

be seen that this measure will only apply to shops other than those mentioned in the second schedule to the Bill, and on the days that are mentioned in the first schedule. It will be compulsory upon all shops other than those mentioned in that second schedule to close their business premises on those days. Clause 3 provides that the Bill shall not apply to establishments mentioned in the second schedule. Clause 4 provides that from and after the coming into operation of this measure the several days mentioned in the first schedule to the Bill shall be commercial and business holidays. Clause 5 provides that the Governor may proclaim a holiday, and Clause 6 provides that the Governor may alter a holiday, Clause 7 provides for the closing of shops, whilst Clause 8 refers to the question of penalty, and Clause 9 is as to the ordinary legal procedure. I do not think it is necessary for me to labour the question, because I am sure that a Bill so much desired by those most particularly interested will meet with the approval of members. Therefore I feel I can safely leave the matter in their hands, and content myself with moving the second reading of the Bill.

Question put and passed.

Bill read a second time.

On further motion, the Bill was referred to a Select Committee, consisting of Hon. R. S. Haynes, Hon. F. M. Stone, and Hon. A. B. Kidson as mover; to report on the 18th September.

ADJOURNMENT.

On motion by the COLONIAL SECRETARY, the House adjourned at 5:42 o'clock until the next Tuesday.

Legislative Assembly,

Tuesday, 11th September, 1900.

Papers presented—Seat Vacated, West Perth—Question: Artesian Bore at Dardanup—Question: Culvert, Wokalup and Mornington—Supply (temporary); Supply Bill, passed all stages—Public Service Bill, in Committee, Clauses 1 to new clause, progress; a Division—Papers ordered: Erection of Central Winery—Return ordered: Mail Steamer Dues at Fremantle—Return ordered: Culverts (cost), Wokalup and Mornington—Motion: Police Department, Royal Commission to Inquire; Division (negative)—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER OF MINES: Report of Mines Department, 1899.

By the PREMIER: 1, Mail Steamers calling at Fremantle, letter from General Post Office, London; 2, By-laws, Fremantle Municipality, Weights and Measures.

Ordered to lie on the table.

SEAT VACATED, WEST PERTH.

COMMISSIONER OF RAILWAYS.

On motion by the PREMIER, the seat for West Perth was formally declared vacant, Mr. Wood having accepted an office of profit under the Crown (appointed Commissioner of Railways).

QUESTION—ARTESIAN BORE AT DARDANUP.

MR. HOLMES asked the Premier: 1, Whether the artesian bore at Dardanup was on Government or private land. 2, If on private land, what amount was expended, and what proportion was paid by owner. 3, What amount was paid to relatives of workmen killed on works.

THE PREMIER replied:—1, The artesian bore at Dardanup is on private land. 2, The arrangement with the owner was, in the first instance, the usual one in regard to boring, that is to say, the Government agreed to find the plant, and the owner had to pay wages, etc., etc. After 453 feet had been bored the boring got out of plumb and the rods jammed, and as the Government foreman was in a measure responsible, it was agreed to put the bore down in a fresh place at the expense of the Government

to the same depth as that attained by the first bore before the rods jammed, viz., 453 feet. This was done, and when the agreed depth was attained the work was proceeded with at the cost of the owner until a depth of 842 feet was reached. At this stage the owner abandoned the bore. The Government, however, were anxious to obtain some practical result from the work after so much had been spent, as not only was there the possibility of discovering artesian water, which would render the whole district capable of irrigation by artesian supplies, but, in addition, there were reasonable prospects of proving the existence of coal measures. Although the Government could not induce the owner to proceed with the work, they obtained in some measure a *quid pro quo* for the further expenditure they were about to incur by means of an agreement with the owner, whereby, if successful in obtaining either artesian water or coal, they would be recouped all the expenses of the bore, besides being secured in a royalty in the event of coal seams being discovered. As regards the cost, it is stated by the owner that he has expended £1,000 exclusive of the sum of £165 11s. 4d. still due to the Government from him, or in all about £1,165. The total cost to the Government, exclusive of the value of the machinery and casing produced out of authority for this work, but since used on other works, amounted to £1,270 13s. 9d. 3. The amount paid to relatives of a workman killed on the works was £350.

QUESTION—CULVERTS, WOKALUP AND MORNINGTON.

MR. EWING asked the Commissioner of Railways, Why the construction of culverts on the main road between Wokalup and Mornington Stations was taken out of the hands of the district Roads Board.

THE PREMIER (as Acting Commissioner) replied:—Because the works referred to were portion of works of a similar character through several roads districts between Perth and Bunbury, which were carried out by the Public Works Department direct.

SUPPLY (TEMPORARY).

A Message from the Administrator having been previously presented, recom-

mending appropriation for the service of the year,

THE PREMIER (Right Hon. Sir J. Forrest) moved that the House do now resolve into Committee of Supply, and into Committee of Ways and Means, for making an appropriation out of the Consolidated Revenue Fund for the purpose of a Bill intituled "An Act to apply out of the Consolidated Revenue Fund, and from Moneys to Credit of the General Loan Fund, the sum of Five Hundred Thousand Pounds to the Service of the Year ending 30th June, 1901"; also that the Standing Orders be suspended. He said: The reason I move in the matter is that we are getting to the end of the appropriation made by this House last session, and it is necessary to have more funds to carry on the administration of the country. I had hoped the annual Estimates would have been on the table or well in hand by this time; but I can only assure the House that no new works of any importance whatever are included in the appropriations, which are merely to carry out works on the basis of the Estimates of last year.

Question put and passed.

Standing Orders suspended.

Resolutions in Committee of Supply and Committee of Ways and Means were passed accordingly, and the same were reported and adopted.

SUPPLY BILL, £500,000.

Introduced by the PREMIER; passed through all stages without debate, and transmitted to the Legislative Council.

PUBLIC SERVICE BILL.

IN COMMITTEE.

Clauses 1 to 4, inclusive—agreed to.

Clause 5—Exemptions:

MR. VOSPER: By Sub-clause (h), public school teachers were exempted from the operation of the Bill, together with other servants of the Government as set forth in Sub-clauses (i) and (j). There had been several complaints from teachers as to grievances, and the Education Act apparently did not sufficiently define the status or give guarantees such as should be conferred on the whole civil service by a measure of this kind. The provisions of Clauses 9 and 7 would well apply to school teachers; consequently

there was no reason why the latter important section of the service should be exempted from the operation of the Bill. If the rights to be conferred were of a desirable nature, the more widely the operation of the Bill was extended the better for the service and for the country as a whole; and he moved that Sub-clause (h) be struck out.

THE PREMIER: The rule followed was that where any department was regulated by a special Act, the Bill should not apply. Teachers had their own regulations under the Education Act, by which they were classified and had their leave and other matters regulated, and any omissions in the Act could be supplied by amendment of it. He questioned whether the teachers desired to be brought under the regulations which governed the other branches of the civil service, seeing that now they had their regular leave.

MR. VOSPER: So they would have under the Bill.

THE PREMIER: But teachers had more leave under their own Act than they would have under the Bill, and he thought they would prefer to remain as at present, although he had had no communication with them on the subject. The same reasons applied to the Railway Department and to the Police, the Acts controlling which were sufficient to provide for all requirements, and, if not sufficient, they could be amended. Under the Public Service Bill introduced last year, teachers were exempted, if he remembered rightly, at their own request; and this branch of the service had not been brought within the operation of the present Bill in the teachers' own interest.

Amendment put and negatived.

THE PREMIER moved, as an amendment, that at the end of Sub-clause (i) the following words be added: "under authority delegated to him by the Governor." All appointments made under the Constitution Act were made by the Governor, excepting those that were made under authority delegated by him to Ministers and other persons. Thus in the Railway Department all the employees, numbering some thousands, were appointed by the Commissioner under authority delegated to him from the Governor; and if it were necessary that all these appointments should be made directly by the Governor, the system

would be so cumbersome that the service would break down. By adding these words to the end of the sub-clause the meaning would be made clear, because the Commissioner of Railways had no authority within himself to make appointments.

Amendment put and passed.

MR. VOSPER, referring to Sub-clause (k), "Any other class of officers excepted by the Governor," said this provision would strike at the foundation of the Bill, because the Bill aimed at giving to civil servants certain privileges, and if any class of persons might be excepted by the Governor under this reserved power, the exceptions might be so extended as to apply to any or all classes of officers in course of time, thereby rescinding the whole thing.

THE PREMIER: A Minister who recommended such exceptions would not be able to do that very long.

MR. VOSPER: The sub-clause ought to be struck out as a precaution. He moved that it be struck out.

THE PREMIER: This power to make exceptions appeared also in the South Australian Act, and no doubt there was good reason for it, although he could not state any class of persons to whom exception would be likely to be applied. It was desirable in all such legislation that a little loophole of this kind should be left, because it was impossible to specify everything in a statute. Hon. members should always give credit to a Government for good intention in such cases, the Government being responsible to Parliament for the manner in which the power was exercised. Notice would have to be gazetted when any exception of this kind was applied to any officer or class of officers, and this publicity should be a sufficient safeguard; although if members thought there was any danger about it, he would not object to have the sub-clause struck out. In the case of officers appointed for a short time, it might not be desirable to apply all the provisions of the Bill; and it would be well to have a power to make exceptions when desirable.

Amendment put and negatived, and the clause as previously amended agreed to.

Clause 6—agreed to.

Clause 7—Public Service:

MR. ILLINGWORTH: A question of principle should be raised on this clause,

and he would like the assistance of the Attorney General in advising as to whether this was a proper place in which to raise the point he was about to state. A large number of civil servants in various departments were classed as "temporary," although many of them had been engaged in the same work for years, in some cases for six, seven, or more years, and were still classed only as temporary. Having a large number of officers in this position, it appeared to be unjust that the provisions of this Bill and the benefits which it was to confer should apply only to officers classed as "permanent," and not apply to officers classed as "temporary." Why officers should be called "temporary" after having been employed in the same work for many years he could not understand. His intention was to move that progress be reported in order that the Government might reconstruct this clause, which would also, he assumed, affect other parts of the Bill. If officers now classed as temporary were to be treated in the manner he suggested and put on the same footing as the permanent officers, then a limitation as to the length of service should be provided, so that after two or three years' service any officer should be regarded as on the permanent staff. Those officers who were classed at present as permanent had really no more claim for consideration than those who were classed as temporary and had been doing the work for many years, because there was really no classification of officers at present, and consequently those who were called "permanent" had no more right to special treatment than those who were called "temporary." All officers who had been employed, say, for two years or more should come under the operation of the Bill. In order to amend this clause, it might be postponed or progress might be reported.

THE ATTORNEY GENERAL: The remarks of the hon. member in favour of temporary officers being treated the same as permanent officers after a certain length of service would have the approval of the Premier and every member of the Government. The system of appointing men temporarily and yet retaining them to do the same kind of work for years was not a desirable way in which public servants should be treated, and was a

practice which he regarded as inexcusable. The only question was whether, in dealing with the matter by amending this clause, some confusion in the Bill might be the result; and it would be better if a separate clause were inserted later to define what should be a temporary employment, whether for six or twelve months or some definite period. There ought to be a limit as to what should be temporary employment. The expression of opinion that had fallen from the hon. member, and from other members previously, would be given effect to by the Government in the future, whether a specific clause were put in the Bill or not. The better way would be to frame a clause which would state the matter definitely.

MR. VOSPER: Would the Attorney General undertake to frame it?

THE ATTORNEY GENERAL: Yes.

THE PREMIER: The hon. member (Mr. Illingworth) might move the new clause when it was framed. No doubt, as the Attorney General had said, the point now raised would have the support of the Government. An officer employed in a temporary capacity should not be retained on the temporary list for a long time, but only so long as there was some necessity for it. Of course, some employments were not expected to last a long time, as in the case of erecting large buildings, when some of the men employed would not be required beyond a limited time. It was also not desirable that officers who might be required for only a limited time should be classed as permanent officers, when their employment was not expected to go on year after year. The difference between a temporary officer and a permanent officer at present was not great: the permanent officer was entitled to more consideration, although both could be got rid of if their services were not wanted. He had himself called attention to cases in which persons classed as temporary were kept in the same employment year after year; and as the Government were quite in sympathy with the opinion that had been expressed, it was not necessary to make a hard-and-fast rule about it. An expression of opinion by the House would be given effect to by the Government, and a new clause need not be added to the Bill for this purpose.

MR. ILLINGWORTH: If this clause were passed as it stood, no officers now on the temporary staff would come under the operation of the Bill.

THE PREMIER: Such officers could at any time be made permanent.

MR. ILLINGWORTH: Better strike out the words, "with the exception of persons whose appointment is expressed to be temporary."

THE PREMIER: That was inserted to meet the cases of men employed for short periods. The Attorney General might draft a clause as suggested, but he (the Premier) was not in favour of adding a clause for this purpose. He moved as an amendment that after the word "persons," in line 2, "employed at a daily or weekly rate of wages or" be inserted.

Amendment (the Premier's) put and passed, and the clause as amended agreed to.

Clause 8—agreed to.

Clause 9—Divisions of public service:

MR. ILLINGWORTH: Would not this be a good place to provide means of classifying, with regard to salaries and duties, all officers whose services it was desirable to retain? To-day's *Morning Herald* suggested that this be done by a royal commission; and certainly some machinery should be provided. The services of many civil servants could be dispensed with. On such a large question he could not suggest an amendment at this stage, but to test the feeling of the Committee he moved that progress be reported.

Motion put and negatived.

MR. ILLINGWORTH: At the report stage, the subject could be dealt with again.

Clause put and passed.

Clauses 10 to 12, inclusive—agreed to.

Clause 13—Work determined:

THE PREMIER moved that the last two lines be struck out. Under existing conditions it was hardly possible, before bringing down the Estimates, to gazette returns showing the number of officers and their duties and remuneration. What would be gained by so doing? In practice, the Estimates would be brought down first and the information gazetted afterwards.

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

Clauses 14 and 15—agreed to.

Clause 16—Departmental confidential reports:

MR. VOSPER moved that the word "confidential," in line 3, be struck out. For this he had given reasons on the second reading. Such reports should be available to Parliament, and no good would result from secrecy.

THE PREMIER: Unless the reports were made confidential, he feared they would not be furnished.

MR. VOSPER: The clause made them mandatory.

THE PREMIER: Heads of departments would not care to quarrel with their officers. Under the clause, civil servants would be in no worse position than employees of private institutions, in which the managers invariably reported on their staffs.

MR. VOSPER: Yes, to the directors; and in this case hon. members were the directors.

THE PREMIER: Directors who, however, sat in public. To make such reports to Parliament might libel officers throughout the country. If not made "confidential," the reports would be colourless, and absolute waste paper. The amendment would not prevent the head of a department from reporting confidentially otherwise than in the annual report. Surely the reports would not be used to stab people behind their back. Reports as to how officers did their work were furnished by wardens and others now; the practice obtained in the English civil service; and before responsible Government here, the Governor used to report confidentially to Downing Street.

