

AYES.
Hon. C. E. Dempster
Hon. J. W. Hackett
Hon. A. Jameson
Hon. W. T. Loton
Hon. E. McLarty
Hon. M. L. Moss
Hon. G. Randell
Hon. J. E. Richardson
Hon. C. Sommers
Hon. J. A. Thomson
Hon. J. W. Wright
Hon. T. F. O. Brimage
(Teller).

NOES.
Hon. B. G. Burges
Hon. J. D. Connolly
Hon. A. G. Jenkins
Hon. W. Maley
Hon. B. C. Wood
Hon. B. C. O'Brien
(Teller).

Clause as amended thus passed.

HON. M. L. MOSS moved that progress be reported.

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

Ayes	...	...	10
Noes	...	...	8

Majority for ... 2

AYES.
Hon. J. W. Hackett
Hon. A. Jameson
Hon. W. T. Loton
Hon. E. McLarty
Hon. M. L. Moss
Hon. G. Randell
Hon. J. E. Richardson
Hon. Sir George Shenton
Hon. C. Sommers
Hon. B. C. Wood
(Teller).

NOES.
Hon. T. F. O. Brimage
Hon. R. G. Burges
Hon. J. D. Connolly
Hon. A. G. Jenkins
Hon. W. Maley
Hon. B. C. O'Brien
Hon. J. A. Thomson
Hon. C. E. Dempster
(Teller).

Motion thus passed.

Progress reported, and leave given to sit again.

ADJOURNMENT.

THE MINISTER FOR LANDS moved that the House do now adjourn.

HON. R. G. BURGES said he desired to move an amendment.

THE PRESIDENT: The hon. member could not move an amendment, but could vote against the motion.

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

Ayes	...	...	10
Noes	...	...	7

Majority for ... 3

AYES.
Hon. H. Briggs
Hon. T. F. O. Brimage
Hon. J. W. Hackett
Hon. A. Jameson
Hon. W. T. Loton
Hon. N. L. Moss
Hon. G. Randell
Hon. C. Sommers
Hon. B. C. Wood
Hon. E. McLarty (Teller).

NOES.
Hon. B. G. Burges
Hon. J. D. Connolly
Hon. C. E. Dempster
Hon. A. G. Jenkins
Hon. W. Maley
Hon. B. C. O'Brien
Hon. J. A. Thomson
(Teller).

Question thus passed.

The House adjourned accordingly at 9:55 o'clock, until the next day.

Legislative Assembly, Wednesday, 5th November, 1902.

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THE SPEAKER took the Chair at 7:30 o'clock, p.m.

PRAYERS.

PAPERS PRESENTED.

BY THE MINISTER FOR WORKS: 1, Tonnage of goods through the East Perth Railway Station for twelve months ended September, 1902. 2, Alteration to Classification and Rate Book, relating to breakage of journey, freight on sandalwood, concession to policemen travelling on leave.

Ordered: 'To lie on the table.

QUESTION—RAILWAY REFRESHMENT CARS, TUNNEL.

MR. HIGHAM (for Mr. Hopkins) asked the Minister for Railways: 1, Whether it is true that the refreshment cars ordered are too large to pass through the railway tunnel. 2, If so, who is responsible for the error.

THE MINISTER FOR RAILWAYS replied: 1, No. 2, answered by No. 1.

KALGOORLIE ELECTRIC POWER AND LIGHTING CORPORATION SPECIAL LEASE BILL.

Introduced by the MINISTER FOR MINES, and read a first time.

RETURN—PRINTING OF BOOKS (LETTER-PRESS AND ACCOUNT).

On motion by MR. DAGLISH, ordered: That a return be laid upon the table of the House, showing the amount of letter-press and account book work ordered by each of the Government departments from private printing firms during the period from 1st July to 31st October.

PERMANENT RESERVES REDEDICATION BILL.

SECOND READING.

THE COLONIAL SECRETARY (Hon. W. Kingsmill), in moving the second reading, said: This is a little Bill introduced for the purpose of adjusting certain boundaries as between the municipality of Subiaco, the Education Department, and the Works Department. It appears that in Rokeby Road, Subiaco, there are three reserves contiguous to one another. The first belongs to the municipality of Subiaco, and is used for the purpose of a public garden; the second, immediately adjoining, is dedicated to the purposes of a school site; and the third is dedicated to the purposes of the Works Department. It has long been the wish of the municipality of Subiaco that its garden should be somewhat extended; and in order to attain this end the municipality wishes to obtain portion of the reserve which, as I have said, has been granted to the Education Department. That department, not wishing to give away its land without a *quid pro quo*, has arranged that the municipality shall have the ground it asks for conditionally on the Education Department obtaining from the Works Department a portion of the latter's reserve; and it is for the purpose of effecting this exchange, which from the nature of the reserve cannot be effected without a special Act, that the Bill is brought forward. I do not anticipate there will be any objection. The matter is purely formal: practically it is entirely between the departments involved. At the same time, however, under the Permanent Reserves Act it is necessary to pass this measure for the purpose of adjusting the boundaries. I believe the contemplated exchange will be to the benefit of all parties concerned, and accordingly I have much pleasure in moving the second reading of the Bill.

MR. H. DAGLISH (Subiaco): I wish to know whether the Bill provides for the reserves remaining as they now are. [THE COLONIAL SECRETARY: Yes.] I am sorry if that is to be so for all time. I certainly consider that it would be well, before the Bill passes the final stage, to allow a small area to be added to the gardens in accordance with a suggestion

made to me by a gentleman occupying a prominent professional and Ministerial position in the State of Western Australia. I refer to the Premier, who when at Subiaco was struck by the necessity for somewhat extending the gardens at one end, where they run to an ugly acute angle. I hope it will be possible for the Colonial Secretary to confer with the Premier on this matter before the Bill passes through the Committee stage finally, being satisfied that if the Colonial Secretary allows himself to be guided by the opinion of the Premier a much better adjustment than the one at present contemplated can be arrived at.

MR. F. ILLINGWORTH (Cue): I suggest to the member for Subiaco (Mr. Daglish) that he be content with such things as he has. The difficulty about this triangle was raised by the Education Department when I was Minister for Education, and a certain application was made to me. Strong objection was taken to the piece of ground in question being surrendered, because its surrender would interfere with that oversight of the school ground which is considered necessary. I do not wish to say anything on that point, not having personal knowledge of it. The Inspector General of Schools, however, considers the piece of ground absolutely necessary for the purposes of the school. In order to meet the wishes of friends at Subiaco I consented to the grant of a portion of this reserve, it being agreed that the Education Department should have such access to the school grounds as is necessary for the proper conduct of the school. As the hon. member suggests, he would take away this triangular piece of ground which the Education Department considers absolutely necessary for the purposes of the school. I would suggest that, as the hon. member is getting as much as it is possible to give, he may well be content with this.

MR. DAGLISH: It would only involve the teachers going into the playground instead of supervising through a window.

THE COLONIAL SECRETARY (in reply): I have pleasure in assuring the member for Subiaco that I will look into the request he has made, and will confer with my colleague (the Premier) on the question. The Premier suggests that I should go and see the place myself; therefore if any alteration is found to be

necessary, we can in the Committee stage consider any proposal that may be made.

