

cate to any person unless satisfied that he has been a managing clerk in the truest sense of the term, and a man of the highest character. I do not see that there is need for fear in that direction. Mr. Hamersley seems to lay stress on the point that because a man has passed three examinations he must necessarily be a better lawyer, or know more about law than another man who has passed only one examination. But a man might, by study, get through his examinations in three years, and still know very little about law. But if a man serves ten years, five of which have been passed as a managing clerk, even though he failed in one examination, yet with his lengthy experience he ought to be a much better lawyer than the ordinary article clerk.

HON. R. F. SHOLL: An article clerk learns all branches of the profession; a managing clerk does not.

THE COLONIAL SECRETARY: I should think that a managing clerk would get just as complete knowledge of all the branches as does an article clerk. Mr. Sholl has stated that he intends to move certain amendments in Committee. I think it is only fair to members, not only in this but in every case, that when amendments are to be moved they should be put on the Notice Paper. It is extremely difficult for members to grasp the entire meaning of an amendment while it is being read out by the Clerk. Amendments intended to be moved by members should be placed on the Notice Paper.

Question put and passed.

Bill read a second time.

BILL—NELSON AGRICULTURAL SOCIETY LAND SALE.

Received from Legislative Assembly, and read a first time.

ADJOURNMENT.

The House adjourned at 6:27 o'clock, until the next Tuesday.

Legislative Assembly.

Thursday, 9th August, 1906.

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

PRAYERS.

QUESTION—RAILWAY BRAKE-VANS CONTRACT.

MR. JOHNSON asked the Minister for Railways: 1, Are the A.J. brake-vans now being built by the contractors, Messrs. Hudson & Ritchie, near completion? 2, When will those which it was decided at the time of letting this contract should be built at the State Works in order to check the cost, be started? 3, Is the delay in starting this work in any way responsible for the recent dismissal from the State Works of blacksmiths and strikers? 4, If not, why were these men, some being old hands, paid off? 5, When will the building of these brake-vans be started at the State Works? 6, Does the Minister intend to take such steps as will prevent a similar delay occurring in connection with the decision to build corridor cars at the State Works?

THE MINISTER FOR RAILWAYS replied: 1, The A.J. brake-vans being built by the Westralia Ironworks Ltd. are about half finished. 2, The material for the vans to be built by the Government has not yet been received; until this has come to hand, in the interests of economy it is not advisable to start the manufacture. 3, No. 4, These men were employed in the manufacture of ironwork for G.B., B., and C. trucks, and brake gear for fitting vacuum brakes on four-wheeled vehicles; the work being completed the men were paid off. The Department has now under consideration the manufacture of farther trucks. 5, See answer to No. 2. 6, The question of building rolling-stock involves the getting

together of a stock of suitable material for the purpose of (a) seasoning, (b) saving delay. This is being thoroughly gone into, and will be dealt with shortly. Every effort will be made to push on with the work.

QUESTION—TIMBER CUTTING ON CROWN LANDS.

MR. TROY asked the Premier: 1, Is it a fact that the Combine (Millar's Karri and Jarrah Company) has been given permission to cut timber on Crown lands at Wellington? 2, If so, why is this being allowed in view of the fact that the marketable timber on the adjoining leases which this company holds as a concession is not cut out? 3, On what conditions is it being allowed?

THE PREMIER replied: No.

QUESTION — GOVERNMENT PRINTING OFFICE EMPLOYEES, Etc.

MR. TROY asked the Treasurer:

1. Is it a fact that seven machinists at the Government Printing Office were told on Friday last that their services would not be required on the following day, and that on the following day the remaining machinists were told that they would have to attend to two machines each and instruct boys who were required to take the places of the men who were put off?

2. If so, is the Minister aware that such a system is dangerous to the life and limb of the workers, and is regarded in the industry as sweating, and that the system is not in vogue in any private establishment of standing in the Commonwealth?

3. Is it a fact that boys are now engaged on the machines and that others are to start on Monday next, and is it the policy of the Government to introduce boy labour to displace competent tradesmen?

4. Is it a fact that a number of printers, compositors, and bookbinders have been put off at the Government Printing Office recently, and that private firms are securing Government orders?

5. If so, will the Minister take the necessary steps to secure the execution of all Government printing at the Government Printing Office?

6. Is it a fact that the Government Printer has recommended that the print-

ing of *Hansard* be let to the *Morning Herald* office?

7. If so, what reasons were advanced, and is it the intention of the Minister to adopt the recommendation?

8. Is it a fact that men have been discharged from the Government Printing Office without notice, or without receiving a week's salary in lieu of notice?

9. If so, was this step taken with the Colonial Treasurer's knowledge and consent, or by his instructions?

10. Is the Government Printer engaging, or attempting to engage, hands in Great Britain for the Government Printing Office?

11. If so, how many, and for what positions?

12. Is it the intention to reinstate all or portion of the hands discharged?

13. If so, how many in each branch—machinists, compositors, and bookbinders?

THE TREASURER replied:

1. Seven machinists were laid off on Friday last owing to slackness of work. Advantage was taken of such slackness to instruct feed boys, and when the boys are proficient, each machinist will be expected to make ready for one or more machines, according to the nature of the work.

2. There is no danger to life and limb; the system is in vogue in all establishments of standing in the Commonwealth, and is the custom of the trade.

3. Six boys are now engaged as feed boys, and one more will be started on Monday next. The Government does not intend introducing boy labour where competent tradesmen are necessary, but on the other hand will not engage tradesmen to do boys' work.

4 and 5. A number of men have been laid off owing to slackness of work. I have no knowledge of private firms securing Government work. It is our intention to execute all Government printing at the Government Printing Office as far as possible.

6. No.

7. Answered by No. 6.

8. Yes. Temporary hands neither receive nor give notice.

9. Yes.

10. No.

11. Answered by No. 10.

12 and 13. Hands discharged through slackness of work will be re-engaged when their services are required.

FISHING INDUSTRY INQUIRY.

MR. DAGLISH (Subiaco) moved without notice—

That in addition to the powers conferred on the select committee appointed to inquire into the Fishing Industry, farther authority be given to the committee to adjourn from place to place.

A large number of witnesses in the fishing business resided and carried on work at Fremantle, and it would be a material saving of expense if the committee were allowed to sit at that place for hearing evidence. It would, in a large number of instances, be difficult to get some of the evidence requisite if the witnesses had to come to Perth, as they would lose a day by doing so.

THE PREMIER (Hon. N. J. Moore): It was not the intention of the Government to oppose the motion. At the same time he would like to draw the attention of members of select committees to the necessity of being as economical as possible in the expense for taking evidence. The printing bill was a considerable item, and if the evidence were taken in narrative form instead of questions and answers, considerable reduction would be made. He had had experience of Royal Commissions.

MR. BOLTON: This was not a Royal Commission, unfortunately.

THE PREMIER: It was practically the same—the evidence might be taken as in a court in narrative form, condensed considerably, and there was then every chance of it, being read when printed. He hoped members who were on select committees would assist the Government in keeping down expense in this direction.

MR. SPEAKER: In connection with matters relating to select committees, he desired to point out that while it might be necessary in the particular case to have adjournments from place to place, his attention had been drawn to the fact that the holding of sittings in different places interfered materially with the duties of the *Hansard* reporting staff. In this case, adjournment from place to place had been granted by the Upper House. It was necessary to intimate to

members the importance of making it as convenient as possible for members to sit in one place, if it could be so, as it would otherwise interfere with the work of the *Hansard* staff.

Question put and passed.

QUESTION—PUBLIC BATTERY BOARD REPORT.

MR. HOLMAN (without notice) asked the Minister for Mines: When will the report of the Battery Board be placed on the table of the House?

THE MINISTER FOR MINES replied: I have not had time to peruse the report, and until I have perused it and it has been placed before Cabinet, I cannot place it on the table. There will be no undue delay.

MR. TAYLOR: How long will that take?

THE MINISTER: It all depends on the number of questions asked.

BILL—NELSON AGRICULTURAL SOCIETY LAND SALE.

THIRD READING.

THE PREMIER (Hon. N. J. Moore), in moving the third reading, said that when in Committee the member for Murchison (Mr. Holman) had asked for the values of the two grants of land to this society. An official valuation was not available; but a gentleman resident at Bridgetown stated that the two blocks originally granted were valued at £20 each, while they were now worth practically £800, and the new grant was valued at approximately £150.

MR. HOLMAN (Murchison): Was it in order to speak to the motion?

MR. SPEAKER: The hon. member could move that the Bill be recommitted.

MR. HOLMAN would move that the third reading be made an order of the day for Tuesday next.

MR. SPEAKER: The hon. member might speak on the main question, but such a speech was unusual.

MR. HOLMAN: The only desire was that trustees of such reserves should know that they could not without the consent of the Government sell ground given to them for specific purposes. These lands had been virtually sold illegally; and the matter was serious, for unless such practices were stopped, the

trustees of every park, reserve, or recreation ground might sell the same, retain the money, and apply to the Government for more ground.

THE PREMIER: This land was sold in pursuance of an oral promise by a former Minister.

MR. HOLMAN: The papers laid on the table stated in one place that there was no trace of such a promise, and in another that a promise was made. For some years Mr. Throssell had been out of public life. He (Mr. Holman) protested against a continuance of these practices, though he would not oppose this Bill.

MR. SPEAKER desired to point out to hon. members the importance of having Bills completed before the third reading. There was nothing to prevent discussion on the third reading; but during his long experience in the House, no amendment had been moved at this stage, other than an amendment that the Bill be read three months or six months hence.

MR. G. TAYLOR (Mt. Margaret): Could not a member oppose a Bill at any or all its stages?

MR. SPEAKER: There was nothing in the Standing Orders to prevent discussion on the third reading; but he hoped this would not become the custom. As members knew, they had plenty of time for amendment on the second reading and in Committee.

MR. TAYLOR: Some Bills should be debated and opposed from the first stage to the last.

MR. SPEAKER hoped that the good sense of the House would prevail.

MR. T. H. BATH (Brown Hill): While in ordinary circumstances opposition to a Bill at the third-reading stage might be unnecessary, it would be unwise to limit the right of members, which was clearly laid down in *May*.

THE SPEAKER: The right undoubtedly existed.

MR. HOLMAN had allowed the second reading to pass without protest, on the Premier's promise to give certain information on the third reading.

THE PREMIER: Which information was given.

Question put and passed.

Bill read a third time, and transmitted to the Legislative Council.

BILL—BILLS OF SALE ACT AMENDMENT.

REPORT STAGE.

THE ATTORNEY GENERAL (Hon. N. Keenan): When the Bill was last in Committee he undertook to consider the question of extending to 14 days the notice of intention to register a bill of sale. The granting of this request of the member for Murchison (Mr. Holman) would not meet the circumstances of out-back residents, and might seriously embarrass the mercantile community; hence he was not prepared to recommit the Bill to make that alteration. It would be better to give the Bill a trial in its present form, and if found inadequate, it could be amended at a future date. He moved—

That the report of Committee be adopted.

MR. BATH recognised that the granting of the request of the member for Murchison would not solve the problem presented in the back-country districts; but surely the Attorney General had time to devise some protection for the people there, even admitting that the tentative proposal was not of any use.

MR. HOLMAN would not oppose the adoption of the report, but trusted that when the Act was next amended people out-back would be protected as well as those in more favoured localities.

Question passed, the report adopted.

BILL—EVIDENCE.

SECOND READING.

Debate resumed from the 17th July; the ATTORNEY GENERAL in charge of the Bill

MR. C. A. HUDSON (Dundas): I confess at the outset that in dealing with a measure of this nature, so full of legal technicalities and provisions, it will be very difficult to arouse interest in any discussion that may arise. In general, this is an excellent Bill; and the Minister is to be congratulated upon having made an effort to place within the compass of one enactment the principles and provisions contained, I understand, in about 26 other measures. Moreover, he has attempted some amendments, and has introduced some new and important matter. The consolidation of the Acts

as a whole is a consummation devoutly to be wished; but I should like to point out that the work of consolidation is not an ordinary and simple work. As an example of its difficulty, and to show the complexities that arise and the time that is involved in such work, I would instance what happened in Victoria some six or seven years ago. In 1888 it was found that the Acts of that colony were becoming so numerous and cumbersome that a general consolidation must be undertaken; and the work was entrusted to the then Chief Justice, His Honour Mr. George Higginbotham, one of the greatest lawyers of the State and one of the most liberal and broad-minded men amongst the democrats of Victoria. With the assistance of two eminent barristers and of the profession generally, his honour was able, after a lapse of two years, to place before Parliament a consolidation of the whole of the statutory enactments of that colony. The work was found to have been done so thoroughly and completely that it was at once adopted by the Legislature, and his honour was publicly thanked in Parliament on behalf of the people. I give this as an instance of the difficulties involved in the work of consolidation; and I think that the Government of this State should not need much argument to induce them to enter on a similar work. It will be found that the statute law of Western Australia comprises a vast number of Acts, contained in 14 volumes. This is a position of affairs which should not be allowed to obtain for any length of time. A vast number of new Acts passed during the last few sessions of Parliament, making amendments in the original laws and amendments on amendments, have led to so many perplexities and difficulties that the law is becoming more involved, and there is great difficulty not only for the public but the Judges, magistrates, and justices who have to administer the law. Members may perhaps ask what is the relevancy of these observations and what have they to do with this innocent-looking little measure—a Bill to consolidate and amend the law of evidence? I claim that when a consolidation is undertaken it should be done thoroughly, completely, and comprehensively. Consolidation to my mind is not a work that should be

done as patch-work or piecemeal; it should be done with very great exactness, very great care, and the process to my mind should not be performed with mere scissors and paste. There should be due regard to the provisions in the original measure and the purposes which they were intended to serve; also to the position and the preparation of the different sections in the measure as we have it placed before the House. As a consolidating measure, I find on examination this Bill is somewhat deficient, as an amending measure it is faulty, and as a substantive measure of new enactments it is positively dangerous. I do not desire to make a speech on the Bill because as I said at the outset I may become involved in legal technicalities, and my arguments may be devoid of interest to a majority of members of the House. I would like to give one instance of the provisions of the Bill in particular, not that I admit it is the only instance, but there is an instance of defect, of fault and danger. I refer principally to the power given to compel answers to incriminating questions. The member for Kanowna (Mr. Walker) some few evenings ago enlarged on the principles involved in the liberty of the subject. I do not want to go beyond what he said, except to remind members of that very forcible speech he delivered on that occasion, and to draw their attention particularly to Clauses 11 and 12 of this consolidating and amending measure. Under these clauses it will be found power is given to a Judge to require a witness to answer incriminating questions under certain circumstances. The clause itself is involved. I do not propose to go into its full meaning; but in a consolidation of the measure due regard has not been given to the intention of the Legislature in the original Act. In the marginal note it is shown that Clause 11, Sub-clauses (1) and (2), are taken from Act 39 Victoria No. 6. On reference to that Act I find the Bill was passed as an Act to further amend the administration of justice. It is cited as "an Act for the protection of witnesses." "This Act may be cited for all purposes as the Protection of Witnesses Act." So it will be seen when the measure was passed it was intended for the protection of witnesses. In its position in the Bill it is not for

the protection of witnesses, but for the purpose of extracting from them something which they would not otherwise be bound to give; and it is given under the heading of the competency and compellability of witnesses, which is proof to my mind that the best methods have not been used in the preparation of the Bill. I do not wish to be misunderstood to make disparaging remarks about the gentleman who I understand is entrusted with other multifarious duties besides that of Parliamentary Draftsman. No doubt the very high dignity that he has to sustain as Solicitor General, a title which in itself causes him a great deal of anxiety, is ridiculous when applied to a public servant. I go beyond what I have said and draw attention to the difference between the original Act and this particular measure. It will be seen in Clause 11 that certain powers are given to a Judge in the original Act. They were given to the Supreme Court and to the Supreme Court only. In this Bill the word "Judge" is loosely used, and it is absolutely in the power of a justice of the peace to exercise the functions that are placed within his power in this clause. It would be absolutely ridiculous to allow measures of this kind to go through without the closest scrutiny. When the Act was originally passed it was thought fit to provide for the protection of witnesses, and the provision was only to be exercised with the greatest skill and care, because they had to evoke the assistance of the Supreme Court before it could be brought into operation. But it is within the scope of a justice of the peace to exercise the same powers which were given to a Supreme Court very guardedly. I do not want to go beyond what I have said, and draw the attention of the House to these particular matters which may be regarded as purely technical. But I think this clause is more than technical; it involves a principle, that is whether a justice of the peace possesses the skill and knowledge required for the exercise of the discretionary powers contained in the provision. Not only has defect been shown in the preparation of the measure, not only has the amendment been wrongly placed in the Bill itself, but the sponsor has gone so far as to place in connection with the clause, an original section taken

from the New Zealand Act. That is another section to which I am desirous of drawing the closest scrutiny and attention of members before we allow it to become the law of the country. I presume I may be permitted to quote certain words from this clause because it involves a principle. It says:—

(1.) In any proceeding for the breach of any Act relating (a.) stamp duties, or (b.) the public revenues, or (c.) the sale of intoxicating liquors, or in any proceeding brought by or on behalf of or against the Crown under or in pursuance of the provisions of any such Act, the Judge may require any person to be examined as a witness.