MR. VOSPER: By the clause, certain communications would be privileged, and would not be available if the House desired to investigate a certain officer's career. Why establish secret *dossiers* in this country? Such reports should be available when necessary; otherwise, in reply to a motion for papers, a Minister might plead privilege under statute. No clause tending to limit the powers of Parliament should be passed.

Amendment put and negatived, and the clause passed.

Clause 17—Appointments:

THE PREMIER moved that the words "or by the Minister under authority

delegated to him by the Governor" be added to the clause.

Put and passed, and the clause as amended agreed to.

Clause 18—agreed to.

Clause 19—Appointments to vacancies:

MR. ILLINGWORTH: This clause gave a greater power to Ministers than was desirable. If a man were working his way up in a department and a vacancy occurred, that man, if capable, ought to be appointed, but under the clause, such a man, although he might work conscientiously and honestly, could be displaced by another, and, perhaps, not especially qualified man from another department; and the clause would give dissatisfaction and undermine the confidence that ought to exist in the public service, where each department should stand on its own footing. The Premier shook his head, and it was hard to say anyone knew more than he about the public service; but why should a man from another department be placed over one who had been working hard and conscientiously in expectation of promotion? He moved that the clause be struck out.

THE PREMIER: What the member for Central Murchison (Mr. Illingworth) said had great weight, but it nearly always followed that if the second man in a department was qualified, he was regarded as having a claim to promotion. But to say such a man had a right to promotion would be dangerous, seeing that there were departments of which the head was a very important officer, and the second in command a man of very small account. Did the member for Central Murchison contend that in such a case the second officer must be promoted?

MR. ILLINGWORTH: If the second officer were qualified, why not?

THE PREMIER: But such an officer might have been only a few years in the service.

MR. ILLINGWORTH: Then he would not be qualified.

THE PREMIER: There were departments in which there were no very important men except the head.

MR. ILLINGWORTH: All the powers necessary were given by Clause 15.

THE PREMIER: Knowledge of a department no doubt had its importance,

but that importance must not be exaggerated, because if a man were a good officer in one department, he would soon be a good officer in another department, seeing that the administration was not very different. A Crown colony Governor who was here many years said there was not much difference between governing one colony and another. The same principle applied here in regard to departments.

MR. VOSPER: So that a good engineer might be a good surveyor.

MR. ILLINGWORTH: And a good chemist be a good doctor.

THE PREMIER: There was no Under Secretary in the service who would not be just as good an Under Secretary in some other department, and the system of transfers from one office to another very often worked for good. This system of transfers was not largely availed of, but there were cases in which it was desirable. It was to be hoped the Committee would not carry the amendment, because while the community was too small for reference to individuals, there were lots of cases in which the proposal would not work well.

MR. MOORHEAD: Who decided the qualification?

THE PREMIER: The Government of the day.

MR. ILLINGWORTH: That was where the objection came in.

THE PREMIER: The Government were in the best position to know, and had to justify their actions; and he could not remember any case in which a second officer had been overlooked; at least, he hoped there were no cases of the sort.

THE MINISTER OF MINES: It would be unwise to make a hard-and-fast rule that vacancies should be filled from the same department. Clause 19 was governed by Clause 18, which provided that, so far as practicable, vacancies in the public service should be filled by the appointment of some servant in the division and department in which the vacancy occurred.

MR. ILLINGWORTH: That was exactly what was wanted.

THE MINISTER OF MINES: In cases where there was no one in the department capable of filling a vacancy, it would not be wise to take away the power of selecting a suitable man from some other branch.

MR. ILLINGWORTH: There was no hard-and-fast rule in Clauses 15 and 18.

Amendment put and negatived, and the clause passed.

Clauses 20 and 21—agreed to.

Clause 22—Fees or remuneration not to be received:

MR. VOSPER: This was an excellent clause so far as it went, but it did not go far enough. The clause would have the effect of remedying the abuse of civil servants occasionally demanding fees from the public for performing work for which they were already paid a salary. That had occurred in one or two instances; but there was another abuse perhaps of greater importance, which he thought an amendment of the clause would put an end to. He referred to the fact that civil servants accepted employment from outside employers, in addition to their ordinary work, and the clause might be amended so as to effectively prohibit this, on the principle, as an hon. member had reminded him, of "one man, one billet." If he took the time and trouble to look over documents and letters in his possession, he could name twenty or thirty instances of civil servants accepting and carrying on outside work; but he proposed to mention only one or two which, however, he thought would be found sufficient. There was a gentleman employed in the Post and Telegraph Department, who was secretary to the Australian Natives Association Board of Directors, secretary to the board of management of the Friendly Societies, secretary to the Perth branch of the Australian Natives' Association, and also secretary to the League of Wheelmen in Western Australia; and these four positions brought him in about £100 per annum over and above the salary he received from the Government. No one could carry on the work of post-office clerk and also do the clerical work of four important secretariats without the public service suffering; and one ground for an eight hours day was that it was well known persons who limited their hours of work did that work more efficiently. What was the use of limiting the hours of labour when a man deliberately took up work which ought to be carried on by people outside? There were not too many "billets" to go round in Western Australia or in any of the colonies, and

a man who accepted outside positions deprived other persons of work. Then the accountant in the Agricultural Bank was grand secretary to the Masonic body, the former secretary to which received £250 per year, though how much the present secretary received he (Mr. Vosper) did not know.

MR. ILLINGWORTH: The salary of the accountant in the Agricultural Bank was £200 or £250 a year.

MR. VOSPER: Then this officer was getting more from his outside employers than from the Government, and this was an undesirable state of things. This same officer, he believed, was frequently found controlling "totalisators" at race meetings, and received four guineas a day for that kind of work.

MR. DOHERTY: That was recreation.

MR. VOSPER: A man ought not to be paid for recreation; at any rate, it was a very healthy recreation which gave a man four guineas a day. A number of civil servants were employed at totalisators at race meetings, these men having acquired such facility in handling documents, tickets, and so forth that they were rather in demand, not only for totalisators, but at theatres and other places of amusement. All these men deprived outside clerks of work; and it has become almost a matter of public scandal that civil servants should be employed at the Theatre Royal, when unfortunate men who depended on the advent of theatrical companies were left out in the cold. Another person in the Government service was secretary of an important musical organisation in Perth; and although this was well enough as far as it went, yet that officer appeared to have been giving more time to his musical duties than to his office duties, for the head of the department found it necessary to warn the officer that unless he attended more to the business of the office and less to the Muses generally, a vacancy would be likely to occur in that department. In another case an officer in the Education Department was secretary to a friendly society, and for this service he received £25 per annum. The clause must be amplified to prevent that kind of work being done by persons who were receiving a regular salary from the Government, or a fresh clause might be inserted in the Bill.

THE ATTORNEY GENERAL: If the House were to pass a resolution on the lines indicated in the hon. member's remarks, that resolution would be given effect to by the Government.

MR. VOSPER: There were cases in which a resolution had been passed in this House, and had not been given effect to by the Government.

MR. ILLINGWORTH: There was the case of a health board for North Perth, the appointment of which was held over for six months.

THE PREMIER: This multiplication of offices was not good. Public officers were supposed to give their whole time to the service, and as the hours were not unduly long, the servants of the Government were supposed to have ample leisure for recreation and pleasure; but if they were to go on working all the while for other persons, they could not be so well able to do their work as public servants the next day as if they devoted all their attention to their public duties, employing the usual leisure time in reasonable recreation. It was not desirable to make a hard-and-fast rule by saying that no public servant should be allowed to do any work outside his public duties; for it was well known that in many cases officers who worked the hardest outside their public duties were also those who gave the best service to the Government. Some persons had musical skill or literary ability, and might usefully employ spare time in doing some work of an original kind which would be beneficial to themselves and do no harm to other persons. The hon. member would probably not object to a public servant who had the necessary knowledge and ability, writing a book on an important subject, or even writing a novel; and as this would be an original kind of work, it would not interfere with anyone else. The hon. member's desire appeared to be that persons employed by the Government should not be allowed to also monopolise outside avenues of employment which other persons were willing to fill. That was a proper objection to make, and he sympathised with it, for it was not desirable that public servants should go on working into the small hours for very little pay, perhaps for a mere pittance; although necessity was said to know no law, and some of these persons might by

this extra work be trying to eke out a small emolument. He had known many cases in the public service in which persons had done extra work for a small pittance in order to keep the wolf further from the door. His own desire was to discourage the practice of public servants taking employment outside their public duties; and if the hon. member would move a motion to that effect and the House would support him in doing it, the Government would do their best to carry it out.

MR. VOSPER: While quite willing to fall in with the suggestion of the Attorney General and the Premier, his experience of resolutions passed in this House taught him they were sometimes treated by the Government with absolute contempt. A resolution was passed twelve months ago for the appointment of a Commission to inquire into the organisation of the Police Department; but the Commission was not appointed, and ultimately the Premier announced that he had no intention of carrying out the mandate of the House on the subject. The granting of a health board for North Perth, which had also been alluded to, was another instance in point; and other resolutions passed by this House and not given effect to by the Government might be cited. One reason why persons who distinguished themselves in connection with musical societies and in other special ways were retained in the public service was that in such a case as that of a well-known public officer in Queensland, while known to be employing his leisure hours in other work, he was retained in the public service because he was one of the few eminent poets in Australia. Such cases were rare indeed. The grievance arising from the practice of public servants taking employment outside of their public duties had come into prominence in New Zealand, for he had a newspaper-cutting showing that at a sitting of the Royal Commission on Sweating in New Zealand, this grievance was mentioned in evidence given before that Commission, showing the serious extent to which the evil had grown in that colony. The amendment he had moved would test the principle.

Amendment put and passed, and the words added to the clause.

MR. ILLINGWORTH moved, as a further amendment, that the following

words be added: "without the consent in writing of the Minister of his department." There were some small cases, especially in country places, in which it might be desirable to allow a little liberty with the consent of the Minister; as in the case of a country postmaster playing the organ in a local church and receiving some small payment, perhaps £25 a year. It was not desirable that such harmless cases as these should be absolutely prevented; and by giving to the Minister a power to grant permission in such special cases, this provision would be better than a cast-iron rule.

MR. WALLACE objected to the addition of the words proposed, because when similar words appeared in a clause in the Public Service Bill of last year, he then moved that they be struck out; whereas the hon. member (Mr. Illingworth) was now moving that these words be inserted for the very purpose of creating exceptions which might cause grievances. If a Minister gave permission to one public servant to employ his leisure hours in teaching singing, another public servant might ask for permission to do something else, and there would be grievances in the public service because all were not treated alike. This amendment would cut away the foundation of the clause.

MR. VOSPER: To adopt the amendment might lead to friction, unless the Minister exercised great care. Better leave the clause untouched; although in country places it might be advisable to allow officers to do outside work, and the written consent of the Minister would be some safeguard.

THE PREMIER: Yes; for the Minister would know every case.

MR. J. F. T. HASSELL: Some latitude could be allowed with advantage. For instance, the postmaster at Broomehill, a most energetic official, was secretary of the local agricultural society; and other civil servants in their leisure hours might suitably fill such positions.

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

Clause 23—Addresses and testimonials:

MR. WALLACE: Would this refer to wedding presents?

MR. PIESSE: Yes; unless with Ministerial sanction.

THE PREMIER: That would depend on whether the presentation were in connection with the recipient's official duties.

Clause put and passed.

Clauses 24 and 25—agreed to.

Clause 26—Political affairs:

MR. VOSPER: Would this prohibit officers from taking part in municipal politics?

THE ATTORNEY GENERAL: The phrase "political affairs" had a wide signification, and evidently included all public matters, whether municipal or parliamentary.

MR. VOSPER: Would it cover progress committees and health boards?

THE ATTORNEY GENERAL: It would.

Clause put and passed.

Clause 27—No overtime in certain cases:

MR. ILLINGWORTH: As provided in the Bill passed by the South Australian Legislative Council, overtime worked by any officer should be recorded to his credit, especially as the clause forbade its being paid for. He suggested that after the word "pay," the words "but such extra service shall be duly recorded" be inserted.

MR. VOSPER: The labourer is worthy of his hire. Let us fix the hours of labour, and also the principle that all extra work be paid for as overtime. Later he would move to the effect that no public servant should be continuously employed more than eight hours in one day, and that additional work should be paid for.

MR. J. F. T. HASSELL: Payment for overtime should be the rule with the Government, as with private employers. It was not desirable that the clause should prohibit customs officers working at night for the convenience of shippers, and from being paid for such work. Much overtime might be avoided if Government office hours were made from 9 to 5, instead of, as at present, from 10 to 4 o'clock.

MR. PIESSE: They were now from 9 to 4.

THE PREMIER: The clause meant that the Government should not pay for overtime. As the last speaker said, landing waiters were sometimes paid by shippers for night work, and the clause would hardly interfere with that. If the practice of paying for overtime were established in the service, a strict account must be kept of the attendance of each

officer, and it would be difficult to ensure his working faithfully throughout the day. No man in permanent employment should object to a little extra work occasionally. Years ago, when he (the Premier) was a subordinate in the service, men never dreamed of getting paid for overtime. As a rule, overtime was unnecessary; and the practice of paying for it was not good, for people would then always be thinking of overtime as distinguished from their salaries. At present, extra work was paid for only in extraordinary circumstances. This did not apply to manual labourers, but in their cases overtime work was discouraged. Better discourage both working overtime and paying for overtime, and confine the work, as far as possible, to the allotted hours.

MR. J. F. T. HASSELL: Why should railway servants be paid overtime while men in other departments were not so paid?

MR. PIESSE: Only manual labourers—not the clerical staff—were paid for overtime.

MR. J. F. T. HASSELL: Why should not postal officials be paid extra for the long hours they worked?

THE PREMIER: Some of them worked through the night in the discharge of their ordinary duties.

MR. J. F. T. HASSELL: Would not the clause prevent a shipowner from securing a customs officer to tally cargo at night?

MR. VOSPER: Hon. members were quite in accord with the Premier in the opinion that overtime, as such, should be discouraged, especially in the public service; but this clause did not destroy the system. All the clause provided was that though a man might be employed for sixteen hours, the Government were not bound to pay for the extra labour; so that only the evil of having to pay for extra labour was got rid of.

THE PREMIER: There was very little overtime in the public service.

MR. VOSPER: That might be so; but there was a law imposing the eight hours principle in ordinary avocations of life.

THE PREMIER: Public servants only worked six hours.

MR. VOSPER: The proposal was that civil servants should not be worked for over eight hours.

THE PREMIER: Perhaps the hon. member could encourage civil servants to work for eight hours.

MR. VOSPER: If the Government employed civil servants for only three hours, that was the Government's affair. We had the eight hours principle, and the State being a large employer of labour, it was only reasonable the example of private employers should be followed. The difficulty was that if overtime were prohibited altogether, there might be cases in the Postal Department or the Railway Department where it was necessary to employ a man for ten or twelve hours at a stretch; but when such was the case the extra labour should be paid for.

THE PREMIER: There were very few such cases of overtime.

MR. VOSPER: To prohibit persons receiving payment for work already done in such cases seemed the height of nonsense.

