

ciples of it, I do not propose to occupy the time of the House any further. I support the second reading.

On motion by Hon. A. Lovekin, debate adjourned.

BILL—LIGHT AND AIR ACT AMENDMENT.

Returned from the Assembly with an amendment.

House adjourned at 5.55 p.m.

Legislative Assembly,

Thursday, 2nd November, 1922.

	FROM
Questions: Railways, Geraldton arrangements ...	1356
Industries Assistance, Loans ...	1356
Select Committee, Leschen case, extension of time:	
Breach of Privilege ...	1356
Privilege, Unauthorised Newspaper Comment ...	1356
Bills: Light and Air Act Amendment, 3a. ...	1363
Public Education Acts Amendment, 2a. ...	1363
Navigation Act Amendment, 2a., Com. ...	1365
Dog Act Amendment, Com. ...	1367

The SPEAKER took the Chair at 4.30 p.m. and read prayers.

QUESTION—RAILWAYS, GERALDTON ARRANGEMENTS.

Mr. MARSHALL (for Mr. Willecock) asked the Minister for Railways: 1, What was the cost of the removal of the interlocking gear and installation of the new signalling apparatus at Geraldton? 2, What is the estimated saving per annum under the new system? 3, Is it considered that traffic can be handled without serious delays under the new system during the wheat season?

The MINISTER FOR AGRICULTURE (for the Minister for Railways) replied: 1, Approximately £380. 2, £342 4s. 1d. 3, Yes.

QUESTION—INDUSTRIES ASSISTANCE, LOANS.

Hon. P. COLLIER (without notice) asked the Minister for Agriculture: On the 5th October a resolution was carried at the instance of the member for Mount Magnet (Hon. M. F. Troy), that a return be laid on the Table of the House showing the amount advanced by the Government to various institutions and organisations in the State. As

the information which is to be contained in that return is desired for the purpose of assisting in the discussion of the Estimates of some of the Government departments, will the Minister see that it is presented to the House not later than Tuesday next?

The MINISTER FOR AGRICULTURE replied: While I will not make any specific promise in the direction indicated, I will give the hon. member my assurance that I will endeavour to see that it is done.

Hon. P. COLLIER: It is four weeks since the motion was carried.

SELECT COMMITTEE—CARL LESCHEN CASE.

Extension of Time.

Hon. T. WALKER (Kanowna) [4.35]: I move—

That the time for bringing up the report of the select committee appointed to deal with the Leschen case be extended until the 7th November.

Breach of Privilege.

Hon. P. COLLIER (Boulder) [4.36]: A paragraph appeared in the "West Australian" this morning with regard to the work of this committee. I would like to know whether the statements contained therein are correct or not. In the first place, it appears that there has been a declaration—I do not know by whom—as to the evidence that has been given before the select committee. The paragraph states that an important witness on the previous day had given such evidence as had exonerated Mr. Leschen. If that be so it appears that there should be no necessity to grant the committee any further extension of time. It is really a breach of privilege that any such statement should be made. It appears to me that the only persons who can exonerate or condemn Mr. Leschen will be the members of the select committee in their report to this House. To make a pronouncement on the evidence of one witness seems to me an unusual, not to say an extraordinary, attitude to adopt, and on that basis to find that Mr. Leschen has been exonerated. I should like to know from the chairman of the committee, whoever he may be, something in regard to this matter.

The Minister for Works: This is really a breach of privilege.

Mr. SPEAKER: I am not in possession officially of any knowledge as to who is chairman of the select committee. I presume that, following the ordinary custom, the mover of the resolution appointing the select committee, Mr. Simons, would have been the chairman. Since I received the resignation of Mr. Simons yesterday, I do not know what has transpired. I do know that after the resignation was received, a resolution was moved appointing the member for Brown Hill-Ivanhoe (Mr. Lutey) to the vacancy on the select commit-

tee. I do not know what has transpired since then. Perhaps some member of the committee will inform the House.

Hon. T. WALKER (Kanowna) [438]: On the retirement of Mr. Simons from membership of this Chamber, Mr. Lutey was appointed an additional member of the select committee. A meeting took place to-day and I was elected chairman of the committee. I have not seen the report in the "West Australian" until this moment. It says—

It was indicated in yesterday's issue that Mr. Simons would delay his resignation from the Legislative Assembly until the conclusion of evidence before the select committee investigating Mr. Carl Leschen's retirement from the State Savings Bank management. Of that committee East Perth's representative was chairman. Important evidence was heard yesterday, however. The nature of this, it is understood, was such as to clear Mr. Leschen of charges made against him. Mr. Simons's major objective in securing the select committee's appointment having thus been attained, he felt justified in plunging immediately into what promises to be a memorable election battle.

That is the reference made in the "West Australian" to this matter. This paragraph is clearly a breach of privilege in that it states the character of evidence adduced before the select committee. As a member of that committee, I venture to make a protest against such publication. I do not know what other steps I can take. It is, I think, Mr. Speaker, for you to declare it a breach of the privileges of this Chamber. The divulgence of any important evidence which has been given and such an announcement exonerating Mr. Leschen is clearly a breach, seeing that it is made before the report has been presented and before even all the witnesses have been heard.

Mr. McCallum: Has a declaration to that effect been made by the committee?

Hon. T. WALKER: No. The committee have not considered the evidence yet. In fact, the evidence was concluded only at a late hour this afternoon.

The Minister for Works: The publisher of the newspaper should be brought to the bar of the House.

Mr. SPEAKER: The member for Kanowna, as chairman of the select committee, has asked me for guidance in the matter. Is that not so?

Hon. T. Walker: Yes.

Mr. SPEAKER: I certainly read the statement in the Press this morning in the usual way one reads his paper. I have not come to the conclusion as to who gave that information to the Press. Under our Standing Orders, if the member for Kanowna, as chairman of a select committee, feels that the privileges of the House have been infringed, it will be competent for him to move that the person in question be adjudged guilty of contempt.

Hon. T. Walker: I think it is the paper in the present circumstances.

Mr. SPEAKER: I am not in a position to say who it was that gave the information. I think the hon. member can move a motion. If the House then decides that some person has been guilty of contempt, the next thing will be to consider the punishment that shall be inflicted.

Mr. McCallum: We should hang them.

Hon. T. WALKER: Taking all the circumstances into consideration, this breach of privilege having been drawn attention to, I think it would be undesirable that the House should proceed any further with the matter.

Mr. Willcock: I do not know that it is undesirable to go further!

Hon. T. WALKER: Where there is a breach of privilege I am prepared to take action, but I feel that in this particular instance no good service can be rendered.

Mr. Willcock: Is it not likely to prejudice the debate in the House on this question?

Hon. T. WALKER: It is. That is quite true.

Hon. P. Collier: More than that, it might affect the witnesses and the work of the committee.

Hon. T. WALKER: It is open for any other member to take any step he thinks fit, but personally I do not wish to detain the House any further in dealing with the matter.

Mr. SPEAKER: May I read the Standing Order dealing with the Press. Standing Order 139 reads as follows:—

Any member complaining to the House of a statement in a newspaper as a breach of privilege, shall produce a copy of the paper containing the statement in question, and be prepared to give the name of the printer or publisher, and also submit a substantive motion declaring the person in question to have been guilty of contempt.

The member for Kanowna, who is the chairman of the select committee, has indicated to the House that he is prepared to allow the matter to drop and that he considers no good service will be rendered by pursuing it further.

Mr. PICKERING (Sussex) [443]: I feel it is only right that each member of this committee, who may be under suspicion in the present circumstances should at least disclaim any knowledge or any connection with the publication of that paragraph. I therefore desire to assure the House that no information was given by me to any member of the Press or any individual outside the members of the committee.

Capt. CARTER (Leederville) [444]: As a member of the committee concerned, I feel that it is due to me that I should have an opportunity to disclaim any connection with the report appearing in the "West Australian" this morning. The matter has not been mentioned by me in any way. I feel it is due to me to take advantage of the oppor-

tunity to make that clear to show that I am in no way connected with the publication.

Mr. LUTEY (Brown Hill-Ivanhoe) [4.45]: Having been appointed to the committee only since Mr. Simon's retirement, I have no knowledge of what has taken place and had nothing to do with the publication of the paragraph.

Mr. Willcock: Is it competent, Mr. Speaker, for me to ask whether Mr. Simons was present on the day when the meeting of the select committee, referred to in the Press, was held?

Mr. SPEAKER: The hon. member may ask the question.

Hon. T. WALKER: I have no hesitation in answering the question. Mr. Simons was present at the meeting referred to in the paragraph quoted, and acted as chairman on that occasion.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [4.46]: I would like to point out that we cannot sit in judgment here on the man who was chairman. Those members who were present have disclaimed any knowledge of the matter and it appears to me this throws the responsibility on Mr. Simons. At the same time, it may be the result of the imagination of an inquisitive Pressman. So far as I can see the proper course to adopt is this: If the House thinks there has been misconduct in publishing in a statement a conclusion which has not yet been arrived at by the select committee, the proper way to deal with the offenders will be to order that they appear at the bar of the House. I certainly think that ought to be done. The publication of an anticipated judgment, making it appear to be a completed judgment, shows a lack of prudence and of proper appreciation of the position in those conducting the newspaper. If select committees are to have their conclusions anticipated, what is the use of having select committees at all? In view of the denials by the several members of the select committee, the inference to be drawn is that the only one who could have given the information was Mr. Simons himself.