Again I remind the House that a Judge, according to the definition, may be a justice of the peace. When the member for Kanowna spoke the other night on the liberty of the subject he introduced references to the apparent desire on the part of those interested in public prosecutions to evade any difficulties and evade work which is cast on them by the Legislature; and I think his observations very wise in that direction, and have a great application to this clause. I ask the House to consider this proposition. It is not an exaggerated example, because it is well within the scope of the clause if it become law. A publican is charged in the police court with Sunday trading, he is called upon to answer that charge in the police court, and when the case comes on, the justice, if he chooses, may insist on the defendant going into the witness-box and giving evidence against himself. That is a direct interference with the liberty of the subject. It is an entirely new provision in the Bill, and should not be allowed to become the law of the land. I do not want to elaborate on the clause, but it is one that should be instantly dismissed, and when the Bill goes into Committee the whole of the three subclauses, as at present placed, should be deleted from the Bill. I do not intend to give farther illustrations than I have already given. A man is charged with an offence, and he should be treated as innocent until he is proved guilty. To place it in the power of a justice to say that anyone in the position I have illustrated should go into the witness-box and give evidence against himself on oath is something that ought not to be tolerated. I do not intend to keep the House longer on this Bill, but I

strongly urge on the Attorney General, who is the sponsor, that he should give it farther and more mature consideration. It is deserving of consideration. It is a Bill that one would like to see enacted, because it effects a consolidation in the direction we desire. I do not think it is my duty to attempt any constructive amendment to put the Bill in order; indeed the Attorney General would treat it as other than a compliment if any attempt was made to mutilate his draft. If the Attorney General insists with the same enthusiasm that he has with other Bills in putting this measure through the Assembly, the responsibility will be on his own shoulders.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

MR. ILLINGWORTH in the Chair; the ATTORNEY GENERAL in charge of the Bill.

Clauses 1, 2—agreed to.

Clause 3—Interpretation :

MR. BATH drew attention to the term "Judge." He thought it was the first time it had been applied to a police magistrate, a resident magistrate, or a justice of the peace sitting in court. Was that correct?

THE ATTORNEY GENERAL: Yes; that was the definition. The object was to prevent multiplicity of terms. If any restriction was necessary, that could be effected.

MR. BATH: In the interpretation of legal proceedings, it was stated that the term included an arbitration. Would that apply to the Court of Arbitration?

THE ATTORNEY GENERAL: No; it referred to an arbitration under the Arbitration Act of 1895.

Clause passed.

Clauses 4 to 10—agreed to.

Clause 11—Power to compel answer to recriminating question :

MR. HUDSON asked the Attorney General why this power was extended to a justice of the peace under the measure, and whether the Act had ever within his knowledge been used, or whether it was not an obsolete measure altogether.

THE ATTORNEY GENERAL presumed the hon. member referred to the original Act?

MR. HUDSON: Yes.

THE ATTORNEY GENERAL: The provision in the original Act appeared to be a most useful one. In the hearing of the petition in regard to East Fremantle, application was made by the counsel for the petitioner to require a witness then attending to answer a certain question, and that the court should issue that indemnity to relieve him of any liability the answer would involve. The fact that the court had this power would lead to evidence being procured which otherwise would not be obtainable; and inasmuch as it was always an advantage in cases before the court that every possible evidence should be admitted which could be admitted without injuriously risking the liberty of any man who gave his evidence, the power was a right one.

MR. HUDSON: The certificate was discretionary.

THE ATTORNEY GENERAL: The Judge told the witness before he answered the interrogatory that if he answered it he would issue the certificate. It was not a case of first of all compelling a witness to answer and then issuing a certificate or leaving it a matter of doubt.

MR. BOLTON: A justice of the peace would have the same power.

THE ATTORNEY GENERAL: Certainly; in many small cases it would be right that they should be able to issue certificates to witnesses who otherwise might not dare to give evidence because they would be affected.

MR. HUDSON objected to the clause extending the power to a justice of the peace. The provision was for the compulsion of witnesses, and the certificate was discretionary. It was a very difficult problem to place before any justice, to say whether he should compel a witness to answer a question which might incriminate him, and then exercise his own discretion whether the certificate should be given. He moved an amendment, that after the word "Judge," in line 4, there be added the words "of the Supreme Court."

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

Ayes	...	...	14
Noes	...	...	21

Majority against ... 7

AYES.	NOES.
Mr. Bath	Mr. Barnett
Mr. Bolton	Mr. Brebber
Mr. Collier	Mr. Butcher
Mr. Daglish	Mr. Cowcher
Mr. Heitmann	Mr. Eddy
Mr. Hicks	Mr. Ewing
Mr. Holman	Mr. Foulkes
Mr. Horan	Mr. Gordon
Mr. Hudson	Mr. Gregory
Mr. Lynch	Mr. Keenan
Mr. Seadlan	Mr. Layman
Mr. Taylor	Mr. McLarty
Mr. Ware	Mr. Male
Mr. Troy (Teller).	Mr. Mitchell
	Mr. N. J. Moore
	Mr. S. F. Moore
	Mr. Price
	Mr. Smith
	Mr. Veryard
	Mr. F. Wilson
	Mr. Hardwick (Teller).

Amendment thus negatived.

MR. BATH: The clause provided that a Judge might, if it appeared expedient to him for the ends of justice, compel a witness to give evidence even though that evidence would incriminate himself; but after the evidence was given, he could give him a certificate which would indemnify him against proceedings on that particular evidence. But at the end of the clause appeared the words, "and was given to his satisfaction." It was not fair that a judge, a police magistrate, or a justice of the peace should be invested with this power. He moved an amendment—

That the words "and was given to his satisfaction" be struck out.

THE ATTORNEY GENERAL: The striking out of these words would not be material.

Amendment by leave withdrawn.

MR. BATH moved an amendment—

That the words "to the satisfaction of the Judge," in Subclause (2), be struck out.

THE ATTORNEY GENERAL: If the amendment were passed, a man called upon by the Judge to give evidence on the ground that it was expedient for the cause of justice might refuse to give answers, or might give a gullible version, or might deliberately insult the court by giving evidence in a way not useful, yet that man could still demand a certificate. The certificate should only be given where

a man in the witness-box made a clean breast of it, and only then should the court give him protection.

MR. HUDSON: And a justice of the peace was to be a judge of that.

THE ATTORNEY GENERAL: There were many cases where justices would need to be the judge of that. In the case of a prosecution against a publican for selling liquor after hours, a man found on the premises, an offence in itself, might be called upon by the justice to give evidence which might put him in the position of an offender; so the justice should be able to say to the man that if the questions were answered truthfully, no farther action would be taken against him. If we passed the amendment we might as well strike out the clause, because without these words there would be no compelling force or inducement to witnesses to tell the truth.

MR. BOLTON: The power might be given to a judge but not to justices. There was a proportion of the justices unfit to hold this power to demand that one should give evidence and incriminate himself, and then perhaps withhold the certificate. Some justices had not sufficient brains to discriminate. Another reason for supporting the amendment was that seven members who had voted with the Government on the previous division had not been in the Chamber during the debate. This was being made a party question.

THE ATTORNEY GENERAL: Of the Opposition, 14 had voted on the division but only eight members remained in the House to criticise the measure. This was not a measure to be debated on party lines.

MR. HUDSON: The Government divided the House on party lines.

THE ATTORNEY GENERAL: Opposition members might be actuated by that consideration, but they could not assume that the same consideration actuated other members. He desired to meet any suggestion of the Opposition so long as it did not unduly restrict the scope of the Bill, and he was prepared to provide on recommitment that this power should only be given to Justices of the High Court of Australia, Judges of the Supreme Court, the Chairmen of Quarter Sessions, and Police or Resident Magistrates. Apparently a justice of the

peace was not looked upon as having sufficient knowledge to use this power. The member for North Fremantle seemed to have a very low opinion of justices of the peace. An amendment on the lines indicated would be moved on recom-mittal.

Amendment (Mr. Bath's) by leave withdrawn.

Clause put and passed.

Clause 12—Witnesses in revenue cases may be compelled to give evidence:

MR. HUDSON: Whatever might be said would have no effect, because it was apparent that the majority of members were prepared to swallow holus bolus any pill the Attorney General placed before them. The Attorney General might know the ingredients of these clauses, but to him (Mr. Hudson) they had no meaning except to enable farther police persecution, to relieve the Crown Law Department of duties they were bound to perform, to corkscrew evidence out of witnesses and to generally pillory them, and to introduce to this country such legislation as might be found in the time of the inquisition. This clause had been taken from the New Zealand Act with scissors and paste, but it had been introduced in New Zealand with regard to the sale of intoxicating liquors to provide for the absolute prohibition existing in that State. As there was no prohibition here, there was no need for such a stringent provision.

THE ATTORNEY GENERAL regretted that the hon. member felt it necessary to indulge so much in fiery denunciation of this clause. The clause had been in force in New Zealand as it was printed in this Bill; and as regarded stamp duties and public revenues, it was the common law in Australia. For instance in the Commonwealth to-day, if a man were sued for defrauding the revenue he could be compelled to give evidence, because the right of the State was always placed above the right of the individual. In regard to the stamp duties and public revenues, not only was the provision the law in New Zealand, but it was the law also in the Commonwealth, and the Commonwealth was a modern institution. The member for Dundas had referred to this legislation as being antique. If so it was peculiar that the Commonwealth should

have gone in for legislation of that character. In regard to the provision concerning intoxicating liquors he (the Attorney General) had intended to suggest that the clause be restricted so as not to give the power specified in the clause to the court in the case of an accused person. So far as the stamp duties and public revenues were concerned, it was regarded as a proper public policy to have the right to call on persons to answer questions in the witness-box.

MR. HUDSON: That was not questioned.

THE ATTORNEY GENERAL: But the hon. member had suggested deleting the clause, and the provision with regard to stamp duties and public revenue comprised two-thirds of the clause. In New Zealand the craze for putting down the liquor traffic had been of such a character that they had gone to extreme lengths, and we could reasonably halt somewhat short of the length they had gone to in New Zealand. Therefore, on recom-mittal an amendment would be moved to provide that the power of the court should not relate to an accused person.

MR. HOLMAN: This was a new provision in Western Australia, and he would like the Attorney General to quote instances to show the necessity for it. It was desirable to strike out the provision in regard to the sale of intoxicating liquors. If we continued to add to our statute-book because certain provisions were law elsewhere, our statute-book would become unwieldy.

THE ATTORNEY GENERAL: Already he had promised to recommit the measure to provide that the clause should not apply to accused persons. As to intoxicating liquors, it was almost impossible to obtain evidence except from persons who were present. Furthermore the premises where the liquor was consumed might not be licensed premises, but slygrog premises which existed in the State. This clause would enable the Police Department to do away with informers.

Clause put and passed.

Clauses 13 to 18—agreed to.

Clause 19—Privilege in suits for adultery:

MR. BATH: Did this provision apply to the offence which was the subject of

examination by the court, or to any offence.

THE ATTORNEY GENERAL: This provision related to civil trials, dissolution of marriage. Persons were not compelled to answer any questions as to their own adultery, unless in the same proceeding evidence had already been given of disproof.

Clause passed.

Clauses 20 to 23—agreed to.

Clause 24—Questions tending to criminate:

MR. HUDSON: Clause 11 provided that a person might be compelled to answer questions tending to criminate himself under certain conditions, but exception was made here.

THE ATTORNEY GENERAL: This portion of the Bill dealt with the protection of witnesses, and no witness would be compelled to answer questions tending to criminate himself, unless in the exception provided, for this clause set up the position that a witness in the box was not obliged to criminate himself.

Clause put and passed.

Clauses 25 to 36—agreed to.

Clause 37—Evidence in ordinary offences against morality:

MR. HOLMAN: This was a new provision, and it might be a very wise one, or it might not be. Perhaps the Attorney General could give reasons why the clause was provided.

THE ATTORNEY GENERAL: This was not a new provision. It was part of the Criminal Code. If members looked at the third schedule they would see the offences to which the clause related. In regard to these offences the evidence of a child was of a dangerous character to take alone without confirmation. Unless there was some testimony corroborating the evidence of the child, it would be a most dangerous proceeding. Unfortunately children suffered very much from hallucinations and were unreliable.

Clause put and passed.

Clauses 38 to end—agreed to.

Schedules (five). Title—agreed to.

Bill reported without amendment.

BILL—POLICE OFFENCES.

Order read, for consideration of the Bill in Committee.

MOTION—SELECT COMMITTEE.

THE ATTORNEY GENERAL (Hon. N. Keenan) moved—

That the order be discharged from the Notice Paper, and the Bill be referred to a Select Committee of the House.

He said: Criminal law can be effective only when it has the unanimous sanction of the Parliament by which it is enacted. It is, above all other forms of legislation, one that cannot admit of acrimonious debate and of party divisions which would derogate from its authority. In most communities the sanction of the law is the power of the Executive; but in the British dominions it is a matter of extreme congratulation that the law receives its main support from the practically unanimous endorsement of those who enact it, and through them of the people whom they represent. It is therefore eminently desirable that we should, when enacting statutes of this character, avoid the struggle for the inclusion or the exclusion of any offence or any penalty. For this reason I think it extremely advisable that the Bill be referred to a select committee that can bring in a report, which I feel sure the House will in the main accept, as to what portions of the existing law can best be omitted from our statute-book, and what portion of the suggested amendments is worthy of being accepted and included in our statute-book.

MR. T. H. BATH (Brown Hill): Is it necessary to move to discharge the order from the Notice Paper before moving to refer the Bill to a select committee?

MR. SPEAKER: That is the proper procedure.

MR. BATH: I may say at the outset that I shall oppose any suggestion to refer this measure to a select committee. After the exhibition we had last night, during the election of a select committee, I am quite satisfied that if in future the same powers are exercised in making such appointments, there is very little hope of the results of select committees' labours being at all satisfactory. It has been the practice in this House, ever since I became

a member, that the member who moved for a select committee on any question was on the committee *ex officio* and without being elected; but the practice has invariably been to appoint two members from each side of the House, making five in all. That practice has always been adopted, irrespective of the matter to be submitted to the select committee. But when the member for Mount Magnet (Mr. Troy) moved for a select committee on the sweating evil, that procedure was departed from and the Government used their majority to achieve that end.