Question put and passed.

Bill read a second time.

AGRICULTURAL BANK ACT AMENDMENT BILL.

COUNCIL'S AMENDMENTS.

Schedule of three amendments suggested by the Legislative Council now considered, in Committee.

No. 1—Clause 4, line 1, strike out "three-fourths" and insert "two-thirds":

THE PREMIER: Hon. members would observe that the effect of this suggestion would be to reduce the amount of money which might be advanced from three-fourths to two-thirds of the value. When the Bill was under discussion in this House, a suggestion to this effect was made, and several members approved of it. The Government did not oppose the amendment the Council now requested them to make, and he moved that the suggestion be agreed to.

Question put and passed, and the amendment made accordingly.

No. 2—Clause 4, line 3, after "thereon" insert the words "except in the case of loans for horticultural and viticultural lands, which shall not exceed one-half of such value":

THE PREMIER: Hon. members would observe that this suggested amendment limited the amount to be advanced in dealing with loans for horticultural and viticultural lands, the amount not to exceed one-half the value, whereas in other cases the advance might be up to two-thirds of the value. An amendment to this effect was moved when the Bill was before this House, but was negatived. It was, however, a step on the side of caution, and the Government proposed that the suggestion made by the Council be agreed to. He moved accordingly.

Question put and passed, and the amendment made accordingly.

No. 3—Clause 4, line 7, strike out "twelve hundred" and insert "one thousand":

THE PREMIER: The same remark applied to this amendment, which reduced the total amount of advance from £1,200, to £1,000. He moved that the suggestion be agreed to.

Question put and passed, and the amendment made accordingly.

Resolutions reported, the report adopted, and a message accordingly returned to the Council.

RAILWAYS ACTS AMENDMENT BILL.

COUNCIL'S AMENDMENTS.

THE SPEAKER said: Hon. members will recollect that when this message was received (29th October), I stated my opinion that it was not competent for the Legislative Council to make these amendments, but that the Bill should have been returned to this House with a request that the amendments suggested by the Council should be made by this House, if it thought proper to do so. I then suggested that a message should be sent to the Legislative Council, informing that House accordingly.

IN COMMITTEE.

THE PREMIER (Hon. Walter James): Under Section 66 of the Constitution Act, which section is printed in our Standing Orders, it will be observed that—

All Bills for appropriating any part of the Consolidated Revenue Fund, or for imposing, altering, or repealing any rate, tax, duty, or impost, shall originate in the Assembly.

Then by Section 46 of the Amendment Act it is provided that—

In the case of a proposed Bill which according to law must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein; and the Legislative Assembly may, if it thinks fit, make such omissions or amendments, or any of them, with or without modifications.

This Bill originated in the Assembly, being recommended by message from His Excellency the Administrator. By inadvertence that fact was overlooked by the Legislative Council; and instead of adopting the course which was adopted in relation to the Agricultural Bank Act Amendment Bill, in which the Council suggested certain amendments, in this instance the Council have made amendments, and request our concurrence therein. It is clear, therefore, from the section of the Act that the procedure adopted in relation to the Railways Acts Amendment Bill is not the procedure that should have been adopted. The Council should have adopted the same

procedure in relation to the Railways Bill as they adopted in regard to the Agricultural Bank Act Amendment Bill. I beg to move that the following message be sent to the Legislative Council :—

“In reply to Message No. 19 from the Legislative Council, returning the Railways Acts Amendment Bill with amendments made therein by the Legislative Council, the Legislative Assembly acquaints the Legislative Council that, in accordance with the provisions of Section 66 of the Constitution Act, this Bill was required to originate in the Legislative Assembly, and Section 46 of the Constitution Act Amendment Act, 1899, extended the powers of the Legislative Council by permitting them, in the case of a Bill which by law must originate in the Legislative Assembly, to return the Bill to the Legislative Assembly suggesting any omissions or amendments which they may desire to be made therein, and the Legislative Assembly may, if it thinks fit, make such omissions or amendments, but no power is given to the Legislative Council to make such omissions or amendments themselves.

“The Legislative Assembly will always be willing and desirous of considering any amendments suggested by the Legislative Council, when transmitted in accordance with the provisions of Section 46 of the Constitution Act Amendment Act.

“The Railways Acts Amendment Bill when transmitted to the Legislative Council had indorsed upon it the notification that the Administrator had by message recommended that an appropriation should be made by the Legislative Assembly for the purposes of the Act, thus showing that it was an Act which must by law originate in the Legislative Assembly.”

That step has been taken in accordance with the ruling of Mr. Speaker, and it is a necessary step to maintain the rights and privileges of this House.

Question put and passed, and the message transmitted accordingly.

ANNUAL ESTIMATES, 1902-3.

COMMITTEE OF SUPPLY.

Resumed from the 30th October; Mr. HARPER in the Chair.

ATTORNEY GENERAL'S DEPARTMENT
(Hon. Walter James).

Crown Law Officers, £5,595 :

MR. ILLINGWORTH : There was a considerable increase in the Estimates of this department, on which some explanation was required.

THE ATTORNEY GENERAL : There was a distinct decrease in the department he was glad to say. If members looked at the Estimates for last year, they would find the vote was £4,900, and that included half a year's salary for the Law and Parliamentary Draughtsman at £800, whereas this year the Estimates provided the full salary. This year there was provided a typist for the Parliamentary Draughtsman at £120 a year. This officer took the place of the clerk to the Parliamentary Draughtsman, who was down last year for £500. This change was a distinct saving. Then there was a clerk to the accountant, in accordance with the new arrangements which came into force before he took office, and he was not sure whether this officer was not one of those who were transferred to the Crown Law Office through the much-vaunted saving effected by the amalgamation of the Premier's and the Colonial Secretary's departments. Then there was last year the Crown Solicitor £600, circuit prosecutor £333 (eight months at £500), and chief clerk £266 (also for eight months). These amounts made £900, and it was proposed now to have an officer at £600 a year, which was a distinct saving. The only item in which there was an increase was for shorthand writer and typist, increased from £120 to £200, this officer being transferred to the department through the same amalgamation of departments, and he had been drawing £200 a year in the Premier's Department. This was not an increase, but a transference of an officer from one department to another. There was a very distinct saving in the Crown Law Department altogether.

MR. FOULKES : It was to be regretted that the Premier had reduced the staff.

THE ATTORNEY GENERAL : Not reduced.

MR. FOULKES : For many years the Crown Law Department of the country had been starved; and although certain

salaries were paid to the officers, this fact did not mean that there were not amounts paid to different legal men outside for law services rendered. During the last five years at least a couple of thousand pounds a year had been paid for the employment of counsel outside the Crown Law Department.

THE ATTORNEY GENERAL : Oh, no.

MR. FOULKES : Some years it must have reached £2,000.

THE ATTORNEY GENERAL : In no year was it so high.