Hon. P. Collier: There were others present.

Capt. Carter: The "Hansard" men were there.

Hon. P. Collier: However, the offence lies in the publication of such a statement.

The MINISTER FOR WORKS: Exactly. It is a breach of the privileges of the House, contempt of the rules of the House, and it ought to be dealt with accordingly.

Mr. SPEAKER: It is not my function to take action in this matter. The Standing Order is very clear. Unless any member is prepared to proceed under that Standing Order, there is no occasion to further debate the question.

The MINISTER FOR WORKS: If you will allow me time to obtain a copy of the newspaper, I will take action.

Mr. SPEAKER: No, I cannot allow any further time.

Hon. P. Collier: Here is a copy of the newspaper.

Mr. SPEAKER: The hon. member will have opportunity for bringing up the complaint at the proper time. The question now is that extension of time be granted for bringing up the select committee's report. If the Minister wishes to take action under Standing Order 139, he will do so apart altogether from the question before the Chair.

Hon. P. Collier: But surely if a Minister of the Crown desires to take action—

Mr. SPEAKER: He can bring it up later. I cannot allow it to be further discussed on the motion before the Chair.

Question put and passed.

PRIVILEGE—UNAUTHORISED NEWS-PAPER COMMENT.

Mr. SPEAKER: The Minister for Works may now proceed.

The MINISTER FOR AGRICULTURE: With all due deference, I wish to point out that the protection of the privileges of the House rests with the Speaker.

Mr. SPEAKER: No, not in this case.

Hon. T. Walker: It rests with him, but there are means of doing it through him.

Mr. SPEAKER: It is not my duty to interfere in the matter of Press reports. Standing Order 139 clearly indicates that, and prescribes that any member complaining to the House of statements in a newspaper as a breach of privilege shall produce a copy of the paper containing the statements in question, and be prepared to give the name of the proprietor and publisher, and also submit a substantive motion declaring the person in question to have been guilty of contempt. If any hon. member desires to bring forward such a motion I must accept it, but he must be prepared to produce the paper and give the names of the printer and publisher, and submit the prescribed motion.

The Minister for Works: Can I give notice for Tuesday?

Mr. SPEAKER: No notice is necessary; it could be done on Tuesday without notice.

Hon. P. Collier: But the question of privilege would not arise on Tuesday.

Hon. T. Walker: The point must be taken now, or not at all.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington) [4.51]: I have here a copy of the "West Australian" of Thursday, 2nd November, published and printed for the West Australian Newspaper Coy., Ltd., by Samuel Thomas Williams at the "West Australian" office, St. George's terrace, Perth. On page 8, column 4, appears a paragraph, headed, "State politics, East Perth seat, Mr. Simons resigns." It deals with the question of the select committee investigating the case of

Mr. Carl Leschen. That part I am not concerned with. But then we come to this: "Important evidence was heard yesterday, however. The nature of this, it is understood, was such as to clear Mr. Leschen of charges made against him." I do not complain of anything that may be done honestly to clear a person of charges made against him, but I submit that under the Standing Orders this publication is a breach of the privileges of the House. A select committee is appointed by members of the House for a specific purpose. Until that specific purpose has been attained, it is a breach of the privileges of the House, an act of contempt, for a newspaper or anybody else, to publish comments dealing with anticipated results. I maintain that this statement—"The nature of this, it is understood, was such as to clear Mr. Leschen of charges made against him"—is a breach of the privileges of the House and that, therefore, the House should deal with it. I move—

That the person in question, being the publisher of the newspaper, shall be adjudged guilty of contempt and ordered to attend at the bar of this Chamber.

Mr. SPEAKER: I think the motion should end with "adjudged guilty of contempt."

The MINISTER FOR WORKS: Very well, I will amend the motion accordingly.

The MINISTER FOR MINES (Hon. J. Scaddan—Albany) [4.56]: I hope the House will not pass the motion. Recently we have drifted into the practice of admitting the Press and the public to sittings of select committees, in order that the evidence shall be published, although only so much of the evidence as the papers are disposed to take. On several occasions have I raised objection to that, because a select committee is essentially a committee drawn from members of the House to make investigations and, after having heard evidence, to report to the House in order that the House may decide what course of action shall be taken. Having made it a practice during recent months to allow the Press and public to be admitted to those sittings, it has become a recognised proceeding to publish, not only the evidence submitted, but opinions concerning the decision to be arrived at.

Hon. P. Collier: No.

Mr. Corboy: To publish the evidence, but not to forecast decisions.

The MINISTER FOR MINES: On only two occasions during the last year have the Press been excluded.

Hon. P. Collier: No, only twice have they been admitted.

The MINISTER FOR MINES: In any case, we have adopted that procedure and, while strictly speaking it may be a breach of privilege to publish anything arising out of an inquiry by a select committee, I am afraid we have to some extent condoned it, and thus made ourselves parties to the loose idea that these things are available for published

comment. Unquestionably, it is a breach of privilege for the paper to publish any comment on the work of a select committee holding an inquiry which is not yet completed. But is it so serious, after all?

Mr. Corboy: Yes.

The MINISTER FOR MINES: That is a matter of opinion. Is it so serious that we should conclude that the paper is guilty of contempt? If we make a finding of that sort, we ought to be in a position to inflict a punishment that will fit the crime.

Mr. SPEAKER: The Standing Orders provide the punishment.

The MINISTER FOR MINES: But to fit the crime? I am doubtful if the penalty would warrant us in deciding that in this case the accused is guilty.

Hon. P. Collier: The House might be content to declare the accused guilty of contempt, without awarding punishment.

The MINISTER FOR MINES: But I think the Standing Orders are mandatory on the subject.

Mr. SPEAKER: If the motion be carried, the next step is directed by Standing Order 76, which reads—

Any member or other person declared guilty of contempt may, on the resolution of the Assembly, be fined in a penalty not exceeding fifty pounds; and, in default of immediate payment, be committed by warrant, under the hand of the Speaker, for a period not exceeding 14 days, to the custody of the Sergeant-at-Arms, and shall be detained in custody for the period directed, unless sooner discharged by order of the Assembly, or the fine be sooner paid.

Hon. P. Collier: It says "may be"; it is not mandatory.

The SPEAKER: The word used is "may." I do not think it is mandatory.

The MINISTER FOR MINES: We ought not to adjudge the offender guilty without penalising him. If we are not prepared to do that, if the offence is not grave enough to warrant the imposition of a penalty, we should not put ourselves in a foolish position.

Member: It is a common thing to let a first offender off without punishment.

Mr. Corboy: But if they are not first offenders, they should be punished.

The MINISTER FOR MINES: I have no wish to prolong the discussion except to say that whilst a breach of privilege may have been committed, I do not think it is of such serious nature that we need carry the motion.

Mr. CORBOY (Yilgarn) [5.1]: I hope the motion will be carried. The Minister for Mines is quite wrong in the contentions he has raised. So far as my recollection serves me, the Press has been admitted to, I think, only one select committee, that which inquired into the traffic in war gratuity bonds. All the others the Minister had in mind were Royal Commissions. The Press have never attempted to anticipate a verdict. On this occasion, by anticipating the verdict of the select committee as was done this morning,

the "West Australian" newspaper has been guilty of gross contempt of the House and should be punished.

Mr. WILLCOCK (Geraldton) [5.3]: I am in accord with the motion submitted by the Minister for Works. I consider it gross contempt to anticipate the verdict of a select committee. I am not particularly concerned about the inquiry, because the paper says that it is likely to be one which will clear the character of the individual in question. But assume that the verdict was likely to be in the opposite direction. Look at the harm that would be done. A painful impression would be created in the minds of the public and of the relatives of the individual. Therefore, the matter should not be allowed to pass. If a paper is permitted to say that a person whose case is being investigated is likely to be found innocent, it would be just as easy for that newspaper to say that it was likely he would be found guilty. It is highly improper that statements of that kind should be permitted to appear in the public Press. Such a thing is not permitted in connection with the law courts, and this House is a higher court than any other in the land. Therefore, the offence is all the more serious. I do not desire that punishment be inflicted, but members should protect a select committee and more particularly when it is dealing with the private character of a citizen. No one should have the right to say what the verdict is likely to be, either one way or the other.

