Hackett. That gentleman had spoken a great deal about Magna Charta and the liberty of the subject, but did he mean to convey the idea that the provisions of Magna Charta and the liberty of the subject were only to be extended to those persons who were to be placed upon their trial at Perth or Fremantle, or did he intend that such provisions should be extended throughout the colony? They should be extended throughout the colony if the Bill became law at all. He supported the amendment.

HON. S. J. HAYNES: The Bill was not required at all, and if the amendment were passed it would make the position of affairs still worse. It was possible that what was required in Perth would not be required in the country.

HON. J. W. HACKETT: If there was any doubt as to the object of Mr. Stone in moving the amendment, the eyes of members would be opened by the newborn zeal of that gentleman and Mr. Kidson in favour of the immediate trial of accused persons. It might be reasonable that Quarterly Sessions should be put upon the same footing as Supreme Court sittings. If that were so, he trusted the hon. member would advocate a gaol delivery of the lesser criminals as well as the greater. Such a proposal should be made in a separate Bill, for he thought the hon. member was the champion Bill procreator in the House.

A MEMBER: Incubator. (General laughter).

HON. J. W. HACKETT: The hon. member brought forth his own offspring, and a very abundant little brood it was. He was accustomed to the work of introducing bills.

HON. F. M. STONE: Let the hon. member try to get one through.

HON. J. E. RICHARDSON: As he voted last time against the proposal to hold Courts monthly, he could not support this amendment; especially in the interests of Roebourne. It was a hardship that men should have to travel 30 or 40 miles to act as jurors, and he did not know where the thing would end if there were to be sessions every month.

Amendment put and negatived.

Clause agreed to.

Preamble and title—agreed to.

Bill reported, and report adopted.

SALE OF LIQUORS AMENDMENT BILL.

Received from the Legislative Assembly, and, on the motion of the COLONIAL SECRETARY, read a first time.

WEIGHTS AND MEASURES BILL.

Received from the Legislative Assembly, and, on the motion of the COLONIAL SECRETARY, read a first time.

TRUCK BILL.

Received from the Legislative Assembly, and, on the motion of the COLONIAL SECRETARY, read a first time.

ADJOURNMENT.

The House adjourned at 5·55 o'clock until the next day.

Legislative Assembly,

Tuesday, 15th August, 1899.

Petitions presented (2), *re* Education Bill—Question: Railway Employees and Grievances—Question: Judges, as to Increase—Paper presented—Electoral Bill, first reading—Return ordered: Lighting of Wharves, etc., Fremantle—Weights and Measures Bill, third reading—Truck Bill, third reading—Resolution: Ivanhoe Venture G.M. Co., Compensation, Motion to Postpone; Division—Dividend Duty Bill, Amendments on Report—Customs Consolidation Amendment Bill, in Committee, reported—Permanent Reserves Bill, in Committee, reported—Public Education Bill, in Committee, reported—Adjournment.

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

PRAYERS.

PETITIONS (2) RE EDUCATION BILL.

MR. WOOD (West Perth) presented a petition signed by 2,792 persons of various religious denominations in his electorate, praying for a continuance of the present education system.

MR. OLDHAM (North Perth) presented a similar petition from his electorate.

Petitions received and read.

QUESTION—RAILWAY EMPLOYEES AND GRIEVANCES.

MR. HOLMES asked the Commissioner of Railways: Whether a petition has been received from the engine-drivers, firemen, and cleaners, setting out certain alleged grievances and complaints; if so, whether steps have been taken for any, and if so what inquiry.

THE COMMISSIONER OF RAILWAYS replied: A petition has been received, and is being dealt with.

QUESTION—JUDGES, AS TO INCREASE.

MR. CONOLLY asked the Premier: Whether it is the intention of the Government to appoint a fourth judge?

THE PREMIER replied: The question is receiving consideration, but no definite decision has yet been arrived at.

PAPER PRESENTED.

By the PREMIER: Correspondence between Perth City Council and the Government, as to the present Sanitary Site, as ordered on Mr. Oldham's motion.

Ordered to lie on the table.

ELECTORAL BILL.

FIRST READING.

THE PREMIER (Right Hon. Sir J. Forrest), in moving the first reading, said: With the permission of the House, I would like to say, in moving the first reading, that the Electoral Bill is just about ready, and will probably be placed on the table of the House to-morrow. I do not intend, however, to proceed with the second reading of the Bill until the Constitution Act Amendmont Bill is passed. In the shape the Electoral Bill will be placed before hon. members, it will be found to conflict to some extent with the existing Constitution Act; but it will not conflict with the Constitution Amendment Bill which the Government propose to introduce in a few days for amending that Act. I therefore suggest that the Electoral Bill be placed on the table, but that the second reading be postponed until the Constitution Amendment Bill has been disposed of, so that hon. members may have an opportunity of reading and understanding the former Bill, and of giving notices of amendment. This is the only course I can pursue, because it would never do for us to proceed with the Electoral Bill unless it is in accord with the Constitution Act. The Government have found a difficulty in the matter, because the Constitution Amendment Bill ought to precede the Electoral Bill; but as the Electoral Bill is ready before the Constitution Amendment Bill—they are both consolidating Bills—I shall best consult the wishes of hon. members by placing the Electoral Bill on the table to-morrow, and moving the second reading a week hence, continuing to postpone the debate on the second reading until we have had time to deal with the Constitution Amendment Bill, which will, I hope, be introduced before long.

Question put and passed.

Bill read a first time.

RETURN—FREMANTLE WHARVES, ETC., ELECTRIC LIGHTING.

MR. HIGHAM (Fremantle) moved:

That there be laid upon the table of the House a return, showing—1, the number of arc and incandescent lights provided by the Government service at the Fremantle wharves and railway station; 2, the total units consumed per annum; 3, the total cost of maintenance and repairs, including all labour and supervision, interest, and depreciation on generation plant and buildings, on lamps, cables, and all outside work.

He had originally intended, he said, putting this motion in the form of a question; scarcely realising that, although it demanded several answers, it necessitated anything in the shape of a return. He understood, however, there was no objection on the part of the Government to supply the information; and his only desire was to ascertain whether the proposed scheme of electric lighting at Fremantle could be carried out more cheaply by private enterprise than by the Government.

Question put and passed.

WEIGHTS AND MEASURES BILL.

Read a third time, on the motion of the ATTORNEY GENERAL, and transmitted to the Legislative Council.

TRUCK BILL.

Read a third time, on the motion of the PREMIER, and transmitted to the Legislative Council.

RESOLUTION — IVANHOE VENTURE G.M. COMPANY, COMPENSATION.

MOTION TO POSTPONE.

Order of the Day for consideration of report (resolution) from Committee of the whole House, approving of provision being made on the Estimates for £2,500, to be paid as compensation to the Ivanhoe Venture Gold-mining Company, read.

MR. LEAKE (Albany) moved that the Order of the Day be postponed for a week. Hon. members would notice he had just tabled a question which had reference to this matter, asking for a little further information; and, moreover, he had made some inquiries since the discussion in Committee the other evening, and found there was evidently a mistaken opinion as to what really took place in the law courts over this case, and as to the decision which was come to, not only in the Ivanhoe Venture case, but also in the Peak Hill case. It was alleged, in the course of discussion in Committee, that the two cases were identical, and that a wrong decision was given in the Ivanhoe Venture case; and by that allegation everybody was misled. He was in a position to point out that whoever made that statement was in error, because the cases were not identical. In the Peak Hill case, it was decided that the alluvial man who, under his miner's right entered on a leasehold, had a license only. That question was not a subject of inquiry in the Ivanhoe Venture case, and there was no dictum on the point, as was suggested by some hon. members. That point did not seem to have been taken in the arguments.

MR. VOSPER: The point was raised by himself.

MR. LEAKE: The point was not raised in the arguments before the Court, and the decision of the Judge in the Ivanhoe Venture case—Mr. Justice Hensman, he thought, tried the case—was purely on a question of fact. The learned Judge had to decide in the Ivanhoe Venture case, first what was alluvial, and secondly whether that alluvial was within fifty feet of a reef. The decision of the Judge—and this would be borne out by the newspaper reports of the judgment—was to the effect that the gold in dispute was alluvial gold, and moreover that it was not within fifty feet of a reef. Hon. members were wrong, therefore, in assuming that the same point was decided in this case as was subsequently decided in the Peak Hill case. He was perfectly certain that no hon. member meant to consciously reflect on the decision of any Judge of the Supreme Court; but in a case like this, if a judgment were disagreed with, the true state of facts should be placed before the Committee. He wanted the consideration of this report adjourned for a week, in order that hon. members might see that they had proceeded, to a certain extent, on a wrong basis, and also see that the information which he had asked for from the Government bore on the question to a very material extent. The final determination on the matter of compensation would not be come to until the Annual Estimates were before the House; so that in asking for a postponement of the consideration of the report, he was not throwing any obstacle in the way or creating unnecessary delay. Hon. members would not object to the fullest inquiry into a matter of this kind.

MR. VOSPER seconded the motion.

THE PREMIER (Right Hon. Sir J. Forrest): There was no reason for postponing the consideration of this resolution from Committee on the ground stated by the hon. member. The action taken already in this House, in regard to this question, had not been unduly influenced by the decision of the Judges; and although the decision of one Judge in regard to this matter had been referred to, no member had said in the discussion anything that would reflect on the learned Judge in the case.

MR. LEAKE: Except that it was said the Judge gave a wrong decision.

THE PREMIER: No; it was said the judgment given by one learned Judge had been upset by the decision of the Full Court, and that the question at issue was practically the same as that which had been recently decided by the Full Court in the Peak Hill case. It was also said in the discussion that, having read the judgment in the Peak Hill case, the issues, though not put in the same form, were practically the same. But it was not on these grounds that the Government had brought this resolution before hon. members. It was because there was a resolution of this House which had been passed last session; also because a select committee had reported that the

Ivanhoe Venture Company suffered great hardship, and were deserving of consideration; and, further, a Commission had been appointed, and, after investigating the matter, had recommended to the Government that the company should receive compensation for the amount of loss they had suffered. That recommendation would have been acted on under ordinary circumstances, but the Government did not quite approve of the recommendation, because they thought it was not quite in accordance with the intention of this House. No doubt the action of hon. members the other evening was influenced to some extent by the fact that the decision of the Full Court in the Peak Hill case did reverse the decision which had been given by one Judge previously in the Ivanhoe Venture case, and because hon. members now found that the Ivanhoe Company, instead of having acted illegally, as appeared from the first judgment, were acting legally all through. The matter had been sufficiently discussed in this House, and the sooner it was got rid of and buried the better.

MR. VOSPER: It might rise again.

THE PREMIER: If the resolution which had been passed in Committee at the last sitting were now adopted by this House, he intended to move that the resolution be transmitted to the Legislative Council with a request for their concurrence. It might be said that this House, constitutionally holding the purse-strings, need not send this resolution to the other House for concurrence, but that the Government should place a sum on the Estimates in accordance with the resolution, and that the matter would thus in regular course go before the Upper House. But this was not an ordinary grant of compensation, but was somewhat extraordinary. If the Upper House did approve of the resolution, the Government would pay the money. If he were to follow the other course, and put this sum on the Estimates, the Upper House might fairly object that it was an extraordinary vote.

MR. ILLINGWORTH: A "tack."

THE PREMIER: Yes, it might be considered a "tack," and some exception might be taken to it. No doubt the absolutely constitutional course would be to introduce a Bill and pass it through this House; but this did not seem to be so large a matter as to require the passing of a Bill for authorising the payment of the money. If the Upper House approved of the resolution, he would take it as an authority for the Government to pay the money; and he thought that was a fairer course than to place a sum on the Estimates, because it might be said that to do so was a "tack," and that the Government were trying to coerce the Upper House into a course which that House might not otherwise take.

MR. LEAKE: If the other House did not approve?

THE PREMIER: Then no money would be paid, and that went without saying. He considered this to be a more constitutional course than to put a sum on the Estimates without asking the concurrence of the Upper House in the particular vote. If the Upper House disapproved of the resolution which this House passed, Ministers would take the decision as final. This House seemed to be practically unanimous on the question the other evening, and was practically unanimous last year, when a resolution was passed affirming that the company were deserving of consideration.

MR. LEAKE: The only question then was that an inquiry should be made.

THE PREMIER: No. There was a resolution passed by this House, after the select committee had reported and recommended the company as deserving of consideration. Personally, he was not interested in the matter, and did not know who the company were, and did not care. He was acting in accordance with what he believed to be the wishes of this House; and he had no reason to think, generally speaking, that the Government had misinterpreted the wishes of the House, when the House decided by resolution that the company were deserving of the consideration of the Government. If the hon. member (Mr. Leake) had any more to say, he might get someone to say it for him in another place. Our duty now was to adopt this report from the Committee of the whole House, and send it for the consideration of the Legislative Council.