MR. PIESSE: This question of overtime had caused a great deal of trouble to Ministers from time to time. In Regulation No. 13, under the Public Service Act of New South Wales, it was provided:

Officers will be required to perform public duty beyond the usual hours, whenever it may be necessary to bring up arrears of work. Only work which, from its character or from special circumstances cannot be performed during the prescribed office hours, shall be regarded as overtime work, for which extra payment may be made.

This showed that what was intended to be paid for as overtime was only such work as could not be performed in office hours. As a rule, when overtime was paid, it was found there was a tendency to neglect the work during the day and to carry it on into the evenings. In private offices no overtime, as a rule, was paid, although men in warehouses did get paid if they were kept after the usual hours. For ordinary clerical work, overtime was not paid; and the framers of the regulation he had read evidently had in their minds the allowance of overtime only to men who were engaged on such work as could not be performed in ordinary office hours. The New South Wales regulation concluded with the words:

No permanent head shall recommend any payment for extra time to officers employed in bringing up arrears of work which properly

comes within the scope of their ordinary duties.

This question had been thought out before, and overtime was not paid except for special work. No. 14 of the regulation stated:

Any officer in charge of a branch or sub-division may order any officer under his direction to remain after the usual office hours to complete work which he considers necessary to be done on the same day.

By these regulations an endeavour was made to provide against the payment of overtime, and it would be a mistake to allow overtime except under such special conditions as he had mentioned; namely, where necessary work could not be performed during office hours. In the accountant's branch, where men were engaged scheduling accounts which had to be prepared at the end, probably, of each month, they might have to stay over hours for two or three nights, and that was work of a special character for which it would be fair to allow payment; but in regard to ordinary work, great consideration was required before any change was made in the direction indicated in the amendment.

MR. SOLOMON: In some private establishments overtime was not allowed under any consideration. If there was extra work, more labour had to be employed, and if it was intended to carry out the eight hours system in the Government service, the same rule ought to be adopted. Under the Early Closing Act persons were only allowed to work from eight o'clock in the morning until six o'clock in the evening, and there was no reason why the Government service should not be conducted on the same basis. In South Australia, Government servants were employed from nine o'clock until five o'clock, with one hour for meals, leaving eight hours for work, and if this system were adopted it would be beneficial to the colony.

MR. HIGHAM: Whilst as desirous as any hon. member of avoiding overtime, he realised there were Departments in which, on occasions, more than eight hours' must be occupied. He joined with the member for Albany (Mr. J. F. T. Hassell) in the appeal that officers who had to work, not only eight hours but many extra hours during the night, should receive consideration. The previous clause to the one under consideration prevented

public servants from receiving remuneration from the steamship companies, and, no doubt, that clause would have to be amended to cover this ground. There were cases in which officers should receive special consideration for special services, and he could fully believe that officers in the accountant's branch had to work many hours overtime in preparing returns for Parliament, or in bringing their accounts up to date. Clause 27 required some amendment, but he was not prepared at this moment to suggest exactly in what way; and in order to allow time for consideration, he moved that progress be reported.

THE PREMIER: There was no necessity to report progress at the present moment, because the Bill could be recommitted for any amendments.

MR. HIGHAM asked leave to withdraw his motion.

Motion by leave withdrawn.

MR. VOSPER: There was no reason why such a broad distinction should be drawn between the clerk and the labourer, as had been laid down by the member for the Williams (Mr. Piesse). At one time great objection was raised to the eight hours system, no matter for whom; and it was only after immense agitation and strikes that this reform was granted to operatives and labourers.

MR. GEORGE: And the same occurred in regard to the nine hours movement.

MR. VOSPER: But there had been no attempt made to reduce the hours of labour of writers and men engaged in clerical work generally. That was not because there was really any distinction between the two classes of labour, or that one was considered lighter than the other, but because labourers had had the courage to combine and enforce their demands, while those engaged in clerical work had not had the courage to take a similar course.

A MEMBER: There was too many to take a clerk's place.

MR. VOSPER: The wholesale system of snobbery called education was responsible for this plethora of clerks, and had led to the degradation of the clerical branch of labour. The clerical labourer was as well worthy of his hire as the men who wielded the axe or the pick, and the Government should set a good example to private employers

in adhering to the eight hours principle in regard to the clerks in their employ. Why should the Premier say that a man working in the street, mending a drain for example, should be paid overtime, while a man engaged in puzzling and intricate clerical work should not be allowed any privilege of the kind?

MR. GEORGE: The clerk had three weeks' holiday, which the labourer had not.

MR. VOSPER: The unfortunate labourer sometimes got three months' holiday which he did not want. But the question of holidays scarcely entered into the present discussion at all. The Bill meant that the unfortunate clerk who worked overtime should not be paid; and the Government should either abolish overtime or be honest and willing to pay for the work done. It would be better to strike at the root of the whole matter and provide in the Bill for only eight hours' work for every civil servant; and if the State wanted a civil servant to work longer, the State ought to pay him.

At 6:30, the CHAIRMAN left the Chair.

At 7:30, Chair resumed.

MR. GEORGE: In his experience, overtime did not pay the employer, for if a man worked eight hours per day it was quite enough for him, and by working overtime, anticipating the labour of the following day, a man entered on his work the next day not as fresh as he would have been had he only worked eight hours on the previous day. In the old country men used to work ten very long hours a day; but that time had gone by. By passing this clause men would be debarred from adding to their income by extra work, but if there were payment for overtime there would be an inducement to make overtime by arranging the day's work accordingly. The Government paid miserable salaries to some clerks, so miserable that the Treasurer at times must feel ashamed in asking Parliament to pass them. There were occasions when overtime was necessary by the requirements of a department, and if a man had to work in accordance with the requirements of the department he ought to be paid for that work. The overtime should be recommended by the head of the depart-

ment, and it could then be approved of afterwards by the Minister. He would move that the clause be postponed.

THE PREMIER: What did the hon. member want to do?

MR. GEORGE: If a man was compelled to work overtime he should be paid for it.

THE PREMIER: An amendment could be made that no overtime should be paid for, except with the special approval of the Governor: that would mean the Executive Council.

MR. GEORGE: No doubt the Premier was right in the way he put it, but it seemed that he was taking a sledgehammer to kill a flea, moving the Executive Council to say whether a man should work overtime for half an hour.

THE CHAIRMAN: The clause could not be postponed, as it had already been discussed.

MR. GEORGE: In that case he could only support the amendment moved by the member for North-East Coolgardie.

MR. A. FORREST: Officers of the civil service worked from 9 till 1 and from 2 till 4, which was six hours a day. He had not the slightest doubt that during the six hours they could find enough work to do if they liked. If the Government were to pay overtime in the civil service, members could rest assured that the whole of the officers of the service would find that they had so much to do that it would be necessary to work one or two hours overtime a day. If there was a large amount of work in one department, the officer in charge of that department could send to another department where there was not so much work going on, and have the officers transferred for a few days. In private offices no overtime was paid for; it was not heard of. In private offices perhaps people were paid better than in the Government service, but the work had to be completed in the day. Sometimes the work might be heavy, but on other days it would be light; so it must be in the civil service.

MR. ILLINGWORTH: Every day was a light one.

MR. A. FORREST: It was no use passing estimates, if there was to be overtime, without providing several thousand pounds for the payment of overtime. Members would not know what salaries officers were getting if overtime was paid

for, as an officer receiving £400 or £500 a year might add another £100 to his salary, which the House would have no control over. If an officer worked hard and deserved more payment, let the Government on the Estimates ask the House to increase his salary.

THE PREMIER: Get more men.

MR. A. FORREST: Or get more men. Overtime should be unheard of in the service. If a labouring man worked for an hour overtime he was paid for it; but it was different in regard to clerical work. The banks paid no overtime at all.

THE PREMIER: If we were to add certain words at the end of the clause, giving a discretion in special cases, that would meet all the difficulties stated by hon. members. He moved to add at the end of the clause "except by special approval of the Governor." The head of the department would make the recommendation, which would have to go before Cabinet and be approved of by Executive Council. It would not be such a trouble as some hon. members thought to get the approval of the Governor-in-Council, but it would have to be a matter of some importance or it would not run the gauntlet.

MR. VOSPER: Would the Government pay the officers for that overtime?

THE PREMIER: Take the case of the post office officials. There might be long hours in sorting letters, or in the shipping departments there might be special circumstances in which officers would have to work overtime. The Bill said that no payment should be made, but there would be an exception in special cases if approved by the Governor; that exception, however, should not be made a rule.

MR. GEORGE: Of course the usual trade rules would be applied to the overtime.

THE PREMIER: When the Committee reached Clause 40 he proposed to add words to Sub-clause 2 so that regulations could be framed in regard to the hours which it was considered necessary that public servants should work. It was not that the Government desired to curtail the emoluments of officers, but if overtime was allowed abuses might creep in, and a great deal of expenditure might be incurred that was not necessary. Speaking generally, overtime was not necessary and should be discouraged whether in connection with clerical work

or manual labour. At the same time if extra work was necessary when there was pressure, in order to finish a day's work, he did not think there would be any hardship in asking the clerical staff to undertake that work. In many busy departments, officers worked gratuitously at night without demur. In his own department, no one left till 5 o'clock or 5-30.

MR. GEORGE: When did they come?

THE PREMIER: True, they did not come so early. He intended to move that the words he had proposed—"except by special approval of the Governor"—be added to the clause.

MR. VOSPER: The Premier's proposal was useless, for the clause provided that overtime should not be paid for.

THE PREMIER: Except with the approval of the Governor.

MR. VOSPER: Better prescribe an eight-hours day.

THE PREMIER: Civil servants did not work eight hours now.

MR. VOSPER: There was no reason why they should not. Anyhow, let eight hours be the maximum, and pay for extra work.

THE PREMIER: Throughout the Empire, no ordinary civil servant worked for eight hours.

MR. VOSPER: In several of the colonies there was a maximum eight-hours day.

MR. GEORGE suggested that the following words be added to the amendment (Mr. Vosper's): "and in such case for the first two hours of such overtime he shall be paid time and a quarter; for the second two hours, time and a half; and for any time after, and for all Sunday work, double time."

THE PREMIER: The hon. member was treating all civil servants as manual labourers.

MR. VOSPER: What was the difference between a manual and a clerical labourer?

A MEMBER: One worked with his hands, and the other loafed.

MR. GEORGE: The principle he had indicated ruled in all handicrafts, and should apply to the civil service. Unlike the Premier, he was not throwing any slur on civil servants. The law should be framed so that heads of departments would arrange to avoid overtime.

MR. ILLINGWORTH: The Premier overlooked the fact that by the first amendment (Mr. Vosper's) it was not intended that overtime should commence after a man had done five hours' work. There would be no payment until eight hours had been completed. A good many officers arrived at 10, adjourned for lunch at 1, and left at 4. While many officers worked five hours a day, others worked 10 or 12.

THE PREMIER: Who were they?

MR. ILLINGWORTH: The Premier always liked to get information on which he could act; and the unfortunate man in question had then a good chance of being dismissed.

THE PREMIER: The statement was unfair. He would give good marks to men who worked such long hours.

MR. ILLINGWORTH: Why not accept his proposal that overtime be recorded?

THE PREMIER: A proviso to that effect could be inserted.

MR. ILLINGWORTH: Let there be an eight-hours day to be worked when necessary for the ordinary salary. For any extra time worked there should be some compensation.

MR. WALLACE: The clause was unworthy of the Government, and savoured of sweating. To make eight hours the maximum would lead to eight hours being worked every day. Indispensable overtime was paid for in the Customs Department; why not in the Postal Department?

THE PREMIER: In the last-mentioned department, extra leave was granted in respect of it.

MR. WALLACE: In the Postal Department men worked overtime and did the ordinary eight or ten hours next day.

MR. HIGHAM: Quite right too.

MR. WALLACE: They should be paid.

THE PREMIER: They could be paid with the approval of the Governor.

MR. WALLACE: That might be difficult to get.

MR. VOSPER: How could one secure the Governor's sanction to paying for sorting an extra mail bag?

THE PREMIER: Easily enough. Such things were approved frequently.

MR. WALLACE said he would support the amendment of the member for North-

East Coolgardie (Mr. Vosper). The meaning of the Premier's suggestion was not clear.

MR. PIESSE: Apparently the object of the amendment was to endeavour to introduce the principle of the eight hours system in this colony, and that subject would require much more time than the House was likely to devote to it to-night. This question had constantly come before him during the time he filled the position of Minister, and it had received a great deal of attention throughout Australia. The principle had not yet been adopted by the Government of this colony, and if the eight hours principle was to be introduced, let it be brought forward in some other form than that in which the hon. member introduced it now. He (Mr. Piesse) preferred the character of the proposed amendment by the Premier in regard to a provision as to special approval by the Governor. That was a better way to meet this question than the method advocated by the member for Yalgoo (Mr. Wallace). The Premier had already informed us that he intended when dealing with Clause 40 of the Bill to introduce an amendment in that direction. He said provision would be made in regard to the hours; therefore he (Mr. Piesse) took it that regulations would be made dealing with the hours which the public servants were supposed to work. In some offices public servants worked from 9 to 4. In the clerical branch of the Railway Department the hours were from 9 to 5. That was the rule during the whole time he administered that Department.

MR. ILLINGWORTH: Why should there be a difference?

MR. PIESSE: That was a question he was not going to discuss to-night. It was a controversial matter which it was not well to debate at this stage. He (Mr. Piesse) often thought that from 9 to 5 would be perhaps better than from 9 to 4. The hours worked in the Railway Department were from 9 to 5, and the system worked very well. The hon. member asked why should the hours be from 9 to 5 in the Railway Department, and from 9 to 4 in other branches of the service. In Clause 40 of this Bill we had an opportunity to make such regulations as would cause the hours of service to be regular throughout the whole of the public departments. If those regulations were

made, we should be able to meet the wishes of the member for North-East Coolgardie (Mr. Vosper). If that hon. member had had as much to do with the management of public departments as he (Mr. Piesse) had had during the last $4\frac{1}{2}$ years, the hon. member would have agreed that the matter would be quite within the province of the Minister, who would deal fairly with officials in proposing such a regulation as would meet the case the hon. member spoke of. The eight hours labour system was all very well with regard to the ordinary labouring classes, and he (Mr. Piesse) agreed with him that eight hours' work was a very good day's work for a man who worked well for that period and did justice to his employers, but in the Government service, where the work was not so onerous or laborious, it should be discretionary with the Government to make terms with regard to the hours necessary. The time had not yet come to make it a rule in the public service that the eight hours day should be recognised, neither should the Government agree to usually adopt the system in regard to contracts. He had already pointed out that under the Public Service Act of New South Wales, regulations were made which dealt with overtime, and it was evidently thought in that colony that overtime should not be paid for, except under special circumstances. Clause 13 of those regulations provided that payment for overtime should only be made in regard to work which from its character or circumstances could not be performed during office hours. There was a clause in this Bill stating that any officer in charge of a branch or sub-division might order any officer to remain after the usual office hours to complete work which was necessary to be done the same day, and it was stated that this could be done without payment for overtime. Members should be very careful with regard to the course they took as to payment for overtime. He (Mr. Piesse) was in favour of payment for overtime in necessary cases, and upon recommendation of the Minister overtime had been paid. Now it was intended to provide that, without the special approval of the Governor, certain overtime might be paid for. That might be done by regulation, if necessary. If it was a question of

sorting mails, it would not be necessary to apply to the Governor, but a regulation might be passed dealing with that and many cases of a similar character. There was no necessity to bring into play the whole executive power in each case.

