

at the second reading of the Bill, I desire now to congratulate the Government on introducing this Bill, which gives many distinct advantages.

THE HON. C. A. PIESSE: I cannot support this amendment, because I think, if members of a district cannot meet in their own district, there should not be a board at all.

THE HON. R. G. BURGESS: I think it would be better if the boards met in their own districts. I do not think any district has a right to a board if it cannot get members who reside in the district.

Clause agreed to. Bill reported.

ADJOURNMENT.

The House, at 6:10 o'clock p.m., adjourned until Thursday, 18th October, at 4 o'clock p.m.

Legislative Assembly,

Wednesday, 17th October, 1894.

Completion of Cue Telegraph Line—Alleged Omission of Pilot to Board the s.s. "Gulf of Siam"—Medical Bill: first reading—Leave of Absence to Mr. Phillips—Message from the Governor: Assenting to Bill—Message from the Governor: Elementary Education Act Amendment Bill—Supply of Meat for Metropolitan and Goldfields Markets: Report of Select Committee—Removal of Dredge from Canning to Perth—Point of Order—New Houses of Parliament: Proposed Appointment of a Royal Commission—Elementary Education Act Amendment Bill: second reading—Constitution Act Amendment Bill: further considered in committee—Estimates, 1894-5: further considered in committee—Want of Quorum—Adjournment.

THE SPEAKER took the chair at 4:30 p.m.

PRAYERS.

COMPLETION OF CUE TELEGRAPH LINE.

MR. ILLINGWORTH: I beg to ask the question standing in my name. I may say that on July 30th I asked the same question, and the answer I then

received was that the line would be completed within about three weeks from that date. It is now eleven weeks, and I now wish to ask the Director of Public Works—1. When the telegraph line will be completed to Cue? 2. Can there be a connection by bicycle over the unfinished portion? If so,—3. Will he arrange to have this communication established at once?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn) replied as follows:—1. The Department is daily expecting to hear that the connection has been made with the Mullewa end of the line. A field instrument has been provided to work the line temporarily, but, until the line is connected, precise information cannot be given as to the probable date of the completion of the whole line. 2 and 3. It is understood that the contractor has made some offer to run a bicycle mail service.

MR. ILLINGWORTH: That is no answer at all to my third question.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn): No reply has been given to the contractor as to his offer to run a bicycle service.

MR. ILLINGWORTH: My question was, will you arrange to have it done?

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn): I cannot answer that without consulting the Government on the subject.

THE PILOT AND THE S.S. "GULF OF SIAM."

MR. SOLOMON, in accordance with notice, asked the Premier:—1. Whether the attention of the Government had been called to the subject matter of a letter, which appeared in the *West Australian* of the 9th instant, from the captain of the s.s. "Gulf of Siam," complaining that his vessel was not boarded by a pilot on his arrival from London with immigrants, &c? 2. If so, had any investigation been made into the matter, and what was the result of any inquiry, if instituted?

THE PREMIER (Hon. Sir J. Forrest) replied that the following explanation in this matter had been received from the Chief Harbour Master:—

The "Gulf of Siam" arrived at Fremantle on the evening of Saturday, 6th October, and was duly sighted from Rottnest Lighthouse. The steamer, however, came in at the South

Passage without ever stopping for a moment, and the pilot, who was in the whaleboat, and not far off, was not able to catch the steamer.

The "Gulf of Siam" did not hoist the "Pilot Jack" at the fore, as he should have done, in compliance with the Board of Trade notice, and according to the Merchant Shipping Act of 1873, Section 19.

Section 19 runs as follows:—

Signal for Pilots.

"19. If a vessel requires the services of a pilot, the signals to be used and displayed shall be those specified in the Second Schedule to this Act.

"Any master of a vessel who uses, or displays, or causes, or permits any person under his authority to use or display any of the said signals for any other purpose than that of summoning a pilot, or uses, or causes, or permits any person under his authority to use any other signal for a pilot, shall incur a penalty not exceeding Twenty pounds."

Schedule II. (referred to in Section 19). Signals to be made by Ships wanting a Pilot in the day time.

The following signals, numbered (1) and (2), when used and displayed together, or separately, shall be deemed to be signals for a pilot in the day time, viz:—

1. To be hoisted at the fore, the Jack, or other national colour usually worn by merchant ships, having round it a white border, one-fifth of the breadth of the flag; or
2. The International Code Pilotage signal indicated by P.T.

At night, &c., &c.

As it was daylight, the explanation of the authorised night signals is not given.

At my request, Capt. Sanderson, of the "Gulf of Siam," attended at the Harbour Office, and Mr. Payne, of Sir G. Shenton & Co. (agents), was good enough also to attend.

In the presence of these gentlemen, I then questioned the pilot in charge (Capt. Abrahamson), and also the lightkeeper on duty at the time. I was satisfied that the steamer had been duly sighted at the lighthouse, and reported by telephone to the settlement.

I asked Capt. Sanderson whether or not he had the "Pilot Jack" hoisted, and he replied he had not.

I also asked him whether he stopped the steamer at all, and he replied that he did not stop at all, or even slow his engines.

C. R. RUSSELL.

17th October, 1894.

MEDICAL BILL.

Introduced by MR. JAMES, and read a first time.

LEAVE OF ABSENCE TO A MEMBER.

MR. TRAYLEN, in accordance with notice, moved that leave of absence, for

fourteen days, be granted to the hon. member for the Irwin (Mr. Phillips).

THE SPEAKER: I should like to point out that, according to our Standing Orders, a motion for granting leave of absence should state the cause as well as the period of absence. That Order has never been complied with, but it ought to be done.

MR. LEAKE: I am glad that attention has been called to the failure of members to comply with the Standing Orders. I, myself, desire to enter my protest to this extended leave of absence being given to members who do not care to attend this House as regularly as they might do. There are very important questions at present before the House, and members ought to make it a point to be in their places. An instance happened only yesterday when the House had to adjourn without doing any business, through the failure of members to attend.

THE PREMIER (Hon. Sir J. Forrest): Whose fault was that? You were not present yourself.

MR. LEAKE: Nor were all the Ministers present. I do not wish to oppose this motion, yet I hope that some expression of opinion will be given, and that the House will set its face against granting these extended leaves of absence, merely because a member wishes to stay away to suit his own convenience.

MR. R. F. SHOLL: I am very pleased that the hon. member has called attention to this custom of applying for leave of absence, fortnight after fortnight. Some members seem to think they are sent here to suit their own convenience, and that, if they do not want to attend, all they have to do is to put up some friend to move for leave of absence for them. If every member of the House were to follow the same practice, I do not know what would become of the business of the country. It would be brought to a standstill. Constituencies, perhaps, would then realise that those whom they had elected to look after the interests of the country were, as a matter of fact, looking after their own interests, and that those whom they were supposed to represent were not represented at all. Possibly constituencies would then be more careful to elect members who would attend the House regularly, and do their duty to their constituents and to the country.

There are several country members in this House who give up their time to attend here regularly, while others are absent more than half their time. Of course it is very unpleasant to have to make remarks of this kind about one's own friends, but I am glad that attention has been called to this matter. I do not wish to oppose the present motion. I only hope the remarks that have been made may do some good.

MR. MORAN: I only rise to say that it is a singular thing that the two hon. members who have made such a fuss about this matter were both absent yesterday, when the House had to adjourn for the want of a quorum.

Motion put and passed.

MESSAGE FROM THE GOVERNOR ASSENTING TO BILLS.

The following Message was received from His Excellency the Governor:—

"The Governor has the honour to inform the Legislative Assembly that he has this day assented, in Her Majesty's name, to the undermentioned Bills:—

"*An Act to amend and consolidate the Laws respecting the Defence Forces and Military requirements of the colony of Western Australia.*"

"*An Act to extend and regulate the Liability of Employers to make Compensation for Personal Injuries suffered by Workmen in their Service.*"

"*An Act to amend the Law relating to Patents, Designs, and Trade Marks, and to provide for International and Inter-colonial Arrangements with regard to the same.*"

"*An Act to confirm certain Expenditure for the Half-year ending 30th June, One thousand eight hundred and ninety-three.*"

"*An Act to amend the Law of Evidence with reference to Bankers' Books.*"

"*An Act to authorise the Closing of a certain portion of Stirling Street, in the Town of Fremantle.*"

Government House, Perth, 10th October, 1894."

ELEMENTARY EDUCATION ACT AMENDMENT BILL.

MESSAGE FROM THE GOVERNOR.

The following Message was received from His Excellency the Governor:—

"In accordance with the requirements of Section 67 of 'The Constitution Act,

1889,' the Governor recommends that an appropriation be made out of the Consolidated Revenue Fund, for the purpose of a Bill intituled 'An Act to further amend the Law relating to Public Elementary Education.'

Government House, Perth, October 16th, 1894."

STOCK ROUTE FOR LIVE STOCK AND SUPPLY OF MEAT TO METROPOLITAN AND GOLDFIELDS MARKETS.

REPORT OF SELECT COMMITTEE.

MR. RICHARDSON: In rising to move, "That in the opinion of this Assembly the recommendations of the Select Committee on the question of facilitating meat supply to metropolitan and goldfields markets by land and sea should be adopted," I do not think it is necessary to detain the House for any length of time, because the report of the committee, with the evidence attached, will speak for itself. I hope that members, if they have not already perused that evidence, will consider it worth while to do so. They will find that the questions there dealt with are of very great importance to all sections of the community. They not only concern producers, who are a numerous and important class, but also consumers, who are a still larger and more important class. The recommendations of the committee, if adopted, will no doubt involve a considerable expenditure of public money; at the same time the committee were firmly of opinion—and I think the House will also be of opinion—that it would be a justifiable outlay of money, and that the beneficial results to the community would be commensurate with even a greater outlay of money, because there can be no doubt that with increased facilities for obtaining fat stock from the North, both by land and sea, the cost of meat to consumers would be considerably reduced. I think if that object can be attained, it is well worth the expenditure of a considerable sum of money to bring it about. The committee are of opinion that this would be the result if their recommendations are carried out. The committee have also touched upon the question of cold storage and the establishment of public abattoirs, and they are of opinion that the conclusions they have arrived at will, if given effect

to, result in a great saving to the community, by enabling them to purchase meat of a better quality at a lower price than at present. I beg to move the resolution standing in my name.

MR. SOLOMON: It gives me much pleasure to support the motion. I think the suggestions of the committee, if carried out, will tend to do a great deal of good; and I think the thanks of the House and of the country are due to the members of the committee for the manner in which they have carried out their duty, and also for the elaborate report they have placed before the House.

Motion put and passed.

REMOVAL OF DREDGE FROM CANNING TO PERTH.

DREDGING PERTH WATER.

The House went into committee for the consideration of the following Message received from the Legislative Council:—

"Mr. Speaker,

"The Legislative Council has this day passed the following resolution, in which it requests the concurrence of the Legislative Assembly, viz.:—That in the opinion of this House it is desirable that the Government dredge now working at the Canning River should be removed to Perth water, and used for the purpose of deepening Perth water, as soon as possible.

"GEO. SHENTON,

"President.