MR. HOLMAN: They decided that yesterday in caucus.

MR. BATH: As to the Bill, I say that to submit so controversial a measure to a select committee is absolutely undesirable. In the first place, we have had, as I pointed out when the Bill was introduced by the Attorney General, an attempt to shelve his responsibility for the introduction of some provisions which he disclaimed, and of others which he had no sympathy with and did not advocate. Now, the second reading having been carried, he desires to continue that policy, and to shelve the whole responsibility on a select committee. I say that, having passed the second reading, the House should consider the Bill on its merits. If the select committee were appointed by the means adopted yesterday, its report could not give any satisfaction to members on this (Opposition) side; and probably we should deem it necessary, in the interests of our constituents and of the country, to discuss fully the provisions of the Bill. I think it will save the time, trouble, and attention which the select committee would have to devote to the measure if we discuss the Bill in Committee of the Whole, and allow members generally to thresh out the clauses.

THE PREMIER (Hon. N. J. Moore): I take exception to what the last speaker has said regarding the arrangement as to who should be on the select committee appointed yesterday. As a matter of fact, I and two other members on the Government side were in the lobby, and did not come in to record our votes.

MR. BATH: One of the other "Premiers" did.

THE PREMIER: The hon. member has taken every opportunity of referring to the other "Premiers." The other day he told the House that the Attorney General was always hanging on to my coat-tails. Well, I had rather have somebody hanging on to my coat-tails than try to hang on to somebody else's coat-tails, as the hon. member has to do. He has said that the procedure of the past is being departed from in the motion before us; but the Attorney General has explained that the discussion of a Bill of this sort can be more calmly and deliberately conducted in a select committee than in the House.

MR. H. DAGLISH (Subiaco): I intend to say a few words on this matter, because I am interested, not in the quarrel regarding the appointment of yesterday's select committee, but solely in regard to the principle involved in the present proposal; and I object entirely to the principle of referring a measure like this to a select committee. In the past the practice has been to refer to such bodies only measures containing certain technical difficulties, requiring the collecting of evidence to enable the select committee to present a recommendation upon which the House can act. In this measure there are no technical difficulties whatever. Apart from that, the measure is far-reaching—one affecting every person in the State, and a measure of so clear a character that the man in the street and the ordinary member of this House can fully grasp its meaning without any technical evidence being called to enable him to arrive at the effect of its clauses. When I had—shall I say the misfortune—to sit on the Treasury bench, I always objected, as I am objecting now, to the Government having taken from it the responsibility of submitting proposals to Parliament.

THE MINISTER FOR MINES: You agreed to your Health Bill being referred to a select committee.

MR. DAGLISH: As a compromise I agreed to the request of the Opposition, supported by certain followers of the Government. But that Bill contained a large number of technical proposals. And what was the result of submitting that valuable measure—a very different

measure from that rejected a few days ago by another place—to a select committee? The committee dug the grave, and unfortunately there was no one to write the epitaph of the Bill. And so the administration has been unsatisfactory for the past two years; and probably some years must still elapse before an equally valuable measure will be submitted to the consideration of this House. The Government should take the responsibility for Bills of this sort, the responsibility of either advocating or refusing to advocate the various proposals brought before the House; and in dealing with such a measure, many of the clauses of which are most admirable and most desirable, and reflect credit on the Minister who introduced them, members are quite competent to sift the wheat from the chaff, to reject what is bad and to retain what is good. I hope that the principle of employing select committees to draft our legislation will not be introduced in this Chamber to a greater extent than it has been in the past. In fact, I hope that, if anything, we shall have a reduction in the number of select committees appointed for drafting purposes; because they simply afford a loophole through which Ministers as well as other members of the House can escape from their responsibilities. If a Bill is submitted to us in the ordinary course, if it is discussed as usual in Committee, every one of us who takes part in that discussion, everyone who holds a seat in the House, is responsible for the result of our deliberations, for the decision arrived at. But if a select committee sit, and if it take evidence and discuss the measure, when its finding is brought up in the House those who seek to discuss the clauses of the Bill are continually reminded that the whole thing was threshed out by the select committee, that the committee is satisfied, has brought in a recommendation based on the evidence taken, and that it is no use going farther into the matter. Therefore members are continually asked to pass without discussion clauses that may be of the most vital importance, and that may have received but inadequate consideration from the select committee. I for one am not prepared to pass on to a select committee my rights or my responsibilities in respect of this or any

other Bill. I intend to support a very large number of clauses in the Bill with a view to getting the great bulk of the measure passed in this House; but if the Bill be referred to a select committee, as the Attorney General proposes, then I shall examine its clauses no less rigorously; and I can assure the Minister that I shall discuss them at no shorter length because of the fact that certain members have already instructed me as to how I ought to deal with the Bill. I hope the discussions of Parliament will not be in the committee chamber, but will take place in public, so that the public shall not only know the decisions arrived at, but will be fully seized of the reasons that have actuated the members in arriving at their conclusions. Without further remark I desire to oppose the motion submitted by the Attorney General.

MR. G. TAYLOR (Mt. Margaret): I was more than surprised to hear the Attorney General move to strike the order off the Notice Paper with the object of referring the Bill to a select committee. If my memory serves me well, when the member in charge of the Bill was moving the second reading he pointed out to the House, as an argument in favour of the measure, that it was a consolidating Bill, and that most of the provisions contained within its covers were already on the statute-book, and he farther stated that there were only five or six, or at any rate very few clauses which were new. The Attorney General gave as his reasons for these clauses being contained in the Bill that his predecessors in office had from time to time carefully compiled these provisions, and out of respect to these gentlemen who had preceded him as Attorney General the clauses had been included in the Bill. The Attorney General pointed out that he had no strong feelings on the clauses, but he desired the consolidating measure to be kept intact. The provisions of the Bill have largely been in operation for many years in Western Australia, and as set forth by the Attorney General the measure repeals some six Acts on the statute-book and retains three, and there are only a few new clauses. Therefore, I want to know the necessity for a select committee to consider legislation that has

been on the statute-book for years. It seems, as I have been reminded by the member for Guildford (Mr. Johnson), that it is only a desire to kill the measure. If it is not to kill the measure, it is in my opinion, I candidly say, to shirk responsibility. What other position can I take up when there are only half a dozen new clauses which the Government are not particularly wedded to, the other provisions being on the statute-book? There is a desire on the part of the Government that we should appoint a select committee, although we have had the statements of the Premier and the Speaker as to curtailing expenses of select committees. We are told this is a consolidating measure, which shows the fallacy of the Attorney General bringing down Bills of a consolidating character. I shall oppose the appointment of a select committee for the reasons I have given. There is no necessity for a select committee to consider legislation which has been in operation for years in Western Australia, and in the face of what we experienced yesterday afternoon in reference to the appointment of a select committee, it would be quite right for the Opposition if they could, under the Standing Orders controlling the business of the House, to refuse to take part in select committees in future. It has always been the practice when a member has moved for a select committee to have two members selected from either side of the House. In the old Parliament when there were three parties, and the Labour party only numbered six members, even at that stage the Labour party were represented on select committees. But what do we find? A select committee was asked for yesterday to inquire into the sweating evil. There is a member on this (Opposition) side of the House who, if there is a member in the House qualified to go on a select committee of that character, I say is the only one sitting in the House who is qualified for such select committee; a man who has worked at his trade and calling that enables him to know what sweating is, and his trade is the most sweating in Australia. He has taken an active part in trying to stop sweating, and he has been blackballed from one end of the State to the other. He was blackballed in the other States

before he came here; and he could have probed the matter to the bottom if he had been appointed on that select committee. It was the desire of members on this side that the member referred to should be appointed, and it was the desire of the member who moved the motion that the member should be appointed on the select committee.

THE TREASURER: To whom do you refer?

MR. TAYLOR: Mr. Ware.

THE TREASURER: Why did you not mention it then?

MR. TAYLOR: It was mentioned.

MR. BATH: You knocked one of our names off.

[Several interjections.]

MR. SPEAKER: Order!

MR. TAYLOR: It must be apparent to every member that there was a feeling created in this Chamber when I mentioned the proceeding of yesterday afternoon. Members on both sides are so incensed that practically they have drowned my utterances on this question. I venture to say that if it were possible to obtain the ballot-papers of yesterday afternoon and we could peruse them we should find that those members sitting on this side of the House voted in favour of Mr. Johnson the member for Guildford, and Mr. Ware the member for Hannans, being on that committee. We should find that the manipulation took place on the side of the House where the brutal majority sits. It is scandalous in the extreme that the Government should try to hide this sweating by putting forth their majority to prevent a member from this side sitting on that committee.

MR. SPEAKER: The member must not proceed in that strain. It is reflecting on the Government, attributing motives.

MR. BATH: It is unfortunate, but it is true.

[MR. HOLMAN interjected.]

MR. SPEAKER: I shall name the member for Murchison, if he proceeds farther in this matter. I have no desire to go to extremes and shall be sorry to do so, but I will not allow the House to control me. I intend to control the House

while I occupy the Chair. I desire to point out that the Leader of the Opposition interjected just now, and he as an old member of the House who has occupied the position of Chairman of Committees, should know that this mode of procedure is not a proper one, and I hope he will not interject again as he did a moment ago.

MR. TAYLOR: I have no desire to cast any reflection on the Government, but if speaking the truth is a reflection, then the Government could have guarded against it. If it is necessary that I should withdraw the statement, I will withdraw it. I want to say, and if I say it with a little less warmth it will not be so objectionable, that the Government yesterday manipulated their votes to prevent a member from this side of the House being placed on the committee.

THE TREASURER: They did not do it.

MR. TAYLOR: That member could probe the sweating evil in Western Australia. He is the only competent member, one who has had practical experience; but his name was religiously left off the ballot-paper by members on the Government side, and worse still the names of three members on the Government side were placed on the ballot-paper.

MR. WALKER: They were handed round by the Whip.

MR. TAYLOR: I am reminded by a member on this side that the Whip on the Government side handed the names round. I dare say this debate as it proceeds will enable the member for Mount Magnet to make the position more clear. I am only stating what I have gathered, for I was not here after tea last night, as I was suffering too much pain to remain in the House; but while I am in the House, no matter under what conditions, I shall endeavour to do my duty as a member of Parliament. I say there is no necessity for a select committee to consider the Bill, as it contains only some five or six new provisions according to the Attorney General's statement, and these the Government are not at all wedded to. The measure contains only Acts which we have on the statute-book, and the Government desire a select com-

mittee to consider legislation now in existence. It is too absurd for words, and I can only say the object must be to shirk responsibility. The Attorney General is deeply sensible of the amount of feeling the Bill has created in the country, the amount of hostility the measure has aroused, especially on the goldfields and in the metropolitan centre. I quite understand the necessity for somebody else being in charge of the Bill than the Minister who has charge of it. I hope the House will not allow the select committee to be appointed, no matter how the persuasive powers of the Government are brought to bear on members, for the committee will have to consider laws that are already on the statute-book. It is ridiculous. I hope members will not allow the select committee to be appointed. I shall oppose it.

MR. J. C. G. FOULKES (Claremont): I think the member for Mount Margaret is unduly excited about the reference to a select committee. When I was asked whether I thought it desirable to refer the Bill to a select committee, I did not think much good could be gained by referring the Bill to a select committee; and I believe that the Attorney General has suggested that this measure should be referred to a select committee, not for the purpose of dropping the Bill, but because he thinks that it will better facilitate the passing of the measure. As I pointed out when the matter was first mentioned to me, I do not think that any work a select committee may devote to the Bill would influence or should influence the opinions of members in the House. I hold with regard to certain clauses in the Bill certain strong opinions which I have held for years: I refer to that part dealing with drunkenness. There are some very important clauses in the Bill, and nothing that any select committee may say will influence my opinion one iota on those clauses. I believe that the reason for the Attorney General suggesting that the Bill should be referred to a select committee was to facilitate the passing of the measure.

At 6:30, the SPEAKER left the Chair.

At 7.30. Chair resumed.

MR. FOULKES (continuing): Just before the short adjournment I was saying there were many subjects in this Bill upon which the decision of a select committee would not be able to assist us very much, and there are other clauses dealing with such important matters, for instance as the provisions in regard to gaming. Very many decisions have been given in the old country, and also in Australia, in relation to various laws concerning betting, and if this portion of the Bill is referred to a select committee, I say, with all due respect to such committee, that the members being laymen, not having much knowledge of the law, I do not think their decisions would be of much assistance. When dealing with betting-houses I should be better satisfied with the opinion of Mr. Sayer or the Attorney General upon the subject, and any decision of lay members of the House would not affect me at all. For that reason I do not think we shall gain very much by referring the matter to a select committee, because they will not be able to assist us in framing the best laws to put a stop to the gambling that is taking place in this country.

THE MINISTER FOR MINES (Hon. H. Gregory): I would like to refer to the action of the Government last evening in regard to the select committee appointed upon a motion brought forward by the member for Mount Magnet (Mr. Troy). It is quite true that the Government asked that three of the committee should be appointed from this side of the House. We here represent a majority and a very important one. The other side have two members upon that select committee, and the majority of the House have three members on it.

MR. SCADDAN: What about the chairman?

THE MINISTER FOR MINES: I think we are quite justified in asking that the majority shall be represented by a majority on the select committee. I would like to emphasise this point, that we were not aware of any special desire that the member for Hannans (Mr. Ware) should be appointed on that committee.

MR. BOLTON: He had no chance.

THE MINISTER FOR MINES: Most decidedly. The opportunity exists at the present moment. If the hon. members opposite think that he would be a better representative on that select committee than the member for Guildford (Mr. Johnson), the member for Guildford could easily retire in favour of the member for Hannans. We on this side say that there should be a majority of this side on that committee, and in the vote we insisted upon that. There is nothing very exceptional about it. I can remember—of course it was at my request—a committee being appointed in this House when every member of the committee was appointed from one side of the House, from that side those members are sitting upon.

MR. BATH: It was a special arrangement.

THE MINISTER FOR MINES: At my request.

MR. BATH: There was no request at all.

THE MINISTER FOR MINES: I do not think it should be considered that because any side of the House gets up and moves a motion for a select committee, that side of the House should have a majority on that committee. I think that is a good deal by the way. The question is whether it is a wise proceeding on our part to refer this Bill to a select committee. The member for Mount Margaret (Mr. Taylor) waxed very wroth with regard to this. If members look back to last session, when he had a similar Bill before the House, the Health Bill, they will see that he moved that the Bill should be referred to a select committee.

MR. BOLTON: And gave you two members.

THE MINISTER FOR MINES: We have very great pleasure in allowing two of the other side to be on the select committee.

MR. JOHNSON: You would like to give us the lot, I know.

THE MINISTER FOR MINES: I have no intention of doing anything of the sort. Then again, take the Local Courts Bill introduced by that side last session. I think it was one of the first Bills brought forward, and they immediately asked

that it should be referred to a select committee. The present Premier was on that committee, and I think we gave all the assistance we could in helping to perfect that Bill. We look upon this Bill as one containing very serious clauses, especially put in for the protection of property and for the protection of the individual. The question is, how far should we go? I know some members opposite object very strongly to some of the provisions of this Bill dealing with goldstealing. Surely we want some evidence to see whether it is wise that these provisions should be put through. We should not go blindfolded into legislation, and the greater the inquiry made, especially when we are legislating so particularly against the individual, and the more information we obtain, the better we can legislate. I think we are quite justified in asking that this Bill be referred to a select committee, and I want again to emphasise that those gentlemen who have protested so much were only too glad last session to have their own Bills referred to a select committee. [Interjection by MR. SCADDAN.] Many of the present members were not here last Parliament, and those hon. members have not raised so much noise. The member for Mount Margaret was one who waxed so wroth, yet, as I pointed out, he moved that the Health Bill should be referred to a select committee. There has been nothing unusual in this procedure, and in my opinion, if we had the valuable advice of a select committee upon this measure we should be able to get far more information.

