; and it was a far more convenient way for taking the names of members than when they used to congregate in groups on either side of the House.

MR. TRAYLEN called attention to Rule 191,—“A member calling for a division shall not leave the House, and shall vote with those who, in the opinion of the Speaker, were in the minority.” Supposing the Speaker were wrong, in deciding upon the voices, whether the Ayes or the Noes were in a minority, would it not be rather hard upon the member calling for a division to have to vote with the minority?

THE CHAIRMAN pointed out that as a rule the member who called for a division was in the minority, otherwise

he would not challenge the decision of the Speaker upon the voices.

MR. TRAYLEN said there might be cases in which a division might be called for simply in order to show to the world, the outside public, who had voted with the Noes.

MR. PARKER did not think it would be in accordance with Parliamentary practice for a member to call for a division simply in order to show who the Noes were.

Rule agreed to.

Chapters XVI. to XIX.:

Agreed to, without comment.

Chapter XX.—“Messages from the Governor:”

THE SPEAKER said the select committee had made a slight alteration in the South Australian rules with regard to communications made by Message. In the South Australian Parliament messages from the Governor were delivered at the bar of the House to the Clerk, in the same way as messages from the Upper House; but the committee thought it would only be respectful to the Governor to treat a message from His Excellency in a somewhat different manner from messages received from the other House. In all the other colonies except South Australia this distinction was made; and, under the rule now proposed, whenever a message from the Governor was announced by the Sergeant-at-Arms, the business before the House would be suspended, and the bearer of the message admitted within the bar to deliver the message in person to the Speaker.

Agreed to.

Chapter XXI.—“Communication between the two Houses:”

THE SPEAKER said that under this head the select committee had made considerable alterations, with reference to the manner of conducting communications or conferences between the two Houses, in case of dispute. In South Australia, and he believed in nearly all the colonies, there were two forms of conferences,—an ordinary conference and a free conference. The custom was first of all to demand an ordinary conference, when a certain number of members from each House were appointed to confer, but this could only be done in writing. No arguments or reasons could

be advanced by word of mouth, all the communications between the two branches being in writing. Mr. Blackmore had informed them that in the whole course of his experience in the South Australian Parliament he had never known any useful result derived from this form of communication, in the course of which neither appeal or argument could be made by word of mouth; and he had strongly advised us to do without this form of conference, and merely to have what was called free conferences, when the members from each House were allowed to discuss the matter at issue by word of mouth instead of the tedious process of reducing all their communications into writing, with the invariable result, as Mr. Blackmore told them, of having afterwards to resort to a free conference. The select committee, therefore, thought it would be better to have only this kind of conference between the two Houses here.

Agreed to.

Chapter XXII.—“Public Bills, initiation of.”

MR. CANNING, referring to Rule 259, asked whether it was necessary for a member who obtained leave to bring in a bill to present a fair copy of the bill on the day leave was given to introduce it, or whether it would be competent for him to present the bill on a subsequent day?

THE SPEAKER said it was not necessary for a member, when he obtained leave to bring in a bill, to present the bill on that day; so long as he gave the title of the bill that was quite sufficient. He could bring up a blank sheet of paper if he liked, with the title of the bill upon it.

Agreed to.

Chapters XXIII.—XXVIII.:

Agreed to.

THE SPEAKER said the select committee had left out all rules and orders relating to a call of the House. They had been advised to do this also by Mr. Blackmore, and he thought for a very good reason, for it was perfectly useless for the Speaker to issue an order for a call of the House, when, after getting members together, they could not be compelled to vote.

THE CHAIRMAN reported that the Committee had agreed to the Rules, with amendments.

THE PREMIER (Hon. J. Forrest) moved that an address be presented to His Excellency the Governor, asking that he would be pleased to approve of the Standing Rules and Orders as adopted by the House.

Question put and passed.

COST AND REVENUE OF GOVERNMENT RAILWAYS AND TRAMWAYS.

MR. HARPER, in accordance with notice, moved that a return be laid on the table showing:—

1. The mileage of each section of the Government Railways and Tramways as divided for the purposes of keeping the accounts.