MR. EWING (Swan): Desiring to take the most favourable view of the remarks of the hon. member (Mr. Leake), he put down the statements made as

being due to want of knowledge of the facts of the case; because the hon. member would not wilfully misstate the condition of affairs, nor was he so wanting in legal acumen as not to appreciate the points that were involved in the judicial decisions on the two cases referred to. Had the hon. member referred to notes of the judgment which were doubtless in the hon. member's office, showing the points taken on the trial, the hon. member would see recorded on those notes the fact that Mr. Justice Stone refused, sitting as a single Judge, to decide the nonsuit in the Peak Hill case, but reserved it for the Full Court, because the points were the same as had been raised in the Ivanhoe Venture case, which Mr. Justice Hensman had decided. Mr. Justice Stone decided that the point which he (Mr. Ewing) took in arguing the Peak Hill case would practically be a turning over of the verdict of Mr. Justice Hensman; and therefore, sitting as a single Judge, he did not care to take that course, and reserved the point for the consideration of the Full Court. By referring to those notes, the hon. member would see that not only were the issues the same, but that the real reason why Mr. Justice Stone did not decide the point was because the issue in the two cases was absolutely identical, and there was no distinction whatever. The issue was: did the alluvial gold belong to the alluvial miner within the four corners of the pegs? If not, then he could not bring an action. That was the point raised by him (Mr. Ewing) as counsel in the Peak Hill case. It had been asserted, in the Ivanhoe Venture case, that all the gold within the four pegs belonged to the alluvial miner—and the miner got it: that was the argument taken by counsel for the miners in the Peak Hill case; but he (Mr. Ewing) took exception to this view. The outcome was that the decision in the Ivanhoe Venture case was practically and virtually upset by the decision in the Peak Hill case. The learned Judge who had decided the Ivanhoe Venture case, still adhered to his opinion, sitting as one of the Full Court; thereby showing that the two cases were identical, that the one law governed the two, and that there was no appreciable distinction between them. Had the hon. member (Mr. Leake) read the report of the proceedings, and appreciated the course of action in the two cases, the hon. member was lawyer enough to see that there was no distinction whatever between them.

MR. LEAKE (in reply as mover): The position he had taken up was unshaken by the last speaker's arguments. The point decided by the Full Court in the Peak Hill case had not been the subject of a prior dictum of any Judge. Had there been such a dictum, much litigation would probably have been avoided. Why did not the Ivanhoe Venture Company appeal to the Full Court on this very point?

MR. EWING: They did.

MR. LEAKE: No.

MR. MORAN: Yes.

MR. EWING: That appeal was set down on the list before the Peak Hill appeal.

MR. LEAKE: The Ivanhoe Company had an opportunity of appealing, but did not do so.

MR. A. FORREST: They had no more money.

MR. LEAKE: Then there was no appeal. The company might have taken steps to appeal, but the appeal was abandoned, so that they had not been deprived of their remedy. The decision in the Ivanhoe Venture case was that, in that particular case, all alluvial gold within the four pegs belonged to the alluvial miner, and belonged to him because it was alluvial gold, and because there was no reef within 50 feet of the spot.

MR. EWING: That was the same point as in the other case.

MR. MORAN: That point has been upset by the Full Court.

MR. LEAKE: No. The point might have been afterwards upset in the Peak Hill case, but it was not the same point as Mr. Justice Hensman decided.

MR. EWING: Yes; and it was upset at the Peak Hill trial.

MR. LEAKE: If there was any doubt about the correctness of his statements, to which he adhered, it was easy to get the judgments of the Court, or to ask the Judges to express an opinion. It was undesirable to argue law points in the House, as they were uninteresting to hon. members, and he simply asked that the consideration of this resolution from Committee might be adjourned. This

evening he had given notice of certain questions, and perhaps the answers would lead him to admit that nothing could be gained by going further in the matter. He only asked to be empowered to make that inquiry, which would be useless if, before it were made, the Treasurer paid over the money to the company. Surely it was not constitutional to pay the money on a resolution of the House.

HON. H. W. VENN: The two Houses would concur.

MR. LEAKE: It was usual to pass such votes upon the Estimates, or, as had been said, by special statute. He was forced into a position he wished to avoid, and was compelled to give some other reasons for asking for further inquiry. He trusted that what he said would not be taken as being uttered in a spirit of animosity to anybody. Inside and outside the House it was freely stated that an hon. member was interested in the vote.

MR. A. FORREST: Who?

MR. LEAKE: The member for East Coolgardie (Mr. Moran). Therefore the House must proceed with care; and he (Mr. Leake) declined to be a party to such a motion, or to be influenced by personal consideration for any hon. member. That being so, it was only fair to ask the hon. member in question to what extent he was personally interested, and how much of this money, if any, he would receive. The House was entitled to know that; and he (Mr. Leake) hoped the hon. member would accept his assurance that he was not actuated by any improper motive in taking this course. He wanted the inquiry, and the adjournment for a week would enable it to be made. Meanwhile, the Treasurer could obtain particulars of the position of the company—the name of the manager, whether it was in liquidation, who was the liquidator, who were the shareholders, and how the money would be distributed. Public funds ought not to be made available for recouping the losses of any hon. member who had embarked in an unfortunate speculation. It was unpleasant to give one's reasons on such an occasion, but he did so because it was evident that an attempt would be made to prevent what he considered a just and legitimate inquiry.

MR. VOSPER (North-East Coolgardie): The only point he would debate was that made by the last speaker regarding the decisions of the Courts. He (Mr. Vosper) was strongly of opinion that the House had been to a considerable extent misled regarding the effect of the two decisions. In the cases of the Peak Hill Company—Scott v. Payne and Wright v. Peak Hill Goldfields, Limited—it appeared that Mr. Ewing moved for a nonsuit on the following grounds:—

1, That the defendant company's gold-mining lease is under the provisions of the Goldfields Act of 1886, and amendments thereof, and therefore the plaintiff has no right of entry thereon after the granting of such gold-mining lease. 2, That the plaintiff has no right to peg out a claim on the defendant's lease, or register the same, or take exclusive possession as against the defendant of any part or portion thereof. 3, That no action will lie by the plaintiff against the defendant company for the gold won by the defendant company even if alluvial, as the plaintiff has not the exclusive right to any gold except that which he himself obtains.

MR. MORAN: The same point was raised in the Ivanhoe Venture case, and was decided against the company by Mr. Justice Hensman, who ruled that all gold on the company's lease belonged to the alluvial men. The Full Court upset that decision.

MR. VOSPER: The member for Albany had quoted the judgments.

MR. MORAN: The gold the company claimed had been given to the alluvial miners before the company appealed.

MR. VOSPER: That was the case of the "dump"?

MR. MORAN: Yes. Burke's case had been made the test case for the lot.

MR. VOSPER: Several different cases had been tried, Burke's being only one of many.

MR. MORAN: Burke's was the only one tried, and the other decisions went with it.

MR. VOSPER: The hon. member's assurance as to the point which Mr. Justice Hensman decided altered the case considerably; for he (Mr. Vosper) had always been of opinion, with many others in and out of Parliament, that the points at issue really were not so much those involved in Burke's case as the question of the lawful possession or otherwise of certain gold ——.

MR. MORAN: Which the Ivanhoe Company had raised out of their own shaft.

MR. VOSPER: But that question was distinct from the points involved by the general alluvial rush which took place on the company's lease, and in the case of the latter the decision of Mr. Justice Hensman touched on the question of what was alluvial gold, and whether the diggers were within 50 feet of the reef.

MR. MORAN: The decision of the Full Court did not affect the question whether there was or was not alluvial.

MR. VOSPER: If so, he need say no more. The gist of the decision on the question was that the alluvial miner had, or did have, some right to go upon a lease to seach for gold.

MR. EWING: And such miner could not bring an action for gold won, whether alluvial or not.

MR. VOSPER: In the Ivanhoe Venture cases, the actions had been brought by the company and not by the diggers. The latter had not tried to oust the company, but the company's efforts had been to drive out the alluvial men. If, as the Chief Justice had said, the alluvial men had a mere license to go upon that ground to search for alluvial, the fact remained that the Ivanhoe Company did everything possible to strain the law to prevent the men from exercising that license; because, instead of marking out an area of 50 feet on each side of the reef, the company pegged out the entire area of the lease.

MR. MORAN: No.

MR. VOSPER: The whole area. The hon. member's interjections only accentuated the necessity for inquiry, for they showed that there was no definite knowledge of the true history of the affair in the minds of hon members, seeing that there were such vital differences of opinion on the facts. There was therefore much reason in the amendment of the member for Albany (Mr. Leake), and the House might well delay the matter still further.

HON. H. W. VENN (Wellington): If the mover of the amendment intended to divide the House, it was time hon. members spoke freely on the matter to make the position clear, for the passing of the amendment would mean the reversal of a decision the House as a whole had arrived at without any division.

MR. VOSPER: The amendment did not ask for an immediate reversal.

HON. H. W. VENN: No; but it involved a revision of the whole case.

MR. LEAKE: Not at all.

HON. H. W. VENN: The desire to postpone the question for further information appeared reasonable, but the remarks of the Premier were much to the point. The previous decision of the House had been arrived at on a totally different basis, for it had been a question, not of law, but of whether it was right or wrong that the company should receive compensation. If the Premier would not concede the point asked for by the member for Albany, he (Hon. H. W. Venn) would support the amendment. There could be no objection to obtaining further information.

MR. A. FORREST: Not having been present when this matter was discussed a few evenings ago, he felt justified in saying a few words now on the subject. Last session the House agreed to a resolution for the appointment of a select committee to consider this matter, and the committee recommended that the company be paid a sum of £5,000 odd. The Government would then have been perfectly right in paying that amount to the company, but considered the sum beyond what the company were entitled to, and did not care about taking the responsibility of paying it. At the earliest opportunity this session the Government had brought down the recommendation of the select committee and suggested that a compromise be made by paying the company £2,500. The law points raised by the member for the Swan (Mr. Ewing) and the member for Albany (Mr. Leake) had nothing whatever to do with the question. The select committee in considering the matter did not deal with law points at all, but came to the conclusion that a great wrong had been done to certain persons in the community, and that it was only right that Parliament, who had made the bad laws which had ruined these persons through no fault of their own, should give them compensation. The House would surely agree that no hardship ought to be done to any particular portion of the community in this way. It happened that a member of the Ivanhoe syndicate was a member of the House.

MR. MORAN: The member could not help that.

MR. A. FORREST: There was surely no need to discuss that point, and the information asked by the member for Albany (Mr. Leake), as to what that particular member would get out of any money paid by Parliament, did not bear on the question at all. He hoped the Government would have this question settled once for all, and not leave it on the Notice Paper week after week. In any case it would take a week or two to settle, because the question had to be debated in the other House, and as the matter had caused a lot of trouble in the country already, the sooner a determination was come to the better for Parliament and the community.

Motion—That the Order of the Day be postponed for a week—put, and a division taken with the following result:—

Ayes	5
Noes	23
Majority against ...	18

AYES.	NOES.
Mr. Holmes	Mr. Conolly
Mr. Kingsmill	Mr. Ewing
Mr. Leake	Sir John Forrest
Mr. Solomon	Mr. A. Forrest
Mr. Vosper (*Teller*).	Mr. George
	Mr. Hall
	Mr. Higham
	Mr. Hubble
	Mr. Kenny
	Mr. Lefroy
	Mr. Mitchell
	Mr. Morgans
	Mr. Pennefather
	Mr. Phillips
	Mr. Piesse
	Mr. Quinlan
	Mr. Sholl
	Mr. Throssell
	Mr. Venn
	Mr. Wallace
	Mr. Wilson
	Mr. Wood
	Mr. Rason (*Teller*).

Motion thus negatived.

MR. MORAN said there was no reason why the member for Albany (Mr. Leake) should not have the information he had asked for. The money paid under this vote would be quite sufficient to reinstate the company, and put them once more in possession of their valuable lease, if the company so desired.

MR. LEAKE: What was the hon. member's interest in the vote?

MR. MORAN: The member for Albany could get that information by looking at the share-list any time he liked.

Resolution reported from Committee was then adopted.

Ordered, that the resolution be transmitted to the Legislative Council, asking for their concurrence.

DIVIDEND DUTY BILL.

AMENDMENTS ON REPORT.

Clause 4—Returns to be made of dividends declared and of duty payable thereon:

THE PREMIER moved that in Clause 4, line four, the word "life" be struck out. He explained that the word had been inserted in mistake. Life insurances were outside the operation of the Bill altogether, by reason of having been excluded from Clause 2. If the word were not struck out, it would make it appear that the clause did not apply to any insurance companies, whereas subsequent clauses did apply to such companies, and the clause would read correctly if the word "life" were struck out.

Amendment put and passed.

Clause 5:

THE PREMIER moved that the following proviso be inserted after the word "return," at the end of the first paragraph:—

Provided that companies which balance their accounts on other days than the 31st of December shall, within three months after each balancing day, make a return, verified as aforesaid, showing the profits made between the last balancing day and the balancing day immediately preceding the last balancing day.

Amendment put and passed.

Resolutions from Committee reported, and report adoted.

CUSTOMS CONSOLIDATION AMENDMENT BILL.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

PERMANENT RESERVES BILL.

IN COMMITTEE.

Bill passed through Committee without debate, reported without amendment, and report adopted.

PUBLIC EDUCATION BILL.

On motion by the MINISTER OF MINES (Hon. H. B Lefroy), the House resolved into Committee to consider the Bill.

IN COMMITTEE

Clauses 1 to 5, inclusive—agreed to.