MR. FOULKES : It was not far off. It was a move in the right direction to appoint an assistant Crown Solicitor, and one would have been pleased to see two assistants to the Crown Solicitor. There was a most efficient Crown Solicitor, but that officer had far too much to do. It was quite notorious amongst solicitors and those who had experience in law work, that the Crown Solicitor had been overworked for the past two years. He was not able to give the amount of attention to matters in which the State was interested that one would like to see; it was impossible for him to attend to the work. It was well known that the Government, like some large public companies, were considered fair game for private individuals to "go for," and it was really necessary that the State should be protected against such enterprising people. If there was only one solicitor to look after the enormous law business of the State, members must see it was impossible for him to attend to the work. There were many private firms in the country who employed a solicitor. The Works Department continually had law cases brought against them. Then there was the Railway Department, which was a splendid field for all legal men in the country. If there was only one solicitor to look after the work, it was impossible for the work to be done properly. The Lands Department now and again dropped in for a law case. The only department which did not drop in occasionally was that presided over by the Attorney General, and perhaps people thought that was too thorny for the boldest individual to tackle. It was impossible for one solicitor to look after all the work required to be done by that department, and the late Attorney General (Mr. Leake) frequently admitted to him that the work was too heavy for

the staff. It would pay the State well to have a good staff of solicitors for this purpose. If the State required first-rate legal talent, Parliament should be prepared to pay adequate salaries, those now paid being too small, as compared with the earnings of legal practitioners who were not engaged in the Crown Law Office. He hoped the Attorney General would see his way to increase the salary of the Crown Solicitor, the present amount of £750 a year not being sufficient; and the £600 a year now proposed for the assistant to the Crown Solicitor was not sufficient for the work that would have to be done. One lawyer to whom the position was offered had rejected it with scorn, because of the small salary.

MR. JACOBY (Swan) : There was too great a disposition in all the departments to put officers on the fixed list. The time must come very soon when there would be less work to do, and the mistake of having so many officers on the fixed list would then be fully realised. In South Australia, the total estimate for this department was £3,800 a year.

THE ATTORNEY GENERAL : Did that include the Parliamentary Draftsman ?

MR. JACOBY : Certain officers were shown in the estimate now before members; and perhaps in three years time not half the work would have to be done, yet all these officers were on the list.

THE ATTORNEY GENERAL : It was to be regretted the hon. member had not made that complaint in a previous year.

MR. JACOBY : Last year's Estimates were the first he had opportunity to discuss.

THE ATTORNEY GENERAL : It was a mistake to say there would be less work in the next year or two than was required to be done now. Advice was sought from the Crown Law officers to assist in various matters; and if the Crown Law officers were to give advice to the police and to all other departments, a considerably larger staff would be necessary. Members of this House seemed to measure the work done by the Crown Law Department according to the amount of litigation; but the litigation was nothing in comparison with the other work. The greater part of the work was in advising the several departments, and in assisting the police on many matters that cropped

up. There was ample room for an assistant to the Crown Solicitor as proposed in the estimate, and it would be long before we should require less than two qualified men for this department. In South Australia the civil service was cut down below a proper limit. Indeed the public service in that State was simply starved, and the wages and salaries were almost at starvation rate.

MR. JACOBY: They had learned by bitter experience.

THE ATTORNEY GENERAL: Clerical and professional employment was very poorly paid there. Of course we knew that times were hard in South Australia; but there was no greater mistake than to stint the money required for the Crown Law Department if efficient men were to be obtained. In this State the Under Secretaries often refrained from consulting the Crown Law officers because they found it difficult to get matters disposed of promptly, the legal staff being inadequate. The increase now proposed was a wiser change than that proposed last year, when a circuit prosecutor and a chief clerk were proposed to be added to the staff. Instead of adding these officers, we now proposed to add an assistant to the Crown Solicitor, and he could go on circuit work if necessary. Every Minister knew how frequently reference was made to the Crown Solicitor, and legal questions could not be disposed of like dealing out a pound of sugar. He did not think the salary proposed for the new officer was too much, nor that the staff was too large for present requirements.

MR. ILLINGWORTH: This department would have to be dealt with on the same lines as were found necessary elsewhere. In Victoria, for instance, the Crown Law Department was divided into two branches, there being an Attorney General and a Solicitor General, each having charge of separate branches of the work, and a good deal more money was expended there. The little experience he had obtained as a Minister in this State was that the Crown Solicitor had much more work to do than he ought to have, and the work he had to do was of a variety which ought not to be required from one man. There was a distinct difference between two branches of legal work; and in other States there was not

only a separate staff for each branch of the work, but a separate Minister. It could not be expected that an officer should keep on doing attorney's work and solicitor's work on £800 a year. He asked the Attorney General to explain the increase of officers, knowing that the hon. gentleman could give the necessary information. The amalgamation now proposed would rather weaken the staff than make it more efficient. This was a department in which we could not safely economise without great risk of loss. The idea of economy could be carried too far, until it became waste instead of real economy.

MR. THOMAS: We had not started economy yet.

MR. ILLINGWORTH: The right direction must be started after efficiency was obtained. He was not in favour of reduction in any department when it meant the destruction of the efficiency of that department.

MR. JACOBY: Who was?

MR. ILLINGWORTH: No one, he supposed.

MR. JACOBY: The hon. member was inferring that other members wished to economise at the expense of efficiency.

MR. ILLINGWORTH: Some revision was required in the Crown Law Department. There should be a separation of the Attorney General's work from what should be the Solicitor General's work.

MR. NANSON: Had the assistant to the Crown Solicitor been appointed?

THE ATTORNEY GENERAL: No.

MR. NANSON: While it might be necessary to appoint an assistant to the Crown Solicitor, who had charge of all the law business of the State, including the Railway Department, such office should be created under proper conditions. The State did not conduct matters as business people would. The State did not engage a servant as the Attorney General himself would privately engage a man, so that the employee could be got rid of at the moment on a twelve months' notice, probably on three months' notice. If the Government wished to make the appointment and were convinced that it was necessary, some assurance should be given that the officer should not be placed on the permanent staff. All the difficulties with the civil service arose from the fact that once a man got into the service it was impossible

to remove him without giving him a pension or a retiring allowance. He (Mr. Nanson) would rather pay an officer a larger salary on condition that if his services were not required at any time, he could be got rid of without compensation, and merely by giving him a certain notice. If it should happen within the next few years that the public business fell off, the Government should be able to get rid of this officer without having to over-encumber the pension list or pay a large sum as a retiring allowance. What method did the Government intend to adopt in appointing the officer? Would the suggestions which he had made be carried out?

THE ATTORNEY GENERAL: Whenever an officer was appointed he should pass through a probationary period. One agreed with the suggestion made by the leader of the Opposition, that there should be the power to dismiss an officer with reasonable notice. Too frequently when men became Government servants they got into a certain groove, but to a large extent that was a defect of the system. A man entered the service eager to do work, but it was soon found that he got into a certain groove. However, in the service of the State there were dozens of men who did not work from 9 o'clock until 4.30 o'clock, but who worked far longer hours. There was a tendency, however, when a man got into the service to reckon that he had a permanency, which did not have a stimulating effect. When he (the Premier) found a suitable person to fill this position he would adopt the system which had been pointed out. The officer would be put on trial in the first instance, and would be subject to be dispensed with on a six months' notice: if he could not get a good man he would not engage one. He would rather prefer to get the work done temporarily outside than save a few hundreds of pounds by appointing a man at once who was not suitable to the work. As the member for Cue said, there could be false economy, and it would be better perhaps to pay more for a year or two than appoint a man who would not be a success. The position might not be filled.