Hon. P. COLLIER (Boulder) [5.5]: There can be no question about it that the publication of the statement referred to in this morning's newspaper is grossly improper and ought not to be passed without the censure of the House. The Minister for Mines has taken up a most illogical stand. First he makes the statement, which is wholly incorrect, that we have admitted the Press to all our recently appointed select committees. That is a wild and reckless assertion, and is not in accordance with fact. There have been more select committees appointed by this House during the last couple of years than has been the case for a considerable time past, and as it has been stated, only in one instance has the House decided by resolution to admit the Press. Only two or three weeks ago a motion was submitted by the member for Leederville (Capt. Carter) for the admission of the Press to a select committee which had just then been appointed, and the House by a large majority rejected that motion. Even if the House, by resolution, had agreed to the admission of the Press to the sittings of every select committee, that in itself would not be a warrant for the Press to jump in and make statements such as that which appeared this morning. Merely because this House in the exercise of its judgment decides to admit the Press to one select committee, the Minister for Mines would argue that the Press is free to make any comment it chooses regarding the work or the evidence of those select commit-

tees to which they are not admitted. That is a most inconsistent and absurd argument. Furthermore, there would be nothing foolish or undignified if the House carried a motion declaring the publisher of a newspaper to be guilty of contempt, and then proceeding no further with regard to punishment. The Minister would argue next that if the House carried this motion, it would stultify itself unless it proceeded further and inflicted punishment. It must not be overlooked that the subject matter of this inquiry is one which has aroused widespread interest in the State. It was the subject of discussion and comment from one end of the State to the other. It was a matter then of the utmost importance, and it is still a matter of importance to those who are more intimately concerned in it, and practically after the first day on which the committee take evidence, we find the Press making a statement declaring that the person concerned is likely to be exonerated. That is grossly improper and is undoubtedly a breach of the privileges of this House. As the member for Geraldton has pointed out, if the newspaper is free to comment in this direction, a comment which may not have the effect of inflicting injury or pain on any individual, the newspaper may equally make a statement which would have the effect of causing pain and suffering. Therefore, the House will be doing the right thing if it marked its disapproval of the publication of the paragraph by carrying the motion.

Mr. SPEAKER: May I draw the attention of the House to the fact that on Thursday, the 22nd February, 1917, a question of privilege was raised by Mr. Walker. As a matter of privilege he produced a copy of the "West Australian" newspaper of that date and moved, "That the publisher of the "West Australian" newspaper, Samuel Thomas Williams, in publishing an article in the issue of the 22nd February, 1917, under the headline 'The Speaker's Appointment,' 'Astonishing allegations,' 'Reported extraordinary intriguing' is guilty of contempt." A debate ensued, the question was put and passed, and no further action was taken.

Hon. W. C. Angwin: Now this is their second offence.

Mr. PICKERING (Sussex) [5.8]: I am at a loss to understand how it is that a newspaper of the standing of the "West Australian" should stoop to such a course as that which it followed in its columns this morning.

The Minister for Works: They did not do it out of malice.

Mr. PICKERING: I would like to know what actuated that newspaper in commenting as it did. Certainly there must have been some reason behind the publication of the statement in question. At any rate, I do not know what they had in mind, but certainly the statement cast an imputation on the members of the select committee, which should not be tolerated. The publication of such a statement is a serious offence against the privileges of this Assembly. It must be as-

sumed that the "West Australian" had some object in view in publishing this information beyond the mere desire to fill the columns of the newspaper.

The Minister for Works: I do not allege that.

Mr. PICKERING: I cannot understand the reason for the publication of the statement. I consider that if the House merely passes the motion of censure without going any further the position will be met.

Hon. T. WALKER (Kanowna) [5.12]: I must be consistent with the view I have always taken in protecting the privileges and liberties of this Chamber. The Minister for Mines alleges that we have condoned the offence by our own laxity, inasmuch as we permitted, by the authority of the Chamber, the publication of evidence taken before other select committees. That however was by permission of the Chamber.

Hon. P. Collier: Deliberately done.

Hon. T. WALKER: For what the Chamber does in that respect it takes the responsibility. But the matter was decided in this very House no later than the 5th October last, when the member for Leederville moved a motion asking for permission to admit the Press to report the evidence taken by a committee then formed. The House by 21 votes to 10, more than two to one, negatived the proposal. It stuck by its rights and privileges and its Standing Orders. I do not care how lax we may be, we have Standing Orders, and the moment our attention is drawn to them we must cease our laxity and return to order. This is a case of that kind. As chairman for the time being of the select committee in question, I feel convinced that the newspaper alone is responsible for the publication of the paragraph. No member of the select committee can be accused of having been responsible for it; it is the paragraph of a pressman. If the Press do not know what the privileges of this House are, the sooner we teach them the better. We should not allow this matter to drift by. I was not prepared to move the motion, but since the motion has been moved, I think it is the duty of the House to protect its privileges. It would be a most dangerous innovation to allow the Press to anticipate the finding of a select committee. The select committee is responsible to this Chamber and this Chamber alone, and until the select committee reports to this Chamber, the House itself is ignorant of its proceedings.

The Minister for Works: This is a judgment on evidence which the House has not got before it.

Hon. T. WALKER: Yes, a judgment with no evidence before it and prior to the inquiry being completed. It would be difficult to find in the annals of Parliamentary history a stronger case against the Press for breach of privilege. This report not only assumes a conclusion, but absolutely suppresses the evidence upon which the public

might judge. The only vindication of any report is that it is accompanied by the evidence. In this case there is no evidence; no names are mentioned but the conclusion of the select committee is anticipated.

Mr. Pickering: Directly.

Hon. T. WALKER: One might almost say directly.

Hon. P. Collier: And the subject of the inquiry is exonerated.

Hon. T. WALKER: The case against Leschen, according to this report, has practically been concluded on the evidence of one witness who exonerated him. If we allow the Press to deal with the labours of this Chamber through its select committees in that manner, we shall have lost all sense of our own responsibilities and shall deserve to be ridiculed and scorned by the public. I trust, therefore, that now the matter has been broached, the House will protect itself against innovations of this kind.

Capt. CARTER (Leederville) [5.17]: I would not have spoken on this matter had it not been that, while the member for Sussex (Mr. Pickering) was speaking, there was an interjection which imported into the discussion a personal element regarding a member who is no longer in this House. The member for Geraldton (Mr. Willcock) suggested by way of interjection that perhaps the paragraph was inspired to help Simons.

The Minister for Works: The member for Kanowna (Hon. T. Walker) went that far in his speech.

Capt. CARTER: The member for Kanowna was manifestly fair in what he said. I hope the interjection was uttered in as fair a spirit as the member for Kanowna has spoken. I wish to say in fairness to the ex-member for East Perth that, after reading the paragraph this morning, I saw him and asked what he knew about it, and he assured me on his word of honour as a man that he knew nothing about it.

Mr. McCallum: Too thin!

Capt. CARTER: Members may laugh in their cynical way but Mr. Simons gave me his word of honour as a man, and I think it due to him and to the House that I should say, on his authority, that he at least did not inspire the paragraph.

Hon. W. C. ANGWIN (North-East Fremantle) [5.19]: We are making a mountain out of a molehill. In my opinion there is not much in the paragraph to kick up a row about.

The Minister for Works: We are not kicking up a row.

Hon. W. C. ANGWIN: We do not know that any evidence has been taken beneficial or detrimental to any person. We know from the chairman that evidence was taken and that is all. The Press merely say they understood evidence was taken and that the evidence was such that might exonerate Mr. Leschen.

Hon. T. Walker: The paragraph said it would exonerate him.

Hon. W. C. ANGWIN: Well, "would." The statement might be true or might not be true. The Chairman says that only one witness was examined, and no person could decide a case on the evidence of one witness. There is no doubt it is the duty of the pressman to try to get information for his paper. It is his living. I have seen much stronger articles in the Press and have known them to be wrong—

The Minister for Works: There is one today, but that is an article. That is different from this.

Hon. W. C. ANGWIN: I am not dealing with articles, but with comments which I have known to be wrong, but that is not always the pressman's fault. It is often the fault of the men with whom the pressman gets into conversation. Everyone knows that when anything important is on, the pressman carries out his duty by trying to get information for the public. Sometimes he is wrongly informed; sometimes he is led astray—unfortunately for the public and for himself. So far as we know this might be a case of that kind. This paragraph might be entirely wrong. Instead of the select committee exonerating Leschen, it might find him guilty.

The Minister for Works: It will be time enough to do that when the select committee presents its finding.

Hon. W. C. ANGWIN: I admit that, but there is not such a great deal in the paragraph to complain about. What are the words complained of?

Important evidence was heard yesterday, however. The nature of this, it is understood, was such as to clear Mr. Leschen of charges made against him. Mr. Simons's major objective in securing the select committee's appointment having thus been attained, he felt justified in plunging immediately into what promises to be a memorable election battle.

Mr. McCallum: Does not that show who gave it to the Press?

Hon. W. C. ANGWIN: I am not dealing with that aspect of the question.

Mr. McCallum: The member for Leederville said it was denied by Simons.

Hon. W. C. ANGWIN: The point I am taking is that there is nothing in the words I have quoted to kick up a row about. There is nothing which would justify committing any person for contempt. I guarantee there is not a solitary member in this House who has not said something similar on many occasions and, on the line of argument which has been adopted this afternoon, every one of those members should have been committed for contempt.