"Legislative Council Chamber, Perth, 9th October, 1894."

THE PREMIER (Hon. Sir J. Forrest) moved that the resolution of the Legislative Council be agreed to, with the omission of the last word, "possible," and the insertion of the word "practicable" in lieu thereof. He did not know why they should have been asked to assent to the motion at all; the matter had already been before the House, and the Government had expressed their intention to remove the dredge to Perth as soon as it had finished the work on which it was now engaged. It was no use leaving this work half finished. He did not attach very much importance, himself, to this dredge coming to Perth at the present time, unless they were prepared to spend a great deal in connection with this reclamation work, besides deepening the

river. The mere presence of the dredge would not be of much benefit to the city. When they were prepared to deal with this question of reclamation, and had the money to carry it out, no one would be more glad than himself to deal with it. But he did not see why they should be so eager to get this dredge to Perth at present. It was a poor machine at the best; still the Government would do what they could with it.

POINT OF ORDER.

MR. R. F. SHOLL: Sir—as this resolution involves the expenditure of public money, I ask your ruling as to whether it is in order that such a resolution should come to us from the Legislative Council. I think it is about time we had some definite ruling as regards the right of the other House to pass resolutions involving the expenditure of public money. For my own part, I do not see why the other Chamber should not have that power, but I believe it is not in accordance with parliamentary procedure; and the sooner we have some authoritative ruling on the point the better.

MR. A. FORREST: The question raised by the hon. member for the Gascoyne is one I should like to see settled once for all. The way these resolutions come to us now suggests that we in this House should change places with the Upper House, as the members there seem to me to claim the right to interfere with the expenditure of public money in almost every form. What right have they to send resolutions to this House involving the expenditure of public funds, when this House is supposed to be the guardian of the public purse?

MR. JAMES: With regard to this particular resolution, I may point out that two years ago, £2,000, for the purpose of reclaiming the river foreshore, was granted out of public funds to the City Council, and that money has not been expended, because we have been waiting for this dredge, which would enable the council to do as much for £500 as they could with the whole of the £2,000 without the dredge.

MR. SIMPSON: I think, before we deal with this question at all, we should get some authoritative ruling as to the status of the other branch of the Legislature, and its right to pass resolutions involving

the expenditure of public money. I do not suppose any sane man can imagine that this dredge can be removed from the Canning to Perth, and be employed there in deepening the river, without incurring the expenditure of some money. Therefore, I beg to ask the Chairman to be good enough to rule whether this resolution coming from the other House is one which that House has a right to send to us, having due regard to constitutional practice.

THE CHAIRMAN: So far as my knowledge enables me to judge, the resolution is in order.

MR. SIMPSON: Then with all due deference, sir, to your ruling, I should like to have the point referred to the Speaker.

THE CHAIRMAN: The hon. member must make his objection in writing.

THE PREMIER (Hon. Sir J. Forrest): There is nothing in it; it is too narrow.

MR. SIMPSON: I did not ask for the ruling of the Premier. I think it may save friction later on if we get the ruling of the Speaker on this question. There is a principle involved, and the Speaker's ruling would be of value to us.

MR. RICHARDSON: I hardly think this is a proper resolution to test the question. It is merely an abstract resolution. It cannot involve any expenditure unless the Government chooses to act upon it, and, even then, it is a question whether the removal of this dredge to Perth would involve any additional expenditure beyond what it is costing to work it where it now is. I admit it is desirable we should get a ruling on this question of the rights and privileges of the other House as to initiating resolutions involving the expenditure of public funds, but I do not think this resolution is of sufficient importance to raise that question.

THE PREMIER (Hon. Sir J. Forrest): I think, myself, it is a harmless resolution. I do not wish to see the other House infringing in any way upon the rights of the Assembly, but I do not like to look with suspicion at everything they do or propose, and try to knock them down on every occasion. It seems to me the question involved in this resolution is hardly of sufficient importance to warrant us in raising the question of the constitutional rights and powers of the other House.

MR. SIMPSON: I rise to a point of order. I submit that this discussion is wholly irregular. If an objection is taken to the Chairman's ruling, it must be taken at once, and without discussion.

THE CHAIRMAN: Will the hon. member himself please comply with the rules of the House, and hand in his objection to my ruling, in writing?

Mr. Simpson having done so,

The SPEAKER resumed the chair.

THE CHAIRMAN: Sir—I have to report that a question has arisen in committee as to whether it is competent for the Legislative Council to forward a resolution to this House affirming the desirability of removing the Government dredge, now working at the Canning, to Perth water. I have decided that the resolution is not out of order. The hon. member for Geraldton has objected to my ruling, on the ground that the resolution involves the expenditure of public money.

THE SPEAKER: If I understand the question—and I think I do—I am of opinion that the Chairman is right in his ruling with reference to this resolution, and for this reason: the expenditure that would be caused if this resolution were carried would not be expenditure out of public funds, but expenditure of municipal funds—of funds already granted to the Perth municipality for the purpose of making this reclamation. At the same time, I should like to take this opportunity of stating that a resolution coming from the other House, asking this House to concur in it, and which could not be given effect to without the expenditure of public money, would not be in order, and would be an infringement of the privileges of this House.

The committee resumed.

DEBATE CONTINUED.

MR. A. FORREST said, the question of privilege having been disposed of, he thought the resolution was a very proper one, and that the sooner this dredge was removed to Perth the better. The City Council had applied to the Director of Public Works, time after time, to help them with the dredge, but the only answer they could get was that he was not in a position to let them have it then. As had been pointed out, the council had a sum of money granted to them for the

purpose of reclaiming the river foreshore, but they could do nothing in the matter until they got the dredge. This vessel might be doing good work at the Canning, but it had been there for a long time, and what was there to bring down from the Canning, by river, after all? Perhaps a little firewood. The railway would bring down all the produce which the district could grow. He therefore hoped the Government would let the City Council have the use of this dredge as soon as possible, to help them in removing what was now an eyesore to the city.

MR. JAMES said there was a general feeling, right or wrong, that the dredge had been kept at the Canning far too long, and that it was not doing such useful work as it would do at Perth. The summer was now approaching, and the stench arising from the river foreshore during the hot weather was a disgrace to the city; the site between the two jetties became a plague spot, and they wanted to wipe it out. He hoped the Government would let them have the dredge as soon as they possibly could.

THE ATTORNEY GENERAL (Hon. S. Burt) said the City Council wanted the dredge to wipe out a plague-spot, and of course they wanted the Government to do it. What would be the result if they got this dredge to Perth? The City Council would probably fill up this plague-spot (as they called it) by making others that would be a still greater plague-spot, or perhaps bring the river mud and make footpaths of it, like they did when they had the dredge before, and made footpaths with the oyster-shells it brought up. There was no end to the demands of this body. The Government gave them, in common with other municipalities, a subsidy of 10s. in the pound, and then they wanted more. The Government now proposed to give them £1 for every £1 they raised themselves, and down it went like mother's milk with them. The Government gave them £2,000 for this very work which they now wanted the dredge for, and, when they got the dredge, they would want the Government to work it for them. He thought the Government had better take over the City Council next.

MR. RANDELL said the dredge was doing very good work and very necessary work at the Canning, and it would be a

foolish thing to remove it until the work was completed. Meanwhile, he thought the City Council might turn their attention to other malodorous spots in the city itself, which required looking after quite as much as the river foreshore. He thought it would be better if they brought the sand from the hill to fill up this foreshore instead of river mud.

MR. R. F. SHOLL was surprised to hear that the Government had paid £2,000 over to the City Council a couple of years ago for this work. If that was the case, he hoped the Government would see that the expense of this work was defrayed by the City Council when they got the dredge down to Perth. He deprecated the action of the Government in handing over a large sum like £2,000 to the City Council when they did not appear to want it, and instead of spending it, hoarded it up in the bank on fixed deposit. There were plenty of other municipalities that would have been glad to get the money and spend it on necessary works. With regard to filling up the river foreshore, he thought it would be better if the dredge were employed in deepening the river between Perth and Guildford and improving the navigation.

Motion put and passed as amended.

THE CHAIRMAN reported that the committee had agreed to the following resolution, viz.:—"That in the opinion of this committee it is desirable that the Government dredge now working at the Canning River should be removed to Perth water, and used for the purpose of deepening Perth water, as soon as practicable."

Report adopted.

Ordered—That a Message be transmitted to the Legislative Council, informing them that the Assembly had agreed to the foregoing resolution.

ERECTION OF NEW HOUSES OF PARLIAMENT.

PROPOSED APPOINTMENT OF A ROYAL COMMISSION.

The House went into committee to consider the following Message received from the Legislative Council:—

"Mr. Speaker,

"The Legislative Council having this day passed the following Resolution:—

"That an Humble Address be presented

"to His Excellency the Governor, requesting him to appoint a Royal Commission, taken from the members of the two Houses of the Legislature, to consider and report upon the expediency or not of erecting new Houses of Parliament; and, should the Commission report in the affirmative, then to advise upon the site, nature, and cost of the buildings required, and the accommodation which should be provided"—presents the same to the Legislative Assembly for its concurrence.

"GEO. SHENTON,
"President.

"Legislative Council Chamber, Perth,
"9th October, 1894."

THE PREMIER (Hon. Sir J. Forrest) moved that the resolution of the Legislative Council be agreed to.

POINT OF ORDER.

MR. TRAYLEN: I rise to a point of order. Does not this resolution come under the same category as those which His Honour the Speaker has just ruled as being outside the province of the other House to initiate, involving as it must some expenditure of public money?

THE SPEAKER: I do not think this resolution comes within that ruling. This is simply a resolution asking for the appointment of a Commission; and, until that Commission reports, there can be no expenditure of public money in this direction.

DEBATE RESUMED.

THE PREMIER (Hon. Sir J. Forrest): I have moved that this resolution be agreed to, because it seems to me it would be a wise action to take, to appoint a Commission to report on this question of the expediency of erecting new Houses of Parliament. No doubt the present arrangement is an inconvenient one. The two Houses being separated, and not even in the same street, there is not that opportunity for intercourse between members which is desirable, and for members hearing the debates in either House. It is the rule everywhere else to have the two Houses together, which necessarily must be more convenient, on many grounds, than to have the two chambers some distance apart from each other. The resolution does not commit us to any expenditure; the Commission will simply report, and we shall have an

opportunity hereafter of considering their report. I think it is very desirable we should have this Commission appointed. Several members have expressed their opinion to me that the Government should have taken this matter in hand before now. I do not think we are satisfied, many of us, with the present arrangements, though I believe there are some members who consider the present accommodation good enough. For my part, I believe in making a country's Houses of Parliament as convenient, as beautiful, and even as splendid as possible, so that those who enter them may regard them as something like sacred ground, and be impressed with a certain amount of reverence for their surroundings, and so behave themselves. I know that has been the impression created on my mind when I have entered the halls of Parliament in the old country. It is the same in Victoria and other places, where those who enter the Houses of Parliament cannot fail to be impressed with their surroundings, and those who occupy seats in them cannot fail to be impressed with the dignity and the responsibility of their position. I hope that when our funds allow it we, in this colony, also shall have Houses of Parliament of the very best kind the country can afford. At the same time, I do not wish to go into any unnecessary extravagance, or to build more costly structures than we can afford. This resolution has not emanated from me, but I shall be glad, myself, if the House approves of the appointment of this Commission, to consider the matter. I do not think anyone can object to that course, because it will not commit us to anything. Even if the Commission reports in favour of the expediency of erecting new Houses, the carrying out of their recommendation would have to depend upon the state of our finances, whether we embarked in any expenditure in this direction or not.