MR. NANSON: Would the official be placed on the permanent staff?

THE ATTORNEY GENERAL: There would be no objection to putting the

officer on the permanent staff, if six months' notice were to be given.

MR. NANSON: But the officer would not have a pension?

THE ATTORNEY GENERAL: No; he would not have a pension. If the officer did not think the terms good enough he need not accept the position.

MR. TAYLOR: Not only in Western Australia but in every other State of the Commonwealth, when an officer who had served a long time in the Government service was discharged he was utterly unable to compete with the outside world in the line in which he was employed by the Government. Civil servants, whether professional men, medical men, or anyone else on fixed salaries in the civil service, if they remained any length of time it was found that degradation set in, and these men when discharged from the service were found to be walking about the streets unable to compete with those outside. No matter how energetic or clever a man might be, after remaining in the service for some time he was not fit to compete in the open market. One did not know if the Government kept these servants until they were valueless and then turned them adrift. Wiser organisation and a better system in the service were required.

MR. DAGLISH: What the member for Mount Margaret had said was ridiculous, and he would cite cases to show it was so. One was that of a professional man who was in the public service of Victoria for a number of years in the Crown Law Department, A. I. Isaacs, who had proved himself one of the best lawyers in Australia and had become one of the most prominent politicians of the Commonwealth. The other case was that of Sir Alexander Peacock, the late Premier of Victoria. Both of these gentlemen had served a considerable term in the Victorian public service and both had proved themselves able to compete outside in their own particular line. There was still another case, that of Henry Byron Moore, who served a long period in the Lands Department of Victoria and who had since for a long time occupied the position of secretary to the Victorian Racing Association. The member for Roebourne was a public servant stationed for some time at Roebourne. Then there was the member for Pilbarra, another

ex-public servant. One was quite satisfied that if the member for Mount Margaret had taken the trouble to inquire into the facts of the case he would not have made the wild remarks which he did.

MR. TAYLOR: The statement he made referred to those persons who had been dismissed from the Government service. Neither of the gentlemen mentioned by the member for Subiaco had been dismissed from the public service: probably those gentlemen wished to save themselves, for if they had remained they might have gone the way of the rest. He did not wish to particularise, but he could state the names of civil servants in this State who had been dismissed and who were absolutely unable to compete with persons outside.

MR. NANSON: There was a number of items which showed increases amounting in all to upwards of £400. Extra clerical assistance last year was £104; this year £260. Law books £87 last year; the amount required this year was £200. Stationery, etc., was to cost £150 against the actual expenditure last year of £93, and travelling expenses were double what they were last year.

THE ATTORNEY GENERAL: The extra clerical assistance was caused by following out a suggestion of the hon. member. A clerk was employed temporarily while there was a rush of work in connection with certain cases: the officer was employed in collecting evidence, and the £104 for last year was portion of the salary. For law books there was expended £87 last year; an amount of £200 was put down for this year, and if it was necessary on going into the new Chambers he would have no hesitation in doubling that amount by an excess vote. The Law Library at present was a disgrace. He had a far better one in his house and in his own office. It was like asking men to work without tools not to provide law books, and he was astonished the officers had put up with the state of affairs for so long. If he asked for an elementary work he had to send to the Supreme Court library or to his own private office to get it. In regard to the item "stationery," the only increase was in printing, and that was a bookkeeping entry. The increase in travelling expenses was due to the Circuit Court work. Twenty-five pounds

was voted last year, but up to the 30th June last £75 was spent. The Circuit Court expenses so far gave a clear indication that £75 would not be sufficient this year.

Vote put and passed.

Audit, £7,788 10s. :

MR. JACOBY: Those members who had occasion to follow the correspondence that was published in connection with the secret land purchase of the Government, and who remembered the letter sent by the Auditor General to the House last year, must feel some misgiving as to the conduct of this department. In order to revive members' recollection, he (Mr. Jacoby) read the letter which the Auditor General addressed to the Speaker of the House and the President of the Legislative Council last session. He could not help thinking, in regard to the reading of that extraordinary document, that something was wrong in the Audit Department, and this impression had been considerably deepened when he read the minutes and documents in connection with the land purchase scheme. He would like to know if the Premier was absolutely satisfied that the State was getting good and efficient work from the Audit Department, and whether the Premier thought the Auditor General was overworked and overstrained, and was prostrated by the nervous strain which was indicated in the letter, and whether the officer was fit to occupy so important a position as that of Auditor General.

MR. ILLINGWORTH: The hon. member would not suggest that the Auditor General should resign?

MR. JACOBY: In order to get an expression from the Premier, he would move that the salary of the Auditor General be reduced by £100. It was whispered in circles where it should be known that this department could be more efficiently managed. There should be at the head of this department a man who was well fitted to carry out the work attached to the position; but at present he did not feel that the accounts of the country were properly attended to. He would never be a party to cutting down salaries if officers who were placed in responsible positions could show that they were carrying out their work

efficiently. There should be in every large department the best possible officer the Government could get, and that officer should receive a reward equal to the task which he performed. He did not move the reduction because he cavilled at the salary of £700, for he thought that an Auditor General who was equal to his work should receive at least £1,000 a year. He wished the Premier to satisfy the country that the department was in an efficient state.

MR. THOMAS : It had been the custom of members ever since he had been in the House to find fault with the Audit. A good deal of complaint arose through the audited accounts not being received until a long time after they ought to be received, and he took this opportunity of asking whether something could not be done by changing the date of the closing of the financial year to September 31st instead of June 30th.

MR. ILLINGWORTH : The year closed on the 31st December at one time, and it was just as bad then as now.

THE ATTORNEY GENERAL : Before the member for the Swan made an attack on the Auditor General he should give particular instances. However efficient the Auditor General might be, he occupied a position which was by no means enviable. He was called on to do work which required a great deal of examination and the making of a great number of queries, which were apt perhaps to make the officer by no means the most popular in the service. The officer had to point out what he thought were defects in the manner in which the departments conducted their accounts. He was supposed to be a detective acting on behalf of Parliament to see that the Audit Act was maintained and a proper system of accounts was carried out. A man occupying such a position was not likely to make many friends in the departments. The mere fact that a member heard that the work was not efficiently carried out was not sufficient to justify that member in coming to Parliament and making a suggestion that the department was not carried on properly or efficiently. Proper facts should be adduced, something which the Auditor General could be called on to explain or deal with. When it was borne in mind that the Auditor General had held his position

in the State for many years, that he held the appointment at a time when the finances of the State were comparatively small and the expenditure was comparatively small, until now they had reached great magnitude, that fact spoke in his favour. One hoped the hon. member would accept the assurance that, although there might be impressions in the minds of members that the Auditor General did not carry out his duties satisfactorily, if members looked into the complaints it would be found there was no cause of complaint, and members would come to the same conclusion which he (the Attorney General) had. In the Auditor General we had a hard-working, conscientious, and upright man, who had always carried out his duties regardless of consequences, whether it secured for him favourable notice from his departmental head or not. The Auditor General had faithfully carried out the duties which were imposed by the Audit Act.