Clause 6—Compulsory attendance:

MR. MITCHELL moved that in the fourth line the word "nine" be struck out, and "eleven" inserted in lieu thereof. It would be hard and wrong to compel children between the ages of six and nine years to travel three miles to school and back, each day, and this applied especially to children in a northern climate during very hot weather.

THE PREMIER suggested that "ten" might be substituted for "nine."

MR. MITCHELL said he would take "ten" if he could not get "eleven," but his amendment was for "eleven."

THE MINISTER OF MINES opposed the amendment. The law had been in operation for many years, and he had never heard a single objection to it. A child nine years old could surely walk two miles to school.

MR. MITCHELL: During summer in the northern districts it would be cruel to compel a child of nine years to walk six miles a day. He was willing to raise the age to ten.

MR. GEORGE: Were there any special departmental reasons why the amendment should be negatived?

THE MINISTER OF MINES: The question, like many others asked by the hon. member, was like a Chinese puzzle. The object of the Bill was to compel children to go to school, yet the hon. member, who professed adherence to compulsory education, wished to relax the conditions of attendance. It had been proved that children under nine years could attend schools two miles distant from their homes; if over nine, they might have to walk three miles. A sick child could be wholly excused from attendance. The only departmental reason for making the age nine years was that the department wished to make the instruction given as efficient as possible.

MR. GEORGE said the Minister had misunderstood him. He had no desire to alter the clause, but was only asking for information.

THE MINISTER OF MINES withdrew his remarks.

MR. GEORGE suggested that the amendment be withdrawn.

MR. MITCHELL: The amendment did not touch the compulsory clauses.

MR. RASON: It could hardly have occurred to the mover of the amendment (Mr. Mitchell) that its effect would be that no child under the age of eleven, although residing within two and-a-half miles of a school, need attend. Surely the hon. member did not desire that?

MR. MITCHELL: Would not that be the law without the amendment?

MR. RASON: No; for any child nine years old would have to attend school.

MR. QUINLAN: The clause should stand unaltered. In the country districts parents were only too happy to send young children to schools even more than two miles distant from home.

Amendment (Mr. Mitchell's) put and negatived.

MR. ILLINGWORTH: Would the Minister say whether the Bill sought to make it compulsory for a child to attend school up to the age of 14, even though such child were capable, before that age, of passing a matriculation examination? Such a provision was surely undesirable; and if it were embodied in the Bill, a clause should be drafted to allow a child to leave school on obtaining a certificate of efficiency. Many boys could obtain such certificates at 12 years of age.

THE MINISTER OF MINES: The principal Act provided that every child must attend school up to the age of 14 unless it had passed a certain standard. After passing that standard, attendance was not compulsory. This clause, however, made it compulsory on every child to attend until 14 years old, and such a provision in other countries had been found to work much better than the system now in vogue here, under which the smartest pupils were frequently removed from school at a time when instruction would be most valuable to them. It was not the highest standard that such children had to pass: he believed it was the second. The system worked badly, for a smart child of 12 years might pass the required standard and leave school, and, not being old enough to work, might be left to run about the streets.

MR. ILLINGWORTH: Was the object of the Bill to keep children at school till 14, whether they had passed the standard or not?

THE MINISTER OF MINES: Yes. The hon. member seemed to infer that a

child, after passing that standard, could not learn any more; but that would not be the case.

MR. MORAN: But such children would not be required to learn any more.

THE MINISTER OF MINES: The children were required to remain at school until fourteen years of age, to learn as much as they could. Surely it was not contended that because a child had reached a certain efficiency at twelve years of age, he was not to be allowed the opportunity of gaining further knowledge?

MR. MORAN: Parents could see to that.

THE MINISTER OF MINES: By allowing such children to leave school, the brightest intellects would be lost, and, therefore, it was as well the State should have charge until the age of fourteen was reached.

MR. MORAN: If the member for Central Murchison (Mr. Illingworth) would pursue his objection further, it would meet with support. The curse of all State or assisted educational systems was uniformity, which destroyed the individuality of children, and was unfair to clever and bright pupils. If a boy had passed the sixth standard at twelve years of age, it was proper that the parents should have the power to send him to business, because a boy of that age in Australia was fit to begin any trade or profession.

MR. GEORGE: That was too early for business.

MR. MORAN: If parents wished a child to remain and have further education, well and good, but it should not be obligatory.

MR. VOSPER: Would the curriculum be the same for these as other pupils?

MR. MORAN: If children were compelled to remain at school and obtain higher standards, it was practically raising the standard of education in the country.

MR. GEORGE: And why not?

MR. MORAN: There was no objection at all, but the standard being what it was, parents should be allowed to take their children away when the standard had been reached.

MR. GEORGE: This Bill was, he believed, taken from the English Act and the latter was passed because for many years it had been the aim of statesmen in the old country to give every child a fair chance before being sent to work. In his experience he had known children sent to work as early as eight and nine years of age, and he had seen the stunted forms in consequence, and it could be easily understood why English statesmen had endeavoured to raise the age at which children could leave school to go out to employment. In his own factory, apprentices under 15 years of age were refused, not because they were not bright or intelligent enough, or had not had sufficient education, but because a boy at 14 years of age had not got his bones and muscles set, so as to be able to undertake arduous work. It was not right to ask such youngsters to do laborious work, and probably take their part with men. The only way to bring a boy up, and make him of any use in a manufacturing business, was to raise within him the spirit of emulation, and that once raised, a boy never thought about his bone or muscle, but probably tried to remedy by strength of will the weakness of his physique. This had, to his knowledge, brought about physical debility in numerous cases, and he regarded the English legislation as humane in its object.

MR. MITCHELL: If a child had passed a certain necessary standard, the parent might be left to decide whether school should be continued. In some instances it would be very hard to keep a boy at school when he might be very useful to his parents. Better to support an amendment on the lines suggested by the member for Central Murchison (Mr. Illingworth).

MR. GEORGE: Then the hon. member went in for boy labour.

MR. HIGHAM: Children should be compelled to remain at school until the age of 14. A few prodigies at the age of 12, or even at eight and nine, might pass the sixth standard, and as the curriculum provided additional facility for advance in learning, they ought not to be encouraged to leave school so early. When the Early Closing Bill was before the House last session, it was proposed that children below the age of 14 should not be employed in the businesses within the operation of the Bill; and if there were an opportunity of reviewing that measure he hoped the proposal would be renewed.

MR. QUINLAN supported the clause. To meet the objection raised by the member for Central Murchison (Mr. Illingworth), a word or two might be added to Clause 12, which provided for exemptions. He knew a boy named Begley in Perth who, although not yet 14 years of age, had passed all possible examinations in the public schools, and further education would be of great benefit in this particular instance. The father of this boy was a very poor man, and there was no doubt that if there had been scholarships or bursaries available, this boy would have swept the board. He (Mr. Quinlan) had to earn his own living at 12 years of age, and did not feel any the worse for it, but he wished he had had a year or two longer at school. That was his reason for advocating the clause as now drawn, with the suggestion that in Clause 12, as in the case of poverty or sickness, provision might be made for further exemptions.

THE MINISTER OF MINES: Clause 12 already provided that in the case of poverty on the part of the parents, a child might be exempted from attending school between the ages of 12 and 14, and such exemption, if asked for, would probably be granted. It was not so much by cramming with mathematics or geography, and the three R's, that a child got education, but by the discipline which was, perhaps, more beneficial than anything else. Children between 12 and 14 years of age required more discipline than, perhaps, at any other time, and even if they learnt nothing, the discipline would be of benefit not only to themselves, but to the country at large.

MR. ILLINGWORTH: That was not the point; what he contended was that the Bill was not harmonious. The Act gave exemption to children who had passed the sixth standard, and he could see no proposal in the Bill rescinding that provision.

THE MINISTER OF MINES: That clause in the Act was repealed by the Bill.

MR. ILLINGWORTH: That was the information asked for.

MR. SOLOMON: A boy ought to be kept at school until he was 14. When a lad had left school he considered himself out of the control of his parents, whereas while he was at school parents had some power over him, and could regulate his movements in the evening. There were quite examples enough of young boys between 12 and 14 years of age going about town at night learning all sorts of irregularities.

MR. MORAN: The effort of the State to treat children in the same way as sheep or calves was to a certain extent a mistake, because the individuality of a child ought to be fostered in every possible way. The question of child-labour was altogether irrelevant, because that was governed by Factory Acts and similar legislation. If a child had passed a certain standard at 12 years of age, and it was proposed to put him to employment which did not involve hard labour, no obstacle ought to be put in the way.

MR. SOLOMON: Clause 12 left it at the option of the Minister in cases of poverty.

MR. MORAN: But there were rich or well-to-do men, who might not want to keep their children at school after a certain standard had been attained.

At 6·30, the CHAIRMAN left the Chair.

At 7.30, Chair resumed.

Clause put and passed.

Clauses 7 to 11, inclusive—agreed to.

Clause 12—Employment of children of compulsory age:

MR. MITCHELL asked whether the words which prohibited a parent from employing his child were meant to apply to school hours or to some other time?

THE MINISTER OF MINES said the clause stated distinctly that the prohibition was to operate during school hours only, and that a parent might employ his child as much as he chose after school hours.

Clause put and passed.

Clauses 13 to 18, inclusive—agreed to.

Clause 19—Regulations as to examinations as to certain bursaries:

MR. MORAN moved that the words "and scholarships" be added after "bursaries."

THE MINISTER OF MINES: What reasons had the hon. member for the amendment? Only scholarships and not bursaries were provided for children attending Government schools, and the amount was limited to £10 for a bursary. Scholarships were provided for the High School (Perth), because that was a

school specially established by Act of Parliament. What scholarships did the hon. member contemplate in his amendment? Bursaries had been provided only in recent years, and were open only to children attending Government schools.

MR. MORAN: Why should they not be open to children attending any school? Give reasons?

THE MINISTER OF MINES: Scholarships were not provided for this purpose, and as the matter had been well considered by the Education Department, it was not desirable to alter the clause in the manner proposed.

MR. MORAN: If there were no scholarships, as the Minister had at first said, what harm could be done by inserting the words in anticipation of future scholarships? If there were Government scholarships, surely no child should be debarred from competing for them.

MR. QUINLAN supported the amendment. He had previously instanced cases of boys debarred from competing for scholarships, because such were only available to High School pupils. The two or three scholarships granted annually should be open to all.

THE PREMIER: By the present system, a boy attending a State school could get an exhibition, entitling him to attend the High School for three years. The latter, though not exactly a State school, was supported by a Parliamentary grant of £1,000 per annum.

MR. MORAN: It was a Government school.

THE PREMIER: True, it was the High School of the country. There was no apparent objection to the scholarships being available for all efficient schools; but were they to be available outside the colony, or for every school within the colony?

MR. ILLINGWORTH: That was not proposed.

THE PREMIER: That appeared to be the object of the amendment. There could be no objection, however, to the scholarships being open for competition by pupils attending any efficient school. Under the existing regulations, the scholarships admitted pupils to the High School, and a pupil holding a scholarship must attend the High School for a number of years.

MR. MORAN: Why not make it a reward available anywhere?

THE MINISTER OF MINES: Because it was desired to make the High School efficient, and the scholarships were given to encourage boys to remain at the school.

MR. ILLINGWORTH: Would the amendment interfere with that?

THE MINISTER OF MINES: It would, because it sought to provide that all scholarships granted out of public funds should be open for competition by children attending any State or efficient school. Such scholarships were not granted under the Education Act.

MR. MORAN: Where were children examined for the scholarships?

THE MINISTER OF MINES: At the High School.

MR. MORAN: They were examined before going to the High School.

THE MINISTER OF MINES: But, if successful, they had to go there.

MR. MORAN: Where were they examined?

MR. ILLINGWORTH: At their own State schools.

MR. VOSPER: It was evidently the object of the Minister to confine the advantages of the High School to children of a certain class.

THE MINISTER OF MINES: Every child could attend whose parents cared to pay the fees. The High School was an absolute necessity, and it was a pity that it was not more efficient. It did not satisfy him, and he hoped it would improve.

MR. VOSPER: If bursaries or scholarships were established by the Government, why should they not be open to competition by every State school scholar? Why should not the scholarships be as general as the bursaries? Was it the idea of the Minister that the High School should be kept for the special benefit of the well-dressed section of the community? The revenue of the department was derived from the taxpayers generally, and all children were entitled to share in any benefits the department could confer.

MR. GEORGE: Why not discuss the question on the Estimates?

MR. VOSPER: A few minutes' discussion now would not delay the Bill materially.

THE COMMISSIONER OF RAILWAYS: With regard to the scholarships,

there appeared to be some misunderstanding. Provision was made for them every year on the Estimates. Last year the amount was £385; the rule being that boys attending State schools might compete for such scholarships at annual examinations, the successful candidates going from the State schools to the High School, where the scholarships were available for three years.

MR. ILLINGWORTH: The clause provided that all bursaries granted by the Government should be open to competition by all children, whether in Government or other efficient schools. There had been no explanation from the Minister as to why the scholarships, as well as the bursaries, should not be so available.

THE MINISTER OF MINES: They were available now, but they must be held at one particular school.