MR. J. B. HOLMAN (Murchison): The Attorney General when asking this House to appoint a select committee to deal with this measure stated that a Bill like the Police Offences Bill would not permit of any debate. It is a question involving the liberty of the people.

THE ATTORNEY GENERAL: What do you mean by debate?

MR. HOLMAN: I do not know what you mean. A measure involving liberty is one to be debated to the very last limit in this House. The measure not only involves the liberty of the people of West-

ern Australia, but it also encroaches upon the safety of their homes. It does not matter what report any select committee brings down to the House in connection with this matter, I am going to express my opinion on every clause, when I think it necessary to do so. A lot has been said about the selection of select committees. The Minister for Mines mentioned a select committee last session consisting entirely of members from one side of the House. That was in connection with the "Empress of Coolgardie." I believe the Minister for Mines was one of those who specially asked for the members of that committee to be appointed from one side of the House. The reason that they were all appointed from one side of the House was because it was thought advisable, as evidence had to be taken on the Eastern Goldfields and the whole of these people had to go up there at the week-end.

MR. BATH: It was not that.

MR. HOLMAN: Another reason was that because the present Minister for Mines being involved in this affair wanted a totally impartial committee from the other side of the House to go into the matter. These were the reasons those people were appointed upon the select committee, and never before since I have been in this House have I known in regard to the selection of select committees such a state of affairs as occurred last night. It was a disgraceful proceeding. The Minister for Mines has come forward and informed the House that he was responsible for that state of affairs. That is in keeping with many actions of that gentleman when dealing with matters before the House. In his own opinion it is the correct method of procedure. He is entitled to his opinion, and we are entitled to our opinions on this side of the House. If a select committee does report on this measure, what influence will it have upon the House? I do not think it will have any at all. We know why those on the other side of the House desire to have a select committee: it is to shirk their responsibility and put it upon the shoulders of a select committee. I do not think they should shelve their responsibility and then place upon a select

committee the responsibility of the thing. The object of referring the Bill to a select committee is to prevent members from dealing fully with the measure. I have had experience of select committees, one of them being in connection with the Collie-Boulder Railway. A select committee was appointed on that matter and it was a very queer arrangement, because after the select committee had brought its report down to the House, the report was never received. The idea in connection with the appointment of a select committee was to prevent discussion on that rather smellful affair, the construction of the Collie-Boulder Railway. I do not think we should place the responsibility on select committees any more than we can possibly help. There were several select committees appointed by this House, and I could mention several appointed since I have been here whose reports were not dealt with or whose recommendations were not accepted by the House. And if we refer this matter to a select committee the result will be that it will be delayed for some time. The Government by the clauses they have inserted in this measure have aroused the indignation, perhaps I should say, of the people of the country against every individual working on the goldfields or living on the goldfields being practically deemed a criminal; because this measure will do nothing else. Neither the individual nor the home is sacred against the intrusion of some policeman at the behest of some individual who has a spite against any person on the goldfields. If the Government are going to bring down a measure like this, they should accept the responsibility, and not try to put it on the shoulders of a select committee appointed by the House. If they are ashamed of their measure, let them withdraw it from the Notice Paper altogether and have done with it.

MR. H. E. BOLTON (North Fremantle): I shall oppose the submission of this Bill to a select committee; and I think it will be wise for the Government, though perhaps not necessary in their strength, after such a united objection from this (Opposition) side of the House, to withdraw the suggestion. By all members of the (Opposition) objections have been

raised to the proposal. To my mind the method of appointing the committee is rather farcical; and while such farcical methods continue to be adopted, it is little use referring anything to a select committee. In this case the Government have a sufficient majority to place this measure on the statute-book without any reference to a select committee. The Government have the same majority to appoint a select committee; and I am quite satisfied that when they have chosen the members of the committee, there will be, as there was in a recent case, perhaps only one vacancy left, and the Government may in this case go even farther by choosing the name to fill that vacant space also. It has been mentioned that by an unwritten law the usual procedure is that two from each side form a select committee, with the mover necessarily the chairman. It has also been usual, although no Speaker has ever ruled upon it, to consult each side as to the two members by whom each side is to be represented on the committee. The Minister for Mines, in his explanation of yesterday's select committee appointment, said that the Government desired three members. The procedure adopted was to send round three names on a piece of paper to the Government supporters: these are our men. I have nothing to complain of in regard to that. But does it not look somewhat suspicious that there was but one space left, and that though the Government had no idea that the Opposition desired the member for Hannans (Mr. Ware) to fill that vacancy, yet the Government filled it with the name of the member for Guildford (Mr. Johnson)? How came Government supporters to such a unanimous decision? Yet we are told they had no idea that the member for Hannans would be the choice of the Opposition. He was the choice of this side of the House, and the Minister has suggested that the member for Guildford should retire. Were I the member for Guildford I should decidedly refuse to be a member of that select committee, notwithstanding the opinion of the member for Mount Margaret (Mr. Taylor). It may be against a Standing Order to refuse to be

a member of a select committee; but were the case mine, I should by my non-attendance show my disapproval of my election. If the Government desire this measure to become law, why not proceed now, with their majority, to make it law? Why appoint a select committee practically from their own side of the House, and ask that committee to bring in recommendations? The recommendations will be brought to the House by the chairman of that committee, the Attorney General, who is responsible for this measure; and it necessarily follows that the committee may be expected to recommend the measure almost as it now stands. And when we consider that with their majority the Government can carry the measure without a select committee, is it not reasonable to expect them to go on with the measure, instead of insisting on this farcical reference to a select committee representing only one side of the House? If there is opposition from this side of the House now, there will be opposition when the report of the select committee is presented. Why should not the Government fight that opposition now, and carry through the Bill by means of their majority? Ministers have already shown that it is not necessary for each and every Government supporter to understand the matter before the House. Provided the bells are rung and Government members are brought into the Chamber, they will vote with the Government. Then what is the use of expecting a select committee's report to alter the voting in this House? That is nothing but a waste of time. I think it would be far better, if possible under the Standing Orders, to adopt some different method of appointing a select committee. The present method seems to me farcical. The Minister said there had been no objection to committees when asked for, and no trouble in appointing committees sometimes from only one side of the House. But I would point out to the Minister that until yesterday there had never been a danger that by a majority it would be possible for one side of the House to elect a committee to their own liking, and to reject members whom another side would have on that com-

mittee. And when we think of the danger, then we see at least one reason why the Opposition do not wish this Bill to be referred to the select committee. The Minister does not seem to know why we take this objection. Well, I confess I have not hitherto spoken to the Bill, and probably should not have spoken had it not been for the present motion; but the Opposition generally object to certain clauses in the Bill; we shall oppose those clauses every time the Bill is before the House; and if the Attorney General and the Ministry are prepared to accept the recommendation of the select committee that such clauses be modified or be deleted from the Bill, surely, having received an intimation of the attitude of the Opposition, Ministers should be prepared to delete or to modify those clauses in Committee of the Whole. Let us do it in this Chamber. Far better for the Attorney General to take the responsibility; and if he is sincere, and I give him credit for sincerity, and thinks it better that a clause should remain as drafted, he will be able to fight that clause as few men here can fight for it; and if the Opposition think it should be modified or deleted, we shall fight to attain our object. We know from their speeches the opinions of members on the Opposition side; but why have we had so few expressions of opinion from Government supporters? The reasons are apparent. Members are waiting to see whether the present motion will be forced to a division. If it is, the Government will force the reference of the Bill to a select committee. And yet we have not heard from Government supporters any expressions either favourable or unfavourable to that course. I think it right that we should hear whether members on that side think the Bill should be referred to a select committee, and why. It is only fair. The Minister for Mines claims that the Government did no wrong in seeking to have three of their supporters on yesterday's select committee. Perhaps he is right. To-night, members will be asked to vote whether this Bill be referred to a select committee, without knowing whether the Government want five supporters on that committee or only one. And after

they pass the motion to make the reference, at least one consolation will remain to this side, that the votes will be recorded, and that the House referred this Bill to a committee without knowing who and how many on either side would compose it. I hope that no members of this party will take a seat on that committee after the treatment we received yesterday. The member for Mount Margaret says it is contrary to the rules to refuse. But it is not against the rules not to attend; and I am so strongly opposed to sending this Bill to a select committee that I shall do all I can to prevent its going. I hope the Attorney General will withdraw the motion.

Mr. P. J. LYNCH (Mount Leonora): It is rather a pity that on apparently small matters like this so much time is wasted. Still, when the matter is carefully inquired into, any person who desires to be impartial can but come to the conclusion that there was a positive slight intended to be cast on members of this House.

THE ATTORNEY GENERAL: By this motion?

Mr. TROY: Yesterday.

Mr. LYNCH: When the Minister for Mines desired to place three Government supporters on that committee and two members from this side, and at the same time ignored the usefulness of one Opposition member as a unit on that committee. I would rather see the member for Hannans alone and unaided on that committee than see it composed of any other three members on this side of the House. But when, as I believe is undoubted, the Ministry sought to put on the committee three members who may in other respects be estimable gentlemen, but who do not possess the necessary qualifications for inquiring into the subject in question, and when at the same time Ministers ignored the advice of this side of the House, what are we to think? It is very well for Government supporters here or outside, or for a section of the respectable Press of the country, to say that the Labour party, the Opposition, are wasting the time of the House on such a subject at this. But anyone who desires to be

fair, especially in view of how select committees have been appointed in the past, cannot but conclude that a studious attempt was made to ignore this side of the House in appointing that committee yesterday. Speaking on this subject I feel I am inclined to become rather wild. At the same time, I cannot forget that the service of the member for Hannans was at the disposal of the select committee, and his assistance was ignored by the Government. As to the Attorney General's reasons for referring this Bill to a select committee, to my thinking as a layman he advanced the weakest reasons possible. He said, if my note of his speech is correct, that criminal law, to be effective, must have the practically unanimous authority of Parliament. I think that these were his words. Well surely, when a law has passed this Chamber and another place, no question is raised, when it is administered in the courts, as to what majority secured its passing. I will ask the Attorney General himself, has it ever come within his knowledge—and lawyers as a rule are very prolific in finding arguments to prove that their side of the case is the more solid—when a lawyer had the hardihood in any court to advance that the law in question was carried by a bare majority in Parliament? I venture to say that in his experience he has not known any lawyer to have the temerity to advance such a reason in favour of his client's case. So long as the law is passed, there is no necessity, I venture to assert, for that practically unanimous authority which the Attorney General asserts should be at the back of this Bill before it is passed. I do not wish to take up time, except to record again my disgust at the manner in which this proposal has been treated, and the manner in which this House has been treated in its humble effort to arrive at a decision as to the truth of the allegations of sweating in Perth.

Mr. W. T. EDDY (Coolgardie): I rise briefly to resent what I call a vile insinuation thrown out by the glib tongue of the member for Mount Margaret (Mr. Taylor), that Government supporters faked up a committee to hide the wrongs that may exist in connection with sweating.

I say that the insinuation was an insult to members on this (Government) side of the House, but a still greater insult to me and the other members who were selected on that committee; and more regrettable yet is it that the insinuation should be backed up by the Leader of the Opposition (Mr. Bath). The first intimation I had that I was to be placed on the select committee came from the member for Mount Magnet (Mr. Troy). I looked upon this as a compliment, being a new member of the House; and when the compliment was tendered to me from the Opposition benches, only to be followed by so vile an insult, I certainly consider that I am very harshly treated.

MR. BOLTON: The attack was not on you but on the Ministry.

MR. EDDY: Anyhow, I feel it as an attack on me. We have some British stuff in us, and will not sit here to be spat on. I consider that the insinuation was an insult to me, and to members on this side of the House.

MR. HOLMAN: What about the insult to the member for Hannans?

MR. EDDY: Remarks were thrown out by some members on the Opposition side that the hon. member was blackballed. I consider there is no member in this House held in greater respect than the member for Hannans; and no such intention, I am sure, came from this side of the House.

MR. SCADDAN: The result was the same, anyhow.

MR. EDDY: It may have been. The member for North Fremantle (Mr. Bolton) said that papers had been sent round here telling us whom we should vote for. I know nothing about it. I have no idea as to what members were selected from the other side of the House.

MR. BATH: Your side got the three names just the same.

MR. EDDY: Probably they have done right in doing what they did. We have this consolation, that the member for Hannans will, I am sure, make a very valuable witness when the select committee sits. I agree with the member for North Fremantle that we are having a terrible lot of talk in this House, and I think it is just about up to us to con-

sider the remarks of that member. Let us have a little less talk in the future and a little more work.

MR. T. WALKER (Kanowna): I can understand the member for Coolgardie imagining that he is personally insulted by the attitude taken up by certain members on this (Opposition) side of the House. He is a sensitive character, and is under the impression, and I have no reason to doubt him, that his veins are filled with British blood; and therefore he resents the slightest appearance of insult. Whatever I have listened to from this side of the House to-night with reference to this matter has in no way implicated the hon. member. A charge has been made that the select committee on sweating appointed yesterday was—not exactly faked, that is not the word—was preconcerted, arranged for and manipulated by certain members on the other side of the House. I think we have had the charge already admitted. I think it has already been vouched that the names were decided on, that members on the Government side were determined to have three names, and that those names were sent round by the Government Whip and taken to certain members who could testify, if necessary, to the fact that they received these lists. The Whip went round and canvassed and had names written out without consulting the persons on this side responsible for the movement for the appointment of the select committee—in fact, behind their backs. That might be a valid reason for refusing to submit anything to a select committee; because I submit that one of the essential features of a select committee is its membership. The value of the report of a select committee is judged by the weight the public attach to the committee by the fitness or unfitness of those who compose it, because it will not be denied, without casting a reflection on anybody, that there are certain members in this House fitted to inquire on some subjects better than on other subjects. It is no detriment to their characters or abilities to say so. For instance, if it were a matter connected with farming, I presume we should not think of putting men on a committee of that kind who had never been on farms in their lives,

and had never had read books on farming and knew nothing about it. We would only expect to place on a committee of that kind men knowing something about farming. Again, if it were a question of law, somebody interested from that side of the House and from this side, if it were possible to get them, should be appointed; and so on every subject the fitness of the persons entrusted with the important task of making an inquiry is an essential element in commanding votes in this House. There are some men whose opinion and report on certain subjects would be absolutely valueless, no matter what evidence was given, because of their lack of knowledge on the subject. The subject dealt with to-night is one of that character. When I first heard it suggested that this Bill should go to a select committee I was inclined to approve of the idea, because I want to get the measure out of the way. I make no secret of that. I look upon the Bill as a dangerous one, more or less, and I look upon it as a libel on the intelligence of Parliament to attempt to pass it. So I was willing to give it burial in any form if it were possible, but I question whether this method will have that effect. I question whether it will not keep the Bill suspended for I do not know how long, and then have it resurrected in a form dangerous, perhaps, and passed through this Assembly.

MR. JOHNSON: This may be another method of burying it.