MR. VOSPER said he had a horror of regulations, since the 10-feet affair.

MR. PIESSE: When dealing with regulations the hon. member for North-East Coolgardie (Mr. Vosper) had taken up the side of certain individuals. He believed the hon. member asked whether the clause stipulating that public officers should not be connected with any political organisation or take part in politics would refer to people filling municipal offices or roads board offices. He (Mr. Piesse) understood the Attorney General to say it would.

THE PREMIER: The Attorney General said so.

MR. PIESSE: That was quite correct. Regulations were necessary to work the public service of the colony, and we would have to trust to the executive of the country. After these regulations were framed they would be laid upon the table of the House, for concurrence or rejection.

MR. VOSPER said he did not want everything, but he desired the adoption of the eight-hours principle.

MR. PIESSE: The hon. member would not get it under this.

Amendment (Mr. Vosper's) put, and a division being called for it was taken with the following result:—

Ayes	14
Noes	17

Majority against ... 3

AYES.	NOES.
Mr. Ewing	Mr. Darlôt
Mr. George	Sir John Forrest
Mr. Gregory	Mr. A. Forrest
Mr. A. Y. Hassell	Mr. D. Forrest
Mr. Holmes	Mr. Higham
Mr. Hutchinson	Mr. Hubble
Mr. Illingworth	Mr. Lefroy
Mr. Kingsmill	Mr. Locke
Mr. Oate	Mr. Mitchell
Mr. Quinlan	Mr. Monger
Mr. Solomon	Mr. Morgans
Mr. Wallace	Mr. Pennefather
Mr. Wilson	Mr. Phillips
Mr. Vosper (Teller).	Mr. Piesse
	Sir J. G. Lee Steere
	Mr. Throssell
	Mr. Rason (Teller).

Amendment thus negatived.

THE PREMIER moved that the words "except by the special approval of the Governor," be added to the clause.

Put and passed.

MR. GEORGE moved, as a further amendment, that the following be added to the clause:

And in such case for the first two hours of such overtime he shall be paid time and a quarter; for the second two hours, time and a half; and for any time after, and for all Sunday work, double time.

The object of the amendment was to emphasise the fact that if civil servants were required to work more than eight hours per day, they should be paid for the overtime.

THE PREMIER: This had nothing to do with the eight hours principle.

Amendment put and negatived.

MR. ILLINGWORTH moved, as a further amendment, that the following be added to the clause:

And in such cases where overtime is given and not paid for, such overtime shall be duly recorded.

THE PREMIER: There was no payment, except with special approval.

MR. ILLINGWORTH: The desire was to have the overtime recorded, as the least that could be done if men were so worked.

THE PREMIER: The work of a zealous officer was always recorded.

MR. VOSPER said he was distinctly opposed to trusting to the generosity of the heads of departments in the public service. Hon. members were always being asked to trust somebody, but not to trust themselves in the administration of the Act. Recently a man in the Railway Department had been employed until there was owing to him something like £60 for overtime, and when he applied for that he was practically dismissed, or coerced into resigning; and cases of that kind were always occurring. This Bill was supposed to be a measure of guarantees, but there was a failure to guarantee the eight hours principle.

THE PREMIER: Civil servants did not work eight hours, but only six.

MR. VOSPER: It did not matter whether the civil servants only worked three hours. Having failed to get this guarantee, hon. members were justified in demanding that the Bill should at least provide that where a man had given overtime, it should be recorded and in due time paid for. Hon. members should not be asked to trust to the honour and

generosity of persons whom they do not know from Adam.

MR. KINGSMILL: The amendment proposed by the member for Central Murchison (Mr. Illingworth) applied more particularly to those cases in which overtime might possibly be asked for and the special consent, mentioned in the clause, not given. People who did not get payment for overtime should at least get some recognition for their services, and for that reason the recording of their having worked overtime, as a sort of good mark against their name, was absolutely necessary.

THE PREMIER: There was no objection to having overtime recorded, and it was simply amusing to have hon. members so anxious to look after the civil servants of the colony.

MR. WILSON: The Opposition always looked after the civil servants.

THE PREMIER: It was to be hoped this interest would continue to be shown when the Estimates were before the House, and that hon. members would always act generously to civil servants; because that had not always been the case, and this new-found affection was somewhat extraordinary at the present time. He wondered what the reason for this affection was.

MR. A. FORREST: The elections.

THE PREMIER: It was curious that he, who had been a friend to the civil servants all his life, should be opposing hon. members on a proposal which was to the advantage of the service, or what the Opposition would make members believe was to the advantage of the service; but he was not so easily "caught with chaff." He did not want the civil servants to work eight hours a day, because a sedentary life was more dangerous to people than out-door occupation. Eight hours a day was proposed for civil servants.

MR. VOSPER: Not more than eight hours.

THE PREMIER: "Not more than eight hours" meant eight hours.

MR. ILLINGWORTH: The amendment was that the civil servants should be paid for their overtime.

THE PREMIER: Civil servants only worked six hours, and members of the Opposition wanted them to work eight hours, and he opposed that proposal in the interests of the civil servants. He

was not prepared to believe there was a large amount of overtime; and the leader of the Opposition, although he seemed to know all about the matter, apparently did not want to tell hon. members, but rather to be secret, though there was nothing to hide. If overtime were general or usual to a larger extent than it ought to be, why should the leader of the Opposition not say where it prevailed?

MR. GEORGE: The Premier would only insult the hon. member.

THE PREMIER: Why should that be said? If it could be shown that public servants were working overtime, he would be glad to assist the hon. member in his amendment.

MR. GEORGE: The Premier would tell the hon. member that he did not believe him.

MR. ILLINGWORTH: The Premier had already said that.

THE PREMIER expressed the hope that he had not said he did not believe the hon. member for Central Murchison. All he had said was that he did not believe there was a large amount of over-time worked in the service. He did not believe in working officers over-hours.

MR. ILLINGWORTH: And so said the Opposition.

THE PREMIER: And as to recording overtime, he would be glad to assist hon. members in putting a provision in the Bill; but such an amendment, while apparently giving something, would give nothing. Persons in authority knew the officers who worked long hours; and in the departments which came under his particular notice, he knew who were kept waiting. Some were kept a long time, amongst these the messengers, who very often stopped until dark; and did hon. members think he did not notice that and would not be glad to give those men an advantage if the opportunity presented itself? All people were not slave-drivers, or desirous of getting everything out of the officers, and giving nothing in return.

MR. ILLINGWORTH: The Opposition meant nothing of that kind.

THE PREMIER: The Government were more generous than some hon. members seemed willing to admit, and were desirous of rewarding merit and industry, which was the object to be kept in view. If the member for Central Murchison

would put his amendment into shape as to a record being kept, he would not oppose it, because if such amendment did no good, it would do no harm.

MR. WILSON: It was somewhat amusing to listen to the Premier's outburst in regard to this amendment. The leader of the Opposition simply proposed that overtime should be recorded.

THE PREMIER: The Government would be agreeable to that.

MR. WILSON: And yet the Premier declared that the Opposition were not so generous as the Ministry, and that the Ministry did not want civil servants to work more than four or five hours, while the Opposition wanted them to work eight hours and not pay them. The civil service was, in his opinion, over-manned and under-paid, and he had stated so over and over again. Civil servants ought to be worked proper hours, from nine in the morning until five o'clock in the afternoon, with an hour for lunch; and if that were done, and the servants paid properly, the best service would be done to the country. In the mornings from eleven o'clock till one or two o'clock, civil servants could be seen walking about, going to their clubs and other places for refreshment.

THE PREMIER: They had probably been working hard all the morning.

MR. WILSON: If anyone went into the Public Offices at a quarter to ten o'clock to-morrow morning, he guaranteed that not half the civil servants would be found in their places.

THE PREMIER: They worked eight hours, took some work home, and did all sorts of things the hon. member knew nothing about.

MR. WILSON: They took work home from the office?

THE PREMIER: The heads of departments did.

MR. ILLINGWORTH: Heads of departments were not now being discussed.

MR. WILSON: The civil servants would be better pleased to work eight hours if they were better paid. There was an enormous civil service just now, and the overtime worked had been extraordinary. Everyone knew that during the boom years of 1897 and 1898 dozens of civil servants were kept working twelve and sixteen hours a day.

THE PREMIER: The hon. member said just now that civil servants were under-worked.

MR. WILSON: Civil servants were underworked now, but for the Premier to say he did not know of civil servants working overtime was absurd.

THE PREMIER: That was at the present time.

MR. WILSON: The time for over-work had passed, and now there were a lot of men hanging about who ought to be employed full hours at a proper wage. The idea of the amendment was that if overtime were not paid, a record should be kept, so that officers might receive promotion when the opportunity occurred. Why the Premier should be so excited over this little matter it was hard to imagine.

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

Clause 28—Leave of absence, annual leave:

MR. QUINLAN moved that in Sub-clause (a) the word "three" be struck out and "two" inserted in lieu. The hours a civil servant rendered to the State were little enough; no private firm allowed three weeks' recreation in a year. There were also a number of holidays allowed during the year, and it was proposed to increase the number. He intended to move later on to reduce the number of these holidays. It was extravagant to give the holidays provided by the Bill. Some public servants were under-worked, while others were over-worked, but taken as a whole there was too large an army of public servants, for which the public were taxed to support. He agreed with Mr. Wilson that it would be better to have longer hours, better pay, and not such a large number of civil servants.

MR. GEORGE: The hon. member did not vote that way.

MR. QUINLAN said he voted to save the country money.

MR. KINGSMILL asked the Premier how the leave of absence provided for in the clause compared with the leave granted in the civil service at present.

THE PREMIER: There were no regulations actually binding the colony at the present time. The Government had carried on the civil service during the last ten years on the same principle that it

was carried on previously under the Colonial Office civil service regulations, by which an officer was entitled to what was called "six weeks' vacation leave" in the year. It was not obligatory on the Government to give that leave, but the civil servants were entitled to it if the exigencies of the department permitted. Then there was three months' leave on full pay, which was the longest term that could be given to anyone, and long leave was given after six years to the extent of one month for every year in the service, three months on full pay and the remainder on half pay. These were the civil service regulations of the Colonial Empire.

MR. KINGSMILL: Six weeks in a year?

THE PREMIER: Yes, but not exceeding three months in any case. The Attorney General, who had had some knowledge of the civil service Acts and regulations of Victoria, informed him that three weeks' leave was granted in Victoria. He would look up the regulations, and if he had made a mistake he would correct himself; but he did not think he had. He knew the most the Government could give under the regulations in force was three months on full pay, but the leave might be extended for any length of time not exceeding one month for every year in the service, on full pay. Long leave was granted after six years' service.

MR. WILSON: The Committee ought to consider the subsequent clauses in connection with the question of leave. It was not only proposed to give the civil servants' three weeks leave, but there were certain prescribed holidays by which another fortnight's leave would be granted. Then there was the six months' holiday. Taken altogether, the leave seemed to be rather excessive. In the old country the custom prevailed that clerks and others engaged by private firms received a fortnight in a year. He admitted that a fortnight might be short in this climate, as compared with a fortnight in the old country, and the proposed three weeks ought to be granted each year, considering the climate we live in, also that it took much longer time for a person to travel in order to enjoy the full benefit of the holidays. If the three weeks were allowed to stand in Clause 28, the Govern-

ment ought to be able to increase the number of years before an officer was entitled to the six months' leave. The number of years might be increased to eight or ten. If that were done, the Committee might allow an officer to have three weeks holiday in a year.

MR. QUINLAN: Reduce all the holidays.

MR. WILSON: It was proposed to increase the length of years service which would entitle an officer to long-service leave.

MR. QUINLAN: Positively absurd.

MR. WILSON: Not to increase the holiday.

THE ATTORNEY GENERAL: The custom in Victoria, and also in South Australia, was to grant three weeks' annual leave in the public service. If a special holiday occurred during the annual leave, it was not included. Three weeks' annual leave was not unreasonable in these Australian colonies.

MR. WILSON: Not if Clause 29 was altered.

THE PREMIER: The Committee could make three weeks the maximum, and provide that the leave should be subject to the exigencies of the service. He did not think any public servant, or anyone working for another, had a right to demand the leave; for an officer might demand leave when it would be inconvenient to grant it. The leave should be subject to the exigencies of the service.

MR. ILLINGWORTH: No; special men would get the leave then.

THE PREMIER: If the hon. member thought that a lot of dishonest people were administering the departments, all right.

MR. GREGORY: A little while ago an officer, who had been employed three years in the service, was desirous of arranging with the department to get away for his holidays, but the request was refused. Before that man could get away he had to find another to take his place, and do his work while he was away. It was necessary to provide what holidays should be granted, and how they were to be given, not allowing Ministers to have discretionary power. All civil servants should be treated alike.

MR. GEORGE: Was there any relieving staff in the departments to take up the work when an officer went on leave? In connection with the Railway

Department, there was a relieving staff; and if in other departments there was not such a staff, the work of the departments was likely to suffer. Considering the number of holidays to which a civil servant was entitled, there should be someone to take up the work.

THE PREMIER: That was why he wished to put in "subject to the exigencies of the service."

MR. GEORGE: The Premier did not see what he was driving at. He did not object to a man getting a holiday, but he wished to see that the work of departments did not suffer. Clause 28 provided for three weeks' holiday on full pay, and the holidays provided for in Clause 30 were equivalent to another fortnight. He was certain no private firm would allow a man five weeks' holiday without someone taking up that man's work. In the Railway Department, and he thought in the Postal Department, there were relieving officers. Was there no systematic arrangement in the departments controlled by the Premier by which the work of an officer was taken up when that officer was away on leave.

THE PREMIER: Generally there were several officers in a department, and the rule was that those in the department performed the work, or kept it going, till the officer on leave returned.

MR. GEORGE: In the Premier's Department there were about three officers: was he to understand that two officers did the work during the year while one was on perpetual leave. He could quite believe it, but he wanted to know whether that was so.

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

Clause 29—Long-service leave:

MR. QUINLAN: At a later stage he would move that in Sub-clause (a) the word "three," in line 2, be struck out and "one" inserted; and also that the second word "three" in the same line be struck out and "two" inserted. In other colonies long-service leave regulations had been framed before modern facilities for travelling were introduced, therefore such precedents need not now be followed. On reckoning the number of our civil servants, and the amount of leave permitted them by this Bill on full or on half pay, it was obvious an enormous expense would be entailed. This con-

tinuous drain upon the country must be prevented.

MR. WILSON moved that in Sub-clause (a) the word "six" be struck out and "eight" inserted. The leave would then be granted after eight years' service, and such leave was given to permit an officer to visit another country. By the proposed amendment of the member for Toodyay (Mr. Quinlan) this object would be defeated. Three months' leave on full and three on half pay equalled four and a half months' leave for eight years' service, or slightly over two weeks per annum. This, together with the two weeks' annual holiday, meant a month's holiday per year.