MR. ILLINGWORTH: All that was asked for was that both bursaries and scholarships should be available. Hon. members already knew that a child who won a scholarship must go to the High School, but what we wanted to know was why scholarships were withheld from the children of any school. The amendment sought to supply what was evidently an omission.

MR. SOLOMON: It was difficult to see what objection there could be to the suggestion of the member for Central Murchison (Mr. Illingworth). By the Bill private schools were placed under the surveillance of the Government, and were, like State schools, under the control of the State.

THE MINISTER OF MINES: Scholarships were altogether outside the scope of an elementary Education Bill, being a quite distinct class of prize from that of bursaries.

MR. MORAN: What Bill would scholarships come under?

MR. VOSPER: Was it intended to reserve scholarships for the "upper ten"?

THE MINISTER OF MINES: The hon. member seemed to know a great deal about the "upper ten." A great many people who sent their children to the High schools, had to work as hard as people who sent their children to the State schools, and the free education to be provided would be taken advantage of by many who could well afford to use the High School. He did not see what objection the member for North-East Coolgardie (Mr. Vosper) could have to people, simply because they wore decent clothes and kept their hands clean when not handling dirty articles. He had as much respect for people who worked with their hands as had the member for North-East Coolgardie, and perhaps he had worked more with his own hands than that hon. member, and could probably use them to better advantage. He and the member for North-East Coolgardie never quarrelled, but he (the Minister of Mines) resented the remarks made.

MR. GEORGE: It was not asserted that the Minister of Mines belonged to the "upper ten."

THE MINISTER OF MINES: Of course if hon. members desired the amendment, it would be placed in the Bill, but he hoped the Government were not expected to offer scholarships in every single school throughout the country, because a scholarship must be held at a particular school.

MR. MORAN: In the Eastern colonies scholarships were travelling scholarships.

MR. EWING: The great mistake was made in inserting the words "or other efficient school," in Clause 19. He failed to see why this or any other Government should be called on to supply prizes for pupils in private schools. The Government were right in the policy they adopted in regard to scholarships, and he was sorry they did not carry out that policy in connection with bursaries. It was desirable to give some inducement to State school pupils to press forward in their studies, but to apply public funds to giving prizes in private schools would not be proper.

MR. MORAN: Would the hon. member shut the public service to all pupils outside public schools?

MR. EWING: The Government would be justified in employing any competent person in the public service, but they would not be justified in providing prizes for private schools.

MR. MORAN: Keepers of private schools paid taxes.

MR. EWING: Taxes collected by the Government were not supposed to be applied to private purposes, and the Government were not called upon to foster and build up private schools, but to give encouragement to the people of the colony to send their children to the State schools.

MR. MORAN: To force them to send their children to State schools, and penalise them for not doing so.

MR. EWING: There was no suggestion of force or penalisation, because private schools were being deprived of nothing.

MR. WOOD: The State had no responsibility outside State schools, and to these schools, bursaries and scholarships should be confined. If the amendment was carried, very few children in the State schools would obtain bursaries or scholarships in competition with children who had the advantage of higher education in private schools.

MR. MORAN: There was a terrible admission to make!

MR. WOOD: It was admitted that the Government schools were not as efficient as we would like them to be, but they would be efficient in time.

MR. VOSPER: Everybody in the country paid taxes, and in the community there were persons who chose to keep private schools, and pay for private schools, in addition to the taxes. Private schools cost the Government nothing at all, and money derived from taxes was partly applied to giving prizes to children who excelled in scholarship. The object of scholarships was to promote scholarship, and to give children of superior intellect a chance of rising to superior stations in life; and universal competition, in which children of every class could take part, would more nearly attain the object in view than confining competition to a small section. The public object served by allowing private schools to compete, was the only object that could justify the granting of scholarships, namely, the promotion of education and learning. He could see no reason for the invidious distinction between persons who paid only taxes, and persons who paid taxes and also supported their own system of education.

MR. MORAN: The hon. member had not shown why every man should be taxed for the upkeep of Government schools, and should yet not be allowed to have a share of prizes offered by the Government for encouraging education. The argument was, in effect, that unless children attended the Government schools they should not have any share in prizes offered out of public money. A child of Roman Catholic parents, for instance, had to be educated in a school of its own denomination, but Parliament would penalise Catholics by not allowing their children to share in prizes which were open to children attending Government schools. Any Roman Catholic child was thus shut out from rewards offered by the State for encouraging education. Any school which was attended by children in this country must be efficient, and a system of inspection was provided to ensure this efficiency. Therefore the State had duties outside of the State schools, for it ensured efficiency in the private schools. That being so, why should the children attending any private school be debarred from competing for any bursary or scholarship offered by the Government out of money contributed by the taxpayers of the country? Why refuse a reward to a child which attended an efficient school, simply because its father happened to be a Roman Cotholic or a Wesleyan? The sacred principle of taxation and representation should be kept up by this Bill, and that was all his amendment asked for.

Amendment put, and passed on the voices.

MR. JAMES moved as a further amendment, that in the third line the words "or other efficient" be struck out. It was to be regretted that whenever the education question cropped up in this Chamber, the name of one denomination was introduced by members of that denomination. The other members endeavoured to eliminate that element from discussions in this Chamber. The House and the country had decided by a majority, which even members of the particular denomination should respect, that the old system of assisting denominational schools should not be continued, and the system had been terminated some years ago. Every child had a right to attend any school established by means of State money; and whatever inducements or prizes were offered out of State money were intended for carrying on and supporting the efficiency of the State schools. We have no right, therefore, to recognise any other than State schools, in dealing with public money.

MR. MORAN: Why were private schools examined, then?

MR. JAMES: We had no right to spend public money in assisting private

schools, any more than we should have a right, in the case of a railway run by a private company, to assist that company with money out of public funds. To say that because we had public schools there was some obligation cast upon us to support private schools, was like saying that because the Government ran State railways the Government were under obligation to assist private railways. If a number of individuals chose to establish private schools and claim a share of money obtained from public taxation, why should such demand be conceded? As to competition being desirable for public rewards of this kind, our duty was to confine that competition to the State schools, for we did not want to assist private schools by offering rewards out of public money. It was necessary, of course, that there should be a system of inspection even in private schools, so as to ensure that children who must attend some school were attending a school which was certified to be efficient; and this inspection had to be made for ensuring that any children in the country attending private schools should receive that elementry education which the law intended they should have. Bursaries were intended as inducements to higher education; and if we used public money to establish public schools, then any prizes offered out of public money should be confined to the public schools. Another aspect of competition was that the teachers in public schools had not time or conveniences for forcing on a few picked pupils, so as to secure any scholarships or rewards offered by the State; whereas that was a practice in private schools, where a system of forcing was pursued with the special object of gaining prizes or distinctions, for the purpose of advertising those private schools. We knew that in a great number of cases the particularly smart boys who were picked out for that purpose did not turn out remarkably well in after years. They were absolute failures. The member for East Coolgardie (Mr. Moran) was one of those pet boys who had been forced in that way. Such boys were abnormal developments, hothouse plants; and, when exposed to the ordinary atmosphere, they did not succeed. While it was necessary to aim at a good all-round average of efficiency in childen attending the public schools, we should not subject them to competition with those hothouse plants which were forced in private schools, because such competition was not fair.

MR. MORAN: The hon. member was afraid of competition.

MR. JAMES: Even if so, he did not desire to do anything which would make the State system suffer. If the State schools could not compete with private establishments, what right had the Committee to give direct bonuses to private schools out of public funds? Hon. members should do everything possible to elevate the standard of State school education. Beyond that, they had no duty whatever. The bursaries and scholarships were prizes in connection with Government schools, and the House had no more right to throw them open to competition by pupils of private schools than it would have to enact that State school pupils should have the right to compete for prizes offered by a private school to its pupils. The platitudes used in support of extending State bursaries and scholarships to private schools could be used with equal force to show that private schools should have a right to the services of State school teachers, merely because such teachers were paid out of public funds.

MR. LEAKE agreed with the member for East Perth. The first principle of the Bill was to establish free and compulsory education.

MR. MORAN: That was not the only object.

MR. LEAKE: It was the chief object.

THE PREMIER: Did the hon. member mean that State schools were charitable institutions?

MR. LEAKE: The Bill was an attempt by the State to offer better facilities for education than had hitherto existed. It was absurd to suppose that children attending Government schools could possibly compete with pupils of private establishments; and, if the bursaries and scholarships were not to be exclusively reserved for State school pupils, such children would never get them, for the compulsory standard of education could never be so high as the voluntary standard. Moreover, as the age limit in Government schools was 14, their pupils could not successfully compete

with boys of 16 and over who were attending private schools.

THE PREMIER: The provision would be subject to regulations.

MR. MORAN: The age would be the same in each case.

MR. LEAKE: Not necessarily. If the argument that everyone paying taxes had a right to share in their distribution was to be forced to an extreme, it might be said that, because State school teachers were paid out of rates, private school teachers should be similarly paid.

MR. MORAN: Quite true.

MR. LEAKE: But who would argue that the State should pay private teachers?

MR. MORAN: That used to be the practice.

MR. LEAKE said he was not aware, until the hon. member (Mr. Moran) had spoken, that this was a religious question. The contention of the hon. member, that a boy attending a Roman Catholic school was precluded from the advantages offered by the Bill, was incorrect, for the Government schools were open to all.

MR. MORAN: A boy could not attend two schools.

MR. LEAKE: A boy who wanted a scholarship could attend a Government school.

MR. MORAN: Why not say bluntly he must attend?

MR. LEAKE: Certainly. By the proposed amendment any boy desiring a scholarship must attend a Government school, and no other children should be entitled to compete for prizes offered at the public expense. He repudiated the suggestion that he had any animus against the Roman Catholic section of the community.

MR. MORAN: No one had said so.

MR. LEAKE: The old sectarian question should not be again raised; but, if it were to be a question of Roman Catholic against Protestant, he was a Protestant.

THE PREMIER: The clause as amended proposed that bursaries and scholarships should be open to competition by State school pupils and by those attending efficient schools; and "efficient" schools were defined in the Bill. He agreed with the member for North-East Coolgardie (Mr. Vosper) that it was not in the interest of the State that all children should be educated in Government schools. On the contrary, he liked to see private schools thriving, for every parent who sent his child to an efficient school, and paid fees, saved the State considerable expense. The private schools of the colony were saving the Government perhaps £10,000 a year, and probably more, for there must be at least 5,000 children attending such schools; and at £4 10s. per head, which was the rate for State school scholars, there was a saving to the State of over £20,000 a year. In fact, he believed that every child attending a State school cost the Government £4 15s. per annum. Besides, the State had to build schools and teachers' houses, and had to give pensions to teachers. For various reasons, people sent their children to private schools; some because they thought those schools more efficient, others for social and others for religious reasons. Such people were doing a good work for the State; and the proposal to give a few hundred pounds per annum in the shape of bursaries and scholarships, to be open to competition by all efficient schools as well as State schools, seemed to him very moderate. The amount of the grant for scholarships last year was only £380. The more private schools there were the better, so long as they were efficient. The member for East Perth (Mr. James) might say there was plenty of competition between State schools; but a little healthy competition from outside would do State education no harm. As to what had been said in reference to private schools being able to compete favourably with the State schools, they might be so; but he did not know why hon. members should think the examination was to be all in subjects of higher education. It was only in certain elementary subjects taught in the elementary schools that children would be examined. He did not know why elementary subjects should not be as efficiently taught in public schools as in private schools. If there was material in the State schools, depend on it there would be plenty of opportunities for the material to be improved upon to carry off the prize; therefore he would not like to admit that the State schools were not able to compete with the other schools of the colony in regard

to the subjects that the children would be examined in for the bursaries or for the other prizes. The examination would not be in higher mathematics or classics, but in subjects taught in the elementary schools; and he saw no reason why the State schools should not be able to compete successfully with other schools in these subjects. Being of opinion that the more private schools there were, the better for the colony, so long as these schools were efficient, because private schools saved the State an immense amount of money in the first place, that was his principal reason; and knowing full well that every child in the colony would have to be educated at the expense of the State if there were no private schools, he certainly desired to give every encouragement possible to private schools which were carried on by private persons. There was another question: those taxpayers who had children attending private schools might fairly say, "I pay my share to the general revenue of the colony; I educate my own children, they are no burden on the State, and when the State gives a prize, why should my children be placed at a disadvantage, because I am paying for my child and educating my child, rather than allow the country to bear the expense?" That looked, on the face of it, very unfair. Leaving out altogether our individual feelings, that proposition was a very hard one to overcome. He could understand the member for East Perth (Mr. James) saying that he wanted to build up a great system of education in this colony. He (the Premier) thought we would build up a good State system of education by having competition from outside. So long as there were efficient schools carried on by efficient persons, to which children were sent and paid for by parents, he did not see why those children should not be allowed to compete for the prizes the same as State school children were allowed to compete for them. Those persons who were sending their children to private schools had a right to ask that in the competition for prizes which were being distributed by the State, their children should have the same chance of competing as the children attending the public schools.