Mr. Willcock: But those statements were not published in the Press.

Hon. W. C. ANGWIN: It is the pressman's duty to get information, and I do not blame him. The smarter he is, the more information we get and the better it is.

Hon. T. Walker: But it should not be at the expense of the privileges of this House.

Hon. W. C. ANGWIN: The report says—

The nature of this, it is understood, was such as to clear Mr. Leschen of charges made against him.

The nature of what? Was it the nature of the evidence supposed to have been given yesterday? Evidence has been given here this afternoon by members of the committee; they have admitted that they had one witness yesterday. But there might be a dozen other witnesses to tender evidence quite contrary to that one.

Mr. Lutey: It puts the select committee in a false light.

Hon. W. C. ANGWIN: No; this is only on the evidence given yesterday.

Mr. McCallum: The whole thing was so conclusive that a man chucks his job and gets out.

Hon. W. C. ANGWIN: I am not dealing with that. The member for Kanowna said definitely that the only people to deal with are the Press. The motion is that the publisher be committed for contempt. The motion is directed against the Press, and it is sought to justify the motion merely on these words "understood was such as to clear Mr. Leschen of charges made against him." The evidence of one witness might be to that effect. One witness might be a friend of Leschen, and might honestly tender evidence which would exonerate Leschen. No matter on what inquiry evidence is taken, there are generally some witnesses who hold that the person concerned is not guilty of the charge. This paragraph merely refers to the evidence tendered yesterday and to no other evidence. I trust the House will not carry the motion. I do not see that there is anything in the paragraph on which anyone can be adjudged guilty of contempt. It might be wrong to publish statements regarding a select committee before the evidence is finished, but I feel confident that whatever the Press has said would not be sufficient to affect any member of the select committee or influence the decision when the report is under discussion. It would be advisable not to carry the motion. The select committee has not taken the evidence; the members of the select committee do not know what their views will be after the evidence has been completed, and the statement published this morning might prove to be entirely incorrect.

The MINISTER FOR WORKS (Hon. W. J. George—Murray-Wellington—in reply [5.26]: The closing words of the member for North-East Fremantle (Hon. W. C. Angwin) bear exactly on the main point of the argument. The hon. member said that further evidence to be taken by the select committee might show the conclusion to be wrong. The very fact that there may be other evidence, which might confirm or destroy the evidence already taken, is sufficient to show how grave a breach of privilege and common decency it is to publish a judgment

in the way this has been published in the Press. Under our Constitution the final appeal is this House. We have our judges. If they are hearing cases—

Mr. SPEAKER: The hon. member is only permitted to reply to the arguments. He is breaking entirely new ground.

The MINISTER FOR WORKS: I am merely using an illustration.

Mr. SPEAKER: The Minister moved the motion and I cannot permit him to break new ground in replying to the debate.

The MINISTER FOR WORKS: I wish to point out by way of illustration the position regarding our courts.

Mr. SPEAKER: It would be unfair to permit the hon. member to advance new arguments when replying to the debate.

Hon. T. Walker: I think that argument was advanced.

Mr. Willcock: I think I mentioned the courts.

The MINISTER FOR WORKS: I should be sorry if you, Mr. Speaker, or anyone else thought that in what I am doing, I am actuated by anything other than an attempt to get a fair statement of a case which to me seems to be a breach of the privileges of this House. My line of argument, I submit, is consistent with that. If comment in the public Press were made upon evidence given in a court before the judge had delivered his judgment, the publisher would be held for contempt. If that is right in connection with our courts of law, it is equally right in connection with this House, which is the tribunal of the people designed to deal with the rights and the privileges of the people. Those rights and privileges, be they small or great, it is our duty as members of this Chamber to support through thick and thin. The impropriety of the course is doubled when we know that the select committee has not completed its inquiries. It may be taken to be an attempt to influence their judgment before the members of the committee are able to get the evidence.

Capt. Carter: A mighty weak attempt!

The MINISTER FOR WORKS: It might be so, but it is very inconvenient.

Capt. Carter: As a member of the committee I would not be influenced by it.

The MINISTER FOR WORKS: I do not think the hon. member would be, but everyone is not as high minded and as strong in character as the hon. member. I have heard no argument which can in any way, from my point of view, be considered as giving a warrant for a vote against the motion. The motion simply insists upon the preservation of the rights and privileges of this House, which we have a right to preserve.

Question put and passed.

BILL—LIGHT AND AIR ACT AMENDMENT.

Read a third time, and returned to the Council with an amendment.

[The Deputy Speaker took the Chair.]

BILL—PUBLIC EDUCATION ACTS AMENDMENT.

Second Reading.

The MINISTER FOR MINES (Hon. J. Seaddan—Albany) [5.34] in moving the second reading said: This Bill has reached us from another place. It is a very simple measure, its principal provision being to change the statutory position as to local boards of advice, which are known as school boards. The aim is to replace these by similar advisory boards now in existence, most of them being known as parents' and citizens' associations. Members are probably aware that under the existing legislation school boards are provided by process of election. It is rather remarkable, however, that throughout the existence of that provision no school board has ever been elected. School boards exist, it is true, but they are almost entirely nominee boards. Some of them have done very good work in the way of advising on matters affecting the welfare of the local school. The existing qualification for election reads:—

Any person who is (1) a householder habitually residing within the district, and occupying a dwelling house of the clear annual value of £10 sterling; or (2) the father, or if he is dead, or absent, or otherwise incapacitated, the mother of any child attending any Government or assisted school within the district for such time as is prescribed by the regulations made under this Act; or (3) the guardian or other person who maintains or has the custody of any child attending any Government or assisted school as aforesaid, shall be qualified to have his or her name placed upon the electoral roll of the district.

It is a most elaborate arrangement; one would think the object was to elect a member of the Legislative Council or of some other august body. At present we have nominee school boards, which are not on the whole satisfactory, although in some cases they have given considerable assistance to the department. In recent years a new idea has come up with regard to securing keener interest in the conduct of the affairs of the school. I refer to what are generally known as parents' and citizens' associations. The members of these associations foregather from time to time to discuss the welfare of the school.

Mr. Harrison: In some cases they have given material assistance.

The MINISTER FOR MINES: Yes, and in very desirable directions. In many cases they have for weeks on end given up their Saturday afternoons, and another day which need not be mentioned just now, to improving the playgrounds attached to the schools; pianos have been provided in various cases, and generally assistance has been given in erecting shelter sheds and in making the school attractive, as it ought to be, being

the place where the child lives most—I say that because the child while asleep is not actually conscious of living. The surroundings of the school ought to be rendered pleasant to the child. During the short period these associations have been in existence, a considerable sum of money, not taking into account the value of the voluntary labour, but considerable actual cash has been expended by the associations in providing additional buildings and conveniences at the school. The amount is estimated at fully £3,000. Over and above that, there is the amount of work done. At the Mt. Lawley school, previously known as the Norwood school, the parents and teachers have fenced part of the ground, cleared it, and laid it out in tennis courts, and in lawns on which the small children can play. They have also erected a tank and windmill, and have generally improved the playground so as to make it a credit instead of being what it formerly was, rather a dilapidated place for children to gather day after day in connection with receiving instruction. The same thing applies to many other schools in town and in the country and on the goldfields. The benefits to be derived from such assistance will be greater, pro rata, in the country districts and on the goldfields than in the metropolitan area, because, obviously, it is not possible to provide at very small schools facilities which may reasonably be furnished by the department in the case of a school attended by 500 or 600 or even 1,000 children. Moreover, at country schools it has frequently been found that, the playgrounds not being fenced, plants are eaten down or destroyed by kangaroos and other wild animals. That sort of thing can be obviated by the formation of an association of this kind. In my opinion we should show our appreciation of the efforts of the parents' and citizens' associations by giving them some statutory authority.

Hon. W. C. Angwin: I think the system will work better without that authority.

The MINISTER FOR MINES: I do not know that giving them a little statutory authority will affect the associations in any way. It is not proposed to give them greater powers than they have at present, except in an advisory capacity.

Hon. W. C. Angwin: The authority will be restricted to a limited number of the association, instead of all the members of the association taking part in the work.

The MINISTER FOR MINES: That is so as regards matters of advice, but there is nothing to prevent all interested from becoming members of the association. In any case, the power is limited. It is very definitely stated that the associations shall have no right to convey any instructions whatever to the teaching staff.

Hon. W. C. Angwin: They never do that.

The MINISTER FOR MINES: It is well that the matter should be clearly understood. It is possible for a voluntary association to include a number of busybodies,

who might assume the responsibility of telling the teacher to come half an hour earlier and stay half an hour later. During the week of the last Royal Show, the parents' and citizens' association attached to a school in the metropolitan area decided that they would hold a little local industrial exhibition on the big show day, the Wednesday; and they declared that it was the duty of the teacher to assist the parents' and citizens' association in running their little industrial exhibition, which meant his foregoing the right possessed by all teachers in the metropolitan area to attend the show on the Wednesday.