MR. RICHARDSON: I rise to oppose the motion in the very strongest manner possible. I think it is quite unnecessary. It is treading very fast towards that goal which I am afraid we are hurrying to—that of wasteful and lavish expenditure of public money; and the day is not far distant when we shall regret it. We have only to look round at some of the other colonies if we want lessons and

examples which it is not desirable for us to copy in this respect. In addition to that, I cannot but think that the accommodation we have here at present is ample for our requirements, both as regards convenience and even all necessary comfort, for years to come. It may be that they have not too much room in the other Chamber; still I think they have sufficient. I do not think it will be said that the accommodation now afforded prevents us in any way from discussing and dealing with questions of legislation to the best of our ability, and as effectually as if we were more splendidly accommodated. I cannot but think, sir, that the proposed step is one in the direction of unnecessary extravagance. Although it has been said it commits us to nothing, I say it does commit us to something; and once you begin to go into plans and estimates, and get hold of the idea that new Parliament Houses are necessary, there will be no rest until we find ourselves launched into this expenditure. I think the accommodation in this House, at any rate, is quite as good, if not better, than what they have in the mother colony, New South Wales, with a population of over a million. I know, when I visited the Legislative Chamber in that colony a few years ago, I was struck with the idea that, in point of comfort and many other respects—and I made the remark the moment I entered it—our own chamber is quite equal to theirs. And, if such a chamber suits their purpose, with their revenue running into millions, and a population about fifteen times as big as ours, I think we may well be satisfied with what we have got for the present. I do not suppose these new buildings, if they are to come up to anything approaching the Premier's idea, can be erected at a cost of less than £25,000 or £30,000.

MR. SIMPSON: £80,000 more likely.

MR. RICHARDSON: I am putting it at the lowest estimate. Can anyone say, in the face of the tremendous demands which the Premier is always telling us are being made upon the revenue in all directions for really necessary and useful works, from all parts of the colony—demands which, if our revenue were double and treble what it is, we could hardly expect to satisfy—can anyone say that, at the present juncture, this House would be justified in committing the

country to an expenditure of £30,000 upon new Houses of Parliament? I hope we shall give no encouragement to any such idea, and that the House will not seriously entertain this motion for a moment, pointing, as it does, in the direction of extravagant and unnecessary expenditure.

MR. LEAKE: It is a pity that these ideas did not strike the hon. member for the De Grey when we were considering the Loan Bill. If they had, perhaps his vote on that occasion would have been in a different direction. I intend to support the resolution. I think it is a good one. The appointment of a Commission will cost us nothing, and it may do good by settling this question once for all. I certainly would have been more pleased if the resolution had also included within the scope of the Commission's consideration the question of the erection of a new Supreme Court House. It may very likely happen that when this Commission comes to consider the question of the best site for Houses of Parliament, they may recommend the site of the present Supreme Court building, and it will be necessary then to remove this building and to erect a fresh Court House somewhere else; and if the Government can see their way to amend this resolution so as to include a new Supreme Court building as well as new Houses of Parliament within the scope of this inquiry I shall be happy to support it. It must be advantageous to have the two Chambers of the Legislature in touch with one another, and I think it is very inconvenient to have the two Houses so far apart as they are at present. It could not be otherwise than an advantage, under many circumstances, if members of either House could conveniently attend the debates in the other Chamber. It would probably tend to remove many misunderstandings, and to bring about a greater feeling of harmony; and anything that would tend in that direction is worthy of our support. I do not think there is any necessity for a very extensive building. Probably a chamber as big as this would be sufficient for the Assembly, and it seems to me that the object in view could be attained without any extravagant expenditure.

MR. A. FORREST: I shall oppose this message from the Upper House. This resolution is not put forward by the

Government, and it is for this House to say whether we are prepared to expend a large sum of money in building new Parliament Houses at the present time. I hardly think that with a population of 80,000 we would be justified in spending anything like £80,000 upon a Parliament House. I have been in the Parliament Houses of New South Wales and in the Parliament Houses of South Australia, and also in Victoria, and this chamber seems to me just as comfortable and just as convenient as any of them, considering the number of members. Of course it is not so grand as some of them; but I think it provides all that is necessary. No doubt it would be an improvement if the two Houses were together, but I do not think we would be justified in incurring this large expenditure just for the sake of having the two Chambers under one roof. I think we can well afford to wait for many years to come before we go in for this expenditure. It will only be necessary to provide increased accommodation when our numbers are increased. When we have ten members representing Coolgardie, and ten more for the Murchison, and the same number for Perth and Fremantle, and other important centres like Geraldton or Albany, and we have about a hundred members in the House, it may be necessary to consider such a resolution as this. But, with the present number of members, I do not think we would be justified in spending thousands of pounds in building new Houses. If we pass this resolution we are virtually admitting that there is a necessity for building new Houses of Parliament; but I do not think that necessity has arisen. The Government, I am sure, are only agreeing to this proposal of the Upper House just for the sake of humouring them. I do not believe the Premier is really in accord with it. I am sure he would rather have a large surplus at his disposal than to spend all this money in building Parliament Houses just for the sake of building them.

MR. MORAN: I think if the capacity of this chamber were compared with the capacity of other Houses of Parliament, it would be found that, according to the number of members, we have more room here than they have in the other colonial assemblies. I have been in all of them,

and I consider this House compares very favourably with them in its internal accommodation. Externally it is not so imposing, but within it affords ample accommodation, and will suffice for all our requirements for many years to come. Moreover, I am opposed to this resolution on this ground: in a young country like this our first duty is to attend to the immediate wants of the country in the way of developing its resources, and if we have money to spare there are plenty of necessary and urgent public works on which we can spend it—none more so, perhaps, than water supply on our gold-fields.

MR. ILLINGWORTH: I admit that the existing arrangement has all the disadvantages that the Premier has referred to, and I also admit the advantages to be gained by bringing the two Houses together—which are much greater probably than people imagine. But then comes the question, are we justified in committing the country to this large expenditure? This building existing, as it does exist, and being quite sufficient for present requirements, are we justified in incurring this expenditure to attain these particular advantages? I have no hesitation in saying that we are not justified in spending the funds of this colony at the present stage of its existence, and with the present building available, in erecting new Parliament Houses. There is another reason for putting off this question. I have always held, ever since I came to Perth, that the proper site for new Parliament Houses is at that end of St. George's Terrace where the present Barracks stand. I had the temerity once to suggest through the columns of a newspaper that that is the proper and natural site for such a building, and I was immediately met by a considerable amount of reproach. Did I want to turn out the poor old pensioners? Well, no. I think if we just quietly wait until the whole of these worthy old pensioners are dead and gone, that will be just about the right time to consider this question of building new Parliament Houses. Certainly there is no necessity at the present time to spend the public funds in this direction. When we look at the requirements of our country districts, when we look at the lack of conveniences and facilities which

a large number of our population have to put up with, and the many disadvantages and even hardships they are placed under for the want of these facilities, and the heavy burden of taxation they have to bear, I think it would be most discouraging, and almost heartrending, to these people to hear that the Parliament of the country proposed to spend the money of the country in building a palatial edifice for its members, while the really pressing wants of the country remained unattended to. I shall certainly oppose this resolution. While I am on my feet, I wish to state, with all due deference to the ruling of the Chair, that I look upon the resolution as a very dangerous one, coming from the source it comes from. I believe the Speaker was perfectly right in his ruling; at the same time, I think this House should look with the gravest suspicion upon motions of this kind emanating from another place, and coming as they do perilously near to infringing the constitutional rights and privileges of the popular Chamber.

MR. SIMPSON: I shall certainly offer my most strenuous opposition to this resolution. It has been said that it commits us to nothing. If it commits us to nothing, what is the use of it? I take it that if we affirm this resolution we are committing ourselves, at any rate, to this: that it is desirable at the present to consider the desirability of erecting new Houses of Parliament. I don't know whether it can be said that means nothing. The Premier says he has been informed by several members that they thought the Government ought to have taken this matter in hand before now. I do not dispute the word of the Premier for a minute, but I do not think they were members of this House who could have told him so. We know this idea has not originated in this Chamber. So far as I know, the feeling of members here is that the present accommodation in this House is ample, and, so far as I know, the accommodation in another place is also sufficient for the number of members who attend there. I do not know whether it can be said that in their own private residences the members of that chamber are surrounded with the gorgeous accessories which they deem necessary for the due and proper consideration of questions of State policy as presented to them in

their Legislative chamber. I do not know whether they feel that they are unable to do justice to the momentous questions which they are good enough to transmit to us for our consideration, in the modest chamber they now occupy, after being habituated to the splendours and elegances of their private existence. But I do know that this country has more urgent demands upon the public Treasury than the erection of new Parliament Houses. It is an incontrovertible fact that no Parliament House in Australia has been built within 40 per cent. of the estimated cost. We have only to look for proof of that to that magnificent pile in Melbourne, that monument of extravagance, that graveyard of the hopes of the people, where the mere fencing surrounding it cost the people of that unhappy country something like £25,000. We see it also in that magnificent building on Marble Hill, which houses the collective wisdom of the sister colony of South Australia. Strange to say, the oldest colony of the lot has been content up to this day to transact its legislative business in the same modest chamber that has served them for the last sixty years. The Premier says that the Parliament Houses of a country should be such as to impress everyone who enters them with a kind of reverential awe, as if they were some sacred fane. He wants to have them sufficiently splendid and ornate as to almost strike terror into the mind of any ordinary mortal, and to make the liveliest larrikin behave himself. For my own part, I would sooner make one to assist in making a splendid statute book than a splendid building.

THE PREMIER (Hon. Sir J. Forrest): I don't think you will do that.

MR. SIMPSON: I dare say the hon. member for Bunbury and myself entertain a mutual estimation of our possibilities in that direction. I can only say that if I have the honour of holding a seat in this House for many years to come, I will never assist the hon. member for Bunbury in putting on the statute book such a measure as this. I know it is said—and there is a good deal in it—that the characteristics of a people may be largely determined by the character of their architecture. But I do not think that even that consideration would justify a

colony of 80,000 people (the population of a medium-sized town) in spending £50,000—and, with the cost of the site, it will run into that, or very nearly—in providing its legislators with Houses of Parliament, when we already have a chamber that will supply all our requirements for many years to come. Legislation which has accomplished the greatest benefits for these Australian communities has been framed in chambers that were not expensively adorned, but by men whose minds were an ornament to their respective assemblies; and, for my part, I think we should look more to the mental accomplishments of the men who adorn our legislative chambers than to the splendour of their architecture.