MR. ILLINGWORTH : The Committee had asked year after year that the Auditor General should audit the railway accounts. A decision was arrived at many months ago and instruction given that the Auditor General should audit the railway accounts, and he thought he was correct in saying that it had not been done. It was the wish of members that this large spending department should pass under the Auditor General, and the accounts be audited in a similar manner to the accounts of other departments of the State. The Premier might give the Committee some information as to what were the intentions of the Government on this important question. Years had passed since the question was raised and instructions had been issued, but no action had been taken to have the railway accounts audited.

THE MINISTER FOR RAILWAYS (Hon. C. H. Rason) : The Government had endeavoured to see whether the expressed wish of this House could be complied with in regard to the auditing of railway accounts, and inquiries were made as to the practice in other States. It was found that the practice here corresponded exactly with the practice in other States in regard to the auditing of railway accounts. As between the railways and the Government, the accounts

were audited by the Auditor General's staff; but that staff did not audit the detailed accounts of the respective stations, this work being done by the audit staff connected with the Railway Department. It was open to the Auditor General's staff to do this detail work whenever it was deemed necessary or desirable; but it was found that however good in theory it might appear to have the railway accounts audited in detail by the Auditor General's staff, that was found in practice to be almost impossible.

MR. ILLINGWORTH: He could take the audit staff of the department under his control.

THE MINISTER FOR RAILWAYS: The Committee had his assurance that an effort was being made to carry out as far as possible the expressed wish of this House in regard to the auditing of railway accounts, but it was found impossible and inadvisable to have the entire auditing done by the staff of the Auditor General.

MR. ILLINGWORTH: It was impossible and inadvisable just as long as the Minister chose to take the advice of officers of the Railway Department, and no longer. In connection with this matter, the Minister knew that the Railway Department went to the Treasury and took out large sums of money without giving any indication as to how that money was to be expended; a state of things unjust and improper, as far as the Treasury was concerned, and not in accordance with the Audit Act. If these accounts were audited by the Auditor General, a proper statement would have to be furnished to the Treasurer whenever money was obtained for railway purposes, as was done by other departments when money was obtained from the Treasury. In consequence of the Auditor General having no control over the railway accounts, these particulars were not furnished; and he (Mr. Illingworth) was inclined to think that a detailed audit could be made and that it was advisable it should be made by a staff engaged by the Railway Department, placed under the control of the Auditor General, because the present practice of having these accounts audited by a staff employed within the Railway Department was like asking an accountant

to audit his own accounts. This practice was against the principles of the Audit Act. We wanted an independent audit, especially in this department, where it was more necessary than in any other department. We wanted to know how the accounts were kept, and whether the conditions of the Audit Act were observed in this great spending and earning department. In other States the Railway Department was subject to the Auditor General, and his officers could drop in at times and examine the books, as could be done in other departments. The whole of the accounts of the State should pass in some form under the Auditor General's inspection.

THE MINISTER FOR RAILWAYS assured the hon. member that whatever might have been the case in the past, at the present it was altogether wrong to say the Railway Department fought this question. It was immaterial to the department whether the auditing of railway accounts was done by the Auditor General's staff or by the railway auditors. The hon. member (Mr. Illingworth) had said that large sums of money were taken out of the Treasury and not accounted for. He (the Minister) could assure the Committee that was not the case now. As a matter of fact, officers of the Auditor General's staff visited the accountant's office of the Railway Department, also making surprise visits whenever that was thought necessary, and the whole of the books were open at any time to those officers. The accounts were audited to all intents and purposes by the Auditor General's staff. As to auditing the whole of the detailed accounts of railway stations by the Auditor General's staff, that practice would not work out. Individual station accounts were audited by the railway auditors; but as to checking the railway accounts as a whole, that was done by the Auditor General's staff to-day.

MR. ILLINGWORTH: As to moneys going out of the Treasury without being accounted for, the practice in all other departments was that when application was made to the Treasurer for money, a requisition accompanied the request explaining what the money was to be expended on. That system was not observed by the Railway Department, and it was weeks or months sometimes

before the Treasury got in the proper accounts showing how that money had been expended. If it were true that a great change had been made since he (Mr. Illingworth) was at the Treasury, he would be glad to hear it, and it would be the more creditable to the new Treasurer and to the Minister. He (Mr. Illingworth) had tried hard to get it done while he was at the Treasury, but he was met with no end of difficulties.

MR. DAGLISH : There might be good ground for the matter stated by the member for the Swan ; and after hearing the Premier's explanation, while everyone might be disposed to give credit to the Auditor General for a desire to properly discharge his responsible duties, it was possible the gentleman holding the office, though qualified to perform the duties when the financial affairs were much smaller, might not be so well qualified to deal with the larger amount of work that had to be transacted under present conditions. Possibly the work had now outgrown the capacity of the Auditor General, who might require more assistance, or he might be unsuited for the larger work under present conditions. The position of Auditor General was not on a satisfactory footing. It was undoubtedly the most responsible position in the State, yet we found that many other officers were more highly paid. The position of Auditor General should be the most highly remunerated of any in the State. While some officers received as much as £1,000 a year, the Auditor General was receiving £700. The chief clerk in that office was receiving £425; the inspector of accounts, who was a far more responsible officer in regard to the nature of the work, was receiving only £350; two other inspectors were receiving £345 each, although in view of their responsible work they should be more highly paid, as they had to supply the Auditor General with whatever facts he had to work on in making his report. The Premier should make inquiry on the lines suggested by the member for the Swan as to the efficiency of this department. He (Mr. Daglish) was satisfied that it was the one department on which we could not afford to be too economical.

THE ATTORNEY GENERAL said he would follow that suggestion. In regard to the public service generally, if the salaries

were increased in some cases we should not be doing injustice to the State. Members would come to the conclusion, after proper inquiry, that although we might have too many men in the service at present, yet a great number of them were very much underpaid; and although we heard a great cry about the cost of administration in this State, he believed that if we went fully into the matter we should find that while we might reduce the number of officers, a great number of the officers were entitled to far more pay than they received at present.

MR. NANSON : Reduce the number first.

THE ATTORNEY GENERAL : Undoubtedly. Until the Commission had gone through the departments and made their report, he did not think they were in a position to do much, but he would be glad to get their interim reports, and the Government would act on them. His own belief was that although they might reduce the number of officers in the service, he did not think the Government service of this State was by any means overpaid.

MR. JACOBY : The explanation given by the Premier was disappointing in regard to the Auditor General and the efficiency of his department. A complete vindication of that officer and his department might have been expected, but it had not been given.

THE ATTORNEY GENERAL : Vindication?

MR. JACOBY : The information which he had in regard to this department was not such as would enable him to base any definite charge, but he did hope that he had said sufficient to give the Premier an opportunity for making a vindication of the Audit Department and of the Auditor General. He had listened to the remarks of the late Treasurer, and expected to hear something from him about the efficiency of this department; but the hon. member left the Auditor General alone. In justice to this House, the late Treasurer might have expressed an opinion one way or the other in regard to the fitness of the Auditor General for the position he held.

MR. ILLINGWORTH : The hon. member had not asked him that question.