Mr. Wilson: Where was that?

The MINISTER FOR MINES: At the Jolimont school. The teacher did not complain about it. Fortunately he rather enjoys the opportunity of assisting in such an exhibition. But I say it is absolutely unfair of the association to adopt such an attitude. They have no right to do it in any case.

Hon. P. Collier: Did they make a demand?

The MINISTER FOR MINES: It is not a matter of a demand being made. What would have happened if that teacher had refused? The association would have shown disregard afterwards for the welfare of the school, probably by refusing to help in matters in which their assistance was necessary. In the circumstances, we ought to make the position very clear in this Bill. I have heard members of a parents' and teachers' association declare, "If we are going to do this, what about the teacher coming along and doing something?" It may be very nice to have the teacher coming along evening after evening to decorate the school building in order to raise funds.

Hon. P. Collier: It is purely voluntary.

The MINISTER FOR MINES: The business of the teacher is simply to teach the children. We lay it down that the parents' and citizens' associations shall have no control over the teacher or the school and shall not be entitled to issue directions to the teachers in charge. I wish to pay a tribute to our head teachers and the teaching staff generally. When called upon they do not hesitate to help in these matters. They have given up their Saturday afternoons, when they have an opportunity to get some recreation, in order to join with the parents in work of this nature.

Mr. Munsie: We should also pay a tribute to the parents' associations, which are doing good work.

The MINISTER FOR MINES: That is so. So much good work have they done that they ought to be given an opportunity by this Bill of replacing the obsolete school boards, members of which were supposed to be elected but were only nominated.

Hon. P. Collier: The old school boards have been obsolete for a long time.

Hon. W. C. Angwin: They ought never to have been appointed.

The MINISTER FOR MINES: We now propose to give the parents' associations statutory recognition, but they must be limited as

to the extent to which they can go. We cannot permit any intrusion upon the leisure hours of the teachers, and no demands must be made upon them by these bodies. The department will be glad to receive offers of assistance from the parents' and citizens' associations and to get their advice. Whilst recognising the work of the associations, and the relief they have afforded to the revenue of the State, I also wish to sincerely recognise the services rendered by the teaching staff. I move—

That the Bill be now read a second time.

On motion by Hon. P. Collier, debate adjourned.

BILL—NAVIGATION ACT AMENDMENT.

Second Reading.

Debate resumed from the 24th October.

The COLONIAL SECRETARY (Hon. R. S. Sampson—Swan—in reply) [5.47]: The member for North-East Fremantle (Hon. W. C. Angwin) says that these boats are governed by the Boat Licensing Act of 1878. I would point out that the provision relating to the licensing of boats under that Act was repealed by the Act of 1904.

Hon. W. C. Angwin: It is not yet repealed.

The COLONIAL SECRETARY: If the hon. member will look at the Act of 1904 he will see in the first schedule that the words "engines and boilers" are repealed. This answers his contention that the power contained in this Bill already exists.

Question put and passed.

Bill read a second time.

In Committee.

Mr. Stubbs in the Chair: the Colonial Secretary in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 30 of No. 59 of 1904:

Hon. W. C. ANGWIN: The Colonial Secretary is in error in regard to the Boat Licensing Act. Certain portions of it were repealed by the 1904 Act, but the portions that are left in give full power to the boat licensing committee to conduct the strictest examination of the boats at the expense of the owner. Under the Inspection of Machinery Act power is given for the examination and passing of engines, boilers or motors that are used for any purpose whatsoever. Members should be careful in dealing with this so-called innocent Bill. Is it necessary to bring small pleasure boats plying on the river, or in the harbour, under an Act which applies to all ships? In addition to the provisions already contained in the Boat Licensing Act, it is now proposed to bring them under this Bill, and so set up a duplication of fees. The boats will have to be registered under the Navigation Act by the Chief Harbour Master, and this means that they will have to be registered twice a year.

The Colonial Secretary: My advice is to the contrary. They will have to be registered only once, and that is all that is intended.

Hon. W. C. ANGWIN: The Government will have to act in accordance with the existing legislation. Section 36 of the Navigation Act of 1904 provides that no certificate of any steamship shall be held to be in force for the purposes of the Act for more than six months. Section 37 provides the fees to be paid for the certificate. In the face of the sections quoted, what is the use of saying that it is not intended to register twice a year?

The Colonial Secretary: We propose to amend that provision.

Hon. W. C. ANGWIN: Even small motor boats will have to come under the provisions of the Navigation Act, including the small pleasure boats which ply on the river. That is an additional charge to the fee levied by the Boat Licensing Board. Certainly the provision for engines and boilers has been repealed, but provision has been made in that connection under the Inspection of Machinery Act. An inspector has full power to control the machinery whether motor power or otherwise, and he can instruct repairs to be carried out at the expense of the owner. It seems to me that there is no necessity for the Bill at all and the only reason for its introduction is to get a few additional fees.

The Colonial Secretary: That is not the reason at all.

Hon. W. C. ANGWIN: As the position is at present, I see no necessity for the Bill.

The Colonial Secretary: I understand that no fees are charged respecting private launches.

Hon. W. C. ANGWIN: I know it applies only to those which are plying for hire. Instead of encouraging people, we will find these boats driven off the river altogether. To-day people cannot have motor boats themselves, and the extra charges and fees levied have meant an increase in the fares charged on boats for hire.

The Colonial Secretary: The license fees have not been increased.

Hon. W. C. ANGWIN: But the jetty fees have been increased.

The COLONIAL SECRETARY: I am informed that there has been no increase regarding public jetties, but greater control has been taken in connection with private jetties, nor has there been any increase in fees since 1917. The intention is not to increase fees but to give the necessary statutory power to deal with machinery on boats other than ocean-going craft. Power was given in the Boat Licensing Act to deal with engines, boilers and so forth, but in the Inspection of Machinery Act of 1904 the power was repealed. The member for North-East Fremantle has drawn attention to Section 36 of the Navigation Act of 1904 and I propose to ask the Committee to agree to an amendment which will take the form of a further proviso to that section reading, "Provided also that a certificate granted under this Act to

harbour and river vessels may remain in force for 12 months." That will meet the objection.

Mr. McCallum: But there will still be two licenses.

The COLONIAL SECRETARY: But only one will be charged for. The fees set out in the Inspection of Machinery Act of 1904 are those which are charged to-day. It is not intended to increase them.

Sitting suspended from 6.15 to 7.30 p.m.

Mr. Marshall drew attention to the state of the House.

Bells rung, and a quorum formed.

The COLONIAL SECRETARY: Section 6 of the Boat Licensing Act of 1878 originally gave power to issue licenses to boats and to survey engines and boilers. Under the Act of 1904 the words "engines and boilers" were deleted. This Bill will impose fees for such surveys and it is not proposed to increase the fees which have been charged since 1904. Authority is merely sought to survey the machinery and boilers of craft. It is clear that this Bill is absolutely necessary to give effective control over harbour and river boats. I am prepared to accept the suggestion of the member for North-East Fremantle with regard to the issuing of certificates. The existing Act limits the certificate to six months and I intend to move a new clause to provide that the certificate granted to harbour and river vessels may remain in force for 12 months.

Hon. W. C. ANGWIN: A boat has first to be licensed and a certificate issued by the licensing board. Section 2 of the Boat Licensing Act of 1883 gives a licensing board power to recover the expenses of the inspection of licensed vessels. This is an annual requirement. In 1904 the words "engine and boilers" were struck out, but that Act was repealed in 1922. The Inspection of Machinery Act 1922 defines "machinery" as meaning every steam engine, motor or other source of motive power and every machine except those driven by hand, treadle, wind or animal power, and "premises" includes among other things "any punt, raft, boat, ship or vessel not propelled by its own motive power or machinery and which is not exempted from the operations of the Act and in which a boiler or machinery is kept or worked. That Act has been used, and is to-day being used, for the purpose of carrying out inspections. Now it is proposed that the Boat Licensing Board shall issue a certificate as previously, and at the same time it is proposed that the Chief Harbour Master shall also issue a certificate.

The Colonial Secretary: For another purpose.

Hon. W. C. ANGWIN: No; for the same purpose. The Boat Licensing Board now issue certificates for all purposes, but they get the certificate of the Chief Inspector of Machinery in regard to boilers and engines, and a special fee is paid for that certificate.

Under the Bill the harbour master will give a second certificate for exactly the same thing. The Minister is confusing the certificate for the machinery with the harbour master's certificate. The Minister fails to realise that the harbour master would not give his certificate without first seeing the certificate of the Chief Inspector of Machinery. The owner of the boat has to pay the cost of the inspection by the machinery inspector, and the harbour master signs the machinery inspector's certificate. Then the Chief Harbour Master issues a certificate, for which the launch owner has also to pay.

The Colonial Secretary: But he does not pay again for the same service.

Hon. W. C. ANGWIN: The Boat Licensing Board issue a certificate for exactly the same thing as the harbour master does.