MR. WALKER: If I really believed that we would be burying it and that it would be interred for ever by appointing a select committee, I would vote for the select committee; but if the Government are really in earnest, and if the Attorney General really desires that this Bill should become law, then I question the wisdom of submitting the measure to a select committee. Without any desire in the slightest degree of casting any aspersion on the qualifications of members in this House, what members are there who will stand up and presume to tell us that they are in every way qualified to enter on an investigation of the subjects contained in this Bill? I have no doubt that there are some who may imagine that they are fully convinced of the wisdom and accuracy of all that is stated

herein; but who, realising the subjects to be inquired about, will say that we have men in this Assembly fully qualified to conduct an inquiry and a searching investigation? Let us see what a variety of subjects there is in it. Take the clauses relating to drunkenness and the curative treatment hinted at—only hinted at, not actually provided for, because other things would be required. We would require hospitals fit to treat drunkards, because the ordinary doctors of hospitals know nothing of the malady of drunkenness. They have not made it a specific study. I have met doctors in my short life who imagined they knew everything on the subject of intoxication and its affect on the nerves, etc., etc., but who, when tested, had nothing more than the oldest ideas handed down from generation to generation. Of the investigations that have taken place in the last 30 years on this subject, they knew nothing; and much more, with their old-time prejudices they did not want to inquire into them. Who is there in this House who is qualified to examine medical men as to the effect of the toxic of alcohol on the human system? Who would undertake to go through the reading of books that have been published on this subject within the last 20 years? The finding of the select committee on this point is not a mere matter of fact or everyday occurrence, but is one that involves the lives of citizens. The way our citizens have been treated by ignorant police and ignorant justices in the police courts—by ignorant police, I repeat, in spite of Commissioner Hare—in this State and in other States, because we in this State are not peculiar in that respect, has been murderous—nothing short of that. The lives of men have been lost by the ignorant treatment to which they have been submitted in the police cells, and by the ordinary methods of making drunkenness a crime. Who is there in this House who would like to undertake the responsibility of placing on record a finding on such a matter? Can the lives of citizens be trusted to the men we have in this House on a question involving scientific research? It is not merely a matter of calling on the evidence of scientists, but it is a matter of the ability to judge between contending scientists, so as to come to a decision

and advise the House. Who is there? Is it not necessary that if we are to have an inquiry involving life and death, not only our liberties but our health, we should know who are to form the committee before we vote? Who are these men who are going to guide us on such an important subject? Perhaps the social evil is not a subject to be discussed here. True, the opinions of mankind on that subject are hemmed in by prejudice. How shut up by false modesty! How coloured and sometimes misdirected by our inherited religious opinions! Who is there who can undertake an unbiased investigation on a subject of that kind, and give the House an opinion worth having? Who is there who can assist this Assembly in passing a wise law on that subject? It is one of those subjects that we taboo everywhere, on the platform and even in this House. We are to take the statements contained in a Bill of this character as matters of fact and pass them without investigation—matters concerning the future of the State and the sanctity and purity of every home in the land. Have we people qualified to enter into an investigation on questions that are puzzling the minds of the leading thinkers of the world in all countries? Then again, who amongst us is prepared to give an opinion as to the intricacies alleged to exist on the goldfields in matters of gold stealing? Who is there that knows enough about it? Are we to be satisfied with even calling the evidence of the police? I do not wish to reflect—for I must be careful that Commissioner Hare is not down on me to-morrow, that wonderful man!—on the general intelligence of the police force, but it cannot be denied that the police are filled with the *esprit de corps* of their profession or calling, and they wish to get the power to do all they desire in order to accomplish easy convictions. We cannot blame them for that: it is human nature. We all delight to make the particular work in which we are engaged easy for ourselves, and we cannot blame the policemen if they want it. What is blameable is that we should have people who are so willing to help them without giving the matter consideration; and before a measure of this kind containing matters relating to the power to be conferred on the police

force is adopted, another investigation is required—a Royal Commission to inquire into the police force, to say as to the fitness of those in the force throughout the State. I am not speaking so much of the rank and file as of those in authority; and I want that to be distinctly clear. I refer to the men who presume, from their high and exalted positions as top-sawyers in the force, to criticise members in this House for doing their duty. There is need for a Commission before we inquire into the necessity for what they have suggested, because there is no avoiding the conclusion that this measure has been suggested to the Attorney General by the police. These suggested provisions come from that quarter. They are embodied in this Bill to help them to do work which they believe, I have no doubt, is necessary. Mark you, this Bill fits in with the suggestions of Detective Kavanagh, a qualified man I believe in every respect, but naturally filled with the ideal determination of his particular kind of work. This Bill fits in precisely with what he thinks of gold stealing, and as to how he thinks the alleged gold stealers are to be got at. For the purpose of making it easy for the police to get a conviction, the whole of the goldfields population are to be slandered by the proposed law. Every working miner is made more or less the prey to the police. There is not a miner who could not be accused every day, and any day of the week, let him be as innocent as a new-born child. If the police wish to get at a miner in their eagerness to prosecute or to obtain work, they can accuse the most innocent man and he has to prove his innocence. The man who makes the charge gets off scot-free, while the man who is charged is put to the expense, the humiliation, the degradation, of having to prove his innocence in what we call a British country. That is the position of the Bill. How are we to get at these matters? Here is an inquiry which would take months, on one phase of the Bill alone, without dealing with drunkenness and the various petty offences mentioned in the Bill; without dealing with the wisdom of the flogging business, a great subject in itself, that has been discussed for years in connection with gaol management. Take this one sub-

ject, that of gold stealing, it is fit for a Royal Commission to deal with alone. And that Royal Commission has already been sanctioned by the House. What we delegate to a Royal Commission as part and parcel of the matters to be dealt with we expect a committee of the House to deal with. It is out of all reason to expect a committee to deal with these momentous questions. It involves the dearest privilege of life, liberty. That liberty with every man on the fields is at stake if the possibility of a measure like this is passed. Yet a committee is to deal with this. Who are to comprise that committee we are not told. It is not even suggested that the picked brains of the House, those accustomed to sift evidence, those accustomed to get evidence and to get at the facts and pros and cons. We are not told who are to be on this committee. Even the most indolent, I am not saying this disrespectfully, those least anxious or least willing, members least capable of dealing with that subject, may be appointed, and would it be of service to the House? This is another phase of the subject. It is this that makes me, in spite of a desire to have this inquired into by a select committee, vote against the proposal. It is thus we are doing too much work by committees and Royal Commissions and delegated authorities of all kinds. It has been said that, during the term of the Labour Government in office, they referred certain bills to select committees. The member for Mount Margaret moved that certain bills be referred to select committees. Did any good come of them? Has not the mistake been discovered, and do we wonder that tonight the member for Mount Margaret is dead against the proposal when he has seen the result of his experiment. It has been proved to be fallacious. The member for Mount Margaret has common sense enough to see the folly of it. He says it is no good doing what has been done before. Let us take the responsibility of it. It is one of the sad features of modern Parliamentary Government that Ministers take no responsibility for anything. They desire all for which they should be responsible to be dealt with by irresponsible bodies and authorities. That is a sad feature of our modern parliamentary

life. What are Ministers for? A Minister brings down a Bill of this kind: surely before he brings a bill of this kind forward it has not only been considered by him, but in Cabinet, and surely by him and by the Cabinet all the available evidence they could procure has been brought to bear on this measure. They have decided it, they have sifted it, they have analysed it, and in their wisdom they deem it a wise measure. If so, let them take the responsibility of it, and stand or fall by it. What kind of Government is it, what kind of responsibility is it that brings a Bill down and says, "Mr. Speaker and hon. members, this Bill is not exactly one to be relied on, we do not exactly agree with it; you can throw out what you do not desire, and if you do not desire too much you can get a select committee and they can make the Bill for the House." Are a body of people called a select committee responsible? Where can we flog their hides if they do wrong, where can we sack them from their billets if they inflict on the country an injurious measure? They, poor things, have done their best and we thank them for the time they have devoted to the country, but no responsibility rests upon them: the Government are the responsible authorities. If they presume to bring a measure down to the House unfit for the House to consider until it has gone through the shifting process of a select committee, how are they discharging their duties to the country? How are they discharging their functions to the country? I do not want to reflect on them again. They are shirking the responsibility for which the country pays them; they are paid salaries in order to give their time and attention, not only to mere matters of administration in their offices, but to provide for the House a programme of business, and if they do not provide a programme which will stand the test of criticism, that they can swear by, and by that give their heads and hearts to, then they are trifling, they are shirking their responsibility. What they have sworn to accomplish for us they have shirked, that is their responsibility. All of us could be leaders of Government if we could come down and throw a Bill on the table and say, "Some of you sift this for us and then we will take charge of it." We expect

them to burn the midnight oil; we expect them to dim almost their brains to get wisdom in the measures they bring before us. Measures are brought before the House which are decidedly imperfect, faults are innumerable, and the apology is, let it go before a committee and let the committee take the responsibility. We are reducing the House to a mere automaton. We have no Ministers, when that kind of thing can happen. We have mere figureheads who sit on the Treasury bench and draw their emoluments and take the pride of office, while the work is being done by select committees. I cannot understand the spirit that is getting so idle in our modern Cabinets. Of course in a great Government like that of England—I do not know that it is the course taken in any other part of the world—there men take the responsibility and stand or fall by their actions. If they bring down wise measures the people applaud them, and if they bring down unwise measures they take their deserts as they ought to do, and if members take portfolios they ought to be willing to take that part of their duty. I think I have shown that not one member is fully capable of dealing with the measure within the space of time in which a report can be presented from a select committee. I say this is precisely one of those measures that the public should know most about. It is precisely a measure that should be discussed in detail from point to point and from start to finish. Why? Because there is not a citizen in the State but is interested in the Bill. It is not a partial measure, it is not one dealing with one particular phase of human life, it is not one concerning any particular business or profession or any of those sections of divisional activity in life. It is one that concerns every man, woman and child. Aye, I even regret to say child, for those who know not what offences are, whose moral qualities are not matured yet, who are under the guidance of their parents, of clergymen, or their guardians, these are made guilty of offences which were considered innocent when we were boys, or if not innocent sufficient to be guarded against by our natural protectors. Even a child comes under the ban of this Bill. If we do our duty let us give the fullest daylight to a measure of this description. There should be no hole-

and-corner select committee inquiry or debate on a matter of this kind. What should be said should be said, and said here that the whole public may listen, for it concerns their liberty; and who want their liberties discussed in darkness? Have we ever adopted that course in the past in any of these great institutions which it is our pride and privilege to follow? Why are we sinking now into this recess of controversy upon these great topics in which all people are interested? We should let all people know on which side we sit. We should not be able to say afterwards, "I thought so-and-so on the subject but I was not permitted to say anything because the select committee cut it out of the Bill." But we should be able to say, "I approved of it," or "I did not approve of it," as the case may be. We should all stand before the judgment of the public. We are attacking them, putting them under surveillance, under the control of a body of men who sometimes need regulating and who should not go behind the back of the people to do it. We are making fetters, we are increasing crimes, we are making the gaols to belch forth with the possibilities of the future, and we should have the courage to say whether we approve of it or not. That is the course that we ought to take, and for these reasons I find myself compelled to vote against the measure going to a select committee.

MR. W. D. JOHNSON (Guildford): Before the Attorney General replies I desire to say a few words in opposition to the suggestion that the Bill be sent to a select committee. In doing so I desire to say this is a strange procedure. It has been urged by members on the Government side that this course was adopted in other cases in this House or in previous Parliaments. But I would point out that in those cases, and a number of them I have looked up, I find that Ministers, when introducing Bills, stated that it was the intention after the second reading had been moved to send the Bill to a select committee. Instances have been quoted, such as the Local Courts Bill, which was sent to a select committee at the request of one of the Ministers in the Labour Government; but the Minister in moving the second reading of that

Bill told Parliament at the outset that it was his intention to ask Parliament to send the Bill to a select committee. Again, as to the consolidating Health Bill, a measure introduced by the Labour Government, at the very outset it was known that it was going to be referred to a select committee. As a matter of fact, members on the Opposition side of the House made a request early in the debate that the measure should be sent to a select committee; and it was at the request of the House that the Bill was sent to such committee. We have rather a strange procedure again to-night. At the eleventh hour, when we all thought the Bill had passed the second reading, we have the Minister getting up and requesting that the Bill should be sent to a select committee. This is the more remarkable when we realise that an attempt was made by members of this (Opposition) side of the House to cast the Bill off the Notice Paper altogether. We have the Minister when introducing the Bill stating and emphasising the point that it is purely a consolidating measure, that the amendments in the Bill are few and of slight importance; then we have the Leader of the Opposition moving that the Bill should be read this day six months, and the Minister then getting up and ridiculing the desire of the Leader of the Opposition, for the simple reason that it is a consolidating measure and the amendments are few; then after the Minister has been successful in defeating the desire of the Leader of the Opposition, we find him coming down, after all this is done and the fight is over, and stating that he desires the Bill should go to a select committee. Realising that, I think there is a desire on the part of the Attorney General to place the responsibility on the members of this House rather than on his own shoulders. We all know this Bill has been very adversely criticised on the goldfields. In the hon. member's own constituency we have public meetings to be called, and shortly they will be held, as a protest against this measure. I want to know whether this is influencing the Attorney General to desire to take away the responsibility from his own shoulders. If it is not so, I want to know whether the caucus meeting the other day had any influence with the Attorney General. We find such remark-

able procedure going on in connection with the present Government that one is at a loss to understand it. We had the other night a most remarkable thing done by the Treasurer. He introduced a Bill, and shortly afterwards said it was not the Bill he had desired to introduce, and he made a mistake, and brought in other clauses to modify it. Now we find from the Press there was another blunder, that new clauses were not what he intended, and no doubt in a day or two we shall have another apology from the Ministerial benches showing that they did not mean this. Seeing that sort of thing going on makes one get heated. I desire to see the Government take their responsibility, and not be continually trying to place it on Parliament. I am not one of those strong party men who believe that the Government, in order to carry all their measures, should say "These are the measures we want you to swallow." But I desire to see a Minister trying to take some responsibility for the measures he introduces. In this particular measure, when we find it so adversely criticised by the Press, and when we find public meetings being called as a protest against the measure, and, in the face of that, the Attorney General desiring to send it to a select committee, it makes one feel one is absolutely justified in saying it is with the desire to shirk responsibility. On measures of this description I realise that one is inclined to get much heated in his utterances, and I agree with the majority of the members in the House that during the debates this session there have been many exhibitions of temper by members, and that an undue amount of personalities has been introduced. But while we all deprecate that sort of thing and all desire to see the heated interchanges and these personalities left out of the question, I sincerely trust that we shall not, in our desire to have that lone, go to the other extreme and try to bury criticism in this House. In my opinion, we are inclined to go just a little bit too far the other way, and it must be borne in mind that on measures of this description we must adversely criticise the Government; and if we try to stop criticism, we are not doing our duty to the House. We trust to do away with an outbreak of these interchanges of

temper and these personalities, but at the same time I hope members will not allow their feelings to go to the extent of stopping fair criticism on the action of the Government. When a member gets up to criticise the Government he does, to a certain extent, cast aspersions on the Government, and he is perfectly justified in doing it, provided he does not go into miserable personalities. I hope we shall not be carried away to the other extreme, but that we shall have a fair and just opportunity of criticising the Government. In the interests of his constituency and of the State, one should do so. To get back to this particular proposition, the Attorney General said, "I am not going to be dictated to by the Leader of the Opposition or by the Opposition. I brought down this Bill and I want to see this Bill passed;" and afterwards he turns round and says, "While I will not accept the dictates of the House on the question, I am prepared to accept the dictates of a select committee." Sufficient has been said, I think, on the question as to whether we have sufficient members of this House who are competent or qualified to go into the legal technicalities in connection with this measure. It is essentially a measure which should not go to a select committee; and having that before us makes us think very seriously whether the proposal is with a desire to improve the Bill or whether it is not rather with a desire to shirk responsibility. Just in conclusion I desire to say that, in connection with the select committee appointed the other evening to go into the question of sweating, there is no doubt a big mistake was made in the vote on the appointment of that committee. The most competent man in this House to go into that question was undoubtedly the member for Haunans (Mr. Ware). The members of the Opposition, thinking that the ordinary procedure would be adopted, that the proposer of the motion would be chairman and that there would be two drawn from each side of the House, decided some days before the motion came on that myself and the member for Haunans should be appointed from this side of the House. That was given to the Whip. The Whip on the Government side of the House knew that perfectly well, and we find that even

though the Government desired to get three from their side of the House, they have been guilty of striking out the most competent man there is in the Chamber to deal with this question. I feel the matter very keenly, because I feel that I am not the most competent man to go into the question; so you can imagine my feeling. I was only selected as a secondary consideration by those on this side of the House. I was accepted, and the most competent man rejected. It does seem remarkable that this question—a question after all that appeals more to this side of the House, and a question which this side gives more attention to, and would go into more exhaustively than the other side—should be the very one on which we find the Government using their majority to take three members from their side of the House. I feel that upon this question all that has been said has been absolutely justified, and I trust that the Government will not use their majority to burk a proper investigation of this big subject. If we have a member who is very competent to go into a certain question, he should be the first to receive the support of both sides of the House.