MR. JACOBY : It was pleasing to hear from the Premier that the case was not so bad, in the hon. gentleman's

opinion, as had been generally represented. It was to be hoped the Premier would consider the advisability of increasing the remuneration for the position of Auditor General, and next year the Premier might be better able to explain whether he thought the present Auditor General was fitted to receive that larger amount or not. While there was an assurance that the present officer was giving to the State honest service, there was not an equal assurance that the service given was efficient.

MR. WALLACE said he wished to assist the member for the Swan in establishing the suspicion which had urged the hon. member to make those charges. While not desiring to reduce salaries, yet the Premier's attention should be drawn to what rumour said, and what appeared in the *Sunday Times* had been authenticated to a great extent. It was on record that a certain audit was made by an officer of the Auditor General's department, in regard to certain irregularities which were supposed to have taken place in the magisterial district of Roebourne, which irregularities were not discovered in the audit when made. If the Auditor General depended on his officers, and they gave him incorrect reports, why were not steps taken to remove such officers, and why were not steps taken to deal with the person responsible for those irregularities? There were two laws in this country—one for the rich and one for the poor. Many an unfortunate lad who committed some irregularity had been imprisoned, while others had been allowed to get away because of the time elapsing between the discovery of the defalcations and the action ultimately taken by the Minister in charge. The person responsible for those irregularities held to-day a highly responsible position in the State, and the audit officer who did not discover those irregularities was still employed in this department. The Auditor General, knowing these things, because they had been pointed out through the Press and otherwise, took no steps to deal with his officer; therefore how could the Premier blame any member of this House for accusing the head of the Audit Department of incompetency? This House came to the conclusion years ago that if there was one faulty department it was this; and were we to continue to

allow the position to be held, seeing that this House had power under Section 3 of the Audit Act to deal with this officer if necessary? The third officer in the list was drawing £350 a year for going about the country inspecting departmental accounts; while another officer, who audited the largest accounts in the State, was receiving the paltry salary of £150. Members would see that where there were reductions in the Estimates they were in the salaries of the smallest grade throughout the Estimates. [MINISTER: There were no reductions really.] Even in this department there were cases similar to that he had spoken of. Even though retrenchment was necessary, we wanted retrenchment in numbers and not reduction in salaries. We wanted fewer men and more efficiency, so that they might be paid better salaries. About 15 officers in this department were drawing under £200 a year as clerks and examiners. He supposed they did the principal work, auditing the accounts, and their salaries ranged from £180 down to £150, while the head of the department was safely holding his position at £700 a year. It was desirable that those who were doing the work should receive a better rate of pay. As to the date of closing the accounts for the year, it had been found by experience in England and New Zealand that the most convenient date for closing the accounts was 31st March, thereby enabling Parliament in its next session to receive the Auditor-General's report, instead of receiving it practically a year behind time, as in this State. Things had been overlooked by this House because of the lateness at which the Auditor-General's annual report was placed before members. The member for the Swan was right in his reference to the incompetency of this department, if not its head.

THE ATTORNEY GENERAL: No auditor was called upon to guarantee that all the accounts as audited were exactly true. All he could say was that the accounts, as far as disclosed by the books, were true or were not true. No auditor could always detect irregularities; but when irregularities were disclosed, the action to be taken on them did not rest with the Auditor General, but with the Minister of the particular department. In reference

to the instance which had been given, the Auditor General could hardly be blamed for not having detected every irregularity; but if irregularities were detected and no action was taken, then the responsibility rested on the Minister.

Amendment withdrawn.

Vote put and passed.

Curator of Intestates Estates, £740—
agreed to.

Friendly Societies, £3,170 8s. 4d.—
agreed to.

Land Titles, £9,938 :

MR. DAGLISH: Item 8 showed an increase of salary of £10; it was the only increase in the list. What was the reason for this exception?

THE ATTORNEY GENERAL: This officer was the only one receiving under £200 who did not get an increase last year. It was a printer's error, and the late Mr. Leake promised that the increase should be given this year.

MR. JACOBY: In connection with the increases, did the duties alter, did they become more important and more onerous, or why should a clerk who was doing the same duty year after year receive increases? Had the work of this particular officer increased in any way? If an officer was promoted into a more responsible position, one could understand an increase, but it was not right that an officer doing the same kind of work should constantly receive increases.

THE ATTORNEY GENERAL: If the salary in the first instance was adequate remuneration, then he agreed with the hon. member; but good reason could be given for all increases made.

Vote put and passed.

Official Receiver in Bankruptcy, £1,920—
agreed to.

Patents and Trade Marks, £2,105 :

MR. DAGLISH: What was the reason for the increase of fees to examiners, which last year amounted to £188 10s., but this year was increased to £350?

THE ATTORNEY GENERAL: The increase was due to the fact that in the past provisional specifications were not examined, the final only. The amount allowed to examiners was 1s. 6d. to 2s.

6d. It was now proposed to have both the provisional specification and the complete specification examined.

Vote put and passed.

Stipendiary Magistracy, £30,509 18s. 4d. :

MR. FOULKES: The total amount for stipendiary magistrates was about £9,000 a year. The time had come for making some rearrangement of these officers' duties, for there were far too many resident magistrates in the country. He did not know what some of them did half their time. Take the first case, Albany; what did that officer do with half of his time at Albany?

THE ATTORNEY GENERAL: Should there not be a resident magistrate at Albany?

MR. FOULKES: Such an officer was not necessary there. One man could do the work at Katanning and Albany.

THE ATTORNEY GENERAL: The officer at Katanning was a doctor.

MR. FOULKES: In England the stipendiary magistrates acted as County Court Judges. There was only one County Court Judge for the city of Manchester, which had a population of half a million of people. This officer's duty was to try the different civil cases in the city of Manchester, and he sat in the Court for five days a week. In North Wales, which had a population of about a million, there were two County Court Judges, who travelled from town to town. He did not see why the resident magistrate at Katanning should not go to Albany: he could try the important cases at both places. There were plenty of justices who could assist with the minor cases in the courts. The majority of cases in country districts were unimportant; they were cases of drunkenness chiefly in which no legal skill was required. The officer at Albany was paid £600 a year and also received forage allowance £50 a year, and had a residence allowed him. The Bunbury resident magistrate received £450 a year, which was not too much, but there should be a fresh arrangement by which the officer at Bunbury could also go to Busselton. The resident magistrate at Bridgetown travelled to Collie, to Greenbushes, and to Donny-

brook, and did the work efficiently. Here was an example in which a resident magistrate attended two or three districts. In order that this matter might be fully discussed, he moved that the salary of the resident magistrate of Albany be reduced by £100. There was no reason why the Perth Local Court magistrate, who did his work exceptionally well, should not attend at Guildford. There was no reason why he should not go as far as York and Northam, and even to Beverley. The Perth Local Court magistrate could do all the local court work of the districts named; nor would it inconvenience Mr. Cowan, who was a capable officer and fit for the work. The Attorney General, he believed, had considered this question; but the time had come for making fresh arrangements. At start, he believed, had been made at Newcastle. He did not want an injustice done to any of the magistrates, many of whom had been in the service for a number of years; but perhaps the time had arrived when some of the magistrates might be pensioned off, and an arrangement made of grouping districts together. It might be necessary to get a better class of men, with more legal knowledge.

HON. F. H. PIESSE: The worst magistrates were legal men.

MR. FOULKES: Legal men were appointed in Great Britain and in the Eastern States.