The Colonial Secretary: No; that is wrong.

Hon. W. C. ANGWIN: The Minister does not propose to repeal the Act dealing with licensing of boats.

The Colonial Secretary: In regard to boilers and machinery, yes.

Hon. W. C. ANGWIN: But the certificate which the Boat Licensing Board issue will be exactly similar to that of the Chief Harbour Master, and double fees are to be charged. The harbour master at Fremantle, who inspects the machinery, is not the Chief Harbour Master. The harbour master, presumably through the Fremantle Harbour Trust, issues the certificate. The Act of 1886 provides licensing fees of 10s. for a boat, and of £1 for a vessel with steam power. Then there is a fee of one guinea for survey of the hull, and a similar fee for survey of boiler and machinery. The survey of the hold or gear of any steamer has to be made by the Boat Licensing Board. The issue of a license for a launch costs £1. Now the Minister speaks of the duties carried out under the Boat Licensing Act by the Boat Licensing Board, except as regards boilers and machinery. Exactly the same work is performed twice, and two fees are charged for it.

The Colonial Secretary: That is not so.

Hon. W. C. ANGWIN: Does the Minister think the Boat Licensing Board would license any boat as suitable for carrying passengers if the boiler and engines were not in a safe condition? The Minister knows very well that the machinery inspectors always examine the boiler and engines, and charge a fee for that work.

The Colonial Secretary: There are two separate licenses.

Hon. W. C. ANGWIN: The Minister must see clearly that the certificate issued by the Chief Harbour Master is the same as that issued by the other department, and that two fees have to be paid. I hope the clause will be rejected. There is no necessity to bring small boats under the Navigation Act. The Minister should realise that the Chief Harbour Master has nothing whatever to do with the Fremantle harbour. He has power over every other harbour. The Fremantle

Harbour Trust Act states that the Chief Harbour Master may be harbour master for Fremantle. For years that was actually the case, but a change was made when Captain Irvine fell ill.

The Colonial Secretary: Is the Fremantle harbour master a separate entity altogether?

Hon. W. C. ANGWIN: Yes; he is appointed by the Fremantle Harbour Trust. Captain Winzar has nothing whatever to do within the harbour of Fremantle. At Bunbury, too, a harbour master could be appointed if desired, because there the harbour authorities work under a special Act.

The COLONIAL SECRETARY: The certificate issued by the boat licensing board is for surveying the hull of a vessel, determining the accommodation for passengers, and so on. It is a separate function from the surveying of the machinery and boilers, which is under the chief harbour master. It is essential that statutory authority should be given to enforce the provisions of the Act. I hope the clause will be passed as printed.

Hon. W. C. ANGWIN: I want the Minister to be clear about this. At present he is far from clear. The Boat Licensing Act provides for licensing and for surveying boats and vessels. The money paid as survey fee is separate and apart from that paid as licensing fee.

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

Ayes	..	..	..	15
Noes	..	..	..	15
				—
A tie	..	..	..	0
				—

AYES.

Mr. Broun	Mr. Mullany
Mr. Carter	Mr. Plesse
Mr. Davies	Mr. Richardson
Mr. George	Mr. Sampson
Mr. Hickmott	Mr. J. H. Smith
Mr. Latham	Mr. Underwood
Mr. H. K. Maley	Mr. Pickering
Mr. Mann	(Teller.)

NOES.

Mr. Angwin	Mr. Lutey
Mr. Chesson	Mr. Marshall
Mr. Collier	Mr. McCallum
Mr. Corboy	Mr. O'Loghlen
Mr. Gibson	Mr. Willcock
Mr. Harrison	Mr. Wilson
Mr. Heron	Mr. Munste
Mr. Lambert	(Teller.)

The CHAIRMAN: I give my casting vote in favour of the ayes.

Clause thus passed.

Mr. MARSHALL: On a point of order. I should like your ruling as to the votes being recorded of members who are not in their seats, who are behind the Chairman's chair.

The CHAIRMAN: The hon. member should have called my attention to it earlier. Certainly those members ought to have been in

their places. However, all members in the Chamber are taken to have voted.

Hon. W. C. ANGWIN: The question has been raised previously. It was decided that all members voting must be in front of the Chairman. However, I do not wish to press that.

The CHAIRMAN: When a division is being taken, hon. members voting should be in their places.

Clause 3—agreed to.

New clause:

The COLONIAL SECRETARY: I move—

That the following new clause be added: "Section 36 of the principal Act is hereby amended by adding a proviso as follows: 'And provided also that a certificate granted under this Act to a harbour and river vessel may remain in force for 12 months.'"

This will remedy a defect to which attention was drawn by the member for North-East Fremantle.

Hon. W. C. ANGWIN: The Minister, by his amendment, shows a dawning realisation of the mistake he made in bringing down the Bill. If any Act required amendment, it was the Inspection of Machinery Act. Anyone with eyes could have seen that. The Minister, by the Bill, is amending an Act which does not require amendment. The effect is to bring a small motor launch under the conditions pertaining to an ocean-going steamer. It will mean throwing out of business every small boat on the river. This fee for a certificate to last for 12 months is exactly the fee collected by the boat licensing board, the Government and the boat licensing board doing precisely the same work. No launch can comply with the provisions of the Navigation Act. I do not blame the Colonial Secretary, but he has been wrongly advised.

New clause put and passed.

Title—agreed to.

Bill reported with an amendment.

BILL—DOG ACT AMENDMENT.

In Committee.

Mr. Stubbs in the Chair; the Minister for Works in charge of the Bill.

Clause 1—agreed to.

Clause 2—Amendment of Section 3:

Mr. O'LOGHLEN: Representations have been made to me regarding the disabilities imposed upon breeders of dogs. It is said that the Kennel Club has been given a good deal of latitude, and is able to keep a large number of dogs without paying a registration fee.

The MINISTER FOR WORKS: The object of the clause is to give the owner of a puppy a longer period of grace than three months before paying the registration fee. It is at the age of about three months that a

dog may suffer from some disease peculiar to puppies, and if the fee is paid at the age of three months the owner may subsequently lose the dog. The clause, therefore, gives the owner greater latitude. I do not know what the position is with regard to the Kennel Club, but I will have inquiries made. If necessary an amendment can be made to the Bill in another place.

Clause put and passed.

Clause 3—Amendment of Section 5:

Mr. BROWN: There appears to be a printer's error in this clause. The words to be deleted from the section should be, "for a period of 21 days" and not "a period of 21 days."

Hon. P. COLLIER: The words that should be deleted from the section are "for a period exceeding 21 days."

The Minister for Works: That error will be corrected.

Hon. P. COLLIER: By striking out the period of 21 days, it will be an offence for an owner to keep a dog for even a few hours without registration.

Mr. Brown: Seven days would be a reasonable period.

Hon. P. COLLIER: Yes. It is unreasonable to strike out the whole period of grace allowed.

The MINISTER FOR WORKS: There is a good deal in what the Leader of the Opposition has said, but this clause has been asked for by several road boards in districts where the settlers have suffered from the depredations of dogs. If owners are compelled to register their dogs immediately they become possessed of them it is an admission of ownership, and if the dog itself cannot be caught by the authorities, its owner, if known, can be brought to book.

Mr. BROWN: The clause will confer a hardship upon owners of dogs. An animal belonging to another man may be found on someone else's premises, and this other person may be prosecuted because the dog has not been registered. Some period of grace should be allowed in which to overcome such a difficulty. The proposal might be an incentive to people to destroy neighbours' dogs. I do not think that the period should be so long, and I will move to have it fixed at seven days. The word "for" should be included and I move an amendment—

That after "words" in line 2 "for" be inserted.

Amendment put and passed.

Mr. BROWN: I suggest an amendment to the following effect: "That the words 'for a period of 21 days' be deleted with a view to inserting 'seven.'"

Mr. RICHARDSON: We would be wrong in agreeing to such a proposal. The idea is to provide for a period of seven days instead of 21 days.

Hon. P. COLLIER: The member for Beverley can achieve his object by agreeing to Clause 3 and then Section 5 of the principal Act will stand without the reference to a

period of 21 days. Then he can move to insert "a period of seven days."

The MINISTER FOR WORKS: I move an amendment—

That the words "the excision of the words 'a period of twenty-one days'" be struck out.

Amendment put and passed.

The MINISTER FOR WORKS: I move an amendment—

That the words "striking out 'twenty-one' in the principle Act and inserting 'seven' in lieu thereof" be inserted.

Mr. LATHAM: What with the dingo pest and the dogs running about the country, it is very difficult to keep sheep. While it is a good point to reduce the period as suggested, the Minister is not reducing it sufficiently. Three days should be long enough to keep a dog which is not registered and which is killing other people's sheep.

The Minister for Works: Three minutes would be long enough.

Mr. LATHAM: If it is a valuable dog, the owner will see that it is registered in three days.

Mr. Mann: The secretary of the road board might not be there.