MR. T. H. BATH (in explanation): I desire to rise to a point of personal explanation, and that is to express my regret to the member for Coolgardie (Mr. Eddy) that he fits the cap to his head. It was certainly not intended so far as I was concerned. I did support the remark that the course taken by the Minister on the other side in regard to the selection of three members was absolutely wrong and opposed to the practice that has been resorted to; but I made absolutely no reflection upon the ability, capacity, or honesty of the member for Coolgardie, as a possible member of the select committee, and it seems to me an absurdity to take such a remark as an insinuation.

THE TREASURER (Hon. F. Wilson): We have listened this evening to some very remarkable speeches on the proposal to submit this measure to a select committee, and the more remarkable are they for the reason that some of them have been couched in exceedingly warm language and have no doubt contained personal reflections upon members on this side of

the House. I do not want to enter fully upon that aspect of the question, but I do want to say without any hesitation that had I personally been aware that the member for Hannans (Mr. Ware) wished to be on the select committee appointed yesterday afternoon, or that the Opposition desired that he should be on it, there would have been no difficulty put in the way. His name was never mentioned. The Minister for Mines and myself were the only members on the Ministerial front benches. His name was never mentioned to us, and we had no idea it was the wish of the party that he should be on the committee.

MR. JOHNSON: Who mentioned the member for Guildford?

THE TREASURER: No one mentioned the member for Guildford. The member for Mt. Magnet (Mr. Troy) came across to me after the names of three had been selected, and he saw the names that were on our papers. He turned round in a temper, made some remark, and cleared off to his own side of the House. He never mentioned that the member for Hannans wished to have his name put on the list of members of the select committee. I do not think that a minority of the House should dictate to the majority in this matter. If it is considered necessary by the Government of the day who have the majority behind them that they should have three members of their own side as against two of the Opposition side, who can cavil at it? There is no established custom in connection with this matter; and I maintain that the Government were acting absolutely within their right.

MR. BOLTON: By keeping it secret?

THE TREASURER: By keeping it secret? Nothing of the sort. They were acting absolutely within their right in deciding that three members on this side of the House should be placed on that select committee. With 15 members on the Opposition benches and 34 on these benches, surely it is not an unfair division, if members look at it from that aspect. But that is not the aspect of the question which always occupies the minds of those who are deciding this question. The thing is to get as even a representation as possible, and I think that if the personnel of that committee is taken into consideration for a moment, it will be found that all centres are represented.

It has been alleged that sweating exists in our midst.

MR. BOLTON: It does not exist in the North-West, surely.

THE TREASURER: It is possible sweating may be much more rampant in the North-West than it is here. But what is the position? A representative from the North-West, a Perth member, two goldfields members representing the Eastern and Northern Goldfields, together with the member for Guildford, are on that committee. What better selection could there be? As the Minister for Mines pointed out, if members opposite are not satisfied with the position, it is easy for one member on that side to resign from the committee and so make room for the member for Hannans, getting over the difficulty in that way. I protest against constant innuendoes being cast across the floor of the House that these things are done with a given purpose, to defeat the intentions of the member for Mt. Magnet when he asked for this committee.

MR. BATH: The best method of avoiding that is not to do the things.

THE TREASURER: No doubt the hon. member is accustomed to lecturing his pupils and the members of his own party; but he must not attempt to lecture the Ministerial benches. The Ministry decided on that occasion, to the best of their judgment, what course to pursue; and having come to that decision, I say that Opposition members show very bad taste when they say the decision was arrived at from ulterior motives—to defeat the inquiry. If we had wished to defeat the inquiry, we could well have voted against the appointment of the committee, and finished it in that manner. With regard to the measure which the Attorney General has asked the House to refer to a select committee I have listened carefully to the arguments for and against; and while on the one hand certain members maintain that this is in no sense a technical measure, and that it does not need the attention of a select committee, on the other hand we have members who say that it is so full of technicalities that no select committee can successfully consider it—that hon. members are not qualified. The member for Kanowna (Mr. Walker) said that no select committee could possibly be qualified

to take evidence on this measure and come to a correct decision which would guide the House. Now, who are we to believe? If a select committee appointed by the House is not capable of considering the measure, how are the House in Committee assembled capable of considering it? Surely we are not to accept that statement. And then we have the curious statement that if he thought it would bury the measure he would vote for its reference to a select committee. Such is his indignation at the measure which he has endeavoured to hold up to ridicule. And in the next breath he said that if the Attorney General really wished to pass the measure, he would not refer it to a select committee. The hon. member says the Bill cannot be passed by being referred to a select committee, and yet he will vote against its reference to a select committee. I admit that the eloquence of the hon. member is exceedingly pleasing to hear; it passes a very pleasant half-hour or hour; but one cannot form from it any correct or logical conclusion. And I hope that members, recognising that the Bill is full of technicalities, as the hon. member's speech has proved beyond doubt—

MR. DAGLISH: Do you assert that?

THE TREASURER: I will admit it, if you like; and as the Bill is full of technicalities, I hope that members will see the wisdom of adopting the Attorney General's suggestion and appointing the committee. Surely any member who attends to his duty in this Chamber, having been elected a representative of the people, ought to have sufficient experience and common sense to enable him to sift the evidence taken by the select committee, and give a sound recommendation to the House. At the same time, it does not necessarily follow that the House must accept the recommendations of the select committee. The report will not gag members. All the clauses can be discussed just the same, after the report is received. Let us get on with the work; get in the report as soon as possible; take what is good in it, and leave out what is bad.

MR. M. F. TROY (Mt. Magnet): I shall not impede the Attorney General's desire to put the motion; but with regard to the question which has caused

much discussion to night, the appointment of a select committee yesterday to inquire into the alleged sweating in Perth, I wish to say that the Government Whip (Mr. Hardwick) knew perfectly well what he is alleged to have known.

MR. HARDWICK (in explanation): An incorrect statement. I knew nothing of the kind. There was no notification given to me that the member for Hannans (Mr. Ware) was anxious to get on the committee, till the ballot papers were given out.

MR. SPEAKER: The hon. member must accept the explanation.

MR. TROY: I shall accept the explanation. At the same time, I shall give the whole facts of this matter. When I first moved for the appointment of the select committee, the Government Whip came to me and suggested that the member for Balkatta (Mr. Vervard) should be one of the committee. I then asked him for the name of any other Government supporter who would act. He could not tell me at that time. Later on I saw the member for Coolgardie (Mr. Eddy), who I thought would be impartial; and he agreed to be nominated. The Government Whip knew also that I desired the members for Guildford (Mr. Johnson) and Hannans (Mr. Ware). At the same time it is most peculiar that the name of the member for Guildford was supported, and that he received an almost unanimous vote from the Government side, and that the names of Messrs. Vervard and Eddy were nominated.

THE PREMIER: You do not know what votes were cast.

THE TREASURER: The hon. member has no right to disclose the numbers.

MR. TROY: On all previous occasions when the appointment of a select committee was considered, I have always waited for the Government Whip to cross the floor and tell me the names of members whom he desired to act on the committee; and last night, for fear that the hon. member should have forgotten the conversation, I went across to give him the names I desired; and so soon as I reached him I saw the Minister for Mines

hand in that piece of paper, on which were written the names of Messrs. Eddy and Veryard—the two members whom I agreed should be nominated—and the name of Mr. Male.

MR. SPEAKER: Before the hon. member proceeds, I wish to say that he is, strictly speaking, departing from the question before the House; but I have allowed some latitude in this debate, because the matter decided last night has some reference to the matter now under discussion. But I wish to draw the hon. member's attention to this paragraph in *May*:—

A member, while speaking to a question, may not allude to debates in the same session upon any question or Bill not then under discussion.

I hope the hon. member will proceed with the matter before the House.

MR. BATH: I submit that a certain latitude having been allowed to other members, the member for Mt. Magnet, as Opposition Whip, the member most intimately concerned in the debate which has taken place, and whose credibility has been virtually impugned, is the man to whom above all, if latitude has been allowed to others, should have some latitude allowed to him.

MR. SPEAKER: I gave the hon. member the latitude which I thought sufficient. He has made an explanation; and personally, I think his attitude is perfectly satisfactory. I have let him proceed thus far. I have just turned up this extract from *May*, because hon. members are wandering so far from the subject. I think that the hon. member (Mr. Troy) ought now to be content to confine himself to the subject before the House. I do not wish to deprive him or any other member of the rights he may possess. I wish to be strictly impartial; and I think that the Leader of the Opposition ought to know that well.

MR. TROY: I shall bow to your ruling, sir, as I have bowed to it before in this House. But there is no doubt that much latitude has been allowed on this question; and it is peculiar that I should be debarred from making an explanation, particularly when I am most concerned in the question on which

the whole discussion has hinged, and when I am able to throw some light upon it. This is the second occasion when, after a matter has been debated at great length, I have been pulled up just when I was about to make an explanation. I desire to say that the proposal for a select committee on the Police Offences Bill will receive my most strenuous opposition. I shall not agree to the appointment of any select committee on a Bill introduced by the Attorney General as one of no great importance which could be swallowed by the House on the first night. If this Bill is so harmless, why then go to all this trouble to appoint a select committee to advise the House whether the Bill should be accepted? If we can believe the Attorney General's statement on the first occasion, then he ought to be able to stand by his Bill to-night, as he was when he first brought it in. I wish to say that the Attorney General is afraid to take on himself the responsibility for this measure. He knows well that his constituents in Kalgoorlie will not allow him one moment's respite if he supports a certain clause contained in the Bill. Only a few nights ago Opposition members took strong exception to a particular clause; and it is because of the insertion of that clause, at the instance of the Chamber of Mines, Kalgoorlie, that the Attorney General wishes this select committee to take the responsibility of making the measure acceptable to the House. The Attorney General knows well that on Saturday night, both at Kalgoorlie and Boulder, public meetings are called to condemn his action. Those meetings are called by his own constituents; and it is in order to shield himself behind a select committee that he endeavours to throw the responsibility on the House. There is no doubt that the Attorney General posed, during the time he was trying to enter political life, as a very strong man, and one who it was expected, if ever he got into the House, would be above all attempts to compromise. I do not wish to show up the Attorney General as a pitiful exhibition of what a man can fall to; at the same time, I wish to endeavour to make that gentleman live up to his promises; and in order that he shall at least look well in the eyes of his constituents—

MR. SPEAKER: The hon. member is not discussing the question before the House; he is discussing the personality of the Attorney General; and I will not allow him to proceed any farther in that manner. I must express my regret at having so often to-night to call members to order.

MR. TROY: I shall not again touch on the personality of the Attorney General. At the same time, I shall refer to his connection with this particular proposal; and I hope I shall make my reference forcible. The clause to which the Opposition take strong exception provides that if a person possesses gold on his premises, a police officer may enter the premises, and without any proof that the gold has been stolen, arrest the person possessing the gold.

MR. SCADDAN: Even if the constable thinks that the gold is there, he may enter.

MR. TROY: Even if he merely thinks it is there. It is not to be wondered that Opposition members take strong exception to that particular proposal, when it is known that during the past eight or nine years the miners in this State have suffered under the stigma that they have been the gold stealers. It is known perfectly well, and recent statements have proved it, that the miners, after all, are not the persons who steal the gold. Yet these persons are to have their premises invaded if a police officer thinks that they have gold in their possession. It will be said by the Attorney General and his colleagues that this is not likely to take place. I say it is. So far have the people the Attorney General represents, the Chamber of Mines, pursued this policy that the other day on one of the Kalgoorlie mines two police officers attended to search the miners as they came up from their work. If it is possible that those in charge of the police will do that sort of thing when asked by the Chamber of Mines, is it possible they will stop at that? We shall have people on the goldfields subjected to every possible indignity if this clause is to be put into operation. It is in order to provide that this matter shall not go to a select committee and that a select committee shall have nothing to do with this clause that I oppose this motion. After all, what is the need for a select

committee? There is no necessity for it. Select committees have been appointed in this House before. One was appointed on the motion of Mr. Hastie in regard to the Local Courts Bill; but at the same time Mr. Hastie pointed out that the measure had been introduced by Mr. Walter James, the Attorney General, in the previous Administration, and that since Mr. James was in the House he (Mr. Hastie) desired to have the hon. member's knowledge and assistance to put his own measure through. That measure was not Mr. Hastie's, it was Mr. James's; and to get the assistance of Mr. James, Mr. Hastie asked for a select committee. That is the only instance in this House where a select committee has been asked to bear the responsibility for a measure introduced by a Minister. The motion was moved by Mr. Hastie and carried, with the result that Dr. Ellis, Mr. Foulkes, Mr. James, and Mr. N. J. Moore, with Mr. Hastie as mover, were appointed on the select committee—three members from the then Opposition and one from the Ministerial side, besides Mr. Hastie as mover. Again there was a select committee on the Legal Practitioners Bill asked for by Mr. Rason, then Leader of the Opposition. The motion was acceded to and a committee appointed comprising three members of the Opposition and two members from the Ministerial side. The result was that the Bill introduced by the Daglish Government was killed by the select committee not presenting their report. This is the first time since I have been in the House and within the memory of members of this House of a Bill being introduced on such conditions, where the gentleman introducing the Bill has asked that the House should bear the responsibility for the measure. It is on these lines that I oppose this motion, and I hope that when it comes to a vote members on all sides of the House will vote according to their convictions. I hope members on the Government side will follow the view expressed by the Minister for Mines the other day, that the Government did not want members' blind support, but only support so far as they are willing to give it. I hope Ministerialists will not agree to this motion, and that they will vote according to their just convictions.

EXPLANATIONS—BALLOT INCIDENT.

MR. J. E. HARDWICK: In explanation, I desire to correct the statement of the member for Guildford, that I was aware of the fact that the member for Hannans (Mr. Ware) was anxious to get on the select committee on sweating. I desire also to refute the statement made by the Whip of the Opposition (Mr. Troy), that he saw the Minister for Mines hand to me a piece of paper with names on it. The paper the hon. member has before him is in my own handwriting, and it was missed from my drawer last night or was taken from my table. We had many divisions last night, and that is how this paper got astray. Before I would resort to tactics of this kind—

MR. BOLTON: I do not know whether you, Mr. Speaker, heard the hon. member's remark, but I would like to know whether he is in order. Will the hon. member repeat his statement?

MR. SPEAKER: How is the hon. member out of order?