MR. SOLOMON: When we look around this Assembly and see the number of comfortable seats here, capable of accommodating a much larger number of members than are in average attendance during the session, I think we can see at once that there is no necessity whatever at the present time to go into any expenditure in the way of providing new Houses of Parliament. I am surprised somewhat that such a resolution should have emanated from the other Chamber, for this reason: it was only the other day they sent back to us the Loan Bill with two important items struck out of it, because they thought the colony could not afford them. If they thought the country was not in a position to undertake these necessary works for the development of its resources, I think they ought to have hesitated before initiating a measure of this kind, involving a large expenditure upon an entirely unproductive work.

THE DIRECTOR OF PUBLIC WORKS (Hon. H. W. Venn): Just a few words before the motion is put. I do not think members could have understood the Premier, if they understood that he was advocating the expenditure of this money at present. It was simply to get some ideas on the subject, from a body duly appointed to make inquiries into the question. It might be 10 or it might be 20 years before those ideas are carried out. If the Premier had advocated that this expenditure should be incurred at once, I do not think he would have carried many members with him,—he certainly would not have car-

ried me, because I would be absolutely opposed to it, for if there is one thing I dislike above all others it is to put a lot of money into bricks and mortar. [A laugh.] Members may laugh. I do not care how much you put in railways, or roads and bridges, or other works for the development of the country. [MR. SIMPSON: And agricultural halls.] Yes, agricultural halls. But directly you do it, merely for the sake of embellishing your towns, I think it is time to stay your hands. I do not think the time has yet arrived for a large expenditure upon expensive Parliamentary buildings, but I think it would be wise if this House were to vote £5,000 or £7,000—certainly, it would not require more than £10,000—for putting up an Upper Chamber adjacent to this chamber, which would settle this question for the next fifty years. We may depend upon it, it will not be settled until something is done, now that the question has begun to be agitated. I see no grave objection to the appointment of this Commission, but I would not give my support to any indefinite expenditure of money upon ornamental buildings, such as Parliament Houses in this colony, for some considerable time to come. We have a very large territory to deal with, and no one knows better than myself that we want a very great deal more than we can afford at present to develop that territory, without spending money in mere adornment.

MR. R. F. SHOLL: It is certainly quite refreshing to hear the Director of Public Works saying he is opposed to spending money in bricks and mortar. I am very pleased indeed to find that he has turned over a new leaf in this respect, and that we may expect that the money voted by this House for works and buildings will, in future, be spent in a more economical manner than it has in late years. As to the resolution now before us, this Chamber, I think, is likely to provide us with sufficient accommodation as a Legislative Assembly for many years to come. The public may be a little cramped for space in the galleries behind here, but when we look in front of us and see that large gallery provided for the accommodation of the reporters, I think a portion of that might be partitioned off for the use of the public. I think there is more room in that gallery than

is required for the reporters. I quite understand and recognise that it is necessary they should not be interrupted, but I think a portion of the gallery might be set apart for the general public without inconveniencing the reporters. I think the question of building new Houses of Parliament might then remain in abeyance until we required more accommodation. But if this question is to be considered at all, I take it that the question of erecting a new Supreme Court House will also have to be considered. We have seen the necessity for this within the last week, when we had two Judges waiting, for days, to go on with work which they could not attend to, because the criminal sessions occupied the only available court room in the present building. Therefore, if the House were to agree to the appointment of this Commission, I think it would be well to refer this other question to the same Commission.

Motion put, and negatived on the voices.

Ordered that a message be transmitted to the Legislative Council, informing it that the Assembly had considered the resolution, and was unable to agree to it.

ELEMENTARY EDUCATION ACT AMENDMENT BILL.

SECOND READING.

THE PREMIER (Hon. Sir J. Forrest): Sir—In rising to move the second reading of this Bill, I propose to read for the information of members a memorandum from the Minister of Education with regard to it, which I think will better explain the object of the Bill than any words of explanation I could offer. He says:

1. For several years past honourable members of Parliament have drawn the attention of the Government to the miserable pay received by many of the teachers in our Government Schools. Since I have had control of the Education Department I have inquired into this subject, and am satisfied that the complaints are well founded. In order to attract a superior class of teacher to, and retain our best teachers in, the Service, it is apparent that the remuneration must be considerably increased. At present the expenditure on Government Schools is limited by the Act of 1877 to £3 10s. for each scholar, and until this limit is extended the financial condition of the teachers cannot be improved, and the efficiency of the schools must necessarily

suffer. The amendment embodied in Clause 2 of the Bill extends the maximum to £4 10s., which, I think, will be sufficient for all purposes.

It should be remembered that many of our schools in outlying and sparsely populated districts number only from 15 to 20 children, and to enable the master or mistress to live respectably, and to enjoy the ordinary comforts of life, entails an expenditure exceeding even the proposed maximum allowance, thus reducing the amount available for larger schools.

2. Clause 2 of the Bill also proportionately increases the amount payable to Assisted schools. Although not so expressly stated, yet it is evident that the Legislature always intended to allot to these schools one-half the sum per head allotted to Government schools. In the Act of 1871 the respective sums were £2 10s. for Government, and £1 5s. for Assisted schools. The former amount being found insufficient, the Act of 1877 was passed, raising it to £3 10s., and at the same time the maximum for Assisted schools was proportionately increased to £1 15s.

Assisted schools are part of the public school system of the colony, and it seems to me it would be unjust to the denominations to which they belong, and be placing the scholars at a disadvantage, were we to increase the efficiency of the purely Government schools without proportionately increasing their efficiency.

3. Clauses 3, 4, 5, 6, 7, and 8 deal with compulsory attendance. Under the repealed sections of the Act of 1871 each District Board is empowered to make regulations with respect to enforcing attendance of children at schools, with the result that some Boards exercise the powers conferred on them, others do nothing; the regulations differ, and it is difficult to enforce them. It is now proposed to relieve the Boards of the unpleasant duty of compelling attendance, and leave the matter in the Minister's hands, who is empowered to appoint the necessary officers, and to summon parents in default. Clauses 4 and 5 enact that every child between 6 and 14 must attend school, if there is one within the respective distances mentioned, unless reasonable excuse be shown; and Clause 6 defines the penalties for neglect and the mode of procedure; but this clause will only apply to such districts as the Governor may direct.

S. H. PARKER.

15-10-91.

I think that minute very clearly and concisely explains the whole scope of the Bill, and, without further words on my part, I beg to move the second reading.

MR. SIMPSON: I hope that, in the face of that important minute from the Minister of Education, which no doubt is the result of the gravest consideration, based upon the weightiest of reasons and the experience of the officers of the department, the Government will offer no

opposition to the adjournment of this debate until to-morrow, so that members may have an opportunity of perusing and considering the minute, which cannot fail to be of great assistance to the House in dealing with this important question. I move that the debate be adjourned until the next sitting of the House.

Question put and passed.

Debate adjourned accordingly.

CONSTITUTION ACT AMENDMENT BILL.

IN COMMITTEE.

This Bill was further considered in committee.

Clause 5—Provisions of disqualifying clauses in the principal Act not to apply in certain cases:

Debate resumed on the motion to strike out the clause.

MR. ILLINGWORTH said that on the second reading he expressed his conviction that there were grave and serious difficulties and dangers in the way of passing this clause; and he thought the discussion in committee had shown that those dangers were greater than were anticipated on the second reading of the Bill. There was too much scope altogether under this clause for such manipulation of Government contracts as would lead to very serious complications, if not dishonesty, in connection with these contracts. That some relief was required, and that a Bill of this kind was necessary, he thought members generally were prepared to admit. In other countries the final decision of questions arising under the disqualifying clauses in the Constitution Act was left to the Elections Qualifications Committee, which committee was in a position to deal with every case on its merits, without reference to the Supreme Court. A member might commit a breach of the Standing Orders, or of the disqualifying clauses, in perfect innocence, or in good faith, yet, when the bare facts came to be placed before the Court, the offending member must go down, according to the strict letter of the law. He did not think it was ever intended, under any British Constitution, that a member who in the ordinary course of business supplied a department of the public service with a bag of chaff, or a policeman on the road with a meal, or his horse with a feed of corn, should

be persecuted and liable to a heavy penalty. Yet, when the case came to be dealt with coldly on the facts and according to the strict letter of the law in the Supreme Court, it was difficult to see how a member could escape, as the law now stood. He did not think that House desired, nor did he think it was ever intended under any of our Constitution Acts, that members should be left open to this kind of persecution. At the same time he thought the present clause was open to serious objections. What he should like to see adopted was some such provision as this: that no action or other legal proceeding should lie against any member of Parliament for any violation of the 24th and 25th sections of the Constitution Act alleged to have been committed before or during the present session of Parliament. He would move a clause to that effect for the distinct purpose of protecting a member of the House against whom an action was then pending. He said that openly. He did not wish to go round the corner, or go beating about the bush. He was not in the habit of concealing his motives, and he had no hesitation in saying that there was not an atom of good faith about these proceedings. He had occasion in another colony to take part in the passing of a similar resolution, having for its object the dealing with two members who had inadvertently broken the Constitution Act; and, when the House was satisfied that a member had not broken the spirit of the Act, but broken it in its technical meaning, he thought it was very much better to pass a resolution to that effect, rather than passing a clause like this, so dangerous, so sweeping, and open to so many objections. Each case should be left to take care of itself in the future. When those who were tempted to bring actions of this kind found that the House would not allow its members to be unnecessarily harassed and oppressed, and, if necessary, would pass a distinct resolution to protect them from such persecution, these kind of actions would stop. It was much better to make a declaration upon each individual case, upon its merits, rather than to place on the statute book a sweeping clause like this, full of dangers and full of temptation. He did not know whether he should carry the House with

him in the matter, but that was his opinion. If the majority of members thought otherwise, and were against him, of course he would have to go down. In the meantime he would support the motion to strike out the clause.

At 6:30 p.m. the CHAIRMAN left the chair.

At 7:30 p.m. the CHAIRMAN resumed the chair.