MR. GEORGE: *Plus* other holidays.

MR. WILSON: Yes. Practically it meant that the country would be granting one month's holiday out of twelve on full pay, and that was dealing generously with the service, as officers themselves would admit.

THE PREMIER: Whence did the last speaker get experience to justify his proposal that the six years' service required to qualify for leave should be increased to eight? Experience gained in other colonies was useful for the enlightenment of hon. members.

MR. WILSON: Why?

THE PREMIER: If satisfactory elsewhere, such regulations would be beneficial here.

MR. GEORGE: There was not a satisfied civil service in the world.

THE PREMIER: In the civil service regulations of Crown colonies, six years was the term required to qualify for long leave.

MR. ILLINGWORTH: Those regulations included India.

THE PREMIER: No. In India the leave was longer still. Of course, hon. members opposite knew more than anyone else. When he suggested inserting "subject to the exigencies of the service," they said that would allow of favouritism. There was no honesty in civil service administration! That was uncomplimentary, not only to the present but to future Governments. The Colonial Office Regulations throughout the British dominions had stood the test of time; and on this point they provided that subject to the necessities of the service, leave of absence might

be granted after a period of six years' resident service in the colony without any special ground. It might be given before the expiration of that term in cases of serious indisposition or urgent private affairs. In cases of indisposition, a certificate from the sufferer's medical attendant was required, and in cases of urgent private business, the nature of this must be explained to the Government. The officer to whom leave of absence might be granted was in general entitled to half salary, and no private arrangement was allowed with the object of securing to the officer more than the authorised allowance. That had been the rule in this colony for many years, and six years was surely long enough to entitle a man to long-service leave.

MR. ILLINGWORTH: Was it not ten in South Australia?

THE PREMIER: Some wiseacre in that colony's Legislative Council had proposed that it be ten. Evidently it was desired that none should ever leave the sunny land of South Australia. Hon. members opposite wanted a similar provision here—that people should live here for ever. Next it would be proposed that none employed in the capital should travel more than ten miles out of it. In this matter the House would not go far wrong if guided by the practice in other Australian colonies, and by the rules and regulations of Crown colonies. He hoped the proposal of the Opposition would not be carried. The new-found affection of those hon. members for the civil servants seemed to have cooled.

MR. WILSON: The service required better pay—not longer holidays.

THE PREMIER: The House would hardly follow those hon. members in their proposal, but would retain the regulation in force for so many years not only here but throughout the Colonial Empire. He would oppose the amendment.

MR. GEORGE supported the Premier. Six years was long enough to qualify for leave, if the proposed amendment of the member for Toodyay (Mr. Quinlan) was carried. One month's leave on full pay and two months on half pay, in addition to the other holidays, would be sufficient. If a man desired a trip to England he could, under the preceding clause (28) allow his leave to accumulate. Moreover

few civil servants would wish or would be able to pay for such a trip. There was much in the argument that it would be better to have fewer civil servants, to pay them better, and to work them harder.

THE PREMIER: The hon. member would kill the officers.

MR. GEORGE: Only by nepotism could they be killed, as they were killed in the Premier's Department. They might also be killed by taking away the incentive to diligence and improvement furnished by legitimate opportunities for promotion. He would deal with the matter on recommitment.

MR. WILSON: This was a case of "Codlin's your friend, not Short"—a favourite plea of the Premier. The member for Toodyay (Mr. Quinlan) might well fall in with his (Mr. Wilson's) amendment. He was not wedded to the eight years if hon. members liked to leave it at six years; but he was certainly opposed to any curtailment of the six months' holiday. The bulk of the civil servants, the rank and file, were under-paid, and the sooner they received a better salary and there were fewer of them employed, the better.

MR. PIESSE: The House had really got away from the subject, and it was necessary to further consider it with a view to coming to some understanding in regard to what was being done in other departments of the public service. The Premier had mentioned that there were no regulations at the present time dealing with leave of absence, but he would point out that there were regulations in the Railway Department and in the Public Works Department. He could speak perhaps more accurately of the Public Works Department. In that department two weeks' leave was allowed yearly, and the cumulative leave might be six weeks. That was after three years' service, and it might be taken at one time. It was mentioned that we wished to come into line with the eastern colonies. With a desire to be as liberal as possible, he thought we were really acting too liberally in this instance. He had always endeavoured to be as liberal as possible with this leave. In the regulations in New South Wales, to which he had before referred, we found that two weeks' recreation leave was allowed in each year. With regard to extended leave the board could, with the

approval of the Governor, grant to any officer of twenty years' continuous service, leave of absence not exceeding twelve months on half salary or six months on full salary, or in case of pressing necessity grant leave of absence without salary to any officer, and such leave might be in addition to the ordinary leave provided for by Regulation 18. It would be seen that this leave was granted after 20 years' continuous service. That period was certainly too long, but he did not agree with the six years. His desire was to deal liberally with the officers, but at the same time we must not get out of the general practice. If leave were granted upon the liberal scale provided here, the cost might run into a considerable amount of public money. If such leave were granted to one section, it should be granted to another. It would be far better to report progress to-night.

THE PREMIER: As far as the Government were concerned, we were not more liberal now than had been the practice. In fact, not so liberal. Speaking from experience, the practice for the last 30 years at any rate had been to grant vacation leave annually to what were called permanent civil servants: they were entitled to it, but did not always get it. It had been the practice to grant six weeks' vacation leave, or three months in two years, and to allow full pay. That had been the practice, but the Government were not always able to follow it.

MR. PIESSE: Servants in the Public Works Department had not obtained that.

THE PREMIER: That was the regulation. If an officer in the permanent service were to ask for leave to-morrow for three or four weeks, to go down to Cape Leeuwin, he might, if the exigencies of the service permitted it, obtain leave and receive full pay. The Minister had power to give any amount of vacation leave not exceeding three months, but for any term exceeding three months leave was given by the Governor-in-Council: that was the long leave, three months on full pay and three months on half pay. The Bill would curtail the privileges civil servants hitherto had enjoyed here. He heard a great deal to-night just now from the member for the Canning (Mr. Wilson) as to the civil servants being badly paid, and there being too many of them. He absolutely

refused to believe that assertion. He admitted that civil servants were not well paid, and he would like to see them better paid, but they were paid better than people who were not in the service. The civil service was a better service for any one than private employment in insurance companies and mercantile offices in the city. It was a better service than any of the services in the city. Civil servants got better paid and were better treated, and he did not think they were worked as hard. At any rate, there was not so much pressure put upon them. They also had longer leave and more holidays, and he believed that if a canvass were made among people engaged in clerical work, it would be found that those persons would say that people in private employment were not so well treated as those in public employment. That being so, he would like some of those members whom he found finding fault with the Government, to pay their own people a little better, treat them a little better, and give them a little more leave. He was going to turn the tables upon those people. They were always talking about the Government and saying how badly we treated the civil servants. How was it with their own officers and clerks? If the matter were analysed we would, he believed, find that clerks of banks, insurance companies, and other institutions would say they preferred the civil service. Did not such persons often come into the civil service? There were a number of cases in which they were glad to enter the civil service, because they thought their chances of promotion were better. Everyone in the civil service whose salary was not higher than £200 to £250 a year was looking out for an increase of £10 a year. Was that the case with private establishments? He knew institutions where there were no increases at all. The salary of civil servants was not high, but very low indeed; but money was not plentiful in an extensive country like this, with a large civil service rendered necessary by the great area. He hoped we should deal with the matter in a liberal spirit. He did not want to be unduly liberal, or do anything out of the way, and he would like to point out that these civil service regulations were less liberal than the existing practice. As we had altered the term in

Clause 28 to two weeks, it would be better to make the term in this case six weeks. That would perhaps meet the case, when we recommit the Bill. In regard to the other matter, he could not agree to curtailing the time of six months. What did one want leave for but to go to the other colonies or to England? And one could not go to England and have any time there in less than about six months; therefore, it was no use giving a thing which one could not avail himself of. After all, there were not very many who would avail themselves of the long leave, and we could afford to be liberal when it was costing us nothing. He hoped the clause would stand as at present.

MR. ILLINGWORTH: We ought to take notice of what the Premier had said as to those who had experience before us. Section 133 of the Civil Service Act of Victoria, 1890, stipulated that three weeks' leave of absence might be obtained during the year. A man might take one week and apply for a fortnight subsequently, but he could not get more than three weeks, unless it was sick leave.

THE PREMIER: That was the same as here.

MR. ILLINGWORTH: That was all right, but now we had Section 134, which read that if any officer had continued in the public service of Victoria at least twenty years and had not been reduced for misconduct or deprived of leave of absence under this Act, the Governor-in-Council might, upon the recommendation of the board, grant leave of absence for a period not exceeding twelve months, six months being on full pay and six months on half pay. We might adopt the suggestion of making the term here eight years instead of six. He had intended to propose that it should be ten years, and if we reduced it to eight it would be very considerably in favour of the civil servant. If we got eight years passed it would be desirable to retain the six months' leave of absence (three months on full pay and three months on half pay); because whenever a civil servant wanted such leave it was to go to foreign lands or to England. One wanted to travel a distance by sea, and he could hardly do it in less than six months. If we raised the six years to eight, we should be exceedingly liberal in comparison with the civil

service in Victoria, where the long leave was granted after twenty years.

THE ATTORNEY GENERAL: In Victoria they got twelve months' leave, then.

MR. ILLINGWORTH: A person would rather take six months' leave of absence after eight years and another six months after another eight years, than twelve months after twenty years.

THE PREMIER: What was it in the measure introduced in the Upper House of South Australia?

MR. ILLINGWORTH: Ten years was passed in the Upper House. As he had said, he had intended to move that the period should be ten years, but he would be quite willing to make it eight. He thought we should do well to accept this amendment.

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

Clause 30—Holidays:

MR. GREGORY: In the event of a public holiday being declared, say for a race meeting at Kalgoorlie, would that entitle public servants all over the country to the holiday?

THE PREMIER: No; only in the place proclaimed.

MR. QUINLAN moved that Sub-clause 2, prescribing Easter Eve as a public holiday, be struck out. Easter Eve was not kept up as a holiday now, and there were too many holidays already. There would no doubt be further holidays in connection with the Commonwealth; and seeing the liberality with which the public service had been treated in the previous clause, this holiday might very well be struck out, power always being retained to the Government in Sub-clause c to gazette any holiday deemed desirable.

MR. ILLINGWORTH: Easter Eve was a kind of holiday very largely availed of, because it enabled people to go away from the Thursday until the following Monday, while to come back on Saturday would break up the vacation. Very little work would be done in the Government service if the servants were brought back for a half day on the Saturday, and as this holiday occurred usually in good weather at the end of the summer, the Committee could not do better than allow the Sub-clause to remain.

Amendment put and negatived.

MR. GEORGE: Did the Premier propose to strike out any of the holidays

provided for in this clause, and proclaim others in connection with the Commonwealth?

THE PREMIER: Which holidays would the hon. member like to do away with?

MR. GEORGE: A lot of them; and the Government ought to consider before proclaiming so many unnecessary holidays in the course of the year. These holidays interfered very materially with trades people and others who had to get their living in the colony, and in whose way no obstacle should be placed.

Clause as amended put and passed.

Clauses 31 and 32—agreed to.

Clause 33—Board to be appointed to try charges against officers:

MR. WILSON: The last word "charges" in the clause ought, in his opinion, to be "reports," and an amendment to that effect ought to be made.

MR. VOSPER: There was also something wrong about the marginal note, seeing that it was not this clause, but the clause following, which had reference to boards.

Clause put and passed.

Clauses 34 to 36, inclusive—agreed to.

Clause 37—Forfeiture of office in certain cases:

THE PREMIER moved that the following be added after the word "felony," in the first line, "or of misdemeanour punishable by statute by imprisonment for twelve months or more."

MR. VOSPER: What would happen in the case of a man who suffered ten months' imprisonment?

THE ATTORNEY GENERAL: A man might be dismissed for incurring ten months' imprisonment, but for twelve months' imprisonment he absolutely forfeited his position.

MR. VOSPER: It was difficult, in this connection, to see any difference between imprisonment for three months and twelve months.

THE ATTORNEY GENERAL: Twelve months' imprisonment would show that the offence was a more serious one.

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

Clause 38—Insolvent officer may be reinstated in the absence of fraud:

MR. WALLACE: Would an officer's term of service be counted from his reinstatement, or from the commencement of his original service?

THE PREMIER: This clause would not interfere with his service at all; the officer would go on as if nothing had happened.

Clause put and passed.

Clause 39—Incapacitated officers:

MR. GEORGE: Sixty years was now the age at which officers might be retired, while in the clause it was made sixty-five years.

THE PREMIER: There was no objection to making the age sixty, if it was so desired.

MR. GEORGE: There were many men whom it might be desirable to keep in the service even at the age of seventy.

THE PREMIER: The clause was permissive.

MR. GEORGE: The clause did not make it compulsory for a man to retire at the age of sixty, but simply gave the Government power to make him retire if the man was considered not fit for his office. He moved that "five" be struck out.

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

Clause 40—Regulations:

THE PREMIER moved that in Sub-clause 2, after the word "and" the words "the hours of attendance" be added.

Amendment put and passed.

MR. QUINLAN moved that the following be added to stand as Sub-clause 5: "For regulating and determining the scale upon which officers shall insure their lives." An amendment to this effect was agreed to on his motion, when a similar Bill was before Parliament last session, and it placed the law on all-fours with that of New South Wales. Such a regulation was very necessary, seeing that for years past the Estimates had contained items providing compensation or remuneration to some person or another. No doubt in many cases it was most deserving, but the pensions paid had been a drain on the colony for years. He hoped a new departure would be made in the colony, and that henceforth the law would prevail here that those who entered the civil service should make provision for themselves and those dependent on them without trusting to members of Parliament, when the Estimates came forward, to make provision for them. Unfortunately there were many

cases in this colony in which officers drawing large salaries lived up to them, hoping that provision would be made for their families, and that had been done. In one instance an officer who had been drawing £600 a year, and more, died and left a small pittance of a few pounds. His family was granted an allowance. Another case which he brought under the Premier's notice was one in which an officer had started in the service at £6 a month and raised himself to a position worth £350 a year. This officer on his death left £4,000 worth of property, and in accumulating that he could not have lived up to his salary, but had been cautious and prepared for a rainy day. For that reason the Premier refused to give the family of the officer anything, while the families of officers who had been drawing salaries ranging higher than £600 a year for years had allowances granted to them.