MR. ILLINGWORTH: We wanted to retain the standard of efficiency amongst all the children of the colony as far as the elementary school system went, but one of the fears he had was that the private schools might not come up to the standard of efficiency of the public schools, and why not try and retain the efficiency we desired by throwing open the prizes to the whole of the schools, as in that way we might obtain the efficiency desired. If we were satisfied that all the children in the colony were obtaining an efficient education, we should not trouble about State education at all; but the object in having State education was to ensure that every child, rich or poor, should be educated at least up to the State school standard of efficiency as taught in the elementary schools. We were acknowledging other schools to be efficient schools, and we wanted to be sure that those schools were efficient: there were no better means of obtaining this information than by allowing the children of the private schools to compete with the children of the State schools. The intention was to prove the efficiency of the private schools, and if it should happen that the private schools took away the prizes, that would demonstrate that there was a more efficient way of teaching in the private schools than in the State schools, and it would be for the Government to consider whether they would adopt the principles of the system carried out in the private schools.

MR. JAMES: It did not follow that the system was good because a school produced one or two smart pupils.

MR. ILLINGWORTH: Some private schools might take the trouble to select a boy and put him forward to obtain a prize, but there might be teachers in the State schools just as anxious. If we said, in regard to the schools declared to be efficient under the Bill, that the children of those schools could not obtain prizes offered by the State, how were the Government to demonstrate the efficiency of those private schools?

MR. JAMES: Clause 16 provided for that.

MR. ILLINGWORTH: That clause described what schools ought to be, but there was no demonstration as to what a school was.

MR. LEAKE: Did the hon. member want to wait and apply the scholarship test?

MR. ILLINGWORTH: No. The Government gave prizes to encourage efficiency in our schools, and why not encourage efficiency in other schools as well? Every school in the State, whether private or Government, should rise to the best position in regard to elementary education; therefore why restrict the prizes to the State schools? Why not test the efficiency of private schools for the same reason as a test was made as to the efficiency of State schools? If the member for East Perth (Mr. James) took up the position that all children should go to the State schools, and that the State should undertake the education of the whole of the children of the community, then he would be right in his position; but if we recognised private schools as efficient schools, and endeavoured to test them as to their efficiency, why should not children be placed in the same position as State school children in competing for prizes?

MR. JAMES: The hon. member would admit that the Scotch College taught higher education.

MR. ILLINGWORTH: Certainly.

MR. JAMES: Then why put elementary schools in competition with schools above them?

MR. ILLINGWORTH: The Scotch College might go beyond elementary education and teach mathematics; but if the Scotch College taught children elementary education, why should not the children receiving elementary instruction be allowed to enter into competition with children who were given an elementary education in State schools?

MR. JAMES: Because there might be more teachers per head.

MR. ILLINGWORTH: The State was not going to say that certain children who had attended State schools and worked to obtain a prize should not enter into competition with other school children who had worked equally as hard for the prize.

MR. LEAKE suggested that the member for East Perth (Mr. James) should withdraw his amendment, and instead of striking out the words "or other efficient" he should strike out the word "all" before "children." The effect would then be to leave the scholarships open to all classes of schools subject to regulations which might thereafter be made. It would then be open to the authorities to say there should be some scholarships available for Government schools, and some available for private schools. As the clause stood, the age could not be limited; and any regulation that only children under the age of 14 should compete would be *ultra vires*. Under the clause, all children could compete; whereas if the word "all" were struck out, it would be left subject to regulation. He did not press the suggestion as absolutely excluding, in all circumstances, the children of private schools from competing, but he wanted to see some scholarships exclusively for the children of Government schools.

MR. MORAN: There was no desire on his part to allow children of any age to compete for the scholarships, because he understood this would be left to regulation by the Government. The amendment suggested by the member for Albany (Mr. Leake) was one which could be accepted.

MR. JAMES said he was quite willing to accept the amendment suggested by the member for Albany (Mr. Leake). The object of the amendment which he (Mr. James) had moved was to avoid bringing Government schools into competition with private schools, because in the latter children got more teachers and better teaching, and, other things being equal, had a better chance. It would not be fair for scholars of all ages, and of all schools, to compete for the bursaries. If a system of encouragement for private schools were desired, well and good; but as a rule, Government money should be devoted to Government schools where the competition would be on equal terms. He begged leave to withdraw his amendment.

Amendment, by leave, withdrawn.

MR. ILLINGWORTH moved that in line 2 the word "all" before "children" be struck out.

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

Clause 20—agreed to.

New Clauses:

MR. VOSPER moved that the following be added, to stand as Clauses 21 and 22:—

21. Section 21 of the Elementary Education Act, 1871, Amendment Act, 1893 (57 Victoriæ, No. 16), is hereby repealed.

22. Notwithstanding anything contained in the principal Act, or this or any other Act amending the principal Act, no child being instructed in a Government School shall be required to receive any instruction in religious subjects unless the parents or guardian of such child apply in writing to the head teacher in such school for such general religious instruction to be given, and any such general religious instruction shall be given before or after the hours set apart for secular instruction, and in the absence of such children whose parents or guardians have not so applied in writing.

In giving notice of these new clauses, he had scarcely any conception of the amount of acrimony and virulence of discussion that had been raised thereby. On the contrary, there had been a great deal of acrimonious discussion before the amendment was framed, and his hope was by offering a species of compromise, to put an end to the ascerbity of feeling which had so far prevailed. He regretted to say, however, that object had not been accomplished. A great deal of feeling had been imparted into the discussion outside, and he could only hope that feeling would not make its influence altogether felt inside the House. He wanted to point out one thing very clearly before he went on to speak of the new clauses themselves. It had been charged against him, and against those supposed or alleged to be supporting him, that they were guilty of an endeavour to stir up sectarian strife. They were told that all the country was calm and settled down now to observe and stand by the system of 1893, and that there was no desire, or no overt act on the part of any person or persons to disturb that calm. He was afraid the first portion of his remarks would consist of a series of emphatic denials. First, he would say that if any challenge had been thrown out, any gauntlet flung forth, or any coat trailed in the mud, in the hope and expectation of somebody trampling on it, it had been by the party in favour of sectarian education in the colony. Last Sunday, and on the Sunday previously, from every pulpit there was fulminated forth veiled threats and vigorous denunciations of all those who had dared to raise their voices once more in favour of the principle of free, secular and compulsory education. He had no hesitation in characterising that attitude on the part of certain churchmen—he would be sorry to say certain churches, because he would rather believe it was the indiscretion of certain churchmen than the deliberate action of church organisation—he had no hesitation in characterising that attitude, as a deliberate attempt to intimidate members of the House in view of the approaching general election. He for one declined to be intimidated. He had always supported the principle of free, secular and compulsory education, and his only regret was that he could not now suggest a new clause, which would have the effect of bringing that system about. At the same time, he had some regard for people's religious prejudices and opinions, and what he said was aimed, not at the churches but at individuals; and he earnestly trusted that in the course of his remarks, nothing would be construed as offensive to religion as a principle. Among other statements freely circulated was one which appeared in the columns of the Perth *Daily News*. That statement referred more particularly to the member for East Coolgardie (Mr. Moran) than to himself, and no doubt that hon. member would have something to say on the subject. An article in that newspaper, said, amongst other things:—

Unfortunately for the hon. member, we had the most convincing evidence that an attack would be made on the religious clauses in the Act, and the amendment which Mr. Vosper gave notice to move when the Bill was in Committee amply justified the statement we made. If Mr. Moran can conscientiously state that the amendment which Mr. Vosper proposes was never considered by a certain party in the House, or that before it was agreed to two other amendments were not considered in caucus, then there might be some grounds for the statement that our comments were unjustifiable.

He asserted most emphatically that if any caucus was held, it was held without his knowledge. He attended no caucus, nor was his amendment framed by any caucus; and, more than that, the member for East Coolgardie (Mr. Moran) never saw the amendment until it was in the hand of the Clerk of the House. The amendment was framed on Thursday at the table of the House, and was handed by him, before the House opened, to one of the clerks. He was in consultation with no hon. member, or combination of hon. members, as to the framing of the amendment. One conversation he certainly had with the member for East

Coolgardie, and it was a significant fact, as showing how little importance was to be attached to the newspaper's statement, that the amendment as framed was altogether different from that suggested by himself to that member, and not by that hon. member to himself. There was none of that collusion or deliberate conspiracy, or that plotting or planning so frequently used throughout the colony to stir up prejudice against those who had fought the battle of free, compulsory, and secular education for years past, and who were prepared to "stick to their guns" even in view of a general election. He wanted to again urge that the action taken by a certain section of the religious bodies in Perth was one of the worst examples of priestly interference in politics to which we had been treated during the past few years. When the Roman Catholic Church interfered, the Rev. G. E. Rowe said the other day that people declined to "take their politics from any bishop's palace or any manse." He (Mr. Vosper) declined to take his politics from the Bishop of Perth, St. George's Cathedral, or any manse, not even from the Wesleyan manse. On Sunday week last there was a deliberate attempt by an official high in the Church of England to intimidate and coerce hon. members into going back on their expressed convictions on this question of religious education; and surely that could not be regarded as a strictly honourable action. A publication called the *Church News* repeated the charges given in the *Daily News*, and with more particularity. The *Church News* said:—

> The attack (led by Messrs. Moran, Vosper, and Illingworth) is mainly a conspiracy of Romans and Secularists, *plus* a few Nonconformists, not altogether associated with normal Nonconformist opinion.

Another hon. member was now dragged in and charged with conspiracy, although, like the member from North-East Coolgardie, that member was never consulted on the amendment, had never discussed or, so far as he (Mr. Vosper) knew, had never expressed an opinion on it. This showed how the baseless charges fell to the ground as soon as investigated. He had said he would be glad if he were able to submit an amendment which would have the effect of striking a blow at what was called "general religious education" in schools, because he did not think such a thing as "general religious education" to be possible. If it were possible, he might be in favour of it, because he believed that religious instruction of some kind was required by youth. But the persons who were properly qualified to give that religious education were priests and ministers, whose only reason for existence was that they were paid to teach those particular truths, and parents who might desire to have their children guided in future life by a certain code of morals.

MR. LEAKE: That was really an argument in favour of the existing system of allowing priests to teach in the schools.

MR. VOSPER: But the existing system went further, and not only permitted priests to come into the schools at certain hours of the day, but compelled a State paid teacher to teach religious dogma which might be repugnant and foreign to his mind, and which, in any case, he was not qualified to teach. When we were told that "general religious instruction" did not mean anything of a dogmatic character, we knew that no religion could be taught apart from dogma. It had been said by a writer on the subject that religion without dogma was like mathematics without axioms, or a triangle without base or sides. If religion had to be taught at all, it must be based on certain principles. The question at once arose, what principles were they to be? To the second form of religious instruction given in our State schools at the present time—that was, special as apart from general, which allowed a minister of religion to teach the tenets of his own faith to the members of his own flock—he had no objection, and he did not think anyone else had. If we recognised the necessity of religious education at all, it was only fair some facilities should be given to those charged with the work; but when we dealt with general religious instruction as the *forte* of the State, it was altogether a different question. He was sorry he had another charge to make against a certain section of the religious body. He said just now that they were endeavouring to intimidate the House; and he now went further and accused them of trying to manufacture public opinion. They had indulged in frauds, which would be called "pious," but

were none the less frauds. We were informed by the public press that meetings had been held all over the colony, and that the public had decided in favour of the present system. Resolutions had, it was said, been forwarded from all parts. In the *Church News* the names of about 20 towns, large and small, were mentioned as having expressed opinions unfavourable to the change; but it was a fact that not a single public meeting had been held in those towns, and that the whole of those meetings had been vestry meetings, held under the chairmanship of the priests. He received a document from Kanowna involving a resolution passed there, and signed by the parish priest of the Catholic community of that place, the total number of signatures being six, whereas the number of electors in this constituency was 3,800. There were resolutions from all sorts of outlying places where three men and a cow usually resided. That was the kind of argument brought forward as a reason why the House should not legislate on the line he advocated. This journal went on to say, "Why do we desire to retain this 'general' religious instruction? 1, Because in a hundred and eleven schools it is the only religious teaching the children receive." If so, it showed the parsons were mostly neglecting their duty, and not earning their salaries; and the children only had that peculiarly elastic and worthless kind of religious instruction given out of what were called the "Irish National School Books." He had been accused in the House of being an atheist, an agnostic, a secularist, and almost everything else supposed to be bad. If he were a secularist or an atheist, he would very much prefer that this system of so-called religious instruction should continue, because he could not conceive of another system more calculated to bring religion into contempt and make children hate it. Those clergymen who wished to throw their responsibility on the shoulders of the State were guilty of working religion a far greater injury than they could imagine. Next, we were told that the second reason was "because it sustains the respect of the children for their teacher." Could such argument be made to apply? A teacher began teaching something he knew nothing about, and that was the way to sustain the respect for the teacher! Surely if the teacher could find something he was qualified to teach, that would be a far surer passport to the respect than any teaching of dogma.

THE MINISTER OF MINES: Teachers did not teach dogma.