MR. ILLINGWORTH (continuing his remarks on Clause 5) said he would like to have seen an amendment which would deal directly with the special case that had arisen, and he understood that some hon. member had such an amendment to propose. It appeared that an hon. member of this House had been requested, by the Bureau of Agriculture, to print a paper. Would it strike anyone that, in printing the paper, that hon. member was infringing the law which prohibited any member from undertaking a contract with the Government? The first question was whether the Agricultural Bureau was in connection with the Government at all. It would not necessarily occur to an hon. member, when asked by such a body to do work or supply goods, that the Bureau was connected with the Government at all. There was sufficient in that one point to show that the hon. member in question had unwittingly, if at all, broken the law. He (Mr. Illingworth) was in a position to say that, in this case, the hon. member took the precaution to consult a solicitor by asking the straight question: "Would it be a breach of the Act to print this paper for the Bureau?" And the reply was: "No." So that the hon. member had not only no desire to infringe the Act, but took legal advice in reference to the question. Therefore, if this House was now in a position to protect an hon. member who might have offended unwittingly against the law, the House would not be going far from its duty by protecting him in this Bill. For himself, he would have been disposed to propose such an amendment now, if this were the only case of the kind; but he felt certain that, not only in this House, but in another place, a number of members had, unwittingly, infringed the strict conditions of the Act. Therefore, this House ought

to lay it down as a principle that, although members had to go to the Supreme Court in such cases, under the Constitution Act, this House would do what it could to protect its members from harassing and vexatious actions at law. Such an action might absolutely ruin an hon. member. He was aware, for instance, that the Honourable the Speaker of this House had been engaged in an arbitration case; and, if taken into the Supreme Court, the chances were that the verdict would be against the Speaker on the question of infringing the strict letter of the Act. He was aware also that a member in another place had supplied goods to the Government, not with the intention of influencing them in the smallest degree, or of giving them special favours, but in the ordinary course of trade; yet, under a strict interpretation of the Act, a penalty might be enforced in the Supreme Court. If this House were to pass a resolution for dealing with these cases, as he suggested, it would show the intent and feeling of the House to protect its members from harassing and vexatious actions; and he contended that this course would be better than to place on the statute book such a dangerous provision as that contained in Clause 5. It would, under the circumstances, be better to introduce a particular clause affecting the special case. He hoped the committee would agree to strike out Clause 5, with a view to inserting some other clause dealing with the particular case referred to.

THE ATTORNEY GENERAL (Hon. S. Burt) said the question before the committee was the striking out of Clause 5. When moving the second reading of the Bill, he had stated there were cases of hardship for which, in the opinion of the Government, it was desirable to grant relief, but that there was a distinct danger, when dealing with the question, in opening the door a little too widely, and so enabling that to take place which hon. members desired to preclude. He had invited the attention of the committee particularly to this clause, with a view to obtaining suggestions for arriving at some method of granting relief to these cases of hardship, while not opening the door to corruption; but he had been disappointed in not hearing suggestions for a better clause. On coming to the House that evening, he had intended to ask the

committee to allow this clause to be withdrawn, and leave the law as it stood. It might be said that, in a case of slight infringement, no one would be bold enough to prosecute, or that, if a prosecution took place, this House would be disposed to grant an indemnity. Still, by touching the section in the principal Act, the danger was so great that, on reconsideration of the question, the Government preferred to leave the enactment as it stood. It would be better, as the hon. member for Nannine had said, to consider any particular case that arose, and apply a remedy to it, if necessary.

Question put and passed, and the clause struck out accordingly.

Clause 6.—No action to lie against officials of either House:

MR. JAMES asked whether, if an action were brought against a constable who might be called upon, under a warrant, to assist officers of either House, the section in the Police Act would cover such a case? In protecting officers of either House, the protection should be extended to constables when called in to assist.

THE ATTORNEY GENERAL (Hon. S. Burt) moved, as an amendment, that the words "or any member of the police force" be inserted after the word "Parliament," in line 4.

Amendment put and passed.

Clause, as amended, agreed to.

New clause:

MR. A. FORREST moved that the following new clause be added to the Bill:—"No action or other legal proceedings shall lie against any member of Parliament for any violation of Sections 24, 25, and 32 of the Constitution Act, 1889, alleged to be committed either before or during this present session of Parliament."

MR. LEAKE directed the attention of the Attorney General to the words, "this present session of Parliament."

THE ATTORNEY GENERAL (Hon. S. Burt) said he intended to suggest an amendment.

THE PREMIER (Hon. Sir J. Forrest) said he thought the Government had acted rightly in withdrawing Clause 5, because, although the intention of the clause was good, in protecting a person who inadvertently infringed the law, yet the provision was too wide, and might be

used in a way not now contemplated. Still it was very unsatisfactory that members should be liable to be persecuted—for it was nothing else in a small community like this—for having unwittingly brought themselves within the reach of a mischievous action at law. No doubt the same kind of difficulty had been experienced elsewhere, but he was not aware that a remedy had been found elsewhere. The Government had given the matter much thought, and, not having succeeded in providing a remedy, they must leave the law as it stood. With regard to the new clause now proposed, for covering all past breaches of the kind referred to, he did not think these had been numerous, although there might be cases in which persons had unwittingly entered into some arrangement which would make them liable to an action. In regard to the case mentioned by the hon. member for Nannine, a few days ago he (the Premier) had an opportunity of learning the facts, which had reference to the printing and publishing of *The Journal of the Bureau of Agriculture*. He did not know how the complainant would be able to show that the Bureau was the Government, though that would have to be done before the action could succeed. He would put the committee in possession of the facts, so that hon. members might judge whether the hon. member who undertook to print that Journal thought he was or was not dealing with the Government. He (the Premier) was not aware, until he received a copy of the Journal, that it had been printed. No representation had been made to him by the Bureau, except some time previously in submitting their estimate of expenditure as to how they proposed to spend the money. He believed there was in the estimate—though he was not sure—something about printing and distributing information. But he had no idea, until he saw the journal printed, that the Bureau was engaged in publishing it. Certainly, it never occurred to him that the Government were responsible or liable for that production. The Government had nothing whatever to do with it, except that they provided the funds generally for the use of the Bureau, the funds being voted by this House. It seemed to him that if ever there was a case in which an hon. member unwittingly brought him-

self within range of an action, this was one, because it was not thought by the Government that they were in any way responsible for the publication of that paper. The Government did not edit it, nor did they see it before publication, nor had they anything to do with the printing or publishing of it. The new clause would not cover the other cases, which must be left to themselves; but, in regard to the particular case, seeing that the paper was published by an independent Board, which managed its business in its own way, the Government not seeing any details, and not exercising any supervision over the Board's operations, he was at a loss to see how it could be shown that the printing of this paper was a contract with the Government. If that could be shown, then he thought it would certainly be a case in which this House should step in and protect the hon. member from the consequences of his having unwittingly infringed a provision in the Constitution Act.

MR. A. FORREST said he wished to submit the new clause in an altered form.

Motion, by leave, withdrawn.

New clause:

MR. A. FORREST said the altered form of the new clause, which he proposed should be added to the Bill, was as follows:—"No action or other legal proceedings shall lie or be further maintained or continued, if already commenced, against any member of Parliament for any violation of sections 24, 25, or 32 of the principal Act, alleged to have been committed before the passing of this Act."

MR. JAMES said he wished to insert a proviso with reference to costs incurred in any action up to the date of the passing of this Bill. He moved, as an amendment, that the following proviso be added to the proposed new clause:—"Provided that this section shall not be pleaded by or be any avail in any present action or proceeding, unless the defendant in such action or proceeding shall first pay or express his readiness to pay the taxed costs of the action to the date of such plea." He said it was hardly fair to adopt legislation which would practically penalise a man who had commenced an action. If the defendant in the particular case wanted to avail himself of this retrospective legislation, the least

that should be done was to place the complainant in the same position as before he commenced the action. If the parties fought out the action on its merits, there would be no need to plead this clause; but if it was pleaded, the complainant should not thereby be penalised.

MR. SIMPSON said the question raised by the new clause was too large to be disposed of in a few minutes. He moved that progress be now reported, and leave asked to sit again.

Motion put and negatived.

THE ATTORNEY GENERAL (Hon. S. Burt) said the proviso would limit the operation of the new clause, and the only argument used by the mover was that this House ought not to penalise the complainant. But, in reply, whom was that man penalising when he brought the action?

MR. JAMES: If the law allows it.

THE ATTORNEY GENERAL (Hon. S. Burt) said the law was not meant to be strained; a very good law, but capable of operating harshly and severely in hard cases, such as that in view. Indeed, this was a grossly hard case, and there was not the slightest necessity, in the interest of the morality of Parliament, the purity of public life, and so forth, to bring this action against the hon. member for the Greenough, for having printed *The Journal of the Bureau of Agriculture*. There was, also, no excuse for doing so. That action was commenced for some personal object—for a bad object—and the Act had been used for a bad object. He would state that plainly and openly, and he would be only too delighted if the House could penalise a person who put himself in that position, and used sections of the law which were designed for a good purpose, but were being turned to a bad purpose. That worthy gentleman should be "hoist with his own petard." To pass this proviso would be playing into the hands of that gentleman, who had made an improper use of the law for his own bad purpose, and to serve his personal ends. Could anyone believe the complainant, in this case, was serving a good purpose by bringing this action? Could any member of this House see anything improper in the fact of this paper for the Bureau being printed by a member of Parliament? Did such a

thought cross the mind of anyone that the Government were trying to bribe the hon. member for the Greenough? His own belief, as a member of the Government, had always been that the journal was printed by Sands & McDougall. Even those who might have noticed the printer's name would not have suspected there was anything wrong, or that the spirit of the particular section in the Act was being invaded in the slightest degree. He affirmed that this action could have been brought only to gratify some personal spite; and, that being so, he took delight in the opportunity of penalising such a person, and hoped this House would always have the courage to put down proceedings of this sort in a similar way. Hon. members might depend upon it that if any member did infringe the spirit of that section, the law would be left to take its course.

Question—that the proviso be added—put, and division taken, with the following result:—

Ayes	3
Noes	18

Majority against ... 15

AYES.
Mr. James
Mr. Leake
Mr. Simpson (Teller).

NOES.
Mr. Burt
Mr. Connor
Mr. Cookworthy
Sir John Forrest
Mr. A. Forrest
Mr. Harper
Mr. Illingworth
Mr. Keep
Mr. Loton
Mr. Marmion
Mr. Paterson
Mr. Randell
Mr. H. W. Sholl
Mr. Solomon
Sir J. G. Lee Steere
Mr. Venn
Mr. Wood
Mr. R. F. Sholl (Teller).

Proviso negatived.

New clause put and passed.

New clause:

MR. LEAKE moved that the following new clause be added to the Bill:—"In 'the first line of the proviso to Section '28 of the principal Act, the word 'five' is hereby struck out, and the 'word 'six' inserted in lieu thereof." He said the effect of this amendment of the Act would be to provide for six principal offices of State instead of five. His object was to separate the Mines from the Lands Department, and he hoped this important change would be approved by the committee. The ad-

ministration of the Mines business had become of paramount importance, and if it was to be administered properly and impartially it would require the whole of one man's time and energy, and should therefore be separated from the Lands Department. Any one who had had transactions with the Mines branch must be aware that the work was in arrear, and that there was very little satisfaction to be got out of the department. Although it might be urged that these defects could be remedied with more efficient administration, yet he said that, inefficient as the present administration was, it would be hardly fair to any administrator to be asked to manage these two departments as one. There could be no possible doubt that the Mines Department would be the largest, and was now the largest, of all the departments. Looking at the enormous amount of money that was required for the administration of mines, probably hon. members would require time to consider the question he had raised, and, if so, progress might be reported at this stage, in order that his proposal might be thoroughly considered and discussed at a future sitting. The proposal was not a surprise, because he had previously intimated his intention of bringing it before the House, and this appeared to be a proper time to do so. It might be necessary, as a consequential amendment, to provide a salary for another Minister; but, if the principle were affirmed, the House would readily acquiesce in the suggestion that the same salary should be paid to the Minister of Mines as was paid to the other members of the Executive.