THE PREMIER: There was no objection at all to this provision; in fact he thought it was a very good thing if we could arrange some plan by which civil servants should insure their lives; but he objected to what the hon. member stated in regard to pensions. The hon. member referred to one case in which a considerable sum of money was left behind, several thousands of pounds. He could not understand how people who were left fairly well off could make themselves believe that they ought to come to the State and ask for consideration. He rather believed what Sir Robert Peel said. After a great many years' service which this statesman rendered to the country, he made it a condition in his will that no member of his family should obtain any remuneration for services he (Sir Robert) had rendered to the State. That ought to operate in every person's mind. He should think it was somewhat humiliating to a person to think that his family should ask the State for something when he died. He (Sir John) would have a feeling of sorrow and pain if, when he passed away, those belonging to him were to be dependent on the State for what they required. Of course necessity knew no law, and if people were destitute they must put their feelings in their pockets; but if people were well off, he could not understand their feelings in asking for something from the public

exchequer. He knew of lots of cases in which the families of former officers had been left in indigent circumstances or destitute. These cases should be attended to, but because a person served the State faithfully and well, as the officer referred to by Mr. Quinlan did, who was an exemplary public servant for long years, and carried out his duties to the satisfaction of everyone, that was no reason why the State should contribute to his family if they were well provided for. Of course it might be said it was a premium on extravagance to assist those who left nothing behind them, and not to give anything to those who were economical and saving; but we must look the facts straight in the face, and if people had enough they ought not to ask for anything.

MR. VOSPER: That kind of virtue had no reward.

MR. GEORGE: What the member for Toodyay (Mr. Quinlan) had in his mind was that civil servants who lived up to their incomes should not be allowed to throw their families on the State. Surely if anything was given it should be for services rendered, not for sympathy. If one officer lived up to his income and another by self-denial, left something behind him, both should be placed on the same footing. He knew a case in which a lady who was represented to be in indigent circumstances obtained an amount from the State, but when the will of her husband was proved it appeared that something like £10,000 had been left behind.

MR. A. FORREST: What case was that?

MR. GEORGE: Somebody down Fremantle way; he was not going to mention the name. The hon. member for Toodyay, he thought, objected to pensions. He (Mr. George) too objected to pensions most strongly. We had no right to have them at all. They were not given in private services. The salary given to an officer should be sufficient for him to provide for his family, so that they should not be thrown on the State. The system of compulsory insurance, he believed, obtained in New Zealand, where every officer had to insure his life, and he did not think it would be a bad idea in this colony. The better plan would be that an addition should be made to the officer's salary, and let the premium be paid out

of that. He did not see how an officer could pay a premium out of a salary of £100 a year.

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

Clauses 41 and 42—agreed to.

Clause 43—Public servants entitled to copy of Act and Regulations:

MR. ILLINGWORTH moved that the following be added at the end of the clause: "and also to a copy of the report of any board which has investigated any charge made against him." The member for East Perth (Mr. James) had explained fully the necessity for this, which he believed the Premier did not object to.

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

New Clause:

MR. QUINLAN moved that the following be added, to stand as Clause 19:

No probationer shall have his appointment confirmed until he has effected with some life assurance company carrying on business in Western Australia an insurance on his life providing for the payment of a sum of money at his death should it occur before the age of retirement from the public service; or, if he survive till that age, of a sum of money or annuity on the date of such retirement. Such insurance shall be continued, and the amount thereof fixed and increased from time to time in accordance with regulations made as herein provided in that behalf, and no policy of insurance so effected shall be, during the time such person remains in the public service, assignable either at law or in equity.

MR. WILSON: Suppose the premiums were allowed to lapse?

THE PREMIER: The regulations would provide for that.

MR. WILSON: Could regulations be framed to stop a portion of the salary for this purpose?

THE ATTORNEY GENERAL: Under Clause 40.

MR. HIGHAM: This new clause affected a good many of the previous clauses, and required consideration. He moved that progress be reported.

Motion put and passed.

Progress reported, and leave given to sit again.

INDUSTRIAL CONCILIATION AND ARBITRATION BILL.

POSTPONEMENT OF ORDER.

Order read, for second reading of the Bill.

THE ATTORNEY GENERAL: As the Bill had not been circulated prior to this evening, he moved that the order be postponed till to-morrow.

MR. ILLINGWORTH: Could the Minister inform the House why copies of Bills had been refused to hon. members? This morning he visited the House to procure this Bill, but without success; yet the text of the measure had been published in the newspapers, and copies of it sent to different people.

THE PREMIER: Not copies of the final revise.

MR. ILLINGWORTH: How was it the Press published in this morning's issue a Bill not obtainable by members of the House?

THE PREMIER said he was not aware of the fact stated.

MR. GEORGE: Look at the amendments made a fortnight ago in this Bill, of which no hon. member could get a copy.

MR. ILLINGWORTH: It seemed the printed copies were ready for the Press, but not for the House. Members of the Opposition had postponed a quantity of important business they wished to debate last week, on the understanding that the Government were desirous of getting this Bill before the House.

THE PREMIER: That was the desire.

MR. ILLINGWORTH: And then, when the order of the day was read last week, the House had to adjourn at nine o'clock because copies of the Bill were not procurable. Next, the Premier promised he would send the Bill round to members; and here we were with the Bill published in the Press, yet hon. members could not procure copies.

MR. VOSPER: In connection with this Bill there had been some curious occurrences. Nearly three months ago he had applied on behalf of the Amalgamated Workers' Association for a copy, and had obtained from the Premier's office one marked "proof," which he duly sent on to the applicants. Since that time the Trades and Labour Council and other labour organisations had received copies of the Bill from some Government officials.

THE PREMIER: Of this Bill?

MR. VOSPER: If not, then they had been grossly misled, because they framed a series of amendments for the consideration of hon. members, and he (Mr.

Vosper) actually placed such amendments on the Notice Paper before the Bill was laid on the table.

THE PREMIER: Before the hon. member saw the Bill he tabled amendments? Such amendments would probably be all wrong.

MR. VOSPER: That action was taken rather for the purpose of exhibiting the anomaly than with any other view. Any body of men outside the House could obtain copies of the Bill before hon. members. Was that a proper method of treating Parliament?

THE ATTORNEY GENERAL: The Bill had been finally printed to-day.

MR. VOSPER: If so, those who received drafts had been misled.

THE PREMIER: No; for they had been told they were drafts.

MR. VOSPER: Why should not hon. members get such drafts? Three days ago he sent to the Premier's department asking for a draft copy, but without success.

THE PREMIER: The department could not get copies then. What was all this talk about? This Bill had been laid upon the table of the House last year; and it was not materially altered now. Advice had been taken from different people, from those engaged in labour and in mining operations. He had never seen the final revise till he came to the House to-night. If the *Morning Herald* or other newspapers got copies, they might perhaps have received them from the drafting department. He did not know that had been the case. He had no knowledge of the publication of the Bill, and did not see it in the newspaper. Hon. members seemed to think the Government had some object in not providing them with copies of the Bill.

MR. GEORGE: It looked as if that were so.

THE PREMIER: Hon. members had not been treated worse than he; for he had not seen a copy of the Bill till to-night.

MR. GEORGE: Who, then, had the copies?

THE PREMIER: The Government Printer.

MR. GEORGE: Who made the alterations?

MR. WILSON: Who sent out the drafts to the Trades and Labour Council?

THE PREMIER: Months ago he had done so, and they had been sent to many other people; but they were sent confidentially, and not for publication.

MR. GEORGE: In this matter he must enter a protest.

THE PREMIER: Go on with the work.

MR. GEORGE: Copies of the Bill had been sent out. An Act of Parliament, to do any good, must deal justly with all parties affected, and this Bill would affect both employers and employees. By what right did the Premier shield himself behind a subterfuge?

THE SPEAKER: The hon. member must withdraw that expression.

MR. GEORGE withdrew the word. Why had the Premier furnished one party interested in the Bill with copies, and allowed the other party, whom the Bill would affect quite as much, to remain in ignorance of its provisions? Was it in accordance with constitutional law that such Bills should be circulated amongst any section of the community before being available to hon. members? How was it that hon. members were left to the daily Press to gain information on proposed legislation which would change the entire relations between employers and employees, and which required most careful consideration from every person interested? He would say nothing against the enterprise of the Press; he thanked the Press for giving the information which hon. members should have had as a right. The Premier's conduct in this matter was deserving of much censure, if it were in the power of any hon. member to bestow that censure.

THE PREMIER: Against all this talk as to what he had done, he must protest. He had done nothing. About two months ago, one of the revises of the Bill was settled. A few copies were then struck off and sent to the Trades and Labour Council, to mining companies at Kalgoorlie and Coolgardie, and to Chambers of Commerce.

MR. WILSON: Not to the Chambers of Commerce.

THE PREMIER: Well, to the Chambers of Mines. About a dozen copies were sent out. Replies and criticisms had been received. Since then, further amendments, not very important, had been made, and since the final revise, no copies had been given to anyone.

MR. GEORGE: Had they been lent to anyone?

THE PREMIER: No; and even he had not seen the revise till to-night. How the newspapers got it he did not know, unless the Bill had been printed on last Saturday; and if printed on Saturday it would have been available before to-night. After the first reading had been passed, the Bill was no longer a private document, and he regretted that he had been unable on that occasion to supply the member for the Murray (Mr. George) with a copy. He assured the hon. member that if there had been any error, it was due to inadvertence and not to intention.

MR. GEORGE: There had been a good deal of talk about the matter outside.

THE PREMIER: Personally, he had done nothing in regard to this Bill that anyone could complain of, for he had not seen it until now.

Question put and passed, and the order postponed.

MOTION FOR PAPERS—CENTRAL WINERY.

On motion by **MR. OATS**, ordered that there be laid upon the table of the House the correspondence between the Minister of Lands and **MR. H. G. SCOTT** with regard to the erection and equipment of a central winery.

RETURN—MAIL STEAMERS AT FREMANTLE, CHARGES.

On motion by **MR. J. F. T. HASSELL**, ordered that a return be laid upon the table of the House showing: 1, The amount of port dues paid by the Peninsular and Oriental and the Orient Companies' mail steamers at Fremantle. 2, The amount paid by the above mail companies for the use of the Government steam tugs at Fremantle.

RETURN—CULVERTS, WOKALUP AND MORNINGTON.

MR. EWING (Swan) moved:

That there be laid upon the table of the House a return showing the total cost of culverts constructed by the Government on the main road between Wokalup and Mornington stations during the months of March, April, and May last.

This motion was consequential upon the answers which the Premier gave in reply

to questions that afternoon; the motion was merely formal.

THE PREMIER: Did the hon. member know what the return was wanted for?

MR. EWING: The roads board wanted it.

THE PREMIER: How many culverts were there?

MR. EWING said he was unable to say.

THE PREMIER: The distance between the two places was only about four miles.

MR. EWING: The locality was in a part of the district of the member for Wellington which he (Mr. Ewing) was not closely in touch with. Some culverts had been constructed not in the ordinary way: they had been constructed for the Public Works Department; and he took it there would be no objection to giving the roads board the information as to their cost.

THE PREMIER: Hear, hear.

Question put and passed.

MOTION—POLICE DEPARTMENT, COMMISSION TO INQUIRE.

MR. VOSPER (North-East Coolgardie) moved:

That, in the opinion of this House, it is desirable and necessary that its mandate with regard to the appointment of a Royal Commission to investigate the condition of the Police Department be forthwith carried into effect.

He said: It will be within the recollection of hon. members that as far back as the 1st November, 1899, a motion of a similar purport was proposed in this House by myself and agreed to, the Government being a consenting party. At that time no objection was raised; in fact, the Premier seemed to rather favour the motion, and gave some reasons why in his opinion a motion of this kind should be passed. But he appears at a later date to have very considerably changed his views. On the 20th November I asked him when it was intended to appoint the members of this commission, and he said it was intended to do so shortly. He seemed to be of the same mind on that point. Nearly six months afterwards I again asked the question. In the meanwhile the late Commissioner of Police, Colonel Phillips, had died, and when the question was asked the second time he had been dead four or five months, yet I was told that the commission had been

deferred owing to the lamented death of Colonel Phillips. Then I put a third question about a fortnight afterwards, and asked how much longer the Government proposed to further postpone the appointment of this commission on account of the death of Colonel Phillips. Then, and then only, I arrived at the truth, because all the other answers were more or less of a shuffling character. The Government were playing with the question. The House was told that the Government did not intend to go on with the appointment of this commission until the House had again expressed its opinion. A question arises naturally at this stage: what is the use of this House expressing its opinion a second time? What is the use, in fact, of expressing its opinion at all, if the Government are not prepared to obey its mandates? The House on the 1st November last year deliberately decided that a police commission was to be appointed. Good, strong, and urgent reasons were given for that course. The Premier thought they were so at that time.

THE PREMIER: Not at all.

MR. VOSPER: He himself consented to the motion and used arguments in favour of it, as I am prepared to prove by a quotation from his remarks as given here in *Hansard*. I shall not labour the subject very much at this stage in moving the motion. I shall simply wait till I hear what reason the Government have to give for having thus flouted the decision of this House. In the meantime I would point out that the position I presented to the consideration of hon. members in November last remains practically unchanged. At that time I urged upon the attention of the Government a fact which cannot be denied, that a series of very grave crimes had been committed in this colony, and that they ran over a long period of years. They comprised crimes against the Government and against the public. Among them were one or two cold-blooded murders, several cases of highway robbery, a robbery of £900 from the Post Office, a robbery of eleven hundred and odd pounds from the Kalgoorlie railway station, and a vast number of other crimes, which up to the present time are really unavenged. I am well aware that the police force of this colony have peculiar difficulties to overcome. It is

not my intention, nor was it my intention in November last, to in any shape or form censure the department by asking for this inquiry, but it was intended (and that intention is still in my mind, and I take it in the minds of those who will support me to-night, and who supported me nearly twelve months ago) to see if we could not by inquiry put the police department on a more efficient footing. There was no desire to assert that the police had committed fancied wrongs or real wrongs. All we desired to do was to make an inquiry into the condition of the police department with a view of making that department a more efficient body of men than it appears to be at the present moment. We know too, unfortunately, that not only is there with the public at large a question of general efficiency, but there is a large amount of internal discontent. I was told by a police officer not more than half an hour ago, outside this House, that it is frequently the case that a constable is employed eleven or twelve hours a day in Perth. In some parts of the colony their condition is even worse than in Perth. If that be so, if these men are hard worked and underpaid, it is only natural that they should be discontented, and when there is discontent there is sure to be a corresponding lack of efficiency. Above all things it is a *sine qua non* of the efficiency of the police that the members of the force shall have comfort and happiness, and a strong inducement not only to remain in the force, but to secure promotion and permanency.

MR. GEORGE: How do the authorities arrange promotion?

MR. VOSPER: I do not know. Nobody knows. The police department of this colony is a sealed book. It might as well be a Russian police, for all the public know of its work. It is time a little light was thrown into this dark corner. Some time ago, when the new Commissioner was appointed, it was hoped that an era of reform would be inaugurated, and that the police force would become more efficient than it had hitherto been. Instead of that, what did we find? we found that the Government showed their judgment by appointing a man who may be supposed to be the most ignorant of the police force, whilst every old officer and every

man who knew how to do the work was passed over for him. I am not going to discuss the appointment of Mr. Hare at this stage. The fact remains that the police department now is in exactly the same position as it was on the 1st November last. Perpetrators of the crimes I then referred to in detail have not been caught; justice has not been done, and there must be a reason for all this. I contend that the reason lies in the fact that the police department is not properly organised, or, if it be properly organised, the police have not the proper means at their disposal for the purposes of criminal investigation. Whatever the cause is, it is the duty of this House to discover it, because nothing can be more detrimental to the welfare of the country, nothing can be more dangerous to the lives and safety of subjects, than an inefficient Police Department. I contend that, whether from the fault of the officers or the Government, or from any other condition at present unknown, that is a description which may be applied to the Police Department in this colony. At the present moment I shall defer any further remarks I have to make until I come to speak in Committee. In the meantime I move the motion standing in my name.