MR. BOLTON: The hon. member by innuendo charged the Opposition Whip with taking a piece of paper from his drawer or table.

MR. HARDWICK: I said that a paper in my handwriting, which the Opposition Whip knows the Minister for Mines handed to me, was taken from my table last night.

MR. BOLTON: The hon. member is not giving the full words.

MR. HARDWICK: I say that if it is one of the functions of a Whip to take things from in front of other hon. members, I have no desire to hold the position of Whip too long.

MR. TROY: I want to make a personal explanation, and I presume I am in order in doing so.

MR. SPEAKER: Proceed, but make your explanation briefly.

MR. TROY: I want to make an explanation because a stigma has been cast on my personal character. I stated that I held a piece of paper which I said, in the course of my remarks, was handed by the Minister for Mines to the Government Whip, and I stated that on the piece of paper were three names of members to be put on the select committee on Sweating. The Government Whip, in

his explanation, has insinuated that I took that piece of paper from his desk. I say that it came from his own hand; because, so indignant was I last night at the action of the Government, the contemptible action of the Government—

MR. SPEAKER: The hon. member must withdraw that remark.

MR. TROY: I withdraw. I took the paper from the hon. member's hand.

MR. HARDWICK: That is not right.

MR. SCADDAN: I move that the debate be adjourned.

Motion put and negatived.

THE ATTORNEY GENERAL rose to speak.

MR. SCADDAN: Is the Attorney General entitled to a reply on this motion?

MR. SPEAKER: I have the Standing Order in front of me. I thought I might have granted the liberty had the point not been raised; but being now raised, I find that according to Standing Order 120 the Attorney General has no reply. The Standing Order says:—

A reply shall be allowed to a member who has made a substantive motion to the House or moved a second reading of a Bill, but not to any member who has moved an Order of the Day (not being a second reading of a Bill), an amendment or instruction to a committee.

Question (that the order be discharged and the Bill referred to a select committee) put, and a division taken with the following result:—

Ayes	...	...	...	22
Noes	...	...	...	14

Majority for ... 8

AYES.	NOES.
Mr. Barnett	Mr. Bath
Mr. Brebber	Mr. Bolton
Mr. Butcher	Mr. Collier
Mr. Cowcher	Mr. Daglish
Mr. Davies	Mr. Foulkes
Mr. Eddy	Mr. Holman
Mr. Ewing	Mr. Hudson
Mr. Gordon	Mr. Johnson
Mr. Gregory	Mr. Lynch
Mr. Gull	Mr. Scadden
Mr. Illingworth	Mr. Walker
Mr. Keenan	Mr. Ware
Mr. Layman	Mr. A. J. Wilson
Mr. McLarty	Mr. Troy (Teller).
Mr. Male	
Mr. N. J. Moore	
Mr. S. F. Moore	
Mr. Piesse	
Mr. Price	
Mr. Smith	
Mr. Varyard	
Mr. F. Wilson	
Mr. Hardwick (Teller).	

Question thus passed.

AS TO SERVING ON COMMITTEE.

MR. WALKER: I have reason to believe some endeavour will be made to place me on the committee. I desire to say it will be impossible for me to attend the meetings of the committee, and I shall decline if I am at liberty to do so. I ask your ruling, sir, whether a member elected against his will, and who has no desire to be on a committee, is compelled to attend the meetings of such committee.

MR. SPEAKER: The position of a member of Parliament entails the obligation to fulfil all the duties imposed upon members by the orders and regulations of the House. He is therefore bound to serve on a committee to which he has been duly appointed. I may also point out that it is quite within the province of a member to move that so-and-so be discharged from a select committee, and that some other member be appointed in his stead. Or, if the member gives sufficient reason, he is allowed under the Standing Orders to be discharged; otherwise he is bound to perform the duties pertaining to his position as a member of Parliament, and by not doing so he will entail a penalty for contempt. The member has the right, as I have already pointed out, to have another member appointed in his stead, if he gives sufficient reason. It is also laid down by another authority that every member who intends to move for the appointment of a select committee should endeavour to ascertain previously whether each person proposed to be appointed can give his attendance thereon. It is requisite that this should be known before the final decision is given.

Ballot taken, and a select committee appointed comprising Mr. Hudson, Mr. Male, Mr. Monger, Mr. Walker, with Mr. Keenan as mover.

OBJECTION TO SERVE.

MR. WALKER: Is it necessary that this matter should be dealt with now? I have already intimated that it is impossible for me to sit. I was never consulted. It is against my will, and as the ballot was proceeding I announced that it would be against the grain, so to speak, for me to sit on the committee. I do

not want to give more reasons, but I want to know if this matter can be dealt with at once, and that someone be substituted in my place.

MR. SPEAKER: It is necessary to give notice. I may add for the information of members, and I might have read this before—this is a quotation from an authority—"The House is always willing to allow valid reasons for excusing himself from serving." I do not think the member need worry. Notice must be given.

MR. BATH: Cannot notice be given now?

MR. SPEAKER: It is too late now.

MR. WALKER: I desire to make another statement.

THE ATTORNEY GENERAL: I understand that if the member gives valid reason, he can be discharged from attending on this committee; but notice of motion must be given for his discharge.

MR. SPEAKER: I have quoted the authority. The hon. member is strictly within his right. It is stated that the House is always willing, and I take it that this House will be always willing, to discharge a member if he wishes to be discharged; but notice must be given.

THE PREMIER: A similar case occurred, as far as my memory serves me, in regard to the select committee referred to to-night, on the Local Courts Bill. It was found that Mr. James could not attend the meetings of the committee; and he was discharged and Mr. Moran's name substituted. I take it the same course can be adopted in regard to the member for Kanowna.

MR. ILLINGWORTH: The usual course is that at the first meeting the committee should make its own arrangements. The member would report his inability to attend the meetings of the committee, and the chairman could then ask that he be discharged, and that someone be appointed in his place.

MR. WALKER: If this passes over to-night, I am honourably expected to attend the first meeting. I am appointed now, as the vote goes, but I do not wish to retain that appointment for a moment, and I do not wish to attend the first meeting. If therefore I stay away from that meeting, it may be construed into

contempt, which I have not the least desire to be guilty of in the slightest way. I desire to offer no contempt or disrespect to a committee or the House. I hope, therefore, that to relieve me of that moral obligation of attending the first meeting, I may be discharged to-night.

MR. SPEAKER: I think that on the chairman of the select committee knowing your wishes in the matter, there would be no question whatever. A motion might be moved in the ordinary way, if you intimated to him that you had reasons for not serving.

MR. HUDSON: I desire to say that I intend to give notice to apply to have my name discharged from this committee.

MR. SPEAKER: The hon. member must take the ordinary procedure to do that.

MR. HUDSON: That will be done; but I am just giving notice that such application will be made at the meeting.

THE ATTORNEY GENERAL moved that the committee have power to call for persons and papers, to sit on days over which the House stands adjourned, and to report on the 28th August.

Question put and passed.

BILL—LAND TAX ASSESSMENT.

MACHINERY MEASURE.

SECOND READING.

Debate resumed from the previous Tuesday; the **DEPUTY-SPEAKER** in the Chair.

MR. A. C. GULI (Swan): In dealing with the second reading of this most important measure, I do not intend to occupy the attention of the House for a lengthy period, recognising that the great fight which will undoubtedly happen over the Bill in Committee will centre round Clause 10 and its subclauses, and the various exemption clauses. When this Bill gets into Committee, I with other members will sift perhaps certain of those exemptions; therefore I do not intend to deal with them at length to-night. I want to look at the matter entirely apart from party considerations, entirely from the point of view of the exigencies and requirements of the Treasurer for revenue purposes, and in the interests of the great land settlement

policy of Western Australia enunciated by the present Premier. I in common with every member of the House, no matter which side he sits on, have sympathy with the Treasurer in the position in which he finds himself to-day, a position which has never before happened in the annals of Western Australia, that of facing a deficit for the coming year of a quarter of a million. This is a very grave position for any Treasurer to be placed in; and although we may feel that it has been brought about by circumstances over which personally we have no control, still we know the position exists, and that it is necessary to have a bold and comprehensive policy of works, railways, and so forth to enable this country to overtake the serious handicap which has been placed upon it by its having joined the Federal constitution of Australia. Looking at this question from both sides it occurs to me that before any Treasurer has a right to ask the House to support him in new taxation proposals it lies with him entirely to economise in every possible way. He should do so before asking for authority for new taxation which most certainly will have a detrimental influence on the big land settlement that must be adopted in Western Australia. This question of economy, the cutting down of all needless expenses, the saving of money wherever it is possible to do so, is the alternative suggestion that I wish to lay before the House to-night. I quite recognise the difficulties that attach to any Government in dealing with the question of economies and of administration, because it is a most regrettable fact that for many years the system has been growing larger and larger as the years pass. It has seemed that, although we have had marvellous increases in our revenue from year to year, still the cost of administration and of collecting that revenue has always increased in a greater ratio even than the revenue. The Minister for Works the other night, in referring to this question of economy pointed out—and I think that he rather excused this Government and any Government as far as possible from economising—that really the system seems to have got beyond control, and has become master of the situation. Whether this Government is strong enough to deal con-

clusively with the matter, or whether it is to be some other Government in future, in the interests of this State economy must be rigorously prosecuted. No matter how people may smart it is simply obligatory on any Government to cut down in whatever possible way it can expenses that are and have been year after year increasing out of due proportion to the revenue collected. It is proposed in dealing more particularly with this Bill to raise additional revenue by unimproved value taxation. It is imperative at this epoch of Western Australia's history, in order to make up ground we have lost through joining the Federation, that we should have a bold and comprehensive policy of loan authorisation for the purpose of railway construction and opening up the one big asset which we have and which is likely to place us in a position to recover the ground lost in the last few years. I notice that in this connection the Premier in his new Land Bill proposes to raise the price of land, and I am quite with him in that proposal, because I recognise that in the past we have virtually been giving the land away to those who only paid five per cent. interest on the original supposed cost of it, and at the end of 20 years did not even have to pay the principal. This is a good plan to introduce settlement in the first instance; but now that the price of land has been raised to £1 what will be the position of the new immigrant coming in and taking up land at the present moment, bearing in mind that the land will not be as good as the general run, and not so close to railway communication as that of the men who came in prior to them, and that those new settlers will now pay £1 an acre in lieu of 10s., which the original man paid? I think that there will be a difficulty in placing the two men in a parallel position as regards the taxation they will have to pay under this land values tax. It is also to be remembered that in regard to our customs, which are, unfortunately for us, collected by the Federal Government, we stand above any other State of Australia in taxation per head. That is a point which should be borne in mind when we consider the advisability of imposing fresh taxation which will affect every class of the community. We also have to make allowance for our very

huge territory and the very great difficulty that attends administration, as expressed by the Minister for Works the other night, and the additional cost attendant upon that huge territory. It is an unfortunate fact that the cost of administration and of collecting revenue is higher in this State than in any other State of the Commonwealth. I think that is due to the fact that during our few, unfortunately few, unbounded years of prosperity in the times of Sir John Forrest, there was a tendency to employ more than would otherwise have been engaged. It applies to everyone of us. When we are doing well and have a good income, we do not so much consider the effect of putting on an additional hand or two, and so it is with a Government. That prosperity has to a certain degree declined; but we have still a great staff, and in my opinion the staff must be curtailed to meet the present circumstances. Speaking of economies, and of the prospect that appears to-day, of a land tax from the Government in addition to land taxes for municipal and roads boards purposes also, it seems to me that subsidies to municipalities and roads boards must be brought under serious review. Last year the subsidies, extraordinary grants, and so forth, amounted to nearly £250,000. Our roads board rating is of two kinds. Each board may rate on the unimproved value, or on the rental value, and has, in all cases of rating on the unimproved value, the privilege of declaring what are the unimproved values. If the roads boards were divided into first, second, and third class, and a minimum rate were fixed for each, just as a maximum rate is fixed, it appears to me the result would be very advantageous. I suggest that the maximum rate on rental value for a first-class roads board should be 1s. 6d. in the pound, with 1s. as the minimum; 1s. maximum for the second-class, 6d. the minimum; 6d. the maximum for the third-class, and 3d. the minimum. Then the necessity for huge grants to the municipalities and roads boards would be considerably lessened. I would suggest, farther, that roads boards should not have the privilege of rating on the unimproved value; because, though there are boards who rate themselves up to 2d. in the pound on the unimproved value,

many boards rate as low as $\frac{1}{4}$ d.; and not only that, but they keep down the values also. And so long as the board itself has the power to declare the valuations, the amount raised depends entirely on the sort of people the board consists of. The amount may be fair, or merely nominal. The boards through their members are always besieging the Treasury, giving various reasons why they are entitled to particular grants; and if my suggestion were adopted in some shape, we should dispense with the need for a land tax on the community as a whole, and for collecting that tax at great cost, and handing it back to be spent by those bodies, so that it may disappear, as it does now, under the roads board votes. I wish to point out the difference between the existing systems of rating. I know of two estates, in the same electorate, but each under a different roads board and rated on different systems. And to put on the subject as fair a complexion as I can, I will take the maximum in one case, and 2d. instead of $2\frac{1}{4}$ d. in the other. Each estate has a rental value of £250. In one case, at 1s. 6d. in pound, the rates amount to £18 15s. Now this, I contend, is a very fair tax towards road maintenance, raised from a property producing £250; but the other area, somewhat smaller, and having the same rental value, is valued by the other board at £15 on the unimproved value, the rate being 2d. in the pound. Both these properties are close to a town. This brings the rate up to £56 5s. per annum. With the imposition of a Government land tax, there would be another £26 2s. 6d., and it seems to me that no Government would wish to impose such an increase on the £56 that is collected. And bear in mind that another £14 odd can still be imposed by the roads boards, in which event the position of the owner of the property will be untenable. Let the Government consider seriously the proposal for classing the roads boards, compelling them to have a minimum as well as a maximum; and then the boards must rate high enough to avoid in a large measure the need for the annual Government grants totalling £250,000 to roads boards and municipalities. I must instance one other roads board that every member in this House would consider first-class. I

refer to the Northam. I was shown a rate notice for a block just outside Northam. The owner of the block told me he was prepared to sell it for £100. Still, the rate notice showed the unimproved value as £30; and the rate of 1d. in the pound amounted to 2s. 6d. Now, when a first-class board in a first-class district like Northam, the best agricultural district in Western Australia, can impose only 1d. in the pound, and cut down the valuation from a fair value of £100, at which the man would sell to-day, to £30, I say that the Government are being defrauded of revenue; because such boards can demand Government grants for making roads and bridges in their districts. I would suggest also that the Government would greatly ease the tension by taking charge of the maintenance of main trunk roads. Thus the Government money paid for roads would be spent on the main avenues.

THE PREMIER: You would have to get a genius to define "avenues."

MR. GULL: I am sure that the Premier could define them in five minutes. He realises as well as I what is a main road. A main road, I take it, is that between a railway station and the nearest town, in the country districts, and the term includes such roads as the Perth-Albany, the Perth-Bunbury, the Perth-Fremantle, and the Perth-Newcastle. (Interjection.) But many of these trunk roads are now falling into disrepair because they are under the jurisdiction of roads boards, and those main roads, which in the early days carried all the traffic, are not difficult to keep in repair.

THE PREMIER: But is it not much better to look after the feeders of the railway stations rather than the main roads?

MR. GULL: Quite so; but a road running from a railway station in the country is a main road. All the bush roads would remain in charge of the boards. My contention is, we have now to pay to the roads boards extra money for road maintenance; and I contend that the Government, once released from the need for paying annually £250,000 for this purpose, could undertake the upkeep and the maintenance of the main roads. I have to make another suggestion, and do not think I shall be accused of reverting to the methods of early days, if I

explain the manner of its application. At the present time we pay between £30,000 and £40,000 a year for the upkeep of the Fremantle and other prisons.