Mr. LATHAM: The secretary of the road board is always there. The Minister in the first place agreed to strike out the whole period as requested by the road boards.

Mr. Underwood: Which road board?

Mr. LATHAM: The conference of road boards.

Mr. Lambert: Do we frame legislation for the road boards?

Mr. LATHAM: Yes, to assist them to carry out their functions. The amendment would not affect the goldfields. One of our principal industries is sheep raising and we should endeavour to prevent the loss of thousands of sheep through the dog pest.

Mr. O'Loghlen: Would you leave your crop to register a dog?

Mr. LATHAM: If a dog is worth keeping it is worth registering. A dog should be registered before being purchased.

Mr. Lambert: The dog might have been born yesterday.

Mr. LATHAM: The hon. member has not read the Act.

Mr. Lambert: You are not the only one who has read the Act. It is time you were put in your place.

The CHAIRMAN: Order!

Mr. Lambert: I am not going to allow the hon. member to say I have not read the Act.

Hon. P. Collier: It is offensive.

Mr. Lambert: Yes, to me it is offensive. I rise to a point of order.

The CHAIRMAN: Your point of order is not a good one.

Mr. Lambert: The hon. member said I have not read the Act. To me that is offensive and I ask that the statement be withdrawn.

Mr. LATHAM: If the statement is offensive I do not hesitate to withdraw it. When

the hon. member said that a dog might have been born yesterday, I naturally concluded that he had not read the Act.

Mr. LAMBERT: I administered the Act before you knew anything of public life.

Mr. LATHAM: I move—

That the amendment be amended by striking out "seven" with a view to inserting "three."

Mr. LAMBERT: I hope the period of three days will not be accepted. We should not take cognisance of every pettifogging suggestion put forward by every pettifogging road board.

The Minister for Works: That is not fair. They do a lot of good work.

Mr. LAMBERT: I admit they do, but it is our duty to fashion legislation. With the recent growth of a certain party in this House, the road boards all over the State have felt it incumbent to meet in a pettifogging parliament to make suggestions to us. We shall be going quite far enough if we reduce the period to seven days. Some members would impose a penalty if a dog looked at a sheep. The statement of the member for York that there are no cattle or sheep in our electorates shows that his knowledge does not extend far from Bruce Rock.

Mr. Latham: I merely said that my amendment would not affect the goldfields.

Mr. LAMBERT: The hon. member evidently imagines that the dogs on the goldfields are better behaved. If the standard of human beings can be taken as a criterion, they are. Usually the value of the work of road boards is in ratio to the amount of pay received, which is nothing, and their usefulness can be assessed accordingly. We should not be swayed by suggestions from every little road board in the State.

Mr. UNDERWOOD: In a way I support the member for Coolgardie, though I have no pettifogging road boards in my district. Seven days is scarcely long enough in the North, having regard to the distances the people there have to travel in order to register dogs.

The MINISTER FOR WORKS: In my opinion the clause as originally drawn is better than the amendment, but a compromise seems desirable. If the member for Coolgardie knew road boards as intimately as I do, he would not refer to them as pettifogging. They do good work for the State without payment.

Mr. LATHAM: I have no intention of inflicting a hardship on anyone, but the dogs should be registered before the seven days. The difference between three days and seven is of importance in a district like the Great Southern.

Amendment on the amendment put and negatived.

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

Clause 4—agreed to.

Clause 5—Amendment of Section 11:

Mr. LAMBERT: This clause represents a new departure and a surprising concession. If a big sheep owner must be exempted to the extent of 50 per cent. in a total fee of 7s. 6d., it is deplorable.

The Minister for Works: This has to do with the man working for wages.

Mr. LAMBERT: If there has been agitation from the drovers for this concession, I am prepared to modify my opinion of the clause.

The MINISTER FOR WORKS: The member for Coolgardie is under a misapprehension. Under the existing Act sheep and cattle dogs, if kept bona fide for tending sheep and cattle, are under a reduced fee. But experience has shown that to prove bona fides is very difficult. To meet the difficulty of dogs being kept at a reduced fee, though kept merely for pleasure, this alteration has been made for the benefit of drovers and others who have dogs for the purposes of their callings, to whom the dogs are tools of trade.

Hon. P. Collier: You could compel registration without charging any fee.

The MINISTER FOR WORKS: But the disc has to be provided, and the charge is not high.

Mr. BROWN: This provision has not come from the Country Party. Under this amendment the people in the country districts will pay more in registration fees than they do under the existing Act. The present clause is the most important in the Bill. In respect of dogs used for droving cattle and sheep outside municipalities, the registration fees now are 5s. and 2s. 6d. Therefore any resident of a town having a dog and using it once a year for droving sheep or cattle need pay only half the fee.

Hon. P. Collier: Would a man do that to escape half the fee, to escape 3s. 9d.?

Mr. BROWN: Some men will do anything. This clause should be struck out altogether, and the registration fees should be as in the Third Schedule to the existing Act, but with certain alterations. The schedule provides for packs of hounds, not less than 10 in number, kept in a kennel paying a fee of £2. Under this Bill packs of hounds are omitted altogether, except that each dog will have to be licensed individually at a fee of 7s. 6d.

The Minister for Works: No, that is not so.

Mr. Lambert: A blind man having a dog to lead him would have to pay 7s. 6d.

Mr. BROWN: I intend to move for increases in the fees, because I object to the keeping of useless dogs. I want to see the Third Schedule amended so that there will be three classes of registration. One of those will be for utility dogs.

Mr. Lambert: Would that be a watch dog?

Mr. BROWN: No, a dog for droving sheep or cattle.

Mr. Lambert: The best utility dog of all is the dog kept to amuse the baby.

Mr. BROWN: Kangaroo dogs, used for killing kangaroos and rabbits, ought to be under a reduced fee. Then I come to the dog kept for no use at all. A heavy fee should be paid for such a dog. It is degrading to go

down the city and see well dressed women nursing puppy dogs, see them driving about in motor cars with two or three dogs, and other ladies walking along the street each with as many as three dogs on a string which cost her at least £s. It is time those people paid dearly for keeping useless pets. It would be better for the country if those ladies went to the Charities Department or to some poor mother, and adopted a child, instead of spending their time washing their dogs. This applies not only to ladies, but to many men. It would be far better if they were married.

Mr. Underwood: I have a wife and a dog as well.

Mr. BROWN: Large numbers of sheep are killed by useless dogs wandering about the country. In the city one can meet with packs of useless disgusting mongrels. I want to penalise all people keeping useless pets. No good sheep dog would ever kill a sheep. It is the mongrels, bred in the towns and migrated to the country, which kill sheep. The fox terrier is the worst of all. I want to see this clause thrown out, and the third schedule amended.

The Minister for Works: Why not pass the clause?

Mr. BROWN: It is of no use. For sheep dogs and kangaroo dogs I would have the existing fees continue, but for useless animals I would impose a fee of £3 for a dog and £5 for a bitch, while for a pack of hounds of not fewer than 10, kept bona fide for hunting, I would have the fee £10, instead of £2 as at present.

The Minister for Works: You are making of it a money Bill.

Mr. BROWN: If members want to increase the fees for useless dogs from £3 to £5, I will readily agree. In the city and at railway stations hundreds of pounds of material and foodstuff are spoilt by dogs. Unfortunately I cannot move to strike out the clause.

The CHAIRMAN: No, you will vote against it. Moreover, I cannot accept your proposed amendment to increase fees. You should have made arrangements with the Minister.

Mr. LAMBERT: I hope the Committee will not accept the sweeping proposals of the hon. member. A watch dog is a very useful animal. The hon. member would order the wholesale destruction of dogs. Of course, he being a sheep man, one can pardon his vehemence on the subject of dogs that kill sheep. But, in their proper sphere, watch dogs are just as useful as are sheep dogs. One can understand the indignation of the hon. member when alluding to the dogs which ladies keep to coddle, but his proposed amendments would sweep away a number of well bred useful animals.

Mr. UNDERWOOD: The dog that assists in droving is not the only useful dog. A man living outback where the natives are may owe his life to the timely warning given by his dog. Such a dog is more valuable than a sheep or cattle dog. The only reason why we tax dogs is to prevent them from becoming too numerous.

The MINISTER FOR WORKS: I hope the clause will be passed. We cannot expect to have a Bill that will be perfect in every detail and satisfy the hon. member. It is only intended to charge half-price for dogs of the type under discussion.

Mr. PIESSE: The license fee payable for lap dogs should be higher.

The CHAIRMAN: The clause does not provide for lap dogs.

Mr. PIESSE: I regret that the Minister did not make provision for them. Some dogs that are claimed to be sheep dogs, but are not, cause a great deal of trouble because they are allowed to run about the towns.

Mr. BROWN: Under the principal Act all dogs within a municipality were chargeable at the rate of 10s. and 7s. 6d. a year respectively. This Bill provides that the rates for such dogs shall be 5s. and 3s. 9d. respectively. There is no necessity for the proviso.

Clause put and passed.

Clause 6—agreed to.