2. The total cost of each of such sections for the year 1890, inclusive of interest on the cost of construction.

3. The total revenue derived from each of such sections for the year 1890.

The hon. member said as the Ministry proposed a considerable extension of our railway system it would be advisable for the House to have this return, showing what the revenue was that was now derived from the lines already in existence.

Motion put and passed.

PARLIAMENTARY PRINTERS PROTECTION BILL.

The House went into committee on this bill.

Clauses 1 and 2 agreed to.

Clause 3.—“It shall be lawful, in any civil or criminal proceeding to be commenced or prosecuted for printing any extract from or abstract of such report, paper, votes or proceedings, to give in evidence such report, paper, votes or proceedings, and to show that such extract or abstract was published *bonâ fide* and without malice. And if such shall be the opinion of the jury, a verdict of ‘not guilty’ shall be entered for the defendant or defendants.”

MR. TRAYLEN would like a little explanation as to the meaning of this clause. He believed that cases had occurred in England where members in their places in Parliament had given utterance to remarks which, though privileged as having been uttered in the House, would

otherwise be grossly libellous, and that having been thus protected they had afterwards taken the opportunity of publishing portions of their speeches, which were calculated to prove somewhat injurious to the individuals attacked. This clause seemed to him to be so worded as to admit of members of that House doing the same thing here, if they should be so disposed. He was not sure whether it was desirable to give this protection even to hon. members of that House. He understood this clause was intended to cover the publication by the newspapers of any remarks that might be made in that House by a member in his place; but it seemed to him to go further, and to throw a cloak possibly over people who ought not to have such a cloak thrown over them. He was not prepared with an amendment, but he wished to draw attention to the clause as worded.

MR. CANNING said it seemed to him that the clause referred only to persons acting under the orders of the House, and that it only protected such persons. He took it that the clause would not extend the privileges of Parliament to any person publishing a report of the proceedings on his own responsibility, or any extracts from members' speeches, if they were of a libellous character.

MR. TRAYLEN thought there was a clear distinction between the protection afforded by this clause and the protection afforded by the first clause. The latter clearly dealt with persons who published reports under the authority of the House, such as the Government Printer, and was intended to bar all proceedings, civil or criminal, against persons so authorised. But this clause referred to persons publishing extracts or abstracts from the reports of the proceedings, and it appeared to him it would open the door to abuses.

THE CHAIRMAN: Is the hon. member prepared with any amendment?

MR. TRAYLEN: No, sir.

Clause put and passed.

The remaining clauses were agreed to, without comment.

The House adjourned at 9 o'clock, p.m.

Legislative Council, Tuesday, 3rd February, 1891.

Notice of motion; point of Order—Blackwood Tin mining areas: question—Telegraph Department office hours: question—Perth-Busselton Railway: map of proposed route—Eastern Goldfields: yield of gold from—Adjournment.

THE PRESIDENT (Sir T. C. Campbell, Bart.) took the chair at 3 o'clock.

PRAYERS.

NOTICE OF MOTION—POINT OF ORDER.

THE HON. J. MORRISON: I beg to give notice that on Tuesday next I shall move, That previous to undertaking any portion of a line of railway to the eastward of the present railway system of Western Australia by means of loan moneys, the Government be requested to call for tenders for a through line of railway from Fremantle to Eucla; the tenders to state the number of acres per mile for which the specified work would be completed and equipped. That tenders should be publicly invited by advertisement from Europe, America and Australasia.

THE PRESIDENT: I do not think the hon. member will be in order in moving such a resolution at the present time. The Loan Bill will shortly be brought before the House, and then if any hon. member does not agree with the schedule, he will have an opportunity of giving his reasons, but at present I consider the hon. member is out of order in giving this notice of motion.

THE COLONIAL SECRETARY (Hon. G. Shenton): The Bill is not yet before the House.

THE PRESIDENT: The hon. member does not know anything about the Bill yet.

THE HON. J. MORRISON: This motion is intended to be independent of the Bill, and it simply asks for the opinion of the House whether such a railway should be carried out from loan moneys or on the land grant system.

THE PRESIDENT: I think it would be better for the hon. member to wait until the Loan Bill is before the House. I have, I may say, written out an elaborate ruling on what the powers of this House are. At the proper time that