THE ATTORNEY GENERAL (Hon. S. Burt) rose to a point of order, and asked whether it was competent for the hon. member to move this amendment of the principal Act, which would have the effect of adding another Executive officer to those already existing. This addition would necessitate a salary; therefore he was inclined to think this motion could not be made, unless first recommended by a message from the Governor. He asked for the Chairman's ruling on the point.

THE CHAIRMAN, having quoted Section 67 of the Standing Orders, said: This proposal is certainly of the nature of a resolution which will require the ex-

penditure of money from the Consolidated Revenue funds. I doubt whether the hon. member can propose this as a new clause, involving, as it does, an expenditure.

MR. LEAKE: Rather than have any contest about this new clause, I will withdraw the proposal, if the Government will consent to hold this Bill over until the question has been considered by the House in the form of a motion.

THE PREMIER (Hon. Sir J. Forrest): I think it should not be mixed up with this Bill.

MR. LEAKE: I do not question the Chairman's ruling.

Motion ruled out of order.

Preamble and title:

Agreed to.

Bill reported, with amendments.

ESTIMATES, 1894-5.

IN COMMITTEE.

Consideration resumed.

Crown Law Officers, £2,285:

Debate resumed on Item 1—"Crown Solicitor, £650."

MR. R. F. SHOLL said that unless a satisfactory assurance was given by the Government that the fees to the Crown Solicitor would be abolished, he should move to reduce the item to £500.

THE ATTORNEY GENERAL (Hon. S. Burt) said the new arrangement did not include fees. The only fee he knew of was in connection with the Post Office Savings Bank mortgages, and he was not previously aware that the fee appertained to this office. He thought he could give an assurance that this fee would in future go to the Treasury, and not to the Crown Solicitor.

MR. RANDELL said the contention, when this vote was last under discussion, was that the Crown Solicitor should devote the whole of his time to the duties of the office.

THE ATTORNEY GENERAL (Hon. S. Burt) said the Government would probably be able to make some special arrangement with the new holder of the office, by increasing the salary a little, to devote the whole of his time to the duties of the office; in other words, that he should not be entitled to practise as a barrister, apart from the Government. A contract having been made with him,

it could not be broken at a moment's notice; but he (the Attorney General) had every reason to think a new contract could be made, and that, for a consideration, the new Crown Solicitor would be willing to give up his private practice as a barrister. If a little more salary had to be paid, hon. members must expect an item to appear in the Supplementary Estimates.

MR. R. F. SHOLL said it would be better that the Crown Solicitor should keep his hand in as a practising barrister. What he took exception to was the fees accruing to the Crown Solicitor in the event of an action being brought against the Government, and the verdict being given in favour of the Government, the costs payable by the plaintiff then going into the pocket of the Crown Solicitor. He would withdraw his amendment.

Amendment, by leave, withdrawn.

THE ATTORNEY GENERAL (Hon. S. Burt), referring to Item 2, "Secretary, £300," said the intention was to fill up this office when a suitable person could be obtained. He had hesitated to appoint to this office one who might be of no practical use, and he would rather go on doing the work himself. He wanted to get a man who would be a permanent head of the office, so that with a change of Ministry there might be a continuous head of the office.

MR. ILLINGWORTH, referring to Item 7, "Parliamentary drafting, £500," said £100 was voted last year, but not expended. Now the amount was suddenly raised to £500. It would be better to have a parliamentary draftsman.

THE ATTORNEY GENERAL (Hon. S. Burt) said the drafting of bills hitherto had not been in the hands of any one specially. The Attorney General was responsible for the drafting, but was not supposed to do it himself. It was nearly all night-work. He had endeavoured to keep this sum off the Estimates as long as possible, but could not keep it off any longer. He found that in Adelaide, two years ago, a parliamentary draftsman was appointed at a salary of about £750, and the system being unsatisfactory it was abandoned, and the drafting was put out among the practitioners. One lawyer might be most suitable to prepare a Bill on one subject, and another on a different subject, the At-

torney General giving out the work and being responsible for the manner in which the drafting was done. He would commend the committee to sanction the drafting being put out, and he thought £500 would well cover the probable expense. He did not think that more than £300 would be expended, if so much, in the coming year.

Vote put and passed.

Supreme Court, £4,233:

MR. LEAKE said that No. 40 of the Votes and Proceedings contained a reply by the Premier to a question put by himself. The question he asked was—"If it is the intention of the Government to increase the salaries of the Judges of the Supreme Court?" The Premier's reply was:—"I am of opinion that questions "of this kind by members who are practitioners of the Supreme Court, especially when they have important cases "in Court in which the Government is "concerned, are to be deprecated. The "Governor has had the question under "consideration, but no decision has yet "been come to in regard to the matter."

THE CHAIRMAN said there was nothing about the salaries of Judges in the vote before the committee.

MR. LEAKE said he would refer to all the items. He wanted to refer to the Premier's reply, which was distinctly a blow below the belt, and a direct infringement of the rules of this House. It was a breach of parliamentary decorum on the part of the member for Bunbury, who, of all others, ought to know better. He would refer hon. members to clause 132 of the Standing Orders, referring to the imputation of improper motives. It was no stretch of language or imagination to say now that the Premier's reply to his harmless question was distinctly and highly disorderly, because the reply imputed to him personal, unprofessional, and improper motives. It imputed to him that he was capable of attempting to influence the minds of the Judges of the Supreme Court Bench; and, moreover, it implied that those Judges were capable of being influenced. It was a long time since any reflection had been cast on the Judges of the Supreme Court by the leader of the Government.

THE PREMIER (Hon. Sir J. Forrest): If the hon. member is allowed to go on, I can reply.

THE CHAIRMAN: I shall have to rule that the hon. member for Albany is not in order in referring to a matter that is not before us. There is nothing in this vote about the salary of the Judges. I must rule the hon. member out of order, on the ground that the salary of the Judges is not before us.

MR. LEAKE: Surely I can refer not only to what is in the Estimates, but what, in my opinion, ought to be in the Estimates? It is open for any hon. member to criticise the Government for acts of omission as well as of commission, and here I desire to criticise the Government's acts of omission. I have had no previous opportunity of discussing this question and bringing it before the House.

THE CHAIRMAN: I must rule that the matter is not before us. You can bring it forward in any specific manner you think necessary; but you are now out of order, and I ask you not to continue.

MR. LEAKE: I am not at all astonished at the Premier's objection. He does not like to have his unconstitutional conduct referred to in this House; and I am sorry that perhaps I cannot, without infringing the rules of this House, say all I should like to say. But I do say that the question I put to the Premier at a previous sitting, in reference to the salaries of the Judges, was put with the idea of discussing the general administration of justice in this colony.

THE PREMIER (Hon. Sir J. Forrest): It was not a motion; it was a question.

MR. LEAKE: I know you want to burke the question.

THE CHAIRMAN: If the hon. member refers to me personally, I must ask him to withdraw the words.

MR. LEAKE said he did not refer to the Chairman. It would be in the interest of the community if the Judges were to travel about and hold Courts of Assize in different parts of the colony. The question he had previously put to the Premier related to the advisability of the Judges being required to do circuit work; and it was not unreasonable to suppose that if they did so they would require some extra salary. He noticed that in these Estimates no provision was made for such increase in salary. One of the principal arguments advanced when a third Judge was proposed was that the

Judges should be able to go on circuit. He now urged on hon. members the necessity of giving effect to that intention. In putting a question, one expected a direct answer; but the answer he received from the Premier—

THE CHAIRMAN said the hon. member must not now refer to that incident.

MR. LEAKE said the Chairman had ruled, the other evening, that members might speak generally upon a vote before passing items; but when he had begun to speak generally on this vote—

THE CHAIRMAN said this vote did not contain any item about Judges' salaries.

MR. LEAKE said he would suggest that the present courts presided over by Resident Magistrates be abolished in as many instances as possible, that the magisterial salaries be reduced, and that the Judges be directed to go on circuit and try the criminal calendar in circuit courts. The proper administration of criminal justice, in particular, was in many instances defeated, because the magistrates adjudicating in the district courts were unable to deal with serious cases when these came before them. If any hon. member had had experience of district courts, he must have been struck with the unsatisfactory manner in which justice was administered. As to the Judges' salaries, the puisne Judges received —

THE CHAIRMAN said the puisne Judges were not referred to at all in this vote.

MR. LEAKE said the Judges could not be got to do this work unless they were properly paid, and really the Judges in this colony were the most underpaid men in the Government service. If there were a vacancy on the judicial bench to-morrow, it could not be properly filled up from the present Bar. As to the Judges' Associates, or clerks, they had been receiving the small sum of £90 a year, and the result was that these billets were filled by law students, and they were not sufficiently encouraged to work themselves up efficiently. It would be better if these salaries were on a sliding scale, from £90 to £200 a year, and then competent men might be got to fill the positions. The Judges were not competently assisted. It might be again said he was endeavouring to influence the Judges, but he repudiated any such suggestion.

THE PREMIER (Hon. Sir J. Forrest): They do not generally do it elsewhere.

MR. LEAKE ventured to think that such an answer as that given by the Premier was never given in any other place. Hon. members who occupied such an important position as that held by the hon. gentleman generally knew how to behave themselves.

THE CHAIRMAN said that matter was not before the committee.

MR. LEAKE said he was speaking of the intemperate interruption by the Premier; and surely it was the duty of every hon. member to comport himself with proper dignity and decorum. They were accustomed to address one another as "hon. gentlemen," and they should at any rate try to deserve that appellation. With regard to the Judges' clerks, he hoped the Attorney General would be able to promise the matter would receive earnest consideration during the recess. If it were possible for the Government to submit to the House the question of improving the present Supreme Court House, he hoped they would do so. There was very little accommodation in the building. Only a few days ago he heard a member of the Ministry remark how very inadequate the accommodation was; and from the bench the Judges had commented on the difficulties and inconveniences of their position. It was pointed out to him, the other day, that the Official Receiver in Bankruptcy had to do his work in the lamp room, there being no other room in which to discharge his public duties. An important case had recently to be adjourned for five or six days, on account of the inadequacy of that building which should be termed the "Palace of Justice," though that term seemed to be a misnomer. As to the Premier's reply on a previous occasion, he would speak at some length at a future sitting. He had thought, at the time, it was better he should deliberate on the course he ought to take.

MR. JAMES hoped the Attorney General would exercise some supervision over the books obtained for the Law Library, in order that those really essential should be obtained. Great numbers of reports that ought to be there were not there. A special vote might be made to obtain the reports.

MR. R. F. SHOLL said too many officers were attached to the Supreme Court. What was the necessity for voting £50 for extra clerical assistance?

THE ATTORNEY GENERAL (Hon. S. Burt) said there was a case of appeal, *Ogilvie v. Mortgage Agency Company*, in which numerous documents had to be copied, and he had sanctioned the doing of that work by a temporary clerk. The item of £50 was to cover any extra of a like description.

MR. RANDELL, referring to Item 15, "Circuit prosecutions, £300," asked if it was intended that the Judges should go on circuit?

THE ATTORNEY GENERAL (Hon. S. Burt) said that when the Judges did go on circuit, the expenses were paid out of this item. The cost of trying aboriginal natives, in cases of murder, also came out of this item.