MR. VOSPER: They could not teach Christianity without teaching dogma. Then the article went on: "3, Because it places religion before the children as (at least) of not less importance than other subjects of instruction." Did it not occur to members that by confining religious instruction to a special time set apart, religion would be regarded as more important than it would be if it were mixed up with other questions? If the day's proceedings commenced with a prayer, short Scripture lesson, or reading from a book in a perfunctory manner, there was a desire for everyone to get it over and proceed to the real business of the day. That was what now occurred at State schools. If half an hour were set apart for religious instruction before or after school hours, the mere setting apart of that time would invest religion with a solemnity it did not now possess, and increase the respect for the dogma taught. We all, for example, had a certain respect for the Sabbath, apart from what our views might be on the subject, and owing to long habit, the day thus set apart was regarded as a holy day. Similarly, where family prayer was indulged in, a particular hour set apart for that ceremony was looked upon in some degree as being sacred; and so, if this amendment were carried, and a special hour provided for the imparting of religious instruction, the children would have increased veneration for that instruction; whereas mixing it up with teaching that three and two made five, the locality of Timbuctoo, or how much ice there was at the North Pole, was rather calculated to have a contrary effect. Then, again, we were told: "Because it tends towards unity." Had it tended towards unity in this colony for the last ten years? Had we not heard the "drum ecclesiastic" sounded year after year, and priests and parsons indulging in abuse, and what they called argument, and every form of persuasion? They came year after year trying to coerce the House, and we were told this

tended towards unity. If that were their conception of unity, let us get rid of it at once, and let discord reign supreme; for it would be peace and harmony compared with what they called unity at the present time. We were told, sixthly: "Because the vast majority of religious bodies, parents, teachers, and children desire it." We had two petitions presented during the afternoon. We all knew how petitions were signed, and he did not suppose there was any place in the world where petitions were regarded with less respect than in a Legislative Assembly. Very justly, too, because almost anyone would sign a petition upon any conceivable subject, and some people signed four or five times over. There probably did not exist 300 women in the whole of Perth who, if they saw a parson with a petition a yard long at the door, would not sign it. We knew perfectly well that petitions of this kind were not reliable. We were told that the objections to the system he advocated were two. First of all it was said the teachers considered it unfair; but he had never heard that objection raised yet, and he did not think the assertion showed any desire to be honest in argument. The article continued: "2, 'It makes Romanists contribute by taxation to a system their consciences do not approve.' But this is in a small, a very small, degree inevitable where differences of opinion exist. At any rate, non-Romans had to contribute to that £15,000 which the State gave them a few years ago, and the return we ask costs them nothing." Yet we were told at the time that the very ground on which the grant was defended was that it was compensation for the taking away of a vested interest; consequently the last thing Protestants should do was to throw that £15,000 in the teeth of the Roman Catholics. The compensation was only a small amount. Then we were told these persons were only asked to make a small sacrifice. What was that sacrifice? The sacrifice of conscience and of principle, a sacrifice which every Roman Catholic in this country and every other would object to; which every priest of the Roman Catholic Church had protested against, and every layman of that Church was also bound to protest against. He (Mr. Vosper) did not want to perpetuate sacrifices of that kind. He deplored the fact that the Roman Catholics saw fit, or thought it necessary, to establish schools altogether independent of the State schools, but in so doing the Roman Catholic clergy were recognising their responsibility and the reason of their existence. They said "We are determined to teach religion in our churches and schools, and if the State will not pay for it, we will." What did the Anglicans do? They said "We accept State subsidies, and have church land, which we keep locked up, serving no purpose whatever; we accept contributions from the general public; we recognise our obligations to teach religion; but we are not going to do it at all, but hand it over to the State." Was that an honourable position for anyone to take up? He maintained it was not. While he had no leanings towards Roman Catholicism, and was on many points a strong opponent of that Church, still the position it had taken up in this particular contest in past years was an honourable one, for which it deserved every credit. The same writer continued:

> Mr. Vosper is going to move a new clause (1) excluding every child from this religious instruction unless the parent apply in writing, and (2) pushing the religious instruction itself out of school hours.

The reverend objector did not perceive that the same system existed at present, and went on to state that this proposal could only be designated as "monstrous." In reply, he would say that to raise the din, the rattle of the "drum ecclesiastic," to which the public had been treated within the last few weeks, was undoubtedly monstrous, if anything monstrous were to be found in the history of the colony. After all, what did the amendment propose? Simply that religious instruction should be given in the future as in the past. Nothing whatever would be altered in the method, except that persons so enthusiastically religious as to require religion to be taught to their children must take the trouble to ask for it. Surely anyone desirous of having his children taught religion, and who attached due importance to religious education, could have no objection to making such a written application.

MR. LEAKE: What was the objection to the converse of the proposition.

MR. HIGHAM: Let the hon. member finish his argument and say that the

religious instruction was proposed to be given after hours.

MR. VOSPER: But that proviso was to be found in the existing law.

THE PREMIER: No; the instruction was given in school hours also.

MR. VOSPER: The children were taken apart.

MR. GEORGE: What became of the children not taking part?

MR. MORAN: They would go to hell in their own way.

MR. ILLINGWORTH: They could go on with other lessons.

MR. VOSPER: They would be set free, either to play or go home.

MR. GEORGE: Who would teach them in schools where there was only one teacher?

MR. VOSPER: Well, he would not insist on the instruction being given outside ordinary hours; but if such instruction were to be given to a certain section of the scholars at the request of the parents, it was only reasonable that it should be given to such children only; therefore he had suggested that it be given before or after school hours, the other children being allowed to absent themselves. With regard to the converse, the converse was that there were many people who were not particularly enthusiastic with regard to their creeds till stirred up by the ministers of their special denominations. Many Roman Catholics, for example, were ignorant men, and would be most indignant if charged with bringing up their children as Protestants; nevertheless, such people, from ignorance of the law, might fail to object in writing to general religious instruction, with the result that their children would be taught another religion. The petition of the Roman Catholic Church was that the head of the denomination should be able to object on behalf of parents. With that contention he (Mr. Vosper) did not agree: it would be a retrograde movement. But it was certain that, while people desiring religious instruction would be sure to ask for it, those who did not desire it were not likely to object. No secularist in the colony would ever dream of canvassing parents and asking them to object to religious instruction; but, on the other hand, ministers of the various denominations, if the clause were passed, would take good care that members of their flocks sent in the requests in writing.

THE PREMIER: Then the amendment would do neither good nor harm.

MR. VOSPER: The amendment would impose a legal obligation on persons to give notice.

MR. GEORGE: Would the hon. member define the particular religion to be taught?

MR. VOSPER: The amendment proposed that, if parents chose to continue the present system of State religious instruction, that could be done, but that only those children whose parents asked for such instructions should receive it.

MR. MORAN: Could not an ecclesiatical department be established in connection with the Education Department?

MR. VOSPER: Such already existed. There were already 17 established churches in Western Australia, and there was no telling how many more there would be. The article continued:—

> The result of Mr. Vosper's resolution being carried would, therefore, be to throw a burden, absolutely for no reason, on all the parents, or else to deprive the children of their just claim to religious instruction.

In other words, it was stated that religious enthusiasm had fallen to such a low pitch that it was an absolute burden for a person to write a request for religious instruction for his children. If this parsonic view of religious enthusiasm were correct, then God help Christianity. It was further said:—

> The second reason throws, without reason, a slur, intolerable to a religious mind, upon religious instruction, and degrading it below geography and arithmetic and grammar.

The *Morning Herald* of to-day, at the conclusion of its leading article, fairly answered that objection.

MR. JAMES: Nobody read the *Morning Herald.*

MR. VOSPER said he read it now and then.

MR. OLDHAM: The hon. member preferred the *Sunday Times.*

MR. VOSPER: If hon. members insisted on advertising the *Sunday Times,* he could not help it. However, these were the pearls of wisdom from the *Morning Herald*:—

> It is quite impossible for the lay mind to conceive how a provision that religious education "shall be given before or after the hours set apart for secular instruction" can degrade

religion below geography and arithmetic and grammar. One might as well contend that the status of grammar in the educational curriculum was lowered by its not being taught at the same time as arithmetic, or that the dignity of history would be improved by its being mixed up with calisthenics.

That was a logical argument.

MR. WOOD: Did the hon. member write that article?

MR. VOSPER: No. He did not write all the leading articles in the colony. The *Church News* article concluded:—

Religion, justice, reason, common-sense, the true principles of education, national expediency, and the voice of the people demand that no change shall be made.

First, it was said that 49 per cent. of the population belonged to the Anglican church; but how were such statistics compiled? Every man who went into a convict prison or a lunatic asylum and said he had no religion was put down as a member of the Church of England. If Parliament proposed to continue the system of teaching religion in State schools at all, it was above all things desirable that a true religion should be taught. The State had no right to teach either a false or a heretical religion; but how could any settlement be arrived at as to what was the true religion? First of all, what was truth? That question had been asked some 1900 years ago, and had never yet been answered. What was true was also supposed to be orthodox, and the Rev. Professor Francis Brown, D.D., of the Union Theological Seminary of New York, stated the position thus:—

Orthodoxy may be defined in the abstract or in the concrete. The former is easy, the latter is difficult. Orthodoxy is right thinking, or, by our usage, right thinking about religion. Nothing could be simpler. But as a matter of fact no one on earth knows, exactly and exhaustively, what right thinking about religion is. We have some right thoughts, perhaps many, but we have not all the right thoughts there are—we are ignorant about some things; nor are all our thoughts probably right—we are doubtless mistaken about some things. If we were exhaustively and exactly orthodox, there would be no religious truth of which we are ignorant, and all our thoughts about religious things would be right. We sometimes talk and act as if this were the case. But the case really is that only one Being is omniscient and all-wise. It is a result of the fall that, because we know a little, we suppose we know as much as God does, and so the promise of the serpent is fulfilled in caricature.

That had lately been the failing in some of the Perth pulpits; for all the preachers who had been fulminating as to what was true were, according to this learned professor, suffering from the effects of Adam's fall. They were amongst the unregenerate. Here was a theologian of some eminence who could not say what orthodoxy was. Orthodoxy was truth, and nothing else, and it was therefore essential that, if the State undertook to teach religion at all, it should teach orthodoxy; but surely those gentlemen who stirred up public feeling, and engendered such bitterness in the community, and who begged the State to do their work for them at the public expense, should agree among themselves as to what religion they wanted taught before asking the State to teach it. "General" religious instruction was a failure. Though he had been arguing against all kinds of religious instruction, his amendment did not go so far as that. If any person desired to have a hybrid and meaningless form of religion taught to his children, that person was welcome to have it. But let such person, before the State undertook such a contract, express his desire for the teaching in plain terms, and let him not say that the State must teach every child except those whose parents objected. Let those parents who desired their children to be instructed in religion write to the teacher. It had been said that those who brought forward this question in the House would be stirring up sectarian strife; but, as he had shown, no hon. member had anything at all to do with the origin of the dispute. A direct attempt had been made by religious factions outside the House to intimidate hon. members in view of the coming general election, and to induce them to do things of which, perhaps, their reason and their consciences did not approve. He asked hon. members whether, before a certain sermon was delivered in St. George's Cathedral, one word had been heard about this question. He contended, in the first place, that hon. members for the most part were pledged to a system of free, compulsory, and secular education; and he was prepared to give extracts from *Hansard* to prove the truth of his contention. He asked hon. members if they were prepared to stultify themselves by refusing to entertain an

amendment which was intended as a decent compromise between two conflicting elements. It was not intended to shock those who required religious instruction to be given to their children. Were hon. members prepared to be intimidated by the loud-voiced fulminations of the preachers, for all the evidence went to show that such an attempt had been made?

MR. GEORGE: That was attaching too much importance to it.

THE MINISTER OF MINES: If a petition were presented to a person for signature, that was not intimidation.

MR. VOSPER: A letter had been sent to an hon. member which contained nothing more than a series of veiled threats if the hon. member did not vote in a certain way. He did not want any member to run away with the idea that he was lacking in respect for the religious bodies, but perhaps the religious bodies were lacking in respect for Parliament. If the churches had not thrown down the gauntlet, this matter would probably never have been heard of in Parliament. The churches characteristically placed themselves in a Donnybrook attitude and trailed their coat in the mud. Then they turned round on him (Mr. Vosper) because he had tabled this amendment. He was not an Irishman, but he thought he had sufficient Irish blood in his veins to take up that challenge. The amendment he proposed would have the effect of preventing proselytisation; it would have the effect of meeting the complaint of the Calvanistic members of the community, also those outside the pale of the Christian religion. It would do no injury, but would afford a benefit to religion itself, for it would make the pastors more active in the performance of their duties of religious instruction — which they might well indulge in—and it would have the effect of separating religious instruction in the schools from other instruction, thereby solemnising the religious instruction. The amendment would have no evil effect, but it would have a good one, and he threw the amendment on the mercy of the Committee. If it were considered too much of a compromise; if the Committee wanted free, secular and compulsory education entirely, he would withdraw his amendment in favour of the one having that effect.

THE PREMIER: It was to be regretted that the member for North-East Coolgardie should have thought right to move this new clause, because we had a right to doubt the genuineness of the conviction of the hon. member when he brought forward a clause of this character, seeing that he had expressed himself, several times to-night and on previous occasions, as being opposed entirely to religious instruction in schools. It would have been more consistent to have moved in the direction of the amendment that was moved last year, which had for its intention the abolition of all religious instruction in schools, rather than to bring forward an amendment which seemed to intimate that the hon. member was in favour of religious instruction in State schools.

MR. MORAN: The hon. member offered a compromise.