THE PREMIER (Right Hon. Sir J. Forrest): I do not think the hon. member is right; in fact I know he is not right, and I hope members will not think he is right, in saying there is any desire on the part of the Government to what he terms "flout" the House, in regard to not appointing a Royal Commission to inquire into the Police Department. If such idea entered the minds of the Government, the Government are very much more foolish than I take them to be, because any attempt on the part of any Government to "flout" a Legislative Assembly would not, I think, be conducive to the welfare of the Government itself.

MR. GEORGE: You have the votes.

THE PREMIER: Seeing we are responsible to this House, we are not likely to do anything to the House which would irritate it or flout it. At any rate our desire naturally would be to do everything we could to meet with the approval of members. Some time elapsed, but the Government did not lose sight of the question, and they fully intended to ap-

point the commission, but the unfortunate death of the Commissioner of Police threw the whole of the proposals of the Government out of joint, and some little time passed before a new commissioner was appointed. The Government thought, and I thought too, that seeing that there was a new commissioner appointed to control the police, and that there was nothing very glaring to inquire into, there being only some crimes which had not been detected, and which can very easily be explained, the House would not desire to have a commission appointed until the new commissioner had an opportunity of showing what he could do in the management of the force. These royal commissions have been rather numerous of late. I suppose that so long as we have the member for North-East Coolgardie (Mr. Vosper) in the House, he will always be moving for royal commissions.

MR. VOSPER: They are badly wanted.

THE PREMIER: And he will also be moving for select committees. We remember that select committee about the lepers. We remember the extraordinary circumstance that the House refused to have the report of the committee printed. That report was drawn up by the hon. member himself. I do not wish to say anything derogatory to the hon. member, but on the contrary I desire to say everything I can to please him. Still, he has rather a mania for commissions. I would like to know whether it is the feeling of this House that a Royal Commission is necessary. If it be, I am not undesirous to have such commission. We have nothing to hide that I know of. I myself do not know anything in connection with the police force at the present time crying out for investigation. I believe that the police force is an efficient force, and that if there is one class of people in this country which does what it is told to do, it is the police force of the country.

MR. GEORGE: Are they contented?

THE PREMIER: As far as I know they are contented. I am Minister of Police, and very seldom do any complaints come before me; very seldom indeed. And there are not many dismissals or adverse reports from the Commissioner. Considering the length and breadth of this country, and that the police are scattered all over it in isolated

positions, I consider it is wonderful that we should have such an efficient body of men, and unless there is some real cause for investigation, I submit that it does more harm than good to have these Royal Commissions. There should be some real ground and reason for the appointment of a commission, and seeing that we have a new Commissioner, and that he has hardly begun yet to look round him, it is altogether undesirable to appoint a Royal Commission to sit in relation to his department. It is, I repeat, altogether undesirable that we should do so, and that being my opinion, I do not intend to act upon the resolution passed until we have had an opportunity of discussing the matter here, and members have had an opportunity of saying whether, under the altered conditions, they still desire a commission to be appointed. Let it be understood by everyone that I am not opposed to the commission. I do not want to oppose the appointment of a Royal Commission, but I say it is undesirable, and if the hon. member presses the motion I shall vote against it. A great deal of labour and expense will be entailed by the appointment of a commission, members of which would have to travel throughout the length and breadth of the country, even so far as Wyndham, Derby, and other places in Western Australia.

MR. VOSPER: And that is badly wanted.

THE PREMIER: If a Royal Commission did travel into those parts, the police would be found to be a class of men who do their duty.

MR. VOSPER: I do not say the police do not do their duty.

THE PREMIER: Then why ask for an investigation?

MR. VOSPER: I am not accusing the police and you know that very well; and you are deliberately misrepresenting me.

THE PREMIER: I must ask the hon. member not to lose his temper, because he says much harder things about me than I do about him.

MR. VOSPER: You are misrepresenting me.

THE PREMIER: There can be only one reason for an investigation; namely, that there is "something rotten in the State of Denmark." It is not for the hon. member to say he believes the police to be a good and efficient body, and then

to ask for an inquiry of the kind proposed, in order to prove that they are inefficient. Royal Commissions are appointed when there is something wrong in the administration, and if a department cannot stand such an investigation, there must be something wrong somewhere. But that is no reason why the House should agree to every request of the kind made by the hon. member.

MR. VOSPER: You have granted this request already.

THE PREMIER: I did not oppose the proposal last year, because I did not care whether it was carried or not, and it was agreed to on the voices; but, at the same time, I thought a Royal Commission unnecessary. Now, however, things are changed, seeing that our old friend the late Commissioner is no longer with us, and the new Commissioner has not yet had time to look around him. Royal commissions, as I say, are appointed with only one object, namely, to inquire into an alleged inefficient or improper condition of affairs; but I say the police are efficient, and I ought to know something about the department. Scarcely any complaints are made, and why this department should be singled out, when it does its duty in the most remote parts of the colony and is a credit to the community, I do not know. And I am afraid that very few people are available as members of such a Royal Commission, and it must be proved to the hilt that a Royal Commission is necessary before a motion of the kind can be passed. The member for North-East Coolgardie will have to learn before he has been much longer in the House that he ought to follow and not to lead.

MR. VOSPER: You will get many more proposals of the kind before you have done.

THE PREMIER: A gentleman has been appointed Commissioner of Police, and it would be altogether undesirable to commence an investigation into his department before he has had an opportunity of looking into matters himself. Let the new Commissioner have a trial for, say, a year, and then if things are not as they ought to be, and complaints are made—though I have heard none except from the hon. member himself—we can then consider them. The police do their duty and are an efficient body,

and if the hon. member admits that, why have a Royal Commission? Unless there is a consensus of opinion that the police are not efficient, and that there is something wrong in the organisation, it would not be giving a fair chance to the new Commissioner to appoint a Royal Commission before he has had time to look around himself; and I hope the hon. member will not press the motion.

MR. VOSPER: I most certainly shall after that speech.

MR. GEORGE (Murray): It is to be regretted we have not some means by which the duties, not only of the Premier, but of members might be defined. I was under the impression that when the House gave its assent to a motion, that motion was practically a mandate of the representatives of the people, and that it was for the executive Government to carry the mandate out. This evening, however, I have found that is not so. While we are, as we believe, ruled by a responsible Government, we are practically ruled by a dictator, a gentleman who—and I say this with all respect—can flout a decision of the House. The Premier admits a similar motion was passed last year on the voices; and he says the motion was not considered by him of much importance. But I respectfully submit that a mandate of the House does not lose its force because the Premier happens to be neglectful of his duty, or to be sleepy, or thinking of some other matter. I do not think there is great cause for complaint against the police force, but, in all sincerity, I believe there is grave discontent throughout the service, discontent because of promotions made of men who have not been so long in the service as other men whose records are clean. Without speaking a word of disrespect in regard to the present Commissioner, I believe that his appointment has not been received with unalloyed joy by members of the force, and this House might ask itself, without any desire to cast reflections on the present Commissioner, whether it would not have been better for the force and for the colony, if some man had been appointed who had been trained in connection with the police, even though that man had to be imported in the absence of any of sufficient experience here. The heated arguments of the Premier are entirely mis-

placed. Why should not an hon. member, if he likes, move for 50 royal commissions? It is within the right of even the meanest member of the House to bring forward his views, and to have them as respectfully listened to as are the words of wisdom which occasionally fall from the lips of the Premier. The arguments used by the Premier against the appointment of a Royal Commission have really no foundation. His principal argument is that the late Commissioner, whose memory is respected by most, if not all of us, has passed away. But the passing away of the head of a department does not mean the passing away of discontent in the force or the passing away of grievances suffered by the rank and file. It simply means that the chief, who was at the head of the force, has gone from this realm to another, where we hope he is happier; just in the same way as if the Premier died, complaints in this colony would not die with him. If it were so, the Premier might sacrifice himself on the altar of patriotism and allow Western Australia not only to lose its only Premier but also most of its grievances.

MR. VOSPER: "The evil that men do lives after them."

MR. GEORGE: How could the proposed Royal Commission cast any reflection on the new Commissioner? If the Royal Commission were composed of proper men—and I presume that the Premier would appoint none but proper men—the Commissioner of Police would be aided and would learn more about his department than he is likely to learn if he remain Commissioner for 20 years. His position is analogous to that of many heads of departments, who know the files which pass from one portion of the department to another, but do not know anything of the inner working, or have any knowledge of the discontent and feelings of the rank and file. And yet on the loyalty of the rank and file, the whole efficiency of the public service depends. The Premier spoke about expense, but surely it comes with ill grace from the Premier to speak of expenses in connection with a commission which has for its object the investigation of matters into which it is evident inquiry should be made. The Premier has in many instances during the last ten years, flung the colony into

unnecessary expense, but we never hear the cry of "unnecessary expense" except in connection with matters which, if I may be permitted by the rules of the House to say, come dangerously near "treading on the corns" of those who may be connected with the Premier. When all is said and done, the most important point is that even if the House to-night were to decide that a royal commission should be appointed, the Premier, who is the uncrowned dictator of Western Australia, having told us he has flouted a motion of the House, we have no guarantee he may not flout us again; and I ask hon. members and the country if we are going to place ourselves any longer under the control of a man who is apparently lost to the decency demanded by his public position.

MR. WALLACE (Yalgoo): That there is necessity for investigation into the administration of the Police Department, is recognised by all hon. members; but the wisdom of appointing a royal commission is questionable, looking at the results of the operations of similar bodies during the time I have been in the House.

MR. VOSPER: They are appointed by the Premier himself.

MR. WALLACE: Quite so; the hon. member has taken the words out of my mouth. This is a matter we cannot control in the House; but from the report of the new Commissioner we can see that many reforms are proposed, and I believe he is much in advance of our late respected Commissioner, and with the time and means desired, he will doubtless reorganise the Police Department thoroughly. There is urgent necessity for weeding out a lot of the present constables, because in the outlying districts there are some of most useless men in the police force that could be found in any class of men on the face of the earth. It would be wise to have an investigation, if only to obtain for the capable men and officers that recognition to which they are entitled, and to have those men who are a burden to the department cast out, and put in some other department where energy without brains might help them along. To burden the good men of the Police Department with some of these men I have spoken of is one reason why such an inves-

tigation should take place. As the member for North-East Coolgardie (Mr. Vosper) remarked, inasmuch as the Premier appears to have had the sole control of the appointment of royal commissions we may just as well sit down and take his concluding remarks as the result of the royal commission.

MR. ILLINGWORTH (Central Murchison) : The objection I have to raise in this case is that the distinct direction of this House has been neglected, to say the least of it. I want to call attention to the fact that it is a most extraordinary piece of parliamentary practice for this House to pass a resolution, and for that resolution to be allowed to lie over, after attention has been called to it over and over again, without any reason being given for this procedure. It is on all fours with another case to which I should like to draw the attention of the Attorney General. On the 30th August, 1899, a petition was presented to this House for the creation of a board of health for North Perth. A motion was moved by the member for North Perth (Mr. Oldham) to the effect that the prayer of the petitioners for the creation of a board of health should be granted, and in order to give sufficient time to the City Council to take the necessary steps to provide for a central dépôt, I moved an amendment that six months be allowed for this purpose, and that the prayer of the petition be granted within six months. This amendment was put and passed, and the original question as amended was put and passed. Here we are in September, 1900, and that decision of this House has not been acceded to. It is my intention to take action in the matter later on. I call attention to this to show that this is another instance in which the House has expressed by voice its decision, and the decision has been distinctly flouted by the Government. How much more of this are we to have ? It is not for the Government to come to this House at this stage and say that certain things decided by the House are not necessary. The Government are not the judges of the necessity of the case. The House has passed a resolution, and it is the bounden duty of the Government to carry out the resolution, or give the House satisfactory reasons for not doing so. We have had no reasons whatever

given to us. A majority of the members of the House has passed two resolutions, but neither the one nor the other has been carried out by the Government. This is a course of procedure that I am not prepared to approve of. I do not think hon. members will care to approve of it either. Here we have two distinct cases in which a resolution has been passed by the House, and no action has been taken with regard to the decision arrived at. Has Parliament no powers at all in the country ? Are the Government supreme ? The House has declared that the prayer of a petition is to be granted within six months, but the Government allow this matter to run on for over eighteen months, and yet the prayer of the petition has been granted ? Is the House to pass resolutions that certain things are to be done and then not to have them done ? The House has decided that a Royal Commission shall be appointed to do certain work, and over a year has passed and the will of Parliament has been set aside at the will of the Government. Are the decisions of the House of no avail ? Is Parliament to come here and meet from time to time, pass resolutions and then the Government to please themselves whether they carry them out or not ? If so, let us appoint the Premier dictator of the country altogether ; I know he would make a good one. Let us give up this farce of Parliament altogether. Let us reduce the whole thing to a dictatorship, and let us go and attend to our business instead of wasting our time in passing resolutions which the Government defy. As to the question of the appointment of a Commission, I have no hesitation in saying there are some grave reasons why a Commission should be appointed. We are conscious that a large amount of discontent exists in the police force, and it is dangerous to the community that that discontent should be allowed to continue. I do not know whether there are reasons for it or not. But I can say that as far as my knowledge of the police goes, which I am happy to say is limited, they are an efficient body, but we know some very grave discontent exists amongst the members of the police force. It is deep ; it is not very loud, not loud enough to reach the Premier, for the best of reasons that the men want to retain

their positions. It is a disciplined force, as the Premier has pointed out, and men are unwilling to break discipline, even to get their rights. Things are being done in the police force which are annoying, and these things come under our notice. I say, apart from the question whether there is or not, when this House has passed a resolution demanding that certain things should be done, it is the duty of any Government, no matter what Government is in power, to carry the resolutions into effect, or give satisfactory reasons to the House why they have not done so. Are the reasons which have been given satisfactory? What are they? We are told that the late Commissioner has passed away. The Commission was not to inquire into the duties of the late Commissioner, but into the Police Department, and if there be defects in the department it is to the best interests of the new Commissioner that these things should be investigated. To allow these things to go on, and then blame the new Commissioner, who has perhaps nothing to do with it, is not right. If the will of the House was carried out, and if the commission was appointed, and reported, the new Commissioner would be free from blame if there was any blame. I am not very favourable, as the Premier knows—and as I have expressed myself again and again distinctly on this matter—to commissions and select committees. I think the House should investigate matters itself in most cases; but here is a case which it is beyond the power of the House to investigate. As to going to Wyndham, I do not think there would be any necessity for that. The general management of the police force is the thing to be investigated. Is it a light thing in the eyes of the Government that grave and serious crimes should be committed in this country, of which there should be no trace whatever; that robberies should be committed, and yet the police cannot possibly trace those robberies? I say this would not be tolerated in any other British community. I say, if the Police Department in any other colony had allowed things such as have occurred in this colony to pass without some reasons given for the criminals not being brought to justice, it would be a serious matter for the police and for

that Government who were responsible. Here we are going on month after month, and no attempt is made to investigate these cases. What is the result? Dissatisfaction in the minds of the public, a fear, a well-grounded fear, that the police force, which costs us more in this colony than in any other colony in Australia—a higher rate, and in some cases treble what it costs in other parts of the continent—is not capable of protecting life and property in this land. That is the conviction which is abroad. It may be true, or it may be false. There are some reasons, and good reasons, for this state of affairs—the greatness of the colony, the newness of the population, and various other things we may suggest; but seeing that this House in its wisdom decided to have a Royal Commission to investigate, I say it is going beyond the powers of the Government to refuse to carry out the mandate and the wish of this House, without giving grave reasons for refusing. I have mentioned two cases in which the Government have done this. I will take action with respect to the second one to which I have referred, by mentioning it again. But no satisfactory reason has been given why the will of this House, as declared by resolution last session, has not been carried out.