MR. A. FORREST asked whether the Judges travelled on circuit in the last year.

THE ATTORNEY GENERAL (Hon. S. Burt) recollected only one recent occasion at Geraldton, and one at Albany, when circuit trials were held by Judges. The expenses of witnesses, &c., were paid out of this item.

MR. R. F. SHOLL said he had reason to know that, when the Judges travelled, their expenses came out of a different vote altogether—"Travelling expenses of officials."

THE PREMIER (Hon. Sir J. Forrest) said there were no travelling expenses of officials in these Estimates, nor in last year's Estimates either.

MR. R. F. SHOLL said that when the appointment of a third Judge was discussed, one of the main arguments was that the Judges should travel on circuit, and he believed that, for a short time, one of the Judges did travel; but that seemed to have died out. When one of the Judges was absent on leave lately, no one was appointed to temporarily fill the place, so as to have an Appeal Court of three Judges, although the Attorney General had informed the House this would be done.

THE ATTORNEY GENERAL (Hon. S. Burt) said the hon. member could not want the Judges to travel round the colony for the fun of the thing. When money could be saved by the Government

suggesting that a Judge should go to a district to try a case, that course was adopted. But there had not been very serious cases for trial. The Government were not prepared to send a Judge to Roebourne three or four times a year to try native offenders, because such cases were generally simple. He had often found it would be most expensive to send a Judge into a district, and he did not see any reason why Judges should be sent to try small cases.

Vote put and passed.

Official Receiver in Bankruptcy and Curator of Intestate Estates, £1,256 :

MR. A. FORREST said that during the last six months, the colony being in a prosperous condition, there had been few bankruptcies, and only few might be expected in the next six months; and yet he found that a temporary assistant, who had been provided for the last year, was now put on the permanent staff. During 1893 the failures were numerous, but such a bad state of affairs could not be expected in the immediate future; therefore he could not understand the necessity for adding another clerk to the permanent staff. He was of the same opinion as he had stated previously as to the way in which this department was carried on.

MR. R. F. SHOLL said the great secret of there not being so many bankruptcies now was that the searching investigations and the examinations in court were deterring people from the ordeal; and it was the Official Receiver who had knocked all that sort of thing on the head, because a debtor who could pay twenty shillings in the pound now considered whether it was not better to pay than go through a severe examination in the court. The Official Receiver made a thorough investigation, and satisfied himself there was nothing concealed behind. If there was one man who was hard-worked and underpaid, it was the Official Receiver. Still, he agreed in the objection to the additional clerk being placed on the permanent staff.

THE ATTORNEY GENERAL (Hon. S. Burt) said he had satisfied himself, during the past twelve months, that the additional clerk was really necessary, and therefore this addition had been made permanent. The number of bankruptcies had decreased very much, through the

operation of the new Act, but the work connected with intestate estates had increased very much, through the rush of new people to the goldfields, and many estates having to be wound up at great distances entailed a vast amount of correspondence. Many hundreds more had to be dealt with last year than previously, and the office was not over-manned with four clerks.

MR. A. FORREST said he would not now argue the question as to whether the action of the Official Receiver had caused the large decrease in bankruptcies, but he affirmed that the decrease was not to be accounted for in the way suggested, the prosperity of the colony being the real cause. He believed the Official Receiver had not done one iota towards that result. He knew of a case in which an offer of 15s. in the pound was refused by the Official Receiver, and yet that official afterwards recommended the creditors to accept 5s. in the pound. Once an estate got into the hands of the Official Receiver, very little of it came out; and the reason that large estates did not now go into his hands for winding up was because creditors had become frightened at the costs incurred in that process. He (Mr. A. Forrest) could give instances of this. He affirmed that the gentleman who filled that office was totally incompetent, and was not a business man at all. The Official Receiver had no sympathy with creditors, and he (Mr. A. Forrest) defied any hon. member to say the Official Receiver had shown sympathy with creditors in any single instance. That officer's sympathy was with the bankrupt, whereas the Official Receiver's duty should be more to protect the creditors than the bankrupt.

MR. R. F. SHOLL said the Official Receiver had made the hon. member disgorge several hundred pounds.

MR. A. FORREST: No; he robbed me of that. It was not disgorged.

MR. R. F. SHOLL said if the Official Receiver had done nothing else he had done some good in that instance, and in many other instances.

MR. A. FORREST said that, as to having been obliged to disgorge, the hon. member knew that he (Mr. A. Forrest) had to pay a sum of money; but he was the only creditor in that estate, and as such he received back more than half the

amount he had paid, the other half going to the Official Receiver for expenses.

Vote put and passed.

Stipendiary Magistracy, £14,752:

MR. R. F. SHOLL said the Resident Magistrate at Broome got several allowances, totalling £725, besides his private practice as a medical officer. The amount seemed large, and he moved, as an amendment, that the amount of Item 3 be reduced by £100.

THE ATTORNEY GENERAL (Hon. S. Burt) said this officer, Dr. Black, had been about two-and-a-half years on the same salary. The Government had been of opinion that his services were thrown away at Derby, because Broome was the first port of call for steamers from Singapore, and the Government were anxious to have a medical officer at the first port of call. The population of Derby had very much diminished, while the population of Broome had been increasing somewhat. The Government also had desired to establish a court of quarter sessions at Broome, which was more necessary than at Derby. Dr. Black was now being allowed £50 more than he received at Derby, while quarters were being built at Broome. The transfer to Broome was advantageous.

MR. A. FORREST said a saving would be made by the new arrangement. Dr. Black was a most capable and energetic officer, and was always improving the place by keeping the native prisoners at work. There should be a larger salary in a tropical climate like that of Broome.

MR. R. F. SHOLL did not agree that there had been any saving by the new arrangement.

THE PREMIER (Hon. Sir J. Forrest) said there was a saving of £300 a year by doing away with the sub-collector at Broome.

MR. R. F. SHOLL said Dr. Black also received £70 as forage allowance. What necessity was there to pay this, when the horses could pretty well find their own forage, without being hobbled out? Did the doctor give a certificate that he had spent the money on forage?

Amendment, by leave, withdrawn.

MR. R. F. SHOLL, referring to Item 62, "Lodging, Resident Magistrate, Blackwood, £50," moved that the item be struck out. He said this kind of

allowance was giving, by a side-wind, an increase of salary to an official.

MR. LEAKE said it would be better if the Estimates showed, at a glance, the whole amount paid to each official. He noticed that the Resident Magistrate at Bunbury received £25 a year less than the Resident Magistrate in Perth.

THE ATTORNEY GENERAL (Hon. S. Burt) said that nearly all the Resident Magistrates, especially in the old centres, had lodging provided by the Government, and, in the few places where lodging was not provided, it was considered desirable to put the officers there on the same footing, by adding an allowance of £50 a year, in five places.

MR. R. F. SHOLL said the principle was a bad one, and he would oppose it.

THE PREMIER (Hon. Sir J. Forrest) said the desire of the Government was to place all the Resident Magistrates on the same footing. The magistrates at Newcastle, York, Albany, Geraldton, the Gascoyne, and further Northward had quarters provided; whereas the magistrates at the Vasse, Bunbury, Bridgetown, the Canning, and a few other places naturally asked why they could not be allowed lodging, the same as the others. Now the Government proposed to put them all on the same footing as a matter of fairness. He did not think these officers were paid very highly. They were agents of the Government, and had multifarious duties; they had also to do a little entertaining and keep up a position in the district; and out of this income they could not have much left at the year's end.

MR. R. F. SHOLL said this method of increasing an officer's pay was pernicious.

THE PREMIER (Hon. Sir J. Forrest) said it was better than building a house at each place.

MR. R. F. SHOLL said that, rather than build a house, he would increase the salary by the amount. In the Northern parts there was no house that a magistrate could rent, and the Government had to provide quarters.

Motion put and negatived.

Vote agreed to.

Land Titles, £3,795:

MR. RANDELL said this office had been costing a considerable amount, but it was satisfactory to find now that the

country was deriving a revenue from it, the income exceeding the expenditure.

MR. R. F. SHOLL asked whether Item 18, "Postage and telephone rent, £50," was for telephone connection with officers' residences?

THE ATTORNEY GENERAL (Hon. S. Burt) said none of the officers' residences were connected by telephone.

MR. ILLINGWORTH called the Attorney General's attention to the fact that there was supposed to be a "strong room" in connection with this office, but it was so situated that it was not a strong room at all.

THE CHAIRMAN said this matter might be better discussed under "Works and Buildings."

MR. ILLINGWORTH said plans of inestimable value had to be kept in safe custody, and it was impossible to foretell what inconvenience would happen to the community if an accident were to happen. As to the Assistant Registrar of Titles, he took charge of the whole business during the absence of the Registrar, and carried through the work. Therefore the Assistant Registrar clearly possessed qualifications for doing the work of the Registrar, and it did not appear that the Assistant Registrar had received that consideration from the Government which was deserved. The Government should treat some of these officers more liberally. Generally he was adverse to increases of salary, and it was only because he thought some wrong was being done that he referred to this case.

THE ATTORNEY GENERAL (Hon. S. Burt) said he had been aware, ever since this Government took office, that the portion of the building occupied by the Land Titles Office was unsuitable for the purpose, and he knew the "strong room" was not a strong room at all. There was an item under "Works and Buildings" for erecting proper offices. No "strong room" ought to be suspended in the air, but should be on the ground floor or under it. It was almost impossible to do the work of the Land Titles Office under the present cramped conditions, there being some twelve men working in one room. He had given up two of the rooms belonging to the Attorney General's office, temporarily, until the proposed building was completed. The growth of this department

showed the growth of the colony. There were seven or eight hundred sub-divisional maps filed in the office, this large number showing the land operations that were going on, and the business would grow. As to the Assistant Registrar, he was a valuable officer, and capable of doing the work in the office. He was receiving an increase of £40 this year, and he (the Attorney General) hoped that it would be practicable to give him a further increase next year. But it was difficult to deal with one officer without provoking correspondence in other directions. There was no more disagreeable duty connected with the Government than that arising out of claims for increases of salary.

MR. RANDELL, referring to Item 19, "Foreign telegrams and stationery, £450," asked what was the necessity for the large increase of £280.

THE ATTORNEY GENERAL (Hon. S. Burt) said this item was chiefly for stationery, and included parchments used for certificates of title.

Vote put and passed.

Colonial Treasurer.—*Treasury, £4,479:*

MR. JAMES asked why the increases of salary in this department were made.

THE PREMIER (Hon. Sir J. Forrest) said he did not think there were more increases in the Treasury than in other departments. The increases were very moderate. The largest increase was in Item 2, "Accountant, £400." This was not a high rate to pay an officer who kept the accounts of the colony. The present increases had been pressed on him, and he thought they were reasonable.

MR. LEAKE said the increases were all in the Perth office, and not in country offices connected with the Treasury. Was there any reason for that?

THE ATTORNEY GENERAL (Hon. S. Burt) said the clerk at Roebourne got an increase of £10. Ministers did not propose these increases. The Under Treasurer did what he considered right in recommending increases.