Clause 7—Amendment of Section 15:

Hon. W. C. ANGWIN: Apparently this clause means that police constables must in future be dog inspectors. Surely they have enough work to do without this additional task being placed upon them. The fees are received by the local authority, not by the police. It is possible this clause may lead to an increase in the police staff.

[Hon. G. Taylor took the Chair.]

The MINISTER FOR WORKS: Several of the road boards extend their operations long distances back, and to places which are only visited by the police. The Drakesbrook Road Board has jurisdiction over country 17 miles east of Waroona, but no member of the board ever goes out as far as that, although the police do. I do not think any member of that road board or the secretary has visited that part once in 12 months. The jurisdiction of the Harvey Road Board extends for 26 miles beyond Collie and I do not think the supervisor there has been over the great bulk of that section. The police have to go through these parts in the execution of their duties and their assistance is sought by the farmers who may be troubled with dogs. Unless the police have knowledge as to the dogs that are registered, they cannot do anything. The farmer has to apply to the police to ascertain who owns the dog so that they can get compensation for damages. On my son's property, 40 stud ewes with their lambs were found lying dead. The five or six dogs which had done the damage were unregistered, and we could do nothing. That is one case out of hundreds that are occurring. The secretaries of the road boards would be only too pleased to supply the particulars to the police, so as to assist in this direction.

Mr. O'Loughlen: Will the police get anything for their work?

THE MINISTER FOR WORKS: I am not sure. I realise that country police are loaded up with work already but I have not known one of them who has not been willing to go to no end of trouble to assist men on the land. I do not say that they should not be paid, but I would not like the suggestion to go forward that the country police would not do their duty along these lines unless they received payment.

Mr. O'Loughlen: We want to recognise what is a fair thing.

Mr. UNDERWOOD: I am not convinced that the clause is necessary. As a matter of fact, the police outback, where we do have sheep and where there is real sheep country, are carrying out this work already. The suggestion that the police receive payment is not correct. Any money collected goes to the department, not to the individual policeman. The officers are continually visiting the natives' camps and shooting dogs.

Mr. O'Loughlen: They do not shoot the lot.

Mr. Chesson: They shoot the mongrels.

Mr. UNDERWOOD: The police exhibit a great degree of discretion. That being so, why is there any necessity to amend the Act. The Bill is not wanted at all.

Hon. W. C. ANGWIN: The clause really makes police officers inspectors under this Act. There is a tendency for Government departments to do the work that should be carried out by the local authorities and I think that is disclosed in the Bill.

Mr. Underwood: If we sacked half the civil servants it would be better.

The CHAIRMAN: The clause does not refer to a Government department.

Hon. W. C. ANGWIN: Yes it does. It refers to the police officer in the district, so that both the Government and the local authorities are concerned.

The Minister for Works: The provision is merely intended to provide the police with information required.

Hon. W. C. ANGWIN: There is a tendency to centralise more and more. I do not care what the proposal may be, I intend to oppose that tendency every time. This is merely duplicating work.

Mr. MARSHALL: There is probably more trouble with dogs in the Murchison district than in the South-West or in the Wheat Belt. I take the view expressed by the Minister for Works. The police will not know the dogs that are registered unless they have the information supplied to them as suggested in the clause. The police are now doing the work and this will assist them.

THE MINISTER FOR AGRICULTURE: The damage caused by dogs owned by natives is considerable, particularly in the Murchison and, to a lesser degree, in the Pilbara district.

Mr. Underwood: Yes, we have a few sheep there.

THE MINISTER FOR AGRICULTURE: I do not want the member for Pilbarra to

suggest that all the sheep are in his part of the State. There are more sheep south of Geraldton than there are north of that port. It is the duty of the police to visit the native camps regularly and destroy the surplus dogs found there. A lot is said about the loss through dingoes, but a far greater proportion of destruction is caused by the curs bred by the natives.

Clause put and passed.

Clause 8—Insertion of section after Section 17:

Mr. UNDERWOOD: The new section sets out that every registered dog shall have a collar round its neck. To put a collar around the neck of toy and long-haired dogs not only spoils their appearance but may be cruel to them.

The Minister for Works: Where else would you put the disc?

Mr. UNDERWOOD: I admit the utility of the provision as it enables an inspector to pick up a dog that is not wearing a disc. In this autocratic democracy, however, it has not yet been decided that people shall not keep dogs for pleasure. The clause should be negatived unless the Minister can bring down an amendment to exempt those dogs on which it would be cruel to put a collar.

Mr. MARSHALL: I agree with the member for Pilbara. Apart from the expense of providing collars, the wearing of them is apt to chafe the neck and diminish the value of prize dogs.

THE MINISTER FOR WORKS: I move an amendment—

That in line 1 of the proposed new Sub-section 2 the word "registered" be struck out.

Mr. UNDERWOOD: If an unregistered dog is found, what then? The registration proves the ownership.

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

Clause 9—Amendment of Section 19:

Mr. BROUN: The kelpie is the best dog for sheep. It is a very expensive dog, of shy temperament, and very seldom will it allow anyone except the owner to catch it. Yet this proviso would empower the police to shoot such a valuable dog if they could not catch it.

The Minister for Works: Suppose a kelpie was destroying sheep, would you allow it to continue?

Mr. BROUN: That would be more likely to happen with an unregistered and useless dog than with a kelpie. Unless some safeguard is inserted, there is a danger of good dogs being destroyed. I move an amendment—

That after "aforesaid" in line 3 of the proposed proviso the words "and such dog is not wearing a collar round its neck with the registration disc affixed" be inserted.

The Minister for Works: I do not object to the amendment.

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

Clauses 10, 11—agreed to.

Clause 12—Amendment of Section 35:

Hon. W. C. ANGWIN: Here is a further innovation. The clause proposes to give power to the departmental officers to alter schedules in an Act of Parliament. Such a power should not be given. Parliament alone should alter schedules in an Act of Parliament.

Mr. Brown: But Parliament can disagree with the regulations promulgated by the department.

Hon. W. C. ANGWIN: The trouble is that such regulations are not always closely scrutinised when presented to Parliament.

The Minister for Works: I myself do not like the first part of the clause, but we must have the part referring to penalties.

Hon. W. C. ANGWIN: I move an amendment—

That the words "and may by any such regulation alter any of the forms in the schedules to this Act" be struck out.

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

Progress reported.

House adjourned at 10.30 p.m.

Legislative Council,

Tuesday, 7th November, 1932.

	PAGE
Select Committee, Fishing Industry, extension of time	1372
Questions: Public Works, costs	1372
Mining taxation, reforms	1372
Motions: Standing Orders amendment	1373
Machinery Inspection regulations, to disallow Bills: Administration Act Amendment, 3R. ...	1373
Light and Air Act Amendment, Assembly's Amendment	1373
Licensing Act Amendment, 2R.	1374
Pensioners (Rates Exemption) 2R.	1386
Federal Referendum, 2R.	1390
Select Committee, Electricity Supply, adoption of report	1378

SELECT COMMITTEE—FISHING INDUSTRY.

Extension of time.

On motion by Hon. F. A. Baglin, time for bringing up the report of the Committee extended to 5th December.

QUESTION—PUBLIC WORKS, COSTS.

Hon. G. W. MILES asked the Minister for Education: What was the estimated cost of the following works:—1, The reservoir at Bickley in connection with the hills water supply? 2, The Herdsman's Lake drainage scheme? 3, The Beaden Point jetty? 4, What is the actual amount spent up to date on Nos. 1 and 2, and the estimated cost of completing each? 5, What is the contract price accepted by the Government for No. 3?

The MINISTER FOR EDUCATION replied: 1, Cost of construction: Estimate £29,600, actual £28,866; land resumption, estimate £5,000, actual £6,375; total, estimate £34,600, actual £35,241. Work completed 4th November, 1921. It is expected that some amount will be required for legal costs, but it is thought that these will be moderate. 2, Original estimate was £25,000, with a possibility of increase by £15,000 if lining were necessary. Expenditure to date is £54,267. Revised estimate of total cost, £72,000. 3, The estimate for No. 3, including surveys, supervision, and contingencies, was £110,000, and the contract price is £89,577 19s. 2d.

QUESTION—MINING TAXATION, REFORMS.

Hon. J. W. KIRWAN asked the Minister for Education: Whether in view of the importance of mining to Western Australia and the heavy disabilities under which the industry is suffering, the Government will favourably view the following taxation reforms and this session bring forward the necessary legislation to effect such reforms:—(1) Follow the example of the Commonwealth and provide that calls on mining shares be included amongst the deductions from taxation permitted in Federal income tax returns? (2) Recognise that as mining is a wasting asset, the basis of taxation should be different from that of more stable industries and commercial concerns, and therefore ensure that only those mining dividends are subject to taxation that are real profits, and not a mere return of capital?

The MINISTER FOR EDUCATION replied: 1, No. 2, The State taxation is on profits earned, as is the case with all other profits.

The PRESIDENT took the Chair at 4.30 p.m., and read prayers.