THE PREMIER: A compromise would have come better from someone not so much opposed to religious instruction in State schools. Without wishing to say anything discourteous of the hon. member, it seemed that the hon. member did not appear to be genuine in the action he had taken. In considering the question, we should remember that the law of the colony provided there should be religious instruction by the teachers in the schools. He was aware that last year a majority in the Assembly were in favour of abolishing that provision in the law; but, for all that, the law remained on the statute book, and until that law was abolished it would be carried out. There was nothing unreasonable in the law, nor anything that we could take exception to. He would try and prove to hon. members that what the member for North-East Coolgardie proposed in his new clause was really the law at the present time, although the mode of expression was different. The hon. member proposed that the 21st Section of the Elementary Education Act should be abolished. The 21st Section said:

> Notwithstanding anything contained in the principal Act, or this or any other Act amending the principal Act, no child being instructed in a Government or Assisted School shall be required to receive any instruction in religious subjects, if the parent of such child signifies his objection to such religious instruction, by notice in writing to the head teacher of such school.

The parent of the child had to signify his intention in writing at the present time, and the hon. member now proposed that the parent of the child should signify that he desired such instruction. There seemed to be very little difference in these two things. The hon. member agreed that the parent should express a desire that religious instruction should be given, if it was so desired; whereas the present law provided that the parent should express that religious instruction was not desired, if that were the case. The Act was in the objective form, as hon. members would see, for the Act cast on the parent the obligation of signifying his objection. In order to meet the views of everyone who sent his child to a State school, he thought what had already been arranged might meet the views of everyone. The proposal of the hon. member was altogether unnecessary; for at the present time, when any child went to a State school, an inquiry form was produced so that certain particulars could be inserted in the register, and this form had to be filled up by the parent. The form provided that it should be addressed to the head teacher, signed by the parent, and the following information supplied: the name of the child, the date of birth (year and month), the residence, the school last attended, the standard last passed, the parent's name, and the religious denomination of the parent or guardian. The Government proposed to add another question:—"Do you object to your child receiving general religious instruction from the teacher?" That would be entirely in accord with the present Act, and all that the parent would have to do would be to answer "yes" or "no." There was a difference of opinion on this matter, he was aware, as some would prefer not to have the question in the objective form; but seeing that the Act provided it should be in that form, he saw no reason why the Act should be altered. It was just as easy to say "yes" as to say "no." It could make no difference, in his opinion; and he thought the objective form the best. Firstly, it was in accordance with the law; secondly, he could see no reason why the person who objected to the child being taught by the teacher should not say so. The member for North-East Coolgardie went further, for he proposed that religious teaching by the school teacher should be after or before school hours. His (the Premier's) opinion was that if this were done, the religious teaching might as well be done away with altogether; for we knew that children after school hours, which were long enough, wanted to go out to play; that children either had to go home, if they lived a long way off, or they wanted some recreation. Therefore, the proposal in the amendment was unreasonable, and was brought forward only with one object, that of doing away with this instruction altogether.

MR. HIGHAM: The new clause would make religious instruction a punishment.

THE PREMIER: It was just as easy for anyone to say he objected to his child being taught, as to say he desired his child should be taught. It was only playing with words to say there was a difference. It might be said this form would not be filled up; but he thought he had authority for saying that steps would be taken to see that the form was filled up and the law obeyed. This form would be given the force of law, by making it a regulation under the Act. He saw no reason whatever why we should agree to the hon. member's new clause. With the exception of providing that the instruction should be after school hours, or before school hours, the proposed new clause was really the same as the present law. If people were reasonable, the addition of the words he had suggested would be acceptable to all classes of the community; and it was difficult to see how any parent could hesitate for a moment to reply "yes" or "no" to the question. If a parent regarded the filling in of a schedule as a trouble or a heavy burden, he could think very little of the matter, and must be a difficult person to please. He (the Premier) was altogether opposed to the amendment, because there was no necessity for it, and he regretted the question had been brought up in the way it had, seeing the Bill had been brought in for the one purpose of giving free education.

MR. ILLINGWORTH: And there was no mention of religion in the Bill.

THE PREMIER: None whatever. There were a few clauses inserted in order to add to the machinery of and give more power to the Education Department;

and no one had a word to say against any of the clauses until a demand was made which brought on a religious discussion. Why the member for North-East Coolgardie could not have brought in a Bill of his own, to provide for secular instruction in schools, leaving free education to stand by itself, he did not know. The hon. member seemed to have taken the opportunity—it was difficult to say why—to have a tilt at several religious bodies.

MR. VOSPER: A challenge had merely been accepted.

THE PREMIER: A good many telegrams had come to him from various vestries, but he had not been intimidated, nor had he seen any desire to intimidate. People were quite right to put their views forward in respectful language, and this all his correspondents had done as far as he was concerned. He would be sorry to think that every person who wrote to him had a desire to intimidate him, or that the communications had anything to do with the next general election. The question had nothing to do with the general election, and there was not the slightest reason why the question of religious instruction in schools should be mixed up with the Bill now before the Committee. The only effect of the hon. member's proposal, if carried, would be to jeopardise the passing of the Bill. Last year there was a similar clause in the Education Bill, and it not only jeopardised the measure, but was the means of throwing it out.

MR. ILLINGWORTH: That had twice happened.

THE PREMIER: This year the Government were wiser, and left religious clauses altogether to be dealt with in a separate Bill, so that the question of free education should not in any way be interfered with or jeopardised. It was to be hoped hon. members would not support the amendment. The member for North-East Coolgardie (Mr. Vosper) had had his tilt against those who had, perhaps, been attacking him; and if they had been attacking him he was quite ready to retort, or, at any rate, to have his say.

MR. JAMES: The hon. member ought to reply in the Press.

THE PREMIER: The member for North-East Coolgardie (Mr. Vosper) had had his opportunity in Committee, not, perhaps, having a pulpit from which to reply. Having had his say, and made a long and a very good speech, from his own point of view, the hon. member might now be appealed to not to press the new clauses.

MR. VOSPER (in reply, as mover): The suggestion made by the Premier, as to the addition to the schedule, was admirable.

THE PREMIER: Then perhaps the hon. member would withdraw the proposed new clauses?

MR. VOSPER: The Premier had suggested a plan by which the sole object he (Mr. Vosper) had in view would be met. The plan of the Premier would bring the question of religious or non-religious teaching prominently under the notice of every parent, and would meet all requirements; consequently he (Mr. Vosper) was quite prepared to accept the Premier's assurance, and, although he did not want to check discussion now, he would ask leave to withdraw the amendment.

MR. ILLINGWORTH: Before the amendment was withdrawn, he desired to say a word or two. The other evening he tried in a single sentence to express his mind, but he found that in the expression he used there was something that was, perhaps, not quite accurate, and he wanted to take this opportunity of correcting what he said. He stated that dissenting bodies, while they had not changed their mind on the general subject of religious education, did not desire to press the matter on the present occasion. He found that was not an actual expression of what was carried at the meeting to which he was referring, and he had received letters from various places complaining of his use of the expression of "dissenter." In the Australian colonies there was no established church, and it was perhaps incorrect to say "dissenter," and he now desired to withdraw the unpleasant word, which appeared to have given dissatisfaction to some people. Then he wanted to make a remark on his own attitude in connection with the Bill. Last year he submitted an amendment on the Education Bill then before the House, and the effect, when that amendment was carried—and a similar amendment had been carried twice on two test votes—was that the Bill was withdrawn by the Government and the opportunity was lost of establishing free, secular

and compulsory education. Certain people went a good deal out of their way to declare that there was to be an attack this session on religious education. There was no attack whatever in the Bill, which referred in no way to religious education. The *Church News*, no doubt intended to say kind things about him, and, perhaps, wanted to educate him, but it had failed, inasmuch as he had not seen the valuable paper. He wanted to be very clearly understood upon this occasion. He had always advocated, and he advocated now, that the true policy of the State was to establish a system of free, compulsory, and secular education—that the State had no right whatever to interfere with the conscience of the people, or to attempt to teach any religion. The Bill was lost last year because of the religious dispute which arose; and he took all responsibility for what he did on that occasion. If the same clause had appeared in this Bill he would have taken precisely the same course again, and on every occasion on which there was an opportunity of excluding religious teaching from State schools, he would oppose such religious teaching to the utmost of his power. The Bill established free and compulsory education, and on that point the whole country was harmonious. Everybody desired to see a scheme which would compel all children to attend school, and give them an opportunity of obtaining education. He could not have supported the amendment in the precise terms presented by the member for North-East Coolgardie (Mr. Vosper), but if the Government would carry out the promise made by the Premier, to add to the schedule a line which would call on parents to say whether they desired their children to receive religious education or not, a point would have been reached at which the dispute would be settled in reference to this question. If the mass of the people desired their children to receive this religious instruction, such as it was, that would entirely answer his objection, and, he thought, the objection of every hon. member. If the people, by means of the schedule, said they did not object to religious teaching in the schools, it would ill-become him, or any other member, to raise any objection. If there were a sufficient number of objectors, then of necessity the religious instruction would die out of the schools, and the whole question would be settled in a quiet and amicable way.

MR. VOSPER: Hear, hear; it would be a referendum.

MR. ILLINGWORTH: It would be a referendum, and, perhaps, one of the best ways of settling the question. He was glad the religious question had not obtruded itself in this Bill, and he was not disposed to either raise or press it. All he desired to express was that in voting for this Bill as it was, he in no way gave way in the conviction he held, and in no way retraced the actions he had taken on former occasions in reference to the question. In the Bill two points out of the three were gained, namely free and compulsory education; and this was a step towards what he considered to be the most desirable form of education by the State. For that reason he supported the Bill, on the assurance of the Premier that in the schedule the question indicated would be asked.

MR. GEORGE: The member for North-East Coolgardie (Mr. Vosper) spoke of hon. members who had pledged themselves in reference to the question of religious education. He (Mr. George) had not been required to pledge himself in any shape or way, but he had lost one election over the question, and he believed as thoroughly to-day as ever he believed in the whole course of his life that secular education only should be given by the State. But he recognised that while we had been quarrelling and quibbling three or four years as to whether there should be religious education, the children of this colony had been crying out for free education. Although his prejudices, convictions and early training were all in favour of secular education, he was at present prepared to put those on one side, in order to get for the children what they ought to have had years ago, the education which their birth in the nation justified them in demanding.

MR. QUINLAN: Before the amendment was withdrawn, he desired to express his extreme regret at the tenor of the debate entered into by a couple of his friends, the member for East Perth (Mr. James) and the member for the Swan (Mr. Ewing). Perhaps these members might have some justification, seeing that the member for East Coolgardie

(Mr. Moran) had mentioned the names of religious bodies. He would challenge any man, woman, or child, or any member of the Assembly, to say he had ever raised the question of religious difference. Never in his life had he asked anyone his religious principles. As he had not been a sinner in that direction, the remarks of the hon. members were not warranted. He had in his hands a petition, which unfortunately was not in accord with the rules of the House; otherwise it would have been his pleasure and duty to present it. That petition bore over 100 signatures, obtained in a few hours; and it asked that the general religious instruction in schools should not be lessened in any way. Although the member for North-East Coolgardie in his excellent speech made many good points in support of the amendment, yet the suggestion of the Premier met the case admirably. He hoped it would settle the question once and for ever, for he was as sick and tired of hearing this contentious matter as anybody could be. Although the words were not all he would have liked, nevertheless, as there was already a form to be signed by parents whose children attended Government schools, the adoption of the system would involve very little trouble, and perhaps not any beyond writing the word "yes." He was opposed to free education, for the reason that a very large majority of the parents of the children attending the Government schools in the colony could well afford to pay for the education of the children. A law existed in the past whereby provision was made for the children of those parents who were unable to pay, to be admitted free. In the schools represented by the body to which he belonged (the Roman Catholic Church) in every instance a number of children, whose parents could not afford to pay, were taught; and he was well informed that in one school in Perth, they were educating free 40 out of 70 on the average. The Roman Catholic Church had been saving money to the country, as had been referred to very properly by the Premier. By whatever means they obtained the money, they had to give free education to those unable to pay for it, and were willing to do so. The State had decided to give free education, and before very long, as had been the case in Victoria, the question of the enormous cost of education in this colony would be raised, and a future Parliament might see fit to alter the decision now arrived at.

Mr. George: Had it ever been altered in any part of the world?

Mr. Moran: Certainly.

Mr. Quinlan: A number of communications had been received by him. This religious question had only been raised by one section of the community, and the amendment proposed by the Government actually met the wish of that section. As he represented a constituency which had thought fit to send in a petition, he would explain that the fact it was not in the necessary form, was not the fault of the reverend gentleman who communicated with him, but in consequence of his not being aware of the procedure of the House, and he (Mr. Quinlan) not having had time to acquaint him.

Mr. Ewing: It was not his intention to say anything this evening, but after the remarks of the member who had just resumed his seat in which he said he rose to protest against some remarks made by the member for the Swan——

Mr. Quinlan: Nothing of the kind was said by him.