MR. VOSPER (in reply): Whenever the Premier finds himself in this House with a particularly weak case, the fact is invariably indicated by his stretching his lungs to their utmost capacity, speaking in a very loud tone of voice, and using ungenerous allusions and abusive epithets towards his opponents. To-night has been no exception to the rule; and for the twentieth time since I have been in this House the Premier has tried the effect of bullying on my constitution. So far, he has not found this produces any visible result; and I think he will have to be Premier of Western Australia for a very much longer period than he has been already before he will find he can coerce me by a loud voice and a blustering manner. Underneath all that bluster, what was there? Simply a statement that one Commissioner of Police is dead and the other alive; and that is the reason for not appointing a Royal Commission! Now, there never was an attempt made to assert that the late Commissioner was in any way responsible for any

defects in the department. No accusations were hurled against him or against Commissioner Hare. It is not the intention of anyone in this House to make any accusations against either of these gentlemen. But the Premier smoothes the whole matter over in his usual airy fashion by telling us there is no reason for appointing this commission, there is nothing very glaring which has occurred to necessitate an inquiry by a commission, and anything which may have occurred can be easily explained. Now we want to know whether these things can be easily explained: we have seen, as I said before, a long series of crimes in this colony, beginning with the Bardoc murder in 1894, and continuing right down to the several burglaries in Kalgoorlie so recently as last week. We have seen robbery after robbery, murder after murder committed in this colony; we have seen highway robberies committed within the limits of the city of Perth—men stuck up by masked desperadoes and relieved of their cash within the sound of the chimes of the clock tower annexed to this House: yet nothing at all has happened; these criminals have escaped, and, for aught we know to the contrary, are still at large in this community, offering a menace to both life and property. "These things are not very glaring," says the Premier. I should like to ask him what he would consider glaring. Does he want the country reduced to a state of anarchy before he will consider the situation glaring enough to be worthy of an investigation by a Royal Commission? I thank the Premier very cordially for his characteristic and extremely generous allusion to a select committee over which I presided, and which investigated certain allegations concerning leprosy. If an additional reason were required for the appointment of this commission of inquiry into the police force, it would be furnished by that argument of the Premier, and by the case of that select committee; because I said then and maintain now that the results of that inquiry was deliberately balked by the efforts of the subordinate members of the police force, directed by the heads of their department. Inquiry was burked because the police interfered in a manner illegal and unjustifiable. The rank and file of the police were employed by their superior officers for the special purpose

of burking the inquiry organised and directed by this House. The Premier does well to taunt me with the fact that the report of that committee was expunged from the records of this House. If it were possible for a corporate body to have a sense of shame, this House, by this time probably, would be awakened to the necessity of feeling some degree of mortification over that episode; and if there is any shame in the matter, it rests with those who expunged that record, and who would only be too glad to expunge other records which have appeared in the public Press and which at present defile the pages of *Hansard*, records which will be resurrected from time to time from these volumes; and no amount of expunging will ever wipe out the facts recorded therein concerning the history of the Forrest Ministry. That episode is not the only one which disgraces that chronicle: and I refer to it to-day only because it has been referred to by the Premier for no better reason or purpose than to inflict humiliation and pain on myself for having ventured to disagree with him and for having ventured to demand a commission of inquiry into the police force. The Premier goes on to say that the police are obedient and attentive. That the police are obedient and attentive I admit; it would be difficult indeed to find a more obedient, tractable, and well-disciplined body of men, considering the disadvantages under which they labour. In many cases they are underpaid and badly treated; and the fact that they are so obedient speaks volumes for the character of most of the individuals who fill the position of constables in this colony. But there are black sheep in this flock, as there are in every other. When the motion for the appointment of this commission was first before the House, I mentioned the case of a constable in Perth who deliberately endeavoured to suborn perjured testimony—to induce a woman to prosecute a man for an indecent assault which never occurred. That constable was publicly censured for having committed perjury; and the penalty inflicted upon him by the late Commissioner was his removal to a remote station and a fine of a few paltry pounds. He was never prosecuted nor dismissed; and I happen to know that since that time that man who was guilty of that most

flagitious and outrageous piece of conduct has since been guilty of other offences almost equally culpable. These are the men allowed to associate with the respectable members of the police force of the colony; these are the men apparently protected by the heads of the department, and singled out for promotion, while deserving men are overlooked. These are the men who are the cause of the ill-feeling and discontent we find manifested by individual members of the force. The right hon. gentleman says no complaints have reached him. Did any complaint ever reach him? He lives in a serene atmosphere. The lowest heathen can approach his deity with complaints, but it is impossible to approach the Premier with anything at all; and why? Simply because not only is the Police Department inefficient, considering the work it has to perform, but the Premier's Department, of which he is so proud, is equally inefficient. Only the other day I sent in a recommendation to the Premier concerning the appointment of a gentleman to a certain position, merely indorsing the recommendation of a public board existing at Kalgoorlie. I received a reply from the Under Secretary to the Premier's Department to-day, in which he said that my recommendation that this gentleman should be appointed a member of that board would be duly taken into consideration. As a matter of fact, the gentleman is now a member of the board, and was never recommended by me for a seat on it. All I did was to forward the recommendation of the board that he should be appointed to some other position. That is the way letters are perused in the Premier's Department. Is it any wonder the Premier never hears complaints? It is an old saying that "Royalties are kept in ignorance"; and the right hon. gentleman, from his long tenure of office, has become a sort of royal personage—I had almost said something even higher than that—in this colony, and the result is that everything that is disagreeable, and everything that might upset the equanimity of the Premier, is kept from him by the flattering and servile court by whom he is surrounded. I am speaking well within the mark when I say that. I say there are public servants in this colony who do all they possibly can—and

they have substantial reasons for doing it—to spare the Premier from the more disagreeable duties of his position. So far as many points in the administration of the colony are concerned, the right hon. gentleman lives in a fool's paradise. He tells us also that he is not opposed to the commission, but that he is going to vote against it. He was not opposed to federation, but he did his best to baulk it. He is not opposed to anything, but he will do what suits him for the time being. He told me I was not to lead, but to follow. A great many things may be laid at my door and buried at me with reproach with regard to my Parliamentary career, but it cannot be said that I have followed the Premier in any way. On one occasion he followed me, that being with regard to federation. He did not stick to that long. I have not followed him. The Premier said he regarded this question as one of no importance. He told us he did not speak on it, and did not take any trouble in connection with the matter. He also said that, generally speaking, commissions did more harm than good. What did he say on the 1st November on this matter? He commenced with a compliment to myself—he does occasionally compliment me when he happens to be in a good temper—and he passed on to say:

I do not think anyone could take exception to the way in which the hon. member has moved his motion; and as for myself, I have no objection to it whatever. In fact, so long as Parliament is moderate in regard to royal commissions, it is not at all a bad plan to have inquiries into different departments at different times. These commissions do a great deal of good, because the Government have the opportunity of placing on such commissions persons who can devote some time to the investigations, persons who may be considered to have some special knowledge of the subject matter of the inquiry, and the result is published for general information. I think the department which cannot stand looking into certainly ought not to continue to exist, or at all events to flourish. [Mr. Illingworth: Hear, hear.] I have no objection whatever to the motion; and, as I have said, so long as the Legislature is moderate in its demands for investigations into different branches of the public service, these are productive of good results.

The demand for Royal Commissions has been moderate, the number we have had during the life of the present Parliament being, I think, three. One was the Penal Commission, one the Postal Commission,

and the other was one the nature of which I have forgotten. Can anyone deny that the Penal Commission did a vast amount of good? Let anyone go down to Fremantle gaol and see the structural alterations there affected. Look at the change with regard to classification of prisoners. In all directions we have reform resulting from the appointment of the Penal Commission, which was moved for in this House in the face of the strong opposition of the right hon. gentleman, and all kinds of insults and gibes at me for my sympathy with the prisoners. The Postal Commission did good, and it would have done more but for the fact that the mandate of this House was neglected for nine months. At that time it was almost unnecessary to appoint the commission.

MR. ILLINGWORTH: There was the Mining Commission.

MR. VOSPER: The Mining Commission was perhaps the most useless of the lot. It was useful in a sense, because it furnished us with a very excellent work of reference on the mining of the colony, but as far as legislative results were concerned, there are none to speak of. I want to go back to this constitutional question. I say that the question of whether a police commission should be appointed is beyond argument; and there is no necessity to labour that question. The general public are convinced of the necessity of a commission, and if the appointment of a commission be refused to-night they will be still more convinced of it. So I shall take that argument no further. I want to urge members more particularly to consider the constitutional aspect of the question so ably put before them by my friend, the member for Central Murchison (Mr. Illingworth). This House is supposed to be the governing body of the colony. The Government are supposed to constitute the executive committee of this House, and to be responsible to this House for their actions, and subject to their direction. The question that members have to consider is not whether this commission is to be appointed, but whether they, as members of parliament, are to be flouted in this manner. We have more at stake than whether the Government find it convenient to appoint a commission. What we have to consider

is whether members of a body whose traditions and powers we are bound to uphold—and we are the inheritors of all the parliamentary privileges which come to us from the British House of Parliament—will maintain their rights. No Government could live in the British Parliament 24 hours after refusing to carry out the behest of Parliament. People here do not value parliamentary institutions in the same way. The mere fact that this House submits to this defiance of its will is a proof that the people of this colony do not understand parliamentary institutions, and to that extent, at all events, they are unfit for parliamentary government. If the resolutions of this House are to be counted for nothing in the future, as they have been during the last 12 months, we might as well be members of a debating society or Chamber of Commerce, or some other body of that kind, and merely pass windy, empty resolutions. We shall go to the pages of *Hansard*, and find decisions by us to be of no effect. Everything we do is overridden by the Premier. Is that why responsible government was granted to the colony—to allow the Forrest Ministry to ride rough-shod over every parliamentary privilege? If so, Parliament has become a farce, and instead of its being an honour, it is a disgrace to belong to such a body. If that is the position Parliament is going to take up, it is absolutely useless and dishonourable for men to come here and pretend to be legislating, when, as a matter of fact, they possess no such power in reality. I venture to inform this House that unless some steps are taken immediately to assert the rights and privileges we possess, and unless we say that once Parliament has come to a decision the Government must give effect to it, unless Parliament itself passes a vote in the contrary direction, the time will come, if we allow the Government to make our decisions of no account, when one by one the privileges of Parliament will be taken away, and Parliament will become a mere simulacrum and the meanest body in the colony.

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

Ayes	9
Noes	17
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Majority against ...			8

AYES.	NOES.
Mr. George	Mr. Darlôt
Mr. Gregory	Sir John Forrest
Mr. Illingworth	Mr. D. Forrest
Mr. Kingsmill	Mr. Higham
Mr. Oats	Mr. Hubble
Mr. Vosper	Mr. Lefroy
Mr. Wallace	Mr. Locke
Mr. Wilson	Mr. Mitchell
Mr. J. F. T. Hassell	Mr. Monger
(Teller).	Mr. Morgans
	Mr. Pennefather
	Mr. Phillips
	Mr. Piesse
	Mr. Quinlan
	Mr. Rason
	Mr. Throssell
	Mr. A. Forrest (Teller).

Question thus negatived.

ADJOURNMENT.

The House adjourned at 11 o'clock until the next day.

Legislative Assembly,

Wednesday, 12th September, 1900.

Question: Treasurer's Balance, how made—Roads Act Amendment Bill, first reading—Customs Duties Repeal Bill, first reading—Distillation Laws Consolidation Bill, first reading—Police Act Amendment Bill, first reading—Return ordered: Salaries and Wages, Loan and Revenue—Motion: Cattle Restrictions, to Remove; Amendment, Select Committee (passed), Division—Motion: Railway Workshops at Midland Junction, to Construct forthwith (adjourned), Division—Motion: Transcontinental Railway, a Survey—Motion: Railway Associations, to Recognise (adjourned), Division—Motion: Railways, to be controlled by Commissioners (adjourned)—Motion: Ore Smelting, Geraldton, to Assist—Motion: Telegraph Operators at Kalgoorlie (withdrawn)—Motion: Dredging at Albany—Adjournment.

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

PRAYERS.

QUESTION—TREASURER'S BALANCE, HOW MADE.

MR. HOLMES asked the Premier: 1, Whether the amounts due as salaries and wages to public servants for the month ended 30th June, 1900, and the amounts due to sundry persons for the year ended 30th June, 1900, were shown as liabilities in the Colonial Treasurer's

balance-sheet, published in the *Government Gazette* of 30th July, 1900. 2, On what day in July the Colonial Treasurer closed his accounts for the financial year ended 30th June, 1900.

THE MINISTER OF MINES (for the Premier) replied:—1, Yes. 2, On the 10th July, in accordance with the provisions of the 15th Section of the Audit Act, 1891.

ROADS ACT AMENDMENT BILL.

Introduced by Mr. QUINLAN, and read a first time.

CUSTOMS DUTIES REPEAL BILL.

Introduced by the MINISTER OF MINES (for the Premier), and read a first time.

DISTILLATION LAWS CONSOLIDATION BILL.

Introduced by the ATTORNEY GENERAL, and read a first time.

POLICE ACT AMENDMENT BILL.

Introduced by the ATTORNEY GENERAL, and read a first time.

RETURN—SALARIES AND WAGES, LOAN AND REVENUE.

On motion by MR. HOLMES, ordered that there be laid on the table of the House a return showing,—

1, The total amount of salaries and wages due to public servants payable out of Loan and Revenue respectively, for the month ended 30th June, 1900. 2, The total amount due to sundry persons payable out of Loan and Revenue respectively, for the year ended 30th June, 1900.

MOTION—CATTLE RESTRICTIONS, TO REMOVE.

MR. MONGER (York) moved:

That, in view of the shortage of stock in the settled portions of this colony, the restrictions at the Port of Fremantle, with reference to the introduction of cattle shipped from Wyndham and the Northern Territory of South Australia, be removed.

He said: It is gratifying to me to see, earlier in the list of notices, a motion standing in the name of the Premier, whereby he proposes to introduce a Bill to repeal duties on live stock for slaughter and on frozen meat. For many months past there has been a great outcry from the people of this colony on