MR. HASTIE: A great deal could be done by rearranging magisterial districts. One magistrate could, without difficulty, attend to Albany and Katanning. Those who knew how the districts were arranged in certain portions of the State saw that there would be no difficulty in grouping the districts. The magistrate at the Murchison travelled to Magnet, to Cue, to Nannine, and to other districts, and all that work was done by a gentleman who was not solely a resident magistrate, but who also was warden. In other districts resident magistrates travelled farther than he had already indicated. There were resident magistrates who could not travel by railway, but who had to go 20 or 30 miles on horseback or in a buggy. Last year, when discussing this item, there was an understanding that an amalgamation of

magisterial districts should be effected. Perhaps the Attorney General could tell members exactly what had been done; but something in the direction indicated by the member for Claremont (Mr. Foulkes) was necessary and should take place. There was a necessity to economise in this department, to encourage the Attorney General to make improvements.

HON. F. H. PIESSE: While recognising that something should be done to lessen the expense, it was not advisable to group districts such as had been indicated. He had assisted the Government already in reducing the expenditure in his district by £300, by the amalgamation of certain offices. He could not agree that the magistrate at Albany could do the work all along the Great Southern Railway at a saving to the country; because the magistrate who did the work along the Great Southern Railway at present only received £200, and it would cost more than £200 a year for the magistrate from Albany to travel along the Great Southern line. Then there was the cost of detaining prisoners for trial, because the local justices could not deal with certain cases unless specially appointed; and local justices did not care to take these cases: they were willing to deal with ordinary police court cases. It would be against the law to allow local justices to take certain cases. The member for Claremont showed his want of knowledge of the different districts of the State when he suggested that the Perth Local Court magistrate could travel to York and to Northam. A great deal of time was taken up in the Perth Local Court in dealing with the cases, which at present were very numerous, and as the city became more largely populated there would be a greater number of these cases for trial. It was necessary to have a magistrate for Perth alone. If the member for Claremont knew more about the country he would understand the difficulties in dealing with districts from a centre like Perth. Although districts were to be amalgamated, he did not know how a great saving could be effected, and difficulty might be caused to people in outlying parts of the country. Resident magistrates in many places were agents for the Government, and dealt with many matters locally which would otherwise

have to be referred to Perth, or else some officer who was not so responsible as a resident magistrate might have to deal with these matters. He did not wish to say that lawyers, in their legal capacity, were not perhaps able to judge certain points better than laymen, but in ordinary cases which cropped up every day laymen were far more capable of deciding than lawyers, who often were influenced by their legal surroundings. Where legal men had been appointed as magistrates, they had not been a success, whereas many of the best magistrates we had to-day had long experience of the ordinary businesses of life. The Fremantle and Perth Local Court magistrates were previously clerks of court, and these magistrates carried out their duties admirably. Legal people desired to get magistrates appointed from those who had been trained in the law; but these persons did not possess sufficient knowledge of every-day life to enable them to deal with cases satisfactorily. Surely the appointment of a resident magistrate at Albany was justified; it was one of the principal ports of the State; it had a shipping record, and there was a population of 5,000 within 10 miles of Albany. The magistrate at Albany was also sub-collector of revenue, and he filled other positions. This magistrate had also been Chairman of Quarter Sessions, thus saving the country expense in that direction. He opposed the reduction of the item, because a magistrate was necessary at Albany. It was an important port of the country.

MR. TAYLOR: It was to be hoped the Premier would be able to do something with reference to the amalgamation of the different magisterial districts as indicated by the member for Claremont. He felt sure the duties of the resident magistrate at Albany were not so great as set forth by the member for the Williams. In the Mt. Margaret district, comprising about one-sixth of the whole area of the State, and which had a large population, there were only two wardens, both of whom were resident magistrates. One received a salary of £600 and the other £550. The warden at Lawlers had to travel 150 miles to Lake Way; he had to travel south about 60 or 70 miles, east a similar distance, and towards Magnet about 140 miles. This travelling

had to be done without the aid of a railway. The magistrate had to travel by camel or by horse, and the duties performed were considerably greater than those performed by magistrates in outlying districts such as Albany, Northam, York, or anywhere in the southern portion of the State. If the Committee had a record of the cases tried by the wardens in the Mt. Magnet district, it would be found they did as much as any three magistrates in the Southern Districts. At Morgans there was a warden who had to travel to Laverton and east 20 miles, travelling back to Morgans to go to Malcolm and Leonora. In his district there were three municipalities—not to say anything of roads boards and progress committees. Anyone knowing the goldfields districts had an idea of the variety of cases which came before the wardens. Comparing the work of this warden with that of any stipendiary magistrate in the agricultural districts, it would be found that he did as much work in the year as two or three of them; and if he could do this under all the difficulties of travelling, we should expect the same amount of work done by magistrates in coastal districts, where the facilities for getting about were so much greater. The argument that legal men would not be as competent on the bench as laymen was hardly reasonable, because if so why not have laymen presiding in our Supreme Court and district courts? We often found magisterial decisions quashed on appeal. He would vote for reduction of the item, and must say generally that the magistrate at Albany was not giving satisfaction. While he (Mr. Taylor) was visiting there some 12 months ago, he found the magistrate at Albany was looked on by the people as an unsatisfactory officer, and that was the opinion not of labour people only. The member for Cue and the Colonial Treasurer, if they wished, could give valuable information as to that magistrate's demeanour during their short visit to Albany. Persons holding such positions should be qualified to fill them with credit and honour. Referring generally to magistrates, there was a magistrate at York and one at Toodyay, these places being so near that one magistrate should do the work of both districts.

MR. DAGLISH : There was no reason why the salaries should be as they were on the Estimates. The magistrates at Geraldton and Albany were paid at a higher rate than other magistrates outside of Perth. Last year he suggested that the duties of magistrates should be classified and the salaries paid accordingly. The salaries for the magistracy totalled about £9,300; but in addition there was £862 10s. for allowances; also in the Public Works Estimates he found there was £500 provided for repairs to magistrates' quarters, and £13,500 had been expended in building quarters for the various magistrates; therefore, at 4 per cent. this expenditure would amount to £540 per annum to be added to the other expenditure. The total expenditure for the stipendiary magistracy was £11,200, and this amount was heavy indeed. Without referring specially to any particular magistrate, there was strong need for economy. At Albany £225 was paid to the clerk of the local court, this being higher than the amount paid to most other officers of this class. At Boulder the clerk of courts received £200 per annum, though the cost of living there was much higher than at Albany. The clerk at Albany was a member of the family of the resident magistrate there, and he (Mr. Daglish) was inclined to think that sort of thing often influenced the amount of salary paid. The Premier should go into the matter with a view of reducing the cost of the department.