Mr. Ewing: The member for Toodyay said he thought that those remarks were unfair and uncalled for. He (Mr. Ewing) was not aware he had made any remarks whatever reflecting on any member of the community, in a religious sense, and the idea that he had done so must have been hatched in the mind of the hon. member himself. When he heard that hon. member say he was not in favour of free education—one of the greatest blessings resulting from nineteenth century enlightenment—he felt that if he found the hon. member and himself in accord upon the point, he (Mr. Ewing) would have degenerated, and his political principles would not be worthy of the community. The member for North-East Coolgardie had used expressions regarding a certain religious section, which were unworthy even from a member of the loose religious views that gentleman appeared to hold. He referred to remarks used of the clergy of the Church of England. He did not pretend to be a very close member of that body, and was not always in accord with its clergy, but the hon. member should be more guarded and reasonable in his expressions, and

should give to the body referred to the respect to which they were entitled. He trusted the hon. member would have the judgment and good taste to realise he had used expressions no member was justified in using of the clergy of any denomination, no matter how he disagreed with them. It was not necessary for him to say more. The question was practically settled; but he could not remain in his seat and hear a section of the religious community of the country abused, particularly in the manner adopted by the hon. member, who talked of them lightly, and as if they did not believe in what they were doing.

MR. VOSPER: Nothing of the sort had been said by him.

MR. EWING: The hon. member attacked them in the most unwarrantable manner, and one hoped he would rise in the House, and say he had sinned and was sorry for it. (General laughter.)

MR. MORAN: Had not accusations been made against him personally in the public press, of having in some sort taken part in a caucus in the House, he would not have risen to speak on this matter.

MR. ILLINGWORTH: Which caucus never existed.

MR. MORAN: The accusation was levelled against him as being a member of a particular body, and he wished to repeat that it was absolutely untrue. To put it categorically, he wanted to say this: the *Daily News* had said, in reply to his repudiation of their charge against him, the other evening, that his denunciation of their statement would sound very well if they had not definite proof that such a thing had taken place. The *Daily News* had no such proof, and knew it was uttering a falsehood. That was fairly plain, was it not? Such a thing never took place in this Chamber. He did not see or know of the amendment introduced by the member for North-East Coolgardie until it was brought into the House, and he never spoke to the member for Central Murchison on the matter. The first person who spoke to him was a member of the same communion to which he belonged, the member for Toodyay (Mr. Quinlan), who said that in the interests of peace and quietness it was far better to allow the Bill to go as it stood. He (Mr. Moran) reluctantly agreed to meet the wishes of the House, but not for all time, as the member for Toodyay had said; for he reserved to himself the right to bring forward the question in the next session, if he chose. Two or three years ago the House decided, by a very small majority, that in their judgment the State should not interfere with religion at all. The present Minister of Education always objected to the State recognising any form of religion. The member for East Perth (Mr. James) was most voluble as to the State having absolutely nothing to do with religion. His very words were in *Hansard*, and his own words were always rising up against him like ghosts. The hon. member had said the country had finally decided not to have anything to do with religious instruction at all. The hon. member had then said that the interference of the State in religious matters was distasteful to members of Parliament; but the hon. member's taste had since changed, and he had now developed a strong appetite for religious instruction. Such changes, however, were not new in the career of the hon. member.

MR. JAMES: True; he was always progressive.

MR. MORAN: The hon. member had a well balanced mind, which revolved on the slightest provocation. The policy of this country had been free, secular and compulsory education. He would ask the *Daily News*, or the Anglican body—and for the last-mentioned he had the highest respect—how, in the face of the division taken last session, could the charge be laid at the door of any small party in the House of stirring up this question. On that division there was a majority of eight against the Government, and against religious instruction in State schools.

THE PREMIER: That was not the question now.

MR. MORAN: Undoubtedly it was. How could hon. members belonging to a particular denomination be charged with stirring up religious strife in the House, when a majority of hon. members of all denominations had voted against religious instruction on that division? The accusation would have been unfair even if it had been true; but regarding the body referred to it was absolutely untrue. In ordinary life, when a man denied such a charge, his denial was accepted. He

would wait with interest to see whether the ethics of the *Daily News* were similar to those generally observed.

MR. ILLINGWORTH: A newspaper never admitted it was in the wrong.

MR. MORAN: The Premier as usual had honestly endeavoured to meet the wishes of everybody. None could say that the right hon. gentleman had ever done anything to stir up religious strife, and it was a pleasure for those who differed with the Premier on religious matters to endeavour to meet his wishes. The spirit of religious toleration, it was to be hoped, would long prevail in the colony; but the opposite spirit had been exhibited to-night in the endeavour to exclude outside schools from the benefit of State bursaries. A compromise had been arrived at for this session, to which he (Mr. Moran) willingly agreed. In the Commonwealth Bill, of which the member for East Perth (Mr. James) was so enthusiastic a champion, it was provided that the Federal Parliament should not recognise religion in any shape or form, in this point following in the footsteps of the United States; but there were federal champions in Western Australia who, while advocating federation as giving fair play to all denominations and State recognition to none, were at the same time championing State religious instruction, which simply meant tyranny, if there were a religious body which considered such instruction an injustice. If the policy of federated Australia were to be one of non-interference with religious matters, why should strong federationists like the member for East Perth advocate a different policy in this colony? An instructive article on the public schools system of the United States appeared in the July number of the *North American Review*. The writer said:

> We may be tempted to expect too much from it, and, in consequence, to confuse and weaken its proper work by laying upon it burdens that it ought not to bear. This is illustrated by the people who, in these latter days, still cry out that the public schools should teach some dogmatic form of religion, or at least that vague and indefinable thing called "undogmatic Christianity," or at the very least, some formalised code of "Christian morality."

The writer might have been a member of the Anglican body in Western Australia, so well did his words suit those who wished religion taught by the State.

> To ask this is to ignore one of the great principles upon which our State and Federal Governments were based. If, as Mrs. Davis says, our grandfathers were more religious than we, nevertheless, they were very careful to sever religion from politics, and from those practical matters which they put under the control of the State, leaving to the individual the duty of caring for his own and his children's souls in his home, and through such religious or ethical institutions as he might choose to support. The full liberty in religious belief and practice that the fathers of the Republic thought absolutely essential, cannot be combined with any form of religious instruction controlled or authorised by the State.

Such was the policy of one of the most religious nations in the world, the policy of the greatest republic in the world, in whose giant footsteps the small federation of Australia was desirous of following, and which the member for East Perth, who championed federation, was not supporting. Hon. members would be living in a fool's paradise who imagined that this question would not again be heard of. One of the Victorian papers said, in reference to Mr. Deakin's agitation for religious instruction, that it would give the assisted schools once more the right to say that, now that the State did recognise religion, the recognition of such schools could fairly be demanded. The same thing would happen in Western Australia. It was not impossible that he (Mr. Moran) might be found advocating the reinstatment of assisted schools.

A MEMBER: Then return the £15,000.

MR. MORAN said he would willingly return that money; but, at the same time, members of his denomination would demand a refund of the expenses they had incurred since it had been paid, by reason of the disendowment of the schools, which had cost his co-religionists a sum of £15,000 every two years, or he might say every year. When those schools were disestablished, the great principle was laid down that the State must not know any religion. Now the Committee was establishing the principle that the State owed an obligation to the people to teach religion, because the Bill provided that religion should be forced down the throats of all children whose parents did not object in writing. By such a clause the assisted schools were once more placed in a position to reasonably ask that the assisted school system should be re-

established. Let there be either one thing or the other. If religious instruction by the State were to be the rule, then subsidise those who were authorised to teach religion; if not, let the State refrain from interference with religious matters. Let the colony follow in the footsteps of the United States, and not force any particular brand of religion on any child. He was with those who asked for free, secular and compulsory education, but if free, compulsory and religious education were asked for he reserved to himself the right to say whether he would be as plastic as on the present occasion.

MR. JAMES: Whenever this kind of discussion arose, the member for East Coolgardie (Mr. Moran) would introduce the religious question; and in dealing with the education question, that was bound to stir up a certain amount of feeling on one side or the other. All were desirous of avoiding the introduction into debates of the names of religious denominations, because we knew how discussions could be embittered. The protest which he (Mr. James) had uttered with regard to the member for East Coolgardie was against the position which that hon. member had taken up on this question, and he would be sorry if the hon. member for Toodyay (Mr. Quinlan) thought the remarks were intended for him. The member for Toodyay, whatever might be his opinions, took care to avoid bitterness; reserving to himself the right just as strongly to adhere to his principles as the hon. member for East Coolgardie adhered to his. One was sorry if the member for Toodyay should have been carried away by a false impression that the remarks which he (Mr. James) made were intended for him. We had been discussing the granting of bursaries and scholarships to public schools and certificated efficient schools, but no member during the discussion had referred to any particular denomination to which the private schools belonged. We knew that a number of schools were run by private people and different organisations, and the member for East Coolgardie had said that the amendments moved in connection with the clause to which members had previously been addressing themselves, were an attempt to damage the denomination to which he (Mr. Moran) belonged.

MR. MORAN: Nothing of the kind.

MR. JAMES: Not content with that, the hon. member went further and stated the attitude taken up by some hon. members in connection with the amendment amounted practically to State tyranny. For a member to take up a position like that was introducing into the discussion a matter of the utmost danger. He wondered what the hon. member would have thought if the religious complexion of the House had been changed, and a majority belonging to one persuasion had had to listen to the diatribe of the member for East Coolgardie? What would have happened if the attack had been made on a different body to that which a majority of members belonged? The attack would not have been listened to in a patient manner. The member for East Coolgardie should also remember that we wanted to prevent the introduction of religious questions into debates. The hon. member who had been most responsible for the introduction of bitterness into these debates during the last three years was the member for East Coolgardie. He wished it to be emphasised that the remarks he had previously made were directed against the member for East Coolgardie, and not against the member for Toodyay, who did not allow his warmness and enthusiasm on behalf of a particular cause, to introduce into the discussion a matter which was dangerous indeed.

MR. MORAN: These homilies were very acceptable on a great many questions, but he wanted to say that if the hon. member (Mr. James) was desirous of keeping religious questions out of this Assembly, let him make one of those who would not attempt to enforce religious instruction on the children of those who did not want it. He (Mr. Moran) wanted free, compulsory and secular education: the hon. member (Mr. James) wanted it once, but he had changed his position. The hon. member (Mr. James) had shown more bitterness in the past on the education question than those of older years in the Chamber and of greater experience. The hon. member was inaccurate in his statement; but, no matter what he (Mr. Moran) had said, he reserved to himself the right to speak on behalf of the denomination to which he belonged. It would come better from older members of this Assembly than the

member for East Perth to lay down what was right and what was wrong. The position which he (Mr. Moran) took up was that free, compulsory, and secular education should be granted to everyone who wanted it. He did not want the hon. member (Mr. James) to level charges at him (Mr. Moran) of stirring up religious strife, because they were not true: he had never said one disrespectful word against any religious denominations in Western Australia, and the hon. member (Mr. James) knew it.

New clauses (Mr. Vosper's), by leave, withdrawn.

Schedule and title—agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House, at 10·50 p.m., adjourned until the next day.

Legislative Council,

Wednesday, 16th August, 1899.

Papers presented—Return ordered: Metropolitan Waterworks Board, Particulars—Motion: Rabbit Pest, Prevention—Dog Act Amendment Bill, third reading—Supreme Court Criminal Sittings Bill, third reading—Police Act Amendment Bill, third reading—Evidence Bill, in Committee, reported—Resolution: Women's Franchise, postponed—Weights and Measures Bill, second reading, in Committee, reported—Customs Consolidation Amendment Bill, first reading—Permanent Reserves Bill, first reading—Adjournment.

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

PRAYERS.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Report of Governors of High School, 1899; 2, By-laws, Cottesloe Roads Board; 3, Regulation 123*a*, under Goldfields Act.

Ordered to lie on the table.

RETURN—METROPOLITAN WATERWORKS BOARD, PARTICULARS.

HON. R. S. HAYNES moved:

That there be laid upon the table of the House a return, showing: 1, The names of persons employed on the Perth Waterworks Board at the date of appointment of the present board; 2, The names of persons appointed since that date, and the salary; 3, By whom appointments are made.

It was necessary that hon. members should know by whom the appointments were made. From what he had heard, there was great dissatisfaction as to the ramifications, the management, and the dealings of the board with the public; there was also friction between the old and the new employees. He was not speaking authoritatively, but was given to understand that this was the case. He wanted information, and, probably, he would base a motion upon it at some future date.

Question put and passed.

MOTION—RABBIT PEST, PREVENTION.

HON. C. A. PIESSE (South-East) moved:

That, in the opinion of this House, the near approach (to the more settled portion of the colony) of the dreaded rabbit pest necessitates the adoption of most stringent measures to prevent their further incursions.

This matter was brought up annually, and it was time that something definite and satisfactory were done in regard to the incursion of rabbits. The Government, he understood, had tried by various means to find out the number of rabbits there were in the country, and the extent of country covered by them; but so far as the information in regard to the number of rabbits in this country was concerned, it was very vague, and he found the greatest difficulty in obtaining any definite information on this matter, although he had been seeking for information on this point for the past six months. There had been the greatest difficulty in finding anyone who had seen rabbits at all. The only evidence of the existence of rabbits was the tracks and the droppings; but when we took into consideration that the tracks and droppings of several native animals of this country resembled the tracks and droppings of the rabbits, that evidence was not very definite. Possibly a lot more had been made of the incursion of rabbits than was really necessary.