MR. JAMES asked how many telephones were used?

THE PREMIER (Hon. Sir J. Forrest) said there were three telephones in the Treasury, also one in the private residence of the Under Treasurer, and one in his (the Premier's) private residence.

MR. SIMPSON asked whether the one at Dardanup was included?

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he paid for that himself.

MR. JAMES questioned the necessity of having telephones to the residences of Under Secretaries and other officers. Such a thing was very easily abused, and he believed these telephones were used more for private benefit than for public business. It was notorious that they were used mostly for private convenience.

THE PREMIER (Hon. Sir J. Forrest) said it was simply a matter of account.

MR. JAMES moved, as an amendment, that the amount of Item 26 be reduced by £6. This would be a test.

Attention being called to the absence of a quorum, the SPEAKER resumed the Chair. A quorum having been formed, the SPEAKER left the Chair, and the committee resumed.

THE PREMIER (Hon. Sir J. Forrest) said he was surprised at the hon. member for East Perth contesting such trifles as this. There was no extravagance in the use of telephones connected with the Treasury. The Under Secretary, as head of the Colonial Secretary's Department, had a telephone because he was in connection with all the medical officers of the colony who had to carry out the quarantine regulations, and in connection with all the Resident Magistrates. The Judges had telephones.

MR. SIMPSON asked whether the Premier was in order in arguing the general question on this item.

THE CHAIRMAN said the Premier was in order, because the hon. member for East Perth, in moving his amendment, had declared his object was to raise the general question.

THE PREMIER (Hon. Sir J. Forrest) said the Postmaster General and the Chief Clerk of the Post Office had telephones, which were necessary in reference to the shipping of mails in various places. The Premier could not carry on the business of his office efficiently without a telephone. The Under Treasurer might do without one, but it was a great convenience in communicating with and replying to the Premier on matters out of office hours. The Police Magistrate in Perth had a telephone. As to the Under Secretary for Lands, he (the Premier) had no information as to a telephone in this case, and had not sanctioned it; or, if

used, it was without his knowledge. The Governor's office was connected by telephone. The Attorney General had a telephone. These were, he thought, all in Perth, and he had sanctioned all he had mentioned.

MR. R. F. SHOLL said the system was abused, and, if the Premier sanctioned all those mentioned, it was an abuse of power. The Speaker of the Assembly and the President of the Council had telephones to their houses, the connections having been made at considerable public expense. He believed that even the Commissioner of Railways had a telephone to Dardanup.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said he paid privately for that, and it had nothing to do with the department.

MR. R. F. SHOLL said he was glad to hear that the hon. gentleman had had the honesty and decency to pay for a private telephone. But what on earth was the necessity for the Judges to have a telephone?

THE PREMIER (Hon. Sir J. Forrest): Only the Chief Justice. I believe Mr. Justice Stone pays for his.

MR. R. F. SHOLL said the Premier had contradicted him about the Under Secretary for Mines, but, if the Premier would look at the telephone list, he would find that the telephone was connected with the private residence of the Under Secretary. It would be well to call for a return of the free telephones.

MR. LEAKE said the great objection was that these free telephone connections made a fictitious return of revenue to the Post Office. The telephone receipts for 1895 were estimated at £2,500, but how much of that was represented by cash? Very little. The officials who used the telephone might be allowed to subscribe at half price. It would be interesting to have a phonographic record of the messages over these so-called official telephones, say for 24 hours. It would show very little reference to public matters.

MR. A. FORREST said the telephone was very irritating to those who had to use it, and not the blessing that some people thought it was.

MR. JAMES said that, as a matter of convenience, there might be no end to the requirements of officers.

THE COMMISSIONER OF RAILWAYS (Hon. H. W. Venn) said the use of the telephone in one important case might be of sufficient value to the Government to pay for a year's service. If, for instance, a railway accident occurred, he, as Commissioner of Railways, ought to be informed of it instantly. It was a distinct benefit to have the telephone attached to his house, for very often things were required to be done which could not be done at once unless he was advised. The telephones were not put on to private residences at the request of the officers themselves.

Amendment put and negatived.

Vote agreed to.

London Agency, £3,130 :

MR. JAMES hoped the Government would infuse a little energy into the London Agency. Great efforts were being made by the sister colonies for promoting the export of their timbers, and he would like to see something done by the Agent General for this colony, in the same direction. When the term of office of the present Agent General expired, some more worthy successor should be chosen. The secretary of the London Agency should be sent from this colony, in successive periods of three or four years, so that the person in that position might have the freshest knowledge, and be in touch with the colony's progress. For instance, not one person in the London office at present knew anything personally of the recent great development of gold mining in this colony.

MR. A. FORREST said the remarks of the hon. member were not quite fair. The Agent General had lived in this colony fifteen or twenty years, and had done good work in it. He was a progressive man, of great ability, and it was to be hoped he would continue as the Agent General a long time. As to the timber industry, the best argument was that ships were loading here continually for the London market; therefore, the complaint that the Agent General neglected the timber interests of this colony was not correct. Having himself been eleven years under Sir Malcolm Fraser when Surveyor General, he believed that in this position Sir Malcolm was the best officer the colony ever had, and the surveys made in this colony were better than in any other colony of Australia.

MR. SIMPSON said that, not long ago, the Premier had been pointing to the falling off in the timber exports of this colony.

THE PREMIER (Hon. Sir J. Forrest): I don't think I said so.

MR. SIMPSON said the London Agency needed reorganisation. The present holder of the office had been receiving £1,500 a year, including his pension, and the account was about balanced. Formerly, Sir Malcolm Fraser was said to paint the picture of this colony in too lugubrious colours: now there was some danger of his colouring it too brightly. There was a question whether one Agent General in London should not represent the whole of Australia. The whole of the Canadian Dominion could be represented by one man in London; and the question had cropped up in Australia as to whether one man could not represent the whole of Australia in London. He moved that progress be now reported, and leave asked to sit again.

Motion put and negatived.

THE PREMIER (Hon. Sir J. Forrest) said the timber industry was being attended to in England by the Agent General, who had instructions that this colony was to take part in any exhibitions of timber, and its timber interests were to be kept to the front as much as possible, by advantage being taken of every occasion, the same as the other colonies were doing. The export to England at present was very satisfactory. A great deal was exported from Albany, Rockingham, and Quindalup. In regard to the Agent General himself, this colony might be satisfied, on the whole, with the present representation. The Agent General had large monetary transactions to deal with, and had been most precise in everything; he had also carried out the instructions of Government to the letter; he had had some difficult and troublesome negotiations with the Midland Railway Company, and carried them out with great precision and entirely to the satisfaction of the Government. He (the Premier) had no reason to be dissatisfied, but, on the other hand, had to thank the Agent General for the manner in which he had carried out the duties. Some persons would complain about anything. The colony had been fortunate in securing Sir Malcolm Fraser as its first Agent

General, and during the three and a half years he had given satisfaction to the Government.

MR. R. F. SHOLL was pleased to hear the Premier's remarks about the Agent General, who had carried out the duties better than many persons in the colony had expected he would be able to do. There was a financial saving by the arrangement, as in any case the colony would have to pay him the pension of £700, and would have also to pay £1,500 a year to another Agent General.

MR. LEAKE suggested that the office of Agent General should be held for a term of four years. A life appointment or one for an indefinite term was not desirable, because the holder of the office should be in touch with the colony. The same argument would apply to the Secretary.

Attention being called to the state of the House, a quorum was again formed.

MR. JAMES said the other Australian colonies were more active than this colony in placing the merits of their several timbers before the people in England, and he thought a great deal more might have been done by the Agent General for this colony. He hoped there would soon be a more suitable successor.

MR. ILLINGWORTH said there had lately appeared, in a London financial newspaper, a statement made on the authority of our Agent General in regard to public works on our goldfields, in which statement there was not one accurate item. Every alleged fact in it was absolutely inaccurate as to the place, the people, and the circumstances, thus showing that the Agent General was not in touch with the modern developments of this colony.

THE PREMIER (Hon. Sir J. Forrest): If you will produce the statement, I will call his attention to it.

MR. ILLINGWORTH said material changes had taken place here since Sir Malcolm Fraser took up his abode in England, and it was important that the colony should be represented by a gentleman who, when he gave information about the colony, should be, at least, approximately correct in his facts; for the Agent General should not only represent Western Australia in the higher social life of England, but should defend the colony through the public press, when necessary.

The Government should make a change in the Agent General's office as quickly as possible. Personally, he did not know the Agent General. As to the financial work, that was generally done by the London and Westminster Bank, and the Agent General had practically nothing to do with it. As to starting the jobbery in connection with the Midland Railway Company, it was well the Government did not carry out the Agent General's wishes.

AN HON. MEMBER: What was that?

MR. SIMPSON said he could endorse many of the remarks of the last speaker. It would be advisable that the Agent General should abstain from taking part in what might be called wild-cat dinners in London. For instance, when speaking at Colonel North's, our Agent General professed to have such magnificent faith in this colony that the atmosphere was painted golden—whether that was the tint of the wine or not might be doubtful. The Agent General should abstain from attending at gold-mining companies' dinners, and, in saying this, he (Mr. Simpson) spoke with a knowledge of how such companies were "run." It would be better to represent the colony by supplying cold, official facts, rather than supply information inspired with genial Moselle or London champagne.

Vote put and passed.

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

ADJOURNMENT.

The House adjourned at 11:13 o'clock p.m.

Legislative Council,

Thursday, 18th October, 1894.

South-Western Railway Returns—Water Tanks on Goldfields—Roads Act Amendment Bill: third reading—Dentists Bill: committee—Agricultural Bank Bill: second reading—Explosive Substances Bill: second reading; committee; third reading—Police Act Amendment Bill: second reading—Loan Bill: Legislative Assembly's Message—Friendly Societies Bill: committee—Municipal Institutions Bill: third reading—Leave of Absence to the Hon. T. H. Marshall—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the chair at 4:30 o'clock p.m.

PRAYERS.

SOUTH-WESTERN RAILWAY RETURN

THE HON. S. J. HAYNES, without notice, asked that the returns asked for in respect of the South-Western Railway, and promised by the Hon. Colonial Secretary, be laid on the table.

THE COLONIAL SECRETARY (Hon. S. H. Parker): They should have been here before this. I do not know why they have been delayed. I will again speak to the Commissioner of Railways about the matter, and endeavour to have them furnished by the next sitting of the House.

WATER TANKS ON GOLDFIELDS.

THE HON. R. W. HARDEY moved for a return showing (1.) The number of water tanks completed and in course of construction *en route* and on the Eastern and Murchison goldfields on the 30th September, 1894. (2.) The capacity of each tank. (3.) How many of these tanks have water in them at the present time and about what quantity. (4.) The cost of each tank. (5.) The number of water bores put down in the above districts, and the cost of each bore. He said: From the information I have received, a good deal of money has been spent upon these tanks, but they have been badly constructed. I am told that water was seen running into one of the tanks, and at one time it had a considerable amount in it, but it leaked away almost as fast as it went in and, looking round outside the fence, my informant states he saw it percolating through the tank and running away outside. With