

Legislative Assembly,

Wednesday, 20th September, 1899.

Question: Shunters' Wages, Reduction—Motion: Crown Law Department, Fees to Counsel—Motion: Imperial Government Officials, Reports on Properties; Point of Order, Ruling; motion withdrawn—Motion: Fire Brigades, Railway Passes; Ruling on question of proposing to incur expenditure; Division (negative)—Municipal Loans Validation Bill, third reading—Patents, Designs, and Trade Marks Bill, third reading—Constitution Acts Amendment Bill (Redistribution, etc.), Amendments on report; reported—Noxious Weeds Bill, second reading—Wines, Beer, and Spirit Sale Amendment Bill, in Committee; reported—Bank Note Protection Bill, in Committee, reported; Divisions—Adjournment.

The SPEAKER took the Chair at 4.30 o'clock, p.m.

PRAYERS.

QUESTION — SHUNTERS' WAGES,
REDUCTION.

MR. SOLOMON asked the Commissioner for Railways: What is the reason for reducing the wages of some of the shunters on the railway, after having been employed for some time at 8s. per day, to 7s. per day, whilst others are being employed at the higher rate of wage.

THE COMMISSIONER OF RAILWAYS replied: No permanent shunters have had their wages reduced, but four casual men, who had been employed at the casual rate (1s. per hour), were offered permanent employment as shunters at the classification rates of pay, which are:—7s. per day for the first six months; 7s. 6d. per day from thence to twelve months; 8s. per day thereafter. Three of the men accepted the offer, while the fourth preferred to leave.

MOTION—CROWN LAW DEPARTMENT,
FEES TO COUNSEL.

MR. GREGORY (North Coolgardie) moved:

That there be laid on the table of the House a return, showing the amount that has been paid by the Crown Law Department to counsel for fees for the year ending 30th June, 1899, and the names of the counsel to whom the fees were paid.

He believed there would be no objection to this return being laid on the table; and the reason he asked for it was that he had noticed in many cases lately, as reported in the newspapers, that instead of Crown law cases being undertaken by

the Attorney General, counsel outside the department were employed to conduct those cases; and it was a question therefore whether there should not be another appointment made in the department, with a view to effecting a large reduction in this kind of expenditure.

Question put and passed.

MOTION — IMPERIAL GOVERNMENT
OFFICIALS, REPORTS ON PROPERTIES.

MR. VOSPER (North - East Coolgardie) moved:

1, That, in the opinion of this House, it is highly undesirable that officials of the Imperial Government stationed in Western Australia should be permitted to report on mining or other properties for the benefit of public companies or individuals. 2, That the Government be requested to transmit the foregoing resolution to the Right Honourable the Secretary of State for the Colonies.

I may say I have not ventured on taking this course without giving the matter a fair amount of consideration. This House has repeatedly expressed its disapproval of the practice of officials connected with the colonial Government furnishing reports of this character. A resolution was, I think, carried in the case of Mr. Ednie Brown; and as early as 1894 a resolution was carried stating that, in the opinion of the House, it was undesirable that Ministers of the Crown should be directors of mining or other companies likely to have dealings with the departments over which those Ministers presided. That would seem to indicate that this House is in favour of separating, as far as possible, the rights of individuals from those rights which may be exercised as a Minister.

THE PREMIER: I do not think that motion was carried.

MR. VOSPER: The resolution to which I am referring was carried in 1894, but the last motion of the kind was not carried. I think the object of the House in passing the resolution was to prevent, as far as possible, the name and credit of the colony being pledged to private undertakings, which might or might not be beneficial to the public. We now come to a more serious matter. In this case an Imperial officer has not attempted to be a director of a company, but he has ventured on the rather risky task of reporting on a mine, the property of a

corporation registered in the colony. I do not know what was the object of that report. I know at whose request the report was furnished, but I do not know the motive that the gentleman to whom I am referring had in furnishing the report. It is surely undesirable that any person appointed to the public service here, and occupying the position of representative of the Sovereign, or appointed to assist in the administration of the Executive Government, should lend himself to report for private companies in this manner. The report to which I more particularly refer, hon. members are doubtless acquainted with. It is a letter addressed to Mr. Darlington Simpson from Government House, Perth. I will not read it at length, but will say that it is signed by "Gerard Smith." I have no desire to involve this House in what would be a vote of censure on the Governor of the colony.

POINT OF ORDER.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather): I rise to a point of order. I submit that a motion of this character is against Parliamentary procedure, and is unconstitutional. The hon. member now, as I take it, under cover of an abstract motion, seeks to attack the Governor of the colony. That being so, there is only one way of attacking the Governor, and that is by a direct vote of censure in conjunction with an address, which may be subsequently framed, to the Secretary of State asking for the recall of the Governor. The authorities are, I think, pretty clear on the subject. So far as the public acts of His Excellency the Governor are concerned, he is not answerable to Parliament, or to any branch of Parliament, because the Ministry are the persons responsible for the Governor's public acts. But this, I take it, is an attack on the Governor of the colony in his private capacity; and that being so, if I recollect rightly, Todd, who is the recognised authority on these questions, lays it down in his work on *Parliamentary Government in the British Colonies*—

MR. VOSPER: I rise to a point of order.

THE SPEAKER: Let the Attorney General conclude his remarks.

MR. VOSPER: I would ask your ruling, Mr. Speaker, on the point.

THE SPEAKER: I will give my ruling, and I suppose I am asked for my ruling by the point of order being raised.

MR. VOSPER: Can the Attorney General speak or argue on the point of order?

THE SPEAKER: Certainly. I do not see how the Speaker is to decide, unless he hears the arguments as to the point of order.

THE ATTORNEY GENERAL: I was saying that the action of the hon. member was unconstitutional, and I also say that this is an unfair way in which to attack a Government official. It is a most unfair way, under cover of an abstract proposition, for a member to come into this House with a lot of matter, so to speak "up his sleeve," and without notice to the party to be attacked, or to anyone who could defend him, to bring forward a motion of this character. It is not fair, and it is not British, and I do not know how the hon. member can possibly justify his conduct. In any case, I submit that the action is unconstitutional, and therefore out of order.

THE SPEAKER: I am of opinion that the member for North-East Coolgardie (Mr. Vosper) is not out of order in the motion he has made. Todd on *Parliamentary Government in the British Colonies* lays down the question very clearly. He says that when a Governor in his official capacity does anything, it would be unconstitutional to pass a vote of censure upon him, because everything he does he is supposed to do with the advice and consent of the Ministers, and if Parliament wish to censure him they must censure the Ministry. In this case, the letter which forms the foundation of the motion was not written by the Governor in his official capacity at all. I should be very much surprised indeed to hear that the Ministers knew this letter was ever sent; and, if they did not know, they could not be cognisant of the fact, and cannot be held responsible for the action of His Excellency in sending the letter, which was done solely in his private capacity, and not as Governor of the colony. In the instance referred to, in Todd's *Parliamentary Government*, it is stated that if it is intended to pass a vote of censure on the Governor, it shall not be done unless Parliament proceed one stage further, and move an address to the Secretary of State for the recall of the

Governor. But that illustration was given and carried out by instancing a circumstance which occurred at the Cape of Good Hope. There three resolutions were proposed by Parliament, directly censuring the Governor of the colony; and it was held by the Speaker there that if the act was the official act of the Governor, and it was desired to censure him, they must censure the Ministry who were responsible for the acts of the Governor. In this case these circumstances do not exist; and I am of opinion that the member for North-East Coolgardie, so far as he has gone, is not out of order.

DEBATE RESUMED.