HON. F. H. PRESSE: Do you want to turn the prisoners loose?

MR. GULL: No; but I would make it so that good conduct men in the Fremantle prison could be given a chance to go out purely as a premium for good conduct, to work on the maintenance of trunk roads. Probably there would be certain defections; but once a man abused the advantage offered to him, he should never have a second opportunity given him. I would place to the credit of the prisoner each week he was working on the roads a small sum of, say, 4s. or 5s. a week; and by the time he fulfilled his sentence, he would have a few pounds with which to start life again. I am perfectly sure that, given a chance, many men would jump at the opportunity of doing work such as this, and at the end of their time of making a start again as respectable men. Of course, I do not refer to regular criminals. They constantly return to gaol. But there are many men who go into gaol for perhaps the first or second time who would do so. Now when they have served their sentences, they are turned adrift into the community, and the only chance they have to keep alive is to commit other crimes. The Education Department is another big department on which a fair saving could be made. We spent last year £155,278 on education, and of this sum £126,276 went in salaries. I believe in education just as thoroughly as any member, but the thing has been growing out of proportion in its cost to the population of the State. This elaborate system of education has induced wealthy men living in the suburbs to take their children from ordinary schools and send them to State schools, thus getting children educated for nothing. It was never contemplated that the wealthy men of this State should get their children educated for nothing. To those in a lesser degree in the matter of wealth, I would give every educational facility; but when men in first-class positions pay the fares of their children from the suburbs so that the children may attend the big school at James Street, which is constantly requiring additions to accom-

modate the scholars, it almost justifies us in running the schools on somewhat the same lines as the public hospitals; that is, where men can afford to pay for the education of their children, they should be compelled to do so, but where a man is in a lesser position, he should not be asked to pay, as is the case in the hospitals. We have appointed a Public Service Commissioner, with a big salary and an assured salary for five years. Are the Government going to accept the suggestions of that Commissioner, or do away with the position altogether? If the suggestions are no good, by all means do away with the position and save money in that direction. In conclusion, I emphasise the fact that the Treasurer says he requires some £100,000 by a land tax; but I maintain that the present scheme is more likely to bring in double that sum. I have no doubt the Treasurer hopes it will do so.

THE TREASURER: I cannot see it. On what do you base your calculations?

MR. GULL: On my knowledge of the country. I know the Honorary Minister is very much of the same opinion as myself. I am anxiously awaiting details. I want to be satisfied first of all that we cannot do without this tax. I am quite prepared to admit that if we are going on with railway extensions, which I think are absolutely necessary, we must be prepared to pay something; but I do not hold with the proposed rate of 2d., with a penny reduction in certain instances. I do not think it is fair. I think it is more than a fair measure of taxation to impose, because we all recognise that when we are going to impose a burden on a man or on the State, it is usual to begin with as light a burden as possible and to gradually accustom the bearer to the burden, and if necessary, to gradually increase it. But do not let us start out with such a maximum, because it will not be very long before the Treasury will tell us that this maximum is the minimum and that he must have an increase; because I say without hesitation that the history of the State has proved conclusively that we are prone to extravagance in administration. I want the Treasurer and the Government generally to recognise that, although I am prepared to assist them with a fair measure of taxation, but I do think that 2d. and

1d. rebate is 'too great a burden to impose, and if they insist on the 2d. and 1d., I shall vote against the tax altogether. It is not a question of patriotism, it is a question of what I consider the agricultural communities and the towns can stand. The average holding in Western Australia, we will say for the sake of argument, is 6,000 acres. [THE PREMIER: What?] If members like we will say 3,000 acres is the average holding in Western Australia, that is taking the good districts with the bad districts. The cultivable area of that is not more than one-third.

THE PREMIER: What is the other valued at?

MR. GULL: Under this Bill, if there are 3,000 acres the owner will have to pay up to £1 on the 3,000 acres. This is on freehold land. If the Government are prepared to accept as the valuation 6s. 8d. in agricultural districts I am quite satisfied, but I maintain the Government are not justified in fixing the value at 6s. 8d.

THE PREMIER: You say it is poor land?

MR. GULL: I did not say anything of the kind.

THE PREMIER: You said there were three classes of land.

MR. GULL: There are three classes of land, first, second and third class. Let us take an area in the first class. If a person has 6,000 acres of land, 2,000 acres of that area are cultivable. There of course is the fencing and ringing on the 4,000 acres, but that is only a matter of a few shillings to the acre, consequently the owner would have to spend on the 2,000 acres close on £4,000 in improvements before he can earn the rebate. A man cannot spend £4,000 on the 2,000 acres to make a commercial success of the land. In first-class country it depends entirely what the valuation may be. I know estates in the eastern districts that probably are valued, and rightly valued, at £4 an acre, the improved value. Take, for instance, the biggest estate in Western Australia that has been before the country generally in regard to the land taxation question, the Woodside Wilberforce Estate, containing 32,000 acres. There are eight sons in the family who own the estate. They are working it virtually as

a community. That estate at £4 an acre on the improved value totals up to £128,000.

THE PREMIER: Is that the unimproved value?

MR. GULL: That is the improved value. The improvements on that land are valued at, say, £20,000. That leaves £108,000 as the unimproved value, and on that £108,000, on the very best showing, the owners are compelled to spend £33,000 in improvements to gain the exemption of from 2d. to 1d. That estate has been in the hands of one family for 70 odd years. It was purchased for hard cash 70 years ago for £4,000.

MEMBER: Look at the increased value.

MR. GULL: What would the increase be?

MR. BATH: The money they put into the land, if the land has been utilised, would return interest in that way.

MR. GULL: If you knew the circumstances of Western Australia for the first 50 years of the 70 years, probably the owners could not have got a snap of the fingers for the estate.

MR. BATH: They say they were a lot better off.

MR. GULL: In some instances they got enough and were satisfied. At present we are not satisfied but are looking for more. The position is this. These people would have to spend £33,000 in improvements before they are entitled to the rebate. I do not for a moment suggest that the balance of the land not under cultivation is waste land or regarded as such, because it is running no less than 15,000 sheep at the present time, and there is not the slightest doubt those 15,000 sheep are returning more value per thousand acres than the land which is under cultivation. I do not say for a moment that land should escape taxation. There are other estates not so large but in the same position, and I say that it is too much to ask that the owners should have to spend £33,000 in improvements before they can get the exemption. I say without hesitation that the expenditure of that £33,000 would make the estate a non-commercial success.

MR. DAGLISH: It would pay them to pay the extra tax, then.

MR. GULL: Quite so. But because it suits you to pay a certain amount of

money in order to avoid a greater calamity, it does not show that the payment of that money is not an exorbitant exaction. I maintain that it is not a fair thing to ask estates such as this to expend more money in improvements than is warranted as a commercial proposition in order that the owners may be enabled to claim the rebate. Twopence in the pound on that estate—and there are many others similarly situated—is, in my opinion, an unfair tax.

MR. LYNCH: £33,000 is more than is required.

MR. GULL: No. One-third of the unimproved value.

THE PREMIER: Under the conditions of the Land Act, or any amendment thereof.

MR. GULL: That virtually is what the whole thing boils down to. Another thing, if it is possible to apply three or four different clauses to any particular estate, it is most misleading, and there is not sufficient definiteness to get the position as it ought to be got at; and I think it should be absolutely manifest. I admit the difficulties of the case as regards these conditional purchase lands that are under all sorts of varying conditions of payment; and I admit the difficulty that accrues, and will accrue, in ascertaining what is the unimproved value of an estate that has been sold at 10s. an acre, of which only 5s. has been paid. I see that there is a difficulty in that respect; but in dealing with a big freehold property, such as this or any freehold property—

THE PREMIER: That does not interfere with the value of the property.

MR. GULL: I submit that it does interfere, in this way. If I bought from the Government a thousand acres of land at 10s. on deferred payments extending over 20 years, two years afterwards the value of that land would not be 10s. an acre; certainly not. In the two years I should have paid 1s. off it. How, then, are you going to arrive at the actual unimproved value of those blocks which are in a transition stage? I see any amount of difficulty attached to it, and I would infinitely prefer to see some such scheme as I have attempted to elaborate to-night seriously considered by the Ministry. Because, I do not care from which aspect you look at it, if you are going to raise

taxes to hand back to those roads boards less the cost of collection, it would be a considerably better proposition to say to them, "Tax yourselves up to a maximum and down to a minimum which is defined by law," and thereby release to the Treasurer a couple of hundred thousand pounds a year, which is a long way more than he claims he will get by the proposed taxation.

MR. J. C. G. FOULKES (Claremont): When this Bill was introduced by the Treasurer he pleaded an urgent necessity for raising revenue and that the proper means of raising farther revenue was by proposing this taxation. He dilated at great length upon the fact that in all probability we had a deficit to face.

QUESTION OF ORDER, RULING.

THE DEPUTY SPEAKER: I would call the hon. member's attention to the fact that he moved an amendment to the Bill, and in doing so he has forfeited his right to speak again.

MR. FOULKES: I understand that we are now debating the whole question.

THE DEPUTY SPEAKER: The fact of the hon. member moving an amendment forfeits his right to speak again.

MR. FOULKES: I am not speaking on the amendment, but on the Bill.

THE DEPUTY SPEAKER: I am fully aware of that; but the fact of his having moved an amendment forfeits his right to speak on the main question.

MR. LAYMAN: I beg to move the adjournment of the debate.

MR. FOULKES: Of course, I bow to your ruling with the greatest respect; but when I moved the amendment the other day, I refrained from discussing the merits of the Bill.

THE DEPUTY SPEAKER: I know I am perfectly right.

MR. FOULKES: I am quite sure of that; but I would ask for leave. The House has power to give me leave.

MR. HOLMAN: I beg to move that the speaker be now heard.

THE DEPUTY SPEAKER: I cannot accept a motion that is against the Standing Orders.

MR. FOULKES: By leave of the House. There is power to give leave that I be heard on this question.

MR. WALKER: Not on that.

MR. FOULKES: I make an appeal to the House to give permission.

THE DEPUTY SPEAKER: The House cannot give the hon. member a right which is not within the Standing Orders.

MR. FOULKES: I thought I could speak by the indulgence of the House. I have not a copy of the Standing Orders by me; but I believe there is power to permit a member to be heard by the indulgence of the House, and as an act of indulgence I am now asking for permission to speak.

THE DEPUTY SPEAKER: The question is that the debate be now adjourned.

MR. FOULKES: There is another method. I was going to ask for leave to make a personal explanation, as I cannot speak on the merits of the Bill. To-day I read in one of the public papers what purported to be a report of a meeting which was held by certain supporters of the Government; and judging from that account:—

THE DEPUTY SPEAKER: The hon. member had full opportunity of speaking when the Bill was introduced.

MR. FOULKES: I did not quite hear what you said, sir; but I believe that if there is no one objecting to my speaking I can be heard on the second reading.

THE DEPUTY SPEAKER: The Standing Orders provide that—

A member who has addressed the House on the main question cannot move or second an amendment, nor can a member who has moved or seconded an amendment speak upon the original question after the amendment has been withdrawn or otherwise disposed of.

MR. FOULKES: The member for Swan (Mr. Gull) happens to have seconded the amendment I made the other night; and as he has been heard, I consider I should have an opportunity of replying to some of the statements which he made.

MR. WALKER: On explanation.

THE DEPUTY SPEAKER: The hon. member does not quite understand the position. When a question is before the House, a member who moves an amendment forfeits his right to speak on the main question. But the seconder of an amendment is not in exactly the same position; because this House has a special Standing Order, 122, which permits the seconder to speak again, if he seconds

a motion by merely rising without then speaking.

PERSONAL EXPLANATION.

MR. FOULKES (in explanation): I shall proceed with the personal explanation I was about to make. There was in one of this morning's newspapers what purported to be an account of a meeting of Government supporters held yesterday. From that account it would appear there was an attempt by the Leader of the Government and some of his colleagues to dictate to certain other members, of whom I was one. No one would more strongly resent dictation than I, if any member of the House, even the Premier, attempted to dictate what should be my conduct with regard to any Bill. But I can truly say that no attempt was made by the Premier or his colleagues to dictate to me what steps I should take with respect to this Bill. The other day I moved a certain amendment in this House, because I thought it necessary that the people of the country should know what tax the Government proposed to inflict upon them. I considered it was impossible for the people or for us to judge of the true merits of this machinery Bill unless they knew the tax proposed to be inflicted. In my opinion the Treasurer made a serious mistake in withholding this information from the House and from the country. I disagree strongly with the steps the Government have taken in regard to the Bill; but on that point we have agreed to differ. I made no secret of my opinion, and the Leader of the Government realised my objections; but I can truly say there was no attempt at dictation on his part. He has known me for a considerable number of years, and I am sure he wishes that every member of this House, and especially on the Government side of the House, should have the fullest possible liberty to vote and to speak as that member thinks fit.

MR. BOLTON: That does not always appear.

MR. FOULKES: I have for a number of years been a member of this House, and have always spoken and voted on every measure on its merits. I have never been tied to support this Government or to oppose that Government. I

absolve the Premier from attempting in any way to intimidate any member with respect to this Bill. I am sorry I am prevented by the Standing Orders from saying much more with regard to the Bill; but I know that this is not the end of the measure, and that we shall later have every opportunity of speaking, of which opportunity I shall be glad to avail myself.

On motion by MR. LAYMAN, debate adjourned.

ADJOURNMENT.

The House adjourned at 10:35 o'clock, until the next Tuesday.

Legislative Council,

Tuesday, 14th August, 1906.

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

PRAYERS.

PAPER PRESENTED.

By the COLONIAL SECRETARY: By-laws of Gingga Roads Board.

QUESTION—AGRICULTURAL LAND FOR BRITISH IMMIGRANTS.

HON. J. M. DREW asked the Colonial Secretary: 1, Is the Government prepared to give this House some information—(a.) As to the aggregate area of

agricultural land reserved exclusively for British immigrants? (b.) As to the localities of the various reservations?

THE COLONIAL SECRETARY replied: At present no land has been reserved exclusively for any particular class of immigrant.

MOTION—DINGO DESTRUCTION.

HON. F. CONNOR (North) moved—

That owing to the ravages being committed by wild dogs in the North and North-West Districts of this State, some action by the Government is necessary to cope with the pest.

He said: I do not intend to speak at length on the motion, which is the result of an intimation from some of my constituents through me to the Government, of the necessity for doing something to eradicate the dingo pest; and I think this the best method of bringing the matter into prominence. Unfortunately, it is well known, not only in this but in the sister States, that the ravages of wild dogs are increasing, that the pest must sooner or later be dealt with, and that the sooner the work is taken in hand the more easily will eradication be effected. I have here a long letter from the Tableland Roads Board office at Tamboorra, setting forth that wild dogs are increasing in the North-West. We know the dangers arising from wild dogs; that where they exist in numbers it is impossible for sheep to increase or even to flourish. We know further that even in cattle country, where there are no sheep—and of this I speak from personal knowledge—when the dogs become numerous they do not stop at killing calves; they sometimes kill even cows when these are in a weak state. There are three methods of dealing with the pest. The first is by poison. It is hardly the province of the Government to send out men to poison dogs; but the poisoning can be effected by other agencies. The second is to pay to anyone, even to people who make a business of killing dingoes, a certain bonus for what are known as scalps and tails. The third method is by fencing. Of course in the large areas of the North, dog-proof fencing is out of the question; consequently my remarks as to fencing will not apply to the far North, but to