THE ATTORNEY GENERAL : While glad to hear discussion, he had gone into the matter weeks ago, and it was not so simple as might appear to some members. It must not be forgotten that some of the resident magistrates were also medical officers, and this State provided a certain yearly amount to assist medical officers in districts where the population was not sufficient to induce a medical man to settle there for private practice. In several cases where also the magistrates were medical men, the amount of legal work they did was extremely small; and when members pointed to the range which a magistrate might cover in travelling about, they were overlooking the fact that where a magistrate was also a medical officer, if he travelled much in connection with magisterial duties he

could not be of much use as a medical officer for the particular district. That was an obvious answer to some of the remarks made. It was desirable that the magisterial duties in certain districts should be combined, and he intended to do this as soon as he could find opportunity. In other cases there were magistrates in places where he thought they could be dispensed with, but they had been years in the service, and if retired their allowance would be almost as much as their salary. These facts had to be borne in mind in dealing with the question. He could see several instances where economy could be effected without injustice, but this could not be done with a stroke of the pen. He saw several instances where there were medical officers who well might do the work of resident magistrates. Again, a reference had been made to the clerk of courts at Albany. That had not escaped his attention. Officers at Albany and Geraldton were paid at a rate that might have been fair years ago, but was not fair now, having regard to the amount paid in other places. The clerk at Albany was the son of the resident magistrate. He was promised in writing the resident magistracy at Southern Cross, but subsequently it was thought that a resident magistrate was not necessary there, and he was given this clerkship.

MR. HASTIE : Why did he get that promise?

THE ATTORNEY GENERAL : said he could not tell. There was no member more anxious than he was to reduce some of these existing anomalies; but he did not want to interfere, if he could avoid it, with medical officers in various parts of the State. There were several instances where the amount paid to magisterial officers represented ten times the work done, but the increased pay was really a contribution to assist towards the medical officers' salaries.

DR. O'CONNOR : Where were those cases?

THE ATTORNEY GENERAL : Several of them. Take, for instance, Northampton, the Murray, Esperance, Busselton, Onslow, and Katanning.

DR. O'CONNOR : Not Geraldton.

THE ATTORNEY GENERAL : No; in half a dozen cases, although the items were charged as for stipendiary magistrates, the sums were really a contribution to their salaries as medical officers. The

work they did as magistrates was extremely little; and, strictly speaking, the great bulk of the amount of their salaries should be charged against the Medical vote. After all, that was a matter of book-keeping. He was dealing with the cases of York and Northam, and he did not think he had shown himself unmindful of these things during the short time he had been in office.

MR. JACOBY: From the reforming zeal which the Premier showed when he sat on the Opposition side of the House, one expected that we were going to have a real smash-up.

THE ATTORNEY GENERAL: But not to reorganise the country in three months.

MR. JACOBY: If the hon. gentleman would pay a little more attention to reforming his department, and less to reforming the public morals of the State, it would be better for Western Australia generally. He knew it was not quite fair to go to other States for illustrations as to what might be done, but in South Australia they had 77 local county courts, and the work was done by five magistrates. There was, he thought, something in the argument of the hon. member who moved this reduction. As regarded those magistrates who were doing medical work, he would not vote for any reduction, but he certainly thought that at Albany something should be done. It was rumoured that some of these magistrates were not men of that high character which should pertain to those who occupied these posts, and he thought that perhaps when a little reforming was done in this department the Premier would take care to see that men of decently sober habits filled the positions. He wished at the present time to forcibly direct the attention of the Premier to the matter, so that we might not have these disgraces.

THE ATTORNEY GENERAL: Observations like those of the hon. member were apt to apply to every magistrate in the State, and that was a very grave injustice. If hon. members had cause to complain, they knew him well enough to come and make the complaint, and if they did not wish their names to be used he would not disclose them. If the member for Mount Margaret would let him know the case of which he complained, it would be looked into. It would be seen what injus-

tice was done to the whole body of men, the great majority of whom were admitted to be honourable. Some part of the Press would apply the observations made to all. If a member thought that any person on the bench was not fit to be there, and would only come and let him know what the facts were, that member would find no one more anxious than himself to maintain the honour of the bench. Let members, therefore, be particularly careful not to besmirch by general observations the honour of a body of men the great majority of whom were, he thought, a credit to the State.

MR. JACOBY said he would not have made the observation he did had he not been informed that the Premier was well aware of the circumstances he had in his mind. The hon. gentleman assured him he knew of no case where there was a drunken person occupying a high position on the magisterial bench. There was reason to think he was fully aware of it, and in his opinion the hon. gentleman ought to take action, and should have taken action before. Regarding the general question of these magistrates, he would vote for the reduction proposed by the member for Claremont. The majority of members came here pledged to a reduction of the Estimates and to economical reform, administrative reform; but two sessions had gone by, and practically nothing had been done. How long were members to be bluffed off with all sorts of excuses that there had not been time to look into matters? It was time they finished playing with the question, and made some strong efforts to reduce the Estimates within reasonable limits.

MR. TAYLOR said he had not made general assertions about the stipendiary magistrates, or, if he did so, he did not do it intentionally.

THE ATTORNEY GENERAL: Oh, no. He did not say the hon. member made those observations.

MR. TAYLOR said he was dealing with the first item, chief magistrate at Albany. He confined his remarks to a person who had not fulfilled his duties as one thought he should do. His remarks were confined to the gentleman at Albany.

THE ATTORNEY GENERAL: That was right.

MR. FOULKES: When he introduced this amendment he did not think it right

to bring forward other matters. It was not quite fair to attack the character of any body of civil servants not present to defend themselves, and his reason for doing what he did was to urge the Government to see if they could not make some arrangements. He hoped the Premier would do his best to see if greater economy could be obtained in the arrangement during next year with regard to the stipendiary magistrates. He was the last to seek to reduce the number of medical officers in a district, because he knew what a great convenience it was to the district to have medical men there. With reference to Albany, allusion was made to the son of the resident magistrate. It was well known that a promise was made to that gentleman that he should be appointed resident magistrate at Southern Cross. (MR. HASTIE: Why?) He believed the reason was that he said he had a certain amount of legal training, and it was thought that he would be able to perform those duties. He (Mr. Foulkes) had no doubt that he would have made an efficient resident magistrate. The member for the Williams (Hon. F. H. Piesse) seemed surprised that he suggested that legal men should be appointed. He hoped the hon. member did not think he did so from interested reasons—[Hon. F. H. Piesse indicated that he did not]—because he had refused two offers. First, the wardenship of Kalgoorlie was offered to him, and subsequently he received the offer of another appointment. He was glad this discussion had taken place. He wished to withdraw his amendment.

Amendment by leave withdrawn.

On motion by the ATTORNEY GENERAL, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 10:31 o'clock, until the next day.

Legislative Council,

Thursday, 6th November, 1902.

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: Alterations of classification and rate book (railways).

QUESTION—BOULDER TRAMWAY INSPECTION.

HON. W. MALEY asked the Minister for Lands: If the Government Electrical Engineer had been instructed to supervise the specification of the Boulder Municipal Tramway.

THE MINISTER FOR LANDS replied: No.

LEAVE OF ABSENCE.

On motion by HON. W. MALEY, leave of absence for one fortnight was granted to Hon. G. Bellingham, on the ground of urgent private business; and on motion by HON. B. C. WOOD, leave of absence for one month granted to Hon. W. G. Brookman, on the ground of illness.

LAND ACT AMENDMENT BILL.

Received from the Legislative Assembly and, on motion by the MINISTER FOR LANDS, read a first time.

POLICE ACT AMENDMENT BILL.

Received from the Legislative Assembly and, on motion by the MINISTER FOR LANDS, read a first time.