MR. VOSPER: I may say, by way of explanation, that I have no intention whatever of attacking His Excellency in his official capacity. All I wish to do is to obtain the opinion of the House about an action which Sir Gerard Smith carried out in his private capacity; and it is for the House to decide whether it is desirable that an official entrusted with high powers should carry on actions of this kind without the knowledge of the Ministers. Had I thought Sir Gerard Smith acted in his official capacity, I should have taken the course which the Speaker indicated, and would have moved a direct vote of censure; but I never believed for one moment that the Ministry are responsible for what has occurred. On the contrary, I believe that His Excellency, in writing this letter, was acting in an entirely unofficial way; but nevertheless the letter was written from Government House, Perth, and he committed himself to certain opinions in regard to a private speculation. The point at issue now is whether the House consider it advisable that a person occupying a high station should be permitted to write a letter of the kind, without the sanction of Parliament. I take it that when an officer is sent to this colony in the Imperial service, he is put in a position of great responsibility; and one of the first of his duties is to maintain intact the honour of the colony, and see that nothing directly or indirectly is done by him likely to have the effect of damaging the credit or pledging the word of the colony in the slightest degree. When an officer of the Government, occupying a high position of this kind, signs his name to a report for

the benefit of private speculators, I contend that in England, and in all parts of the world, the writing of the letter is taken as an official action. We here know that it is not official; but we know that the effect produced in London and elsewhere is to lead people to believe that it is official, and it is because of the impression that an official position is used for purely speculative purposes that this motion is brought forward. The House has repeatedly laid down its disapproval in the most marked manner of members of the Government reporting on properties for private speculative purposes, and surely it cannot be said that members will prohibit Ministers and subordinate officers from doing that, while we permit similar action on the part of a high official like Sir Gerard Smith. If the House approve of the action on the part of the gentleman who signed this letter, I have no more to say, and the House must take the responsibility; but if the House do not approve, the proper course, I take it, is to communicate that disapproval to the Secretary of State, and suggest that, as a matter of discipline, officers of the Imperial Government should not be permitted to carry out work of this kind. I have no desire to create any feeling of disrespect towards His Excellency the Governor, and no desire that this House should impose a severe vote of censure on him, because it would not be at all desirable to proceed so far. Seeing, however, that Sir Gerard Smith has taken on himself to perform an action which was certainly never contemplated by the British Government when he was appointed, an action which is certainly extraneous to the instructions given to Imperial officers by the Sovereign, and an action which is entirely unprecedented, the House must take some notice. There has been a discussion in another place on this question, and, so far as I am concerned, most of the objects I seek have been attained by that discussion. Having the motion on the Notice Paper, however, I feel it incumbent on me to submit it to the House, and to explain its object to hon. members. I have no desire to even press the motion to a division. All I want is to elicit expressions of opinion from hon. members, because I am quite sure those expressions of opinion will have the

desired effect in the proper quarter, and we shall not be visited with a repetition of this particular course of action. No matter what hon. members may say about the motion itself, they cannot say it is desirable that reports of this kind should go forth from the Governor or any other high official. The Speaker has already ruled that this is an extra official action, which affects the individual more than the representative of British Majesty; and we should do well to suggest to the Secretary of State that such actions will not be tolerated in the colony, because we consider them highly undesirable. That is what the motion means, and nothing more. I therefore submit the motion to the consideration of the House, and I trust the House will mark its sense of disapproval of the action taken by Sir Gerard Smith by adopting the motion, or if not by going so far as that, at least by verbal expressions of opinion which may arise during the debate.

MR. ILLINGWORTH: I second the motion.

THE PREMIER (Right Hon. Sir John Forrest): I think the manner in which the member for North-East Coolgardie has submitted this motion cannot be considered by anyone as otherwise than in excellent taste. Certainly, so far as I am concerned, I can take no objection to the way in which the motion has been submitted to hon. members. I may say that the wording of the motion is, I think, very appropriate, and no one, or very few indeed, could dissent from the form of the motion. I do not think this House approves of officials of the Imperial Government who are in Western Australia connected with the Government of the colony, reporting on properties for the benefit of companies or individuals. I think everyone is in accord with that; and if the hon. member had brought forward this motion as one of general concern and guidance, I am sure it would commend itself to everyone, and certainly to myself. But dealing with the matter as it comes before us at the present time, I am of opinion that what has been referred to by the hon. member does not amount to what has been set forth in this motion. I do not consider that the letter which he referred to, and which we have all read, can be

said to be a letter similar to that which an expert in mining, or an expert in any other business, would write to a company, with a view to promoting and increasing the value of the company's property and shares. My opinion is that the letter was one written after knowledge had been acquired, and with the sole object of conveying the good impressions which occurred to the writer when he had the privilege of going over this mine. I feel quite certain that the only object His Excellency—and I may refer to him in this way because such a reference has already been made—had in mind was to do a good turn to Western Australia. We all know that His Excellency has travelled all over the country, and that he has been only too pleased to try and say all the good that it was possible to say in regard to the country. In regard to its agricultural interests, he travelled all over the colony and made a report, and addressed the Agricultural Congress in regard to what he had seen; he made observations in regard to different places he had visited; and I am not sure that he did not refer to individual farms, giving his opinion in regard to them, and advising, as far as he was able to advise, as to how agriculture could be improved and a better system of farming introduced. I am quite certain that in the letter now under review there was no other intention than that in the mind of the writer. I am inclined to agree with the observations of the hon. the Speaker, though they are not quite in accord with those of my colleague; for I cannot think that the responsible Ministers of the country can be in any way responsible for the private acts of the Governor. That would be asking us to take a responsibility that we ought not to be expected to carry. But I am quite in accord as to the undesirability of introducing into this House motions such as the present one, having reference to the Governor of the colony. I think we may carry that power altogether too far. I do not mean to say for a moment that the hon. member (Mr. Vosper) desires to do that, because the terms in which he has addressed the House show that he has no such intention; but we may carry that power altogether too far; and, if we are not careful, it may get into the minds of hon. members that every personal act of

the representative of the Sovereign in this colony may be brought up for discussion in this House; and if that course were indulged in, I can well understand that the position of the Governor of a self-governing colony would be almost unbearable. I am sure the hon. member had no such intention as that; but he thinks a great error was made—I do not think he goes further than that. It is a matter in which we may all exercise our private judgment; but, for my part, I prefer to believe that whatever was done by his Excellency was done in the interests of Western Australia; and as I know very well that the Governor has on many and many occasions, on public occasions in this colony and whenever he visited other colonies, always tried his best to do a good turn to Western Australia, I feel sure that was the intention on the present occasion. I am sure we all feel, whatever we may think, that it is a very unpleasant thing to hurt the feelings of anyone, even if he deserves it; and on this occasion I am sure that if any one has any doubt in his mind, he will lean to the conclusion that anything that has been done was done only with one object, and that was to try and do a good turn to the country. I am sure no one in this House, and no one more than the hon. member who brought forward the motion, wishes to say anything that would hurt the feelings of a man who, whatever may be said of him during the term he has been in this colony, has always had a really good word to say of the colony which he represents.

MR. LEAKE (Albany): If we view this motion as an abstract one, I do not suppose any hon. member can vote against it. But reference has been made to his Excellency—

MR. VOSPER: That was in consequence of what the Attorney General said.

THE ATTORNEY GENERAL: But the hon. member had referred to him.

MR. LEAKE: If the motion is passed, I think it is well, at any rate, that I should say I do not propose to regard it as a vote of censure upon his Excellency, nor have we any right to pass such a vote. As the Speaker has ruled, the Governor can only be attacked, even in his public capacity, if any attack is made on him, through his Ministers; and, if that be so, there is no right in this House

to inquire into the private actions of his Excellency, or indeed of any individual. It seems, therefore, that it would have been better if no reference whatever to his Excellency the Governor had been made on this occasion. Unless something has been done which amounts to a positive scandal, there is no need whatever for the interference of this House; and nobody can say, in reference to what has been done in this case, that anything like a scandal exists, nor is there anything which suggests such an expression. As the Premier has pointed out, his Excellency has a great idea of the value of the goldfields of this colony; and, actuated by a generous impulse, he no doubt thought he might, in writing the letter that has been referred to, say a good word for the goldfields generally. I may point out that the letter appears to be a private one, addressed to a private gentleman; and if that letter has been made public, there is nothing to show that it was done so at the instance of his Excellency the Governor; and if the publication was brought about by the gentleman to whom the letter was addressed, it is hardly right that his Excellency should be visited with the act of omission or the liberty which has been taken with his correspondence. It is true that the letter was addressed to the manager of the Peak Hill Gold-mining Company, and reference is made therein to the directorate of the company; but I do not see that there is any expression in the letter which authorised the use that was ultimately made of the letter. No doubt his Excellency has a perfect right, either as Governor or in his private capacity, to express his opinion on what he sees. Can this right be questioned if, in general terms, in writing to a friend in England, he extols the merits or the advantages of the Boulder or the Lake View Consols mine? Everybody does that almost every day; and I say there is no justification whatever in bringing this motion forward, or attempting to cast discredit or censure upon his Excellency for what he has done. If his Excellency had requested that his letter should be published with a view to "booming" the shares in a company in which he held an interest, I think perhaps another aspect would have been given to the question; but in this letter he says he has no in-

terest whatever in that property, and I think the inference which the Premier has drawn is a fair one. I am sure the hon. member who brought forward this motion does not desire to cast any unnecessary reflection upon anybody. And seeing that the matter has cropped up and reference has been made, and seeing that hon. members appear to have an opinion that in the abstract the motion is a fair and proper one, I think it will be well if the matter is allowed to drop.

THE ATTORNEY GENERAL (Hon. R. W. Pennefather): When I rose to the point of order, it was not of course with the intention of taking exception to the terms of the motion, for those terms are entirely unobjectionable; but reference to the Governor was made in such a way as might be considered out of order, otherwise I should not have risen on the question of order. When that observation was made, I thought it my duty to rise to the point of order. As regards the general terms of the motion, they are unobjectionable, and I am glad to observe the excellent taste in which the member for Albany (Mr. Leake) has expressed his views on the subject.

MR. VOSPER (in reply): I am entirely satisfied with the expression of opinion that has fallen from the leaders on both sides of the House, and it is therefore my intention to withdraw the motion. Before doing so, I should like briefly to say that the real object I had in submitting the motion was not so much to aim a blow or a vote of censure at a high official of the Imperial Government, concerning whom I agree with every word that has been said; but rather because the promoters of the Peak Hill Mining Company did not seem to me to have pursued a desirable course in regard to Government officials in this colony. That the Peak Hill mines are good, nobody doubts; but the promoters of them seem to have pursued a policy of entrapping various officials connected with the Government. They entrapped and made an instrument of the predecessor of the hon. gentleman who now holds the portfolio of Mines; and they succeeded in influencing another official in that department, from whom they procured a report for the purpose of advertising their ventures. Subsequently, on the flotation, they published a series

of documents on *fac similes* of Government paper; and they used the influence and the weight of the Government in every possible way to float their mine. It is an undoubted fact that, whatever may have been the intention of the gentleman referred to in the course of this debate, one of the effects of the letter also referred to was that the shares in the Peak Hill Company rose to the height of £7, to which figure I believe they would not have risen in ordinary circumstances.

MR. MONGER: That was not the effect of that letter. The shares were over £7 before that letter was ever written.

MR. VOSPER: Very well. At the same time, we must also remember that the speech made by the writer of that letter while at Peak Hill was cabled to England prior to the letter being written; and whether the rise of the shares was due to the cabled report or to the written one, does not matter very much for the purposes of this debate. The facts remain that, unfortunately, the astute diplomatist who manages the affairs of the Peak Hill Company has succeeded in causing the Government of this colony to commit itself, through its Ministers and subordinate officers, in a very marked degree; and it is time that such tactics and such policy in connection with that or any other company were discontinued; and to bring about their discontinuance was the object I had in view in bringing forward this motion. I should like, also, to mention the fact that the hon. member for Albany (Mr. Leake) seems to have given only a very cursory attention to the letter itself; and in order to show that it was not altogether so much of a private letter as he seems to imagine, I would crave the indulgence of the House to read the opening clauses of the missive. They read as follow:—

Dear Mr. Darlington Simpson,—I understand that you are shortly leaving for England—

Be it remembered that the gentleman referred to was practically a guest of the writer of the letter:

And on your arrival will doubtless meet your colleagues on the directorate of the Peak Hill Goldfields Company, Limited. It may interest them, and possibly some of your larger shareholders, to hear my opinion on the position and prospects of your company, from the point of view of one who has little or no scientific

knowledge, but who is able to form a public opinion—

These are the opening phrases of the letter, and they indicate that it was not of that private character which the member for Albany has so charitably assumed. More than that, the way in which the letter became public was that it was read by the chairman of directors at a meeting of directors in London, and was subsequently communicated to the Press; and what makes matters worse in connection with this affair is that the financial Press of London has already commented in very harsh terms indeed about this letter, one newspaper going so far as to say that "the slings and arrows of outrageous fortune" would pursue the writer as soon as the matter came to the knowledge of the right hon. the Secretary of State for the Colonies. However, with that we are not concerned. If the Secretary for the Colonies disapproves of the action of the writer, or the tone of the letter, no doubt he will take proper steps to vindicate the dignity of the department under his control. I am more than satisfied with the manner in which this motion has been received, and am sure that the tone of the debate will have the desired effect in the proper quarter; and, that being so, I beg leave to withdraw the motion standing in my name.

Motion, by leave, withdrawn.

MOTION—FIRE BRIGADES, RAILWAY PASSES.

MR. HIGHAM (Fremantle) moved :

That, in the opinion of this House, it is desirable, for the encouragement of volunteer fire brigades, that free passes over our railway service should be granted to those members taking part in the annual competition.

The other evening he had asked whether it was the intention of the Government to place a sum on the Estimates for this purpose, and had been answered in the negative. In view of the small sum asked for the benefit of such deserving organisations, the Government might have met the request with greater liberality. Leaving out the metropolitan brigade, which was a professional body, there were eleven volunteer fire brigades in the colony, ten of which would probably take part in the annual competition at Coolgardie. The Esperance brigade, owing to its isolation, would possibly be

absent. His sympathies were with the brigades in this matter, for in the early days of the Fremantle fire brigade he had been a member for many years; and such bodies deserved all the encouragement the Government could afford. True, each volunteer brigade at present received a small grant, which was certainly not adequate, in view of the services they rendered the community. Apart from that, the brigades desired, for the purpose of keeping their efficiency up to the mark, to have an annual competition held each year at a different town in the colony. Last year, the event took place at Fremantle; this year it was proposed to hold it at Coolgardie. Some 100 men would require free passes over the railways from the various towns. Ten would have to be taken from Cue to Coolgardie, and the Fremantle and Geraldton brigades would probably each provide a similar number. The goldfields towns of Boulder, Bulong, Kalgoorlie, and Menzies would also require like facilities for their brigades. The total expenditure would not be very material. Though he had no desire to lessen the revenue of the Railway Department, still, he thought the Premier might have placed a sum on the Estimates from the consolidated revenue to provide for this expenditure. On the other hand, the Railway Department might consider the fact that the competition being held in Coolgardie would lead to a large increase of passenger traffic from the neighbouring towns to that place on the day of the celebration, which would fully recoup the department for the expenditure in free passes. Unless the Government gave the firemen this encouragement, the competition would be an absolute failure, and, instead of being a general fire brigade competition, might be held between one or two brigades only. Firemen were doing an immense amount of good to the community; frequently they risked their lives in saving property. The fact of their existence reduced the insurance premiums, and they should receive all possible encouragement. Immense sums were spent year after year on the volunteer defence forces, last year the amount being between £16,000 and £17,000. He did not demur to that; but if it were a question of whether the Government should support the

volunteer fire brigades or the volunteer soldiers, he would say, support the firemen, and let the soldiers "take a back seat." He hoped the motion would be fully supported, and that the Government would realise that it was in the interests of the community to encourage the fire brigades.

MR. MORAN (East Coolgardie) seconded the motion. The Railway Department, in seeking to protect the interests of the general public, had replied that they could not afford to give the free passes.

THE COMMISSIONER OF RAILWAYS said he had not stated the department could not afford to do so. He objected to free passes on principle.

MR. MORAN: The department said it was a bad principle to encourage, because other organisations would seek for like concessions; but there could be no organisation so deserving in any colony as one which protected property; nor could any other body possibly put forward the same plea as the fire brigades, more especially in this new colony, where buildings were springing up with mushroom rapidity, and not always of a kind fit to resist fire. Volunteer associations, combined to fight this great opponent of progress in towns, this destroyer of health and property, should receive every consideration from the Government; and the Commissioner should take a broad view of the question before finally deciding to refuse the concession. He trusted there would be no refusal, but that the Minister would see his way to allow the competition to be held in the desired circumstances for another year at least; then, perhaps, the renewed prosperity of the colony, which was now observable, would make it possible for the department to grant this boon to firemen without serious loss.

MR. ILLINGWORTH (Central Murchison): This motion should have the full sympathy of the Commissioner and of the Government. Firemen were engaged all the year round, and frequently at night, at considerable personal cost and sacrifice, in working for the public good; and this modest request might well be granted. The Commissioner might reply that in the other colonies similar privileges had been withdrawn. That was possibly true.

MR. MORAN: Those colonies were in a more advanced stage than this.

MR. ILLINGWORTH: For many years in the other colonies the Government gave every possible encouragement to fire brigades, and went perhaps a little too far, giving passes, not only to the firemen, but to the bands of the various brigades. By these competitions the efficiency of the firemen had, in the past, been greatly increased, and the refusal to continue the free passes was a cheese-paring policy, for the cost to the Government would be absolutely nil, and there would be a distinct profit, inasmuch as the demonstration, if sufficiently attractive, would cause a great influx of visitors, resulting in increased traffic to the department. He hoped the Government would send to the winds the idea of following the example of other colonies in this matter. For many years these other colonies had been in difficult circumstances, and the railway departments there had had heavy losses, and for this reason the Commissioners of Railways had taken on themselves to restrict the issue of passes. In three of the colonies the railways were in commission, and not under the direct control of the Government, and it was quite easy to understand that commissioners, when there were heavy losses, which were a matter of constant complaint, should think twice before conveying large bodies of men to conferences of this character. But the railways here were in a fairly payable condition, and if there were any loss, we were in a position to afford it. In his opinion, however, there would be no loss whatever entailed, but on the contrary a direct gain, and he hoped the Government would see their way to support the motion.

MR. A. FORREST supported the motion, which he regarded as in the public interest. The fire brigades in the colony, with the exception, perhaps, of the Perth brigade, were honorary, and the least the Government could do was to convey over the railways the members of these brigades, in the same way as members of municipal and other conferences were conveyed.

THE COMMISSIONER OF RAILWAYS: That had been stopped.

MR. A. FORREST: The members of municipal and other conferences were carried at half-rates, and the Colonial

Treasurer refunded the other half, so that practically they were carried free.

THE PREMIER : But that had been done for the last time.

MR. A. FORREST : It would be seen what the next time would bring forth, and really these men, who were working for the good of the country, ought to be carried free.

THE PREMIER : Then a sum ought to be placed on the Estimates.

MR. A. FORREST : If a sum were placed on the Estimates, hon. members would be found quite prepared to vote for it. The members of these fire brigades would no doubt have to give up their wages in order to attend the conference.

THE PREMIER : Were members of the conference not paid ?

MR. A. FORREST : No.

THE PREMIER : Then why was the conference held so far away ?

MR. A. FORREST : The conferences could not always be held in the city.

THE PREMIER : Why not ?

MR. A. FORREST : Because many people thought the conferences should be held in different parts of the colony. Free passes were given to members of Parliament, and it was difficult to see why passes should not be granted to members of fire brigades and others, who are working for the good of the public.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse) : There was no one who appreciated the work of the fire brigades more than he did himself, and the Railway Department, whenever demands had been made by fire brigades for expenses, had always paid those claims without comment. If anything could be done to assist the fire brigades to travel over the railways, well and good, but he did not see why the department should carry them free. In this matter he was really contending for a principle, because if they introduced the method of giving free passes in this way, it would make it very difficult for him as Commissioner to work the railways as they should be worked. His endeavour was to protect the revenue of the country ; and to ask him to carry the members of these fire brigades free was asking him to do that which he felt ought not to be done. When he came into office, he found free passes issued to members of boards, con-

ferences, and other people : these passes were growing in number. It was disagreeable for him to have to make a reform in this matter, and it would have been much easier to have continued the original course, and granted the passes. He found in some instances that the number of passes had increased from 40 to 150, and in the case of the Municipal Conference at Coolgardie, it meant an extra engine and three sleeping cars to carry the members, at a cost to the country of over £400. If that sort of thing were to be continued, it was difficult to see where it would end. The right course at this juncture was to endeavour to put a stop to the practice of free passes, and with that object he addressed letters to the public bodies the members of which had hitherto travelled free, telling them that this would be the last year in which those free passes would be issued. But with a view of assisting those bodies, a regulation, which had met the approval of all the railway authorities of Australia, had been introduced, permitting those people to travel the double journey for single fare. That was a much better plan than to ask the Government to continue a system of free passes, which was most dangerous.

MR. VOSPER : And over which Parliament had no check.

THE COMMISSIONER OF RAILWAYS : To continue the system of free passes was to continue a system which would land him in much difficulty. Parliament might not have any check over the issue of these free passes, but still Parliament could call a Minister of Railways to order, if he abused his powers ; and it was due to the Minister that Parliament should assist him by encouraging him in carrying out what he deemed to be his duty in restricting the issue of these free passes. In not one of the other colonies were the members of fire brigades carried free.

MR. ILLINGWORTH : Since when ?

THE COMMISSIONER OF RAILWAYS : For the past four or five years ; and in some colonies no concessions whatever were granted to members of fire brigades and other public bodies. At present the members of fire brigades could travel the return journey to Coolgardie second-class for 36s. 4d., and first-class 58s. 3d. ; so that after all it would

be seen that the amount involved was not very considerable. If anything had to be done to help these fire brigades, it should be done in some other way than by granting them free passes on the railway; and it would make his course much easier if a rule were at once laid down that none of these free passes should be issued. He did not wish in any way to depreciate the good work done by the fire brigades of the colony, but he did not see why the Railway Department should be asked to carry the members of these bodies free at the expense of the country. If these people had to be carried free over the railways, then money for the purpose should be provided from some other source. It was quite easy to see that his successor as Commissioner of Railways might go a good deal further than he had done in the way of free passes, and he himself might go a good deal further; and it was with a view of preventing any abuses in this direction that he asked the House to support him in the regulation which had lately been made in regard to members of public bodies travelling over the lines.

MR. ROBSON (Geraldton) said he had very much pleasure in supporting the motion, but he wished to take a slight exception to the wording, which spoke of free passes over "our railways." There was a line between Perth and Geraldton, which could not be called "ours" as yet, and over which the Commissioner of Railways had no control. Last year the fire brigades in the northern parts of the colony were unable to come down to the annual competition, owing to want of funds and inability to make arrangements with the company which owned that line. He would suggest that the motion should be amended, so as to provide for the carriage of members of fire brigades over all the lines in the colony. This would probably meet with the wishes of the Minister, who did not wish to carry the fire brigades free, but would prefer to see a sum placed on the Estimates and paid over to the Railway Department for that purpose. He suggested that the motion should be amended so as to declare that it was desirable a sum of money be placed on the Estimates for the purpose of conveying by rail members of volunteer fire brigades to and from the annual competitions.

THE SPEAKER: It would be irregular to propose that amendment.

THE PREMIER (Right Hon. Sir John Forrest) said he would like to ask the ruling of the Speaker as to whether the motion was in order, seeing that it really asked the House to vote a sum of money. The system of the Railway Department for years had been to do "nothing for nothing." The department would not carry anybody over the lines unless fares were paid, except members of Parliament and distinguished visitors. Indeed, the department would not even carry paupers without payment, and that rule had been generally accepted. The railways were run on commercial lines, and the heads of the department wanted to be paid for work done. Hon. members seemed to think that, if this motion were passed, the department would carry these individuals for nothing; but he could assure hon. members that the department if it carried these persons would make a demand on the Treasury for the amount which these persons would otherwise have had to pay in railway fares. Distinguished visitors and members of Parliament were excepted in all the colonies, in the matter of free railway passes; but nowhere else was this the practice, so far as he knew. To pass this vote would involve the Treasury in the payment of a considerable sum of money, and he as Treasurer would have to bring down a vote for the amount in the annual Estimates. Probably this sort of thing would cost a thousand or two in the year, because not only fire brigades, but municipal bodies, agricultural bodies, and others, would all want to be carried free. Seeing the practice which had been adopted by the Railway Department, he submitted that this motion really amounted to a vote of money, because unless the department altered the system—

MR. A. FORREST: They could well afford to do it.

MR. JAMES: Put it on the Estimates for the year.

THE PREMIER: When the present Government came into office, free passes were in use by newspapers throughout the colony, and the ungracious duty of withdrawing those passes was cast on the Minister at the head of the department. Then demands arose for carrying members

of roads boards, municipal councils, and other bodies free over the railway whenever they had any conference or wanted to travel; and the principle was being seriously extended, whether it was a good principle or not. Members of roads boards, for instance, when they travelled did not pay the money out of their own pockets, as a rule, but got it indirectly out of votes supplied by Parliament. The practice of granting free passes on railways required guarding very carefully, as the principle was an insidious one, and there was great difficulty in resisting it or in saying "no." He must say the heads of the Railway Department were pretty stiff-backed, and would not say "yes" to applications of this kind if they could help it. The proposal made by the department to charge half fares to fire brigades was a reasonable one; and as to the fire brigades having any particular claim on the Government, he knew that when any fire occurred in connection with Government property, the Government were charged three times more than anyone else. Why was it necessary for these fire brigades to travel all the way to Coolgardie for a little practice? Could they not have a practice near the coast, where most of them were located? It would be cheaper to bring the other brigades down from Coolgardie to the coast.

MR. HIGHAM: No; there were more brigades up there than down here.

THE PREMIER: Then the brigades on the goldfields should have a separate practice, and those down here should have their separate practice. This was pretty close to a vote of money, and he felt inclined to ask the Speaker's ruling on the point.

RULING BY THE SPEAKER.

THE SPEAKER: There was no doubt this was an indirect way of getting a vote of money. He could not say it was against the Standing Orders, because the Standing Order relating to this point said:

It shall not be competent for a private member to move the House into a Committee of Supply or of Ways and Means, nor into a Committee of the whole House, for imposing any tax, indent, or impost; nor shall it be competent for a private member in any such Committee to propose increases on the amounts proposed therein.

As hon. members were aware, no money could be voted except in Committee of

Supply; and this motion was an indirect way of trying to force the Government to put a sum of money on the Estimates. Still he could not say the present motion was out of order. It would have been out of order if what the member for Geraldton (Mr. Robson) wanted to do had been proposed, as that was a direct vote for a sum of money to be placed on the Estimates, and if that motion had been made he would have had to stop it.

DEBATE RESUMED.

MR. QUINLAN (Toodyay) did not agree with the motion on principle, and was satisfied the Commissioner of Railways had made a good case in the way in which it was proposed to treat these fire brigades. He could not see the necessity for fire brigades to go to Coolgardie to display their ability, and especially in view of the fact that the colony was undertaking now to furnish the goldfields with a water supply from the coast. His experience of municipal conferences was that there was not too much water called into use, but rather a good deal of whisky and champagne. It would be in the interests of economy to oppose the motion, as being really in the nature of paying for a picnic.

MR. VOSPER (North-East Coolgardie): It would be more popular, especially on the part of a goldfields member, to be in favour of the motion; but it seemed to him desirable that the system of granting free passes indiscriminately on railways should be stopped. The Commissioner was to be commended for the action he had taken in dealing with the claims of the fire brigades. The system of granting free passes really amounted to an expenditure of public money without the sanction of Parliament, and beyond its control. Neither the Minister nor any other person should be allowed to expend public money in matters of this kind, without the sanction of Parliament. Still, he felt a large amount of sympathy with municipal institutions generally; and a sum of money might be placed on the annual Estimates to pay for excursions of this kind, and if the amount was found insufficient, it could be increased from time to time. The advantage of voting the money in this way would be that the amount would come under review in the

Estimates each year, and would be subject to the criticism and control of Parliament.

MR. KINGSMILL (Pilbarra) supported the motion, because if any body of men were entitled to recognition for their services, fire brigades were certainly entitled to it. The granting of money for this purpose should be watched carefully, and a direct vote would be the most satisfactory way, because it would be under the control of Parliament. Nearly every other public body had some honour attached to the position, whereas the position of members of fire brigades did not carry with it a distinction, and the men holding such position were nearly all of the poorer class.

THE PREMIER: Did the hon. member wish all the fire brigades to attend—50 or 100?

MR. KINGSMILL: As many as possible.

MR. HUBBLE: What would then happen in a case of fire in localities left unprotected?

MR. KINGSMILL: As it was not competent for a private member to move for a grant of money—

THE PREMIER: If the motion were carried, a sum would be placed on the Estimates.

MR. KINGSMILL: Thanks! Then members knew how to vote on the motion.

MR. SOLOMON (South Fremantle): Having regard to the deserving character of the volunteer fire brigades, he gave the motion his hearty support.

HON. S. BURT (Ashburton) disagreed with the motion. The Commissioner of Railways should be supported in making a stand to save the public funds. He (Mr. Burt) was not in accord with what had been said regarding the utility of the fire brigades of the colony.

MR. VOSPER: Where could water be found at Coolgardie for use in the competition? Would the firemen use dry-blowers?

HON. S. BURT: It had been said there were more brigades in arid parts of the colony than in districts plentifully supplied with water. If so, such bodies mainly existed to travel about and enjoy themselves. Water was about the last thing the average brigade should be trusted with, for with that substance firemen did more harm than good.

MR. ILLINGWORTH: The hon. member had never been a fireman.

HON. S. BURT: If one's house were on fire, he would not admit a brigade. In populous cities, where people found difficulty in escaping from burning houses, the brigades were useful for saving life; but what life-saving apparatus was possessed by the country brigades in this colony? Their only effect was to spoil property by throwing water over it.

MR. VOSPER: And they charged the owner for it afterwards.

MR. ILLINGWORTH: They frequently saved whole towns.

HON. S. BURT: They could only do that by pulling down houses, and their utility was not so great as to justify the State in paying their travelling expenses. He was informed that, last year, the conveyance of these picnic parties cost the country £1,200. Would not this request, if granted, be followed by similar demands from other bodies working in the interests of the public?

MR. JAMES (East Perth): If the passing of the motion would mean a vote on the Estimates, hon. members should ask themselves to what extent they were prepared to go in providing free passes for fire brigades and other bodies which now enjoyed such privileges.

THE COMMISSIONER OF RAILWAYS: And for future applicants, whose name would be "legion."

MR. JAMES: When it was realised that the cost of conveying the last municipal conference but one to Coolgardie amounted to £400, hon. members should hesitate before committing themselves lightly to distributing free passes on the ground that they cost nothing; for the accumulation of free passengers had an appreciable effect on the departmental expenditure. The Commissioner was right in declining to grant such passes unless his department were paid by Parliament for doing so. There were two classes of firemen, the professional and the amateur.

MR. HIGHAM: Only one brigade was paid.

MR. JAMES: The Perth Fire Brigade cost the city £2,000 a year. How much did a country brigade cost its municipality?

MR. ILLINGWORTH: More in proportion

than the Perth Brigade cost the City Council.

MR. JAMES: If so, those country townships should immediately take steps to adopt the conditions applicable under the Fire Brigades Act. They should provide paid brigades, and thus lessen expenditure. If the Perth Brigade attended the competition, part of that £2,000 must be used to pay railway fares; yet volunteer brigades were to be carried free! Why should not a country municipality pay the necessary cost of making its firemen more efficient than at present, thus giving protection, not to the whole colony, but merely to the particular township in which the brigade existed? Why should the national exchequer pay for the protection of local interests? What end could be served by taking the Perth or the Fremantle Brigade to Coolgardie?

MR. GEORGE: They might learn to work better.

MR. JAMES: But fire brigade work on the goldfields was done under different conditions. What waterworks had they there?

MR. VOSPER: On the fields, the principal work of the brigades was pulling down buildings.

MR. JAMES: Efficiency in the fire brigades could best be secured by holding contests between such brigades as worked in localities where the conditions were similar. The good which would result would not be at all commensurate with the cost involved, and hon. members ought to consider what a large expenditure this motion would mean.

MR. GEORGE (Murray) said he could not support the motion. It interfered with one of the departments of the State, which it was desired should be conducted on commercial principles, and to pass the motion would be taking away a part of the revenue of that department.

MR. HIGHAM: It was impossible to bring this question on in any other way.

MR. GEORGE: If the object was to have a certain amount of money placed on the Estimates for the purpose of meeting this expense it would, of course, make a considerable difference in his opinion.

MR. HIGHAM: That was the object of the motion.

MR. GEORGE: The free pass system should not be extended in any way, and before the close of the session he would move for a return showing the free passes granted, the object of the motion being to still further curtail the issue of free passes. In Victoria the free pass system over the railways was carried to a scandalous extent, and he was informed that the system was assuming great proportions in this colony. He did not wish to be drawn over the coals again for referring to municipal and other conferences, but he was not sure that the annual competitions of the fire brigades had resulted in as much good as the enthusiastic supporters of these brigades would lead hon. members to believe. He was not sure that the amount of work got out of the members of the fire brigades was commensurate with the amount of money which they cost.

MR. HIGHAM: The hon. member was, of course, speaking of Perth?

MR. GEORGE: Members of fire brigades would, if called on, do their duty, but at the same time keeping up of brigades was most expensive, and we ought to consider whether it was not possible to get more work out of the men who, so far as he had seen, were mainly occupied in polishing up their buttons. The member for the Ashburton (Hon. S. Burt) spoke of life-saving appliances; but, considering the character of the buildings in Perth, it was not at all likely these appliances would ever be of much service here.

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

Ayes ...	9
Noes ...	13
Majority against ...	4

AYES.	NOES.
Mr. Conolly	Hon. S. Burt
Mr. Holmes	Sir John Forrest
Mr. Illingworth	Mr. George
Mr. Kingemill	Mr. Hassell
Mr. Locke	Mr. James
Mr. Moran	Mr. Lefroy
Mr. Robson	Mr. Pennelather
Mr. Solomon	Mr. Piesse
Mr. Higham (Teller).	Mr. Quilman
	Mr. Rason
	Mr. Throssell
	Mr. Vosper
	Mr. Hubble (Teller).

Motion thus negatived.

At 6.23 the SPEAKER left the Chair.

At 7-30, Chair resumed.

MUNICIPAL LOANS VALIDATION BILL.

Read a third time, and transmitted to the Legislative Council.

PATENTS, DESIGNS, AND TRADE MARKS BILL.

Read a third time, and transmitted to the Legislative Council.

CONSTITUTION ACTS AMENDMENT BILL.

AMENDMENTS ON REPORT.

Report from Committee received, and further amendments made as follow:—

Clause 6:

THE PREMIER moved that in the definition of North Province, before "Kimberley" the word "East" be inserted; also after "Kimberley" the word "West" be inserted.

Amendments put and passed.

THE PREMIER further moved that in the definition of South-West Province, between "Nelson" and "Sussex" the words "South-West Mining" be inserted. This was following out what was agreed to the other evening, when the word "Collie" was inserted in Clause 17. Having considered the suitability of names, he had come to the conclusion that it would be better and give more satisfaction to the people particularly interested if the new mining electorate was to be called the "South-West Mining District." This name would exactly describe what was intended. It was the most significant name he could think of; and while he would prefer a shorter name, he had not been able to find one in a form suited to the circumstances. To call the new electoral district "Collie" would be altogether without meaning as applied to the Greenbushes district, about 40 miles distant, and it would be inappropriate as applied to the Donnybrook goldfield, in regard to which the name "Collie" would have no significance; whereas if called the "South-West Mining District," everyone would understand that it was the place where mines existed in the South-West District.

MR. VOSPER suggested that the same object could be attained by adopting the name "Stannum," the Latin term for tin.

THE PREMIER: Coal must also be considered.

THE COMMISSIONER OF RAILWAYS: If one word only were desired, "Collie" would be better.

MR. LEAKE: Would not "Southern" be better than "South-West"?

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

Clause 17.—Colony divided into 50 electoral districts:

MR. HIGHAM moved that "Canning" be struck out and "Cockburn Sound" inserted as the more suitable name for the altered electorate, which comprised only part of the present Canning electorate. The proposed electorate was essentially connected with Fremantle, consisting of a considerable part of the South Fremantle municipality, including Beaconsfield, Chesterfield, etcetera.

MR. VOSPER: Call it "Beaconsfield."

MR. HIGHAM: In the electorate were numerous settlers, essentially Fremantle people in sympathy, who desired the name of the electorate to have some local significance.

THE PREMIER: Though a division had already been taken on this matter, and a conclusion arrived at, the hon. member's proposal was unobjectionable, for that part of the country had always been known as Cockburn Sound, and all the locations sold from the foundation of the colony to date had been called "Cockburn Sound locations," comprising the land south of Fremantle about Coogee, as far as Rockingham, and to the eastward as far as the Canning. Further, the greater part of the district generally known as "Canning" would, in future, be in the Swan district; so that "Canning" was not quite a proper name for the electorate. The country about Rockingham, and the northern portion of Location 16 belonging to the Peel estate, had nothing to do with the Canning River district; and the Coogee and Lake Von Bibra localities, and even the western part of Jandakot Area, never had the name of "Canning" applied to them. To call the district "Cockburn Sound" would not be an innovation, for the name would be found on the map now on the table.

MR. SOLOMON supported the amendment. "Canning" had nothing to do with this electorate as now arranged,

which extended from Fremantle to Rockingham. "Cockburn Sound" would be more appropriate, and would meet the wishes of the people.

Amendment put and passed.

THE SPEAKER: In Clause 6, as a consequential amendment, the words "Cockburn Sound" would be substituted for "Canning."

MR. ILLINGWORTH moved that "Cue" be struck out, for the purpose of inserting "Central Murchison." Twice had the name of his electorate been changed, and he did not wish it changed again. It was originally Nannine, next Central Murchison, and it was now proposed to call it "Cue." It was a mistake, when a group of mining towns were associated in one electorate, to call that electorate by the name of one such town. As well call the district "Day Dawn" or "Tuckanara."

THE PREMIER: In arranging these electorates, the desire had been to make the names as short as possible, and to make them distinctive of something.

MR. ILLINGWORTH: Then why had "North Murchison" been retained?

THE PREMIER: The various Coolgardie and Murchison electorates had been so called because these names were well known, he having been of opinion that the districts would thereby be benefited through being associated with important goldfields.

MR. VOSPER: With the same idea in the early days, every mine had been called "Bayley's."

THE PREMIER: Thus there had been North, South, and Central Murchison, and North, North-East, and East Coolgardie. Recently, however, hon. members had complained that so many "Coolgardies" and "Murchisons" were confusing; and the clause proposed to give a name to each electorate distinctive of some principal town therein. Thus "Kanoona" took the place of North-East Coolgardie; "Kalgoorlie" of East Coolgardie.

MR. VOSPER: And the inhabitants strongly objected to the change.

THE PREMIER: Possibly. It was proposed to call the Central Murchison district by the name of its principal town, Cue. This was a short, distinctive and pleasant sounding name. It was that of the original discoverer of the Murchison

goldfields, who might very well be immortalised in this way.

Amendment put and negatived.

THE PREMIER moved that after "Roebourne" the words "South-West Mining" be inserted.

MR. JAMES: How would the member for that district be addressed?

THE PREMIER: As the member for the South-West Mining District.

MR. JAMES: It was a very peculiar title.

Amendment put and passed.

Schedule 2:

THE PREMIER moved that "Collie" be struck out and the words "South-West Mining" be inserted in lieu thereof.

Put and passed.

Report, with the further amendments, adopted.

NOXIOUS WEEDS BILL.

SECOND READING.

THE MINISTER OF LANDS (Hon. G. Throssell), in moving the second reading, said: I would remind hon. members that this is the fourth time that a Bill for this purpose has been introduced in this House, and I only trust that the measure will be passed. This measure was recommended by the Farmers' Conference assembled in January last, and I have ample proof of the great necessity for such a measure in the interests of the country. From all parts of the country we have information that noxious weeds are spreading, and it is necessary the department should have power to deal with this matter. The necessity is increased by the fact that for some years past we have been importing huge quantities of oats, and by this means have introduced weeds common to South Australia and other parts of the continent. Amongst these weeds are the stink wort and the Bathurst bur, and hon. members know as well as myself how the stink-wort has spread over large areas of land in South Australia, and rendered that land absolutely profitless and useless. With the object of taking time by the forelock, and to prevent a similar spread of the weed in this colony, this Bill is introduced. The measure may appear somewhat drastic, but it is based on similar legislation in New Zealand, in

much the same way as the Insect Pests Act, which is now doing good service. The Bill gives power to the Governor to declare, on the advice of the Minister, what shall be considered noxious weeds, and also gives power to prohibit the introduction of what may be declared a noxious weed or seed. The Bill also gives power to prohibit the sale of any noxious weed in any shape or form; and owners of land are compelled, after due notice has been given, to extirpate noxious weeds on their land, and on half the adjoining road. Clause 10 provides that where noxious weeds are known to have existed for three months, the land may be declared infected, and that no plant, seed or stock can be removed, except under the direction of an inspector. In passing, I may say that to my mind this provision seems altogether too drastic. It means that no implement, live stock, chaff, or produce could be removed from such land, except under the control of an inspector, and I think hon. members will agree with me that it would be wise to strike out this clause and to make other amendments. As I said before, members may think this Bill is somewhat drastic, but it must be pointed out that it will only affect those landowners and farmers who are careless. It is provided that if farmers or landowners neglect to extirpate these weeds, measures may be taken by the department to do so, and the owners charged for the work; and that to my mind appears altogether reasonable. Provision is also made in the Bill that, if necessary, the lands of absentees shall be dealt with, and land can also be cleared and the cost charged to the owners, whether absentee or resident. There are parts of the colony where noxious weeds have existed for many years, and the only Act enabling the department to deal with this matter is the present Act, which by this Bill we propose to wipe out altogether. The present Act only deals with the Spanish radish and the Scotch thistle, and I am informed that in some parts of the colony, notably in the North, on the Greenough Flats, these weeds have flourished unrestricted for many years. I am also in a position to know that these weeds have spread into other districts, and that under the present Act we have little or no power to procure their extirpation; therefore the Bill now before the House is absolutely

necessary. I ask hon. members not to be frightened because the Act may appear a little drastic. It will, as I pointed out before, only affect those who may be called sinners, and who require some compulsion in order to make them clear their land of these dangerous weeds. The same objections as are likely to be offered to this Bill, were offered to the Insect Pests Bill, but when we recognise the vast interests at stake, it will be seen that such laws are urgently required. There is a large quantity of land being settled along the Great Southern Railway and in other parts of the colony, and the field officers of the department are constantly drawing attention to the growing necessity for measures dealing with noxious weeds, and in this direction we are much helped by the Commissioner of Railways. In some parts of the colony, in consequence of the want of a law of this kind, the department are obliged to extirpate the weeds at the public expense; but under this Bill, as will have been gathered, it will be possible to bring some compulsion to bear on the land owners. I would point out that a noxious weed in one part of the colony need not of necessity be a noxious weed all over the colony. For instance, a weed declared noxious in the Avon Valley, or on the Great Southern line, need not of necessity be a noxious weed on the goldfields; and it is proposed with the approval of the Bureau of Agriculture, who heartily approve of this measure, to make a declaration of noxious weeds optional in districts. What is meant by that is that in every district there shall be an honorary advisory board, which will put the law in motion, and declare what shall be deemed noxious weeds. This provision will, I think, take away a great deal of the objections which might be raised if the matter were left entirely in the hands of the Minister. I ask hon. members, especially country members, to give careful consideration to this Bill, from which one of the grounds of objection to past Measures has been removed. An objection to the previous Bill was that wild oats were declared to be a noxious weed, while wild oats growing in the field were not noxious, and, in this connection, a penalty of £10 could be inflicted; consequently, that Bill was thrown out, and very properly so, and the present Bill now confines itself to noxious weeds of stink-

wort and Bathurst bur, the advisory boards in each district having the power to add from time to time the name of any noxious weed which they may deem proper.

MR. HARPER (Beverley): I have much pleasure in supporting the Bill, because an enactment of this description has been required for many years by those interested in agriculture in this country, especially by those who are desirous of carrying on agriculture in something more than a slovenly manner. With some provisions of the Bill I do not agree, and I have spoken to the Minister, who is prepared to accept most if not all of the proposals I have suggested to him. The main principle which I maintain should govern the Bill is that no portion of it should come into force except by the action or initiative of a local body; that is to say, it should be left to each district to decide for itself through its local body what should be considered a noxious weed in that district. My suggestion is that the roads board in each district should be empowered to move the Minister, when they require him to declare any weed within their district, or likely to come into the district, a noxious weed; and I would even go so far as to strike out those weeds that are mentioned in the first schedule as noxious weeds, and leave it to the local body to insert those or any other weeds they may deem to be noxious in their particular district. In Clause 5 there are provisions which I think may be objected to in the matter of dealing with seeds, and for my part I do not think this is of such importance as some persons may consider it to be, and I should not at all object to see the whole clause struck out, because so long as you have power to deal with the weeds you can deal with the seeds, and prevent them from having any injurious effect. Although a weed may be introduced into the country, yet if taken in its infancy it is easily eradicated, and it is only after a weed has been allowed to spread for years that it becomes a menace to the people on the soil. Clause 10 is too drastic, and would defeat the object of the Bill. I do not think the Bill will get through this or the other House with that clause in it, and I shall propose to strike it out. With these amendments I believe we shall have a measure which will be of extreme

benefit to the country; bearing in mind that the main point is local option in applying the powers of the Bill. I will point out one instance in which this country has suffered enormously by the absence of some statutory power of this kind. When the Midland Railway was in course of construction, the contractor imported chaff from the Eastern colonies, and with the chaff he introduced the stinkwort weed, and that has been spread a long way up the Midland Railway line, and a considerable distance over farms on either side of the line. The stinkwort may be seen all along there now, and it is spreading constantly, and nothing can be done under the present conditions to prevent the weed spreading farther; yet by bringing into operation the powers of this Bill, the owners and occupiers of the land may be compelled to eradicate that weed, and this will apply not only to land on the railway, but also to private land. That one instance is sufficient to warrant us in delaying no longer in instituting legislation to deal with noxious weeds.

MR. QUINLAN (Toodyay): I desire also to support the measure, which is decidedly an advance on the former Bill of this kind that was introduced into the Assembly. In respect to Clause 4, I agree entirely with the member for Beverley (Mr. Harper) that it should be on the advice of local bodies, such as roads boards, that the measure should be brought into operation, because the Bill would be giving too much power to the Minister, who, with his multifarious duties, would have to be guided to some extent by his officers, and I think the roads boards would be the best advisers in the circumstances. So far as Clause 10 is concerned, I am in accord also with the member for Beverley, and hope that in Committee this clause will be expunged; otherwise I anticipate a worse fate for the Bill when it reaches another place. As to Clauses 13, 14, and 20, there are minor amendments which ought to be made, and I am sure the Commissioner of Crown Lands will be only too willing to accept them when placed before him in a reasonable light. It has been shown to me by competent authorities that this Bill can be made a first-class measure for benefiting the country districts, by altering it in some minor details. This is a very necessary law to

have, and I commend the Commissioner of Crown Lands for having introduced it, seeing that he is himself a guilty party in in the very district I represent, and it is the more worthy of him that he should be the one to introduce a law which will make himself suffer along with others. The weeds which he inherited from the previous owner of the land he holds will remain with him for a long time; and although it is not mentioned in the Bill, yet it will probably be wise to direct the Commissioner's attention to his own estate, with a view to having the noxious weeds eradicated, and their further spread prevented.

MR. HIGHAM (Fremantle): There is one phase of this Bill which we ought to give attention to, and it is that, admitting that a considerable portion of grain and some portion of chaff may have to be imported into this colony in the immediate future, the penalties provided for importers who introduce noxious weeds with those grains and chaff, though there may be only a small portion of noxious weeds, will be heavy indeed. For some time at least we must import a considerable portion of our wheat, oats, and other grains, and it is impossible to get all these without some admixture of noxious weeds. If the conditions of Clauses 7 and 8 are to be applied to those importers, the effect will be pernicious indeed. In Committee I hope we will be able to overcome the difficulty, or otherwise this Bill ought to go the way of its predecessor.

MR. ROBSON (Geraldton): I have pleasure in welcoming this Bill, and also in agreeing with the member for Beverley in his remarks on the several clauses. I cannot entirely agree with him as to the advisability of leaving the application of the Bill to local option, for we have already had a discussion this afternoon on fire brigades, municipal councils, and roads boards, and from what I have seen of roads boards in this colony, there is little likelihood of this Bill being applied when left to those local bodies. Having brought in the Bill, I hope we will not leave to local bodies the power of nullifying this necessary legislation, but will make its application compulsory. Speaking of my own district, I can heartily support the Bill, and trust that when brought into force it will have the desired effect of eradicating many of the noxious weeds, particularly those that

have travelled up from that importation of chaff along the Midland railway which has been spoken of. We have in the northern districts tremendous areas of stinkwort, Spanish radish, lupin, Bathurst bur, and other noxious weeds, that are drifting north with the wind and ruining settlers on the land. These weeds are not only along the railway line, but are on private farms, on commonages, and on Crown lands everywhere; and it will require a great deal of energy and enterprise to eradicate them. It is well this work should be taken in hand before the evil gets worse. There is one item in Clause 13 which is objectionable, for it allows to the owner or occupier of land only one month in which to clear his area from noxious weeds. One month is hardly sufficient time, although the clause does allow to the Court a discretion to waive the fine, if the inspector is satisfied that the owner or occupier is making good progress with the work of eradication. But the clause also compels the inspector to bring the owner or occupier before the Court, if the weed or weeds be not eradicated within one month after notice served. There are some seasons of the year in which it is much easier to eradicate weeds than in others, for in certain seasons you can keep down the weeds by sheep, in others you can plough in, and in some seasons you can burn off. Having these various means in view, we should try to cheapen the cost of eradicating the weeds, and instead of bringing the owner or occupier before the Court to be fined after one month's notice, I think the time should be extended to six months. In conclusion, I think the Bill should not be left to the option of local bodies.

MR. LEAKE (Albany): It would be interesting to hear the opinion of the member for the Greenough (Hon. R. W. Pennefather) on this Bill; but as he is not in his place at present, we perhaps shall not be privileged to hear it. I do not object to the Bill, but I wish to point out to hon. members representing agricultural districts that there is nothing in the Bill which deals with Crown lands; and how you are going to meet that difficulty I do not see. These noxious weeds, if they spread over the country, must get on to Crown lands; and are we to be asked to vote a large

sum of money for the eradication of weeds on Crown lands year after year? I notice that when an owner or occupier is required to clear his land, he must do so; but if a road runs through his property, and one side of that road is occupied by Crown land, the private owner is required to clear only half the road. If there is Crown land on one side, and private land on the other, the private owner will have to clear up half the road-way, and the other half will be left to chance, because it fronts Crown land. There is also no protection apparently for the interests of mortgagees; for if a piece of land is mortgaged, the mortgagee is not deemed to be an owner under the interpretation clause, and he may lose his security, for the Government may call upon the occupier to clear the land, and if the land is not cleared after notice, the Government may do the work, and if the money is not paid, the Government may sell the land. That is getting on towards confiscation, and we must guard against that. The difficulty is in the administration of the law, as is found to be the case in most Acts; and it is doubtful whether the Bill can be satisfactorily administered by the roads boards; for although the roads boards have had power to tax themselves during some years past, very few boards have exercised the power, because the tax affects particularly those persons who have the power to impose the tax. So it would be with the administration of this Bill, if left to roads boards to carry it into effect. That is an objection, not perhaps to the principle of the measure, but to its administration. I am not raising captious opposition, but merely pointing out what appear to be questions we shall have to consider in Committee.

THE COMMISSIONER OF RAILWAYS (Hon. F. H. Piesse): There is no doubt the Bill in its present form will not be acceptable to the generality of members of this House; and unless some amendments are made in Committee for making the Bill more acceptable to the country, it will no doubt be a very strong measure, and one which will cause a good deal of difficulty in country districts. At the same time such a measure is necessary, because those of us who are able to watch the spread of noxious weeds in the different districts must admit that

unless such a measure is introduced, it is very unsatisfactory to know that the spread of noxious weeds in those districts will continue to cause injury. We have seen the difficulty experienced in other colonies, especially in South Australia, in respect to the stinkwort, which has done so much harm in the agricultural districts, and which has already got a hold in one or two places in this colony, particularly at Kojonup, in the south-western district, and also in the district joining the Midland railway. I have noticed it spreading about Midland Junction during the last two or three years, and steps have been taken, where it has grown along the railway fences, to eradicate it; but unfortunately we have not been able to cope with the spread of this weed, because the owners of adjacent land are not compelled under any existing law to extirpate the weed, and consequently they do not take the interest in stopping its spread which they ought to do, and as there is no penalty, the weed will continue to spread and become an increasing nuisance to people settled throughout that district. There are also other weeds that have been a menace in different districts, and these weeds thrive very quickly and will become a scourge unless eradicated. If in Committee we can modify the Bill in such a way as to make it acceptable to members generally, it will be a useful measure; but at present its provisions are too stringent, and the very object of the Bill will be defeated by the stringency. I agree that the administration is the principal feature that will make the Bill a success or otherwise, for if not properly administered it will become a dead-letter. In many districts we can rely on the local roads boards to carry out the provisions properly, but in some other districts in may not be so satisfactory to have the Bill left entirely to local administration. Therefore, it will be well to consider what power should be given to the roads boards in this respect, and whether it will not be better to place the Bill under the administration of the Minister and his officers, and thus ensure the eradication of noxious weeds. To leave it to local option, as was pointed out by the member for Geraldton, would perhaps result in the Bill not proving operative. I hope that in Committee we shall have the opportunity of dealing with

the various clauses, and that a workable measure, useful to the country, will be the result of our labours.

MR. RASON (South Murchison): I hope this Bill will share a better fate than its predecessors, for some such measure is absolutely necessary in the interests of the country districts. I have no doubt that, if amended in Committee somewhat on the lines suggested by the member for Albany (Mr. Leake), the Bill will commend itself to the House, and will also meet with acceptance in another place. It may be objected that the powers given in this Bill are very large; but, in order to cope with the serious difficulty and the great nuisance created by these noxious weeds, the powers given to local bodies must necessarily be large: we must give full powers, and must trust to a wise administration of those powers, at the same time seeing that the Bill is not made unnecessarily oppressive. I think the House will be glad to note that the bringing of the Bill into force in any given district is to be a matter of local option, which option, I understand, will rest with the roads board; but I do not think it is intended that the administration of the Act, when once applied to any locality, shall be left to the roads board. There are various inspectors now under the control of the Department of Agriculture, and I presume they would be inspectors under the Act; there are various inspectors of lands, under the Lands Department, various rangers; and the services of Mr. Paterson, the manager of the Agricultural Bank, and of all those officials I have mentioned, could be utilised in the administration of the law. There is no doubt that the noxious weeds enumerated to-night, and many more, are spreading in this colony and are becoming a serious menace to the agriculturist. Some such power as is by this Bill intended to be given is absolutely necessary, and I trust that the Bill, with necessary amendments, will pass into law, and will be of great benefit to those in this colony who follow agricultural pursuits.

MR. HASSELL (Plantagenet): The member for Albany has very concisely pointed out the great blot in this Bill, which is that there is no provision for the extirpation of noxious weeds on Government lands. In the district just mentioned by the Director of Public

Works, Kojonup, the noxious weeds are mainly on Government areas. Of course there are many on private lands as well; but if we intend to force private persons to clear their lands, there surely must be some provision made in the Bill to compel Government lands to be cleared, otherwise the clearing of the private lands will be perfectly worthless. It has been found so difficult in South Australia even to attempt to clear out the stinkwort, that the Government have abandoned the effort to do so, and I do not think there is now any law in existence in that colony to force people to clear their lands of that weed; at all events, it runs riot on Crown lands, though a great many people say it will in time die out; but that I can hardly believe. There is no doubt this is the great blot in the Bill. As to the administration of the law by the roads boards, I am inclined to agree with that proposal, because I believe that in the majority of cases the roads boards are in every respect fully alive to their duties, and I cannot agree with the member for Geraldton (Mr. Robson) in his statement that some other bodies should be entrusted with the enforcement of the Act. If the roads board in a district is not competent to look after the needs of that district, no other body can successfully do so. I shall not oppose the second reading, but I hope we shall in Committee amend the Bill so as to make it workable, though I am afraid we shall not be able to do so, seeing that the great blot is the absence of any provision for clearing these weeds from Government land.

THE COMMISSIONER OF CROWN LANDS in reply: I have no doubt that, when in Committee, several amendments will be made. One desirable amendment has occurred to me while the member for Albany (Mr. Leake) was speaking, with respect to Crown lands. Of course, in compelling the private owners of lands to clear them of noxious weeds, it is not likely that the department charged with the administration of the Act will neglect their own territory. I do not anticipate any serious difficulty in dealing with Government lands. I believe that in Committee we can make of this Bill a very decent and useful measure; and I should like to explain to hon. members that I have no fear whatever on

the score of expense. The inspectors under the Bill are already provided for. We have machinery for carrying out the law. Thus, all the inspectors of lands scattered throughout the country will become honorary inspectors under the Act; the manager of the Agricultural Bank, a host in himself, will become an honorary inspector; and so with the officers of my department engaged in reporting on insect pests, they will become honorary inspectors; so I have no fear as regards the expense of administration. I confess that the Bill in some parts appears to be cumbersome; but, with the aid of hon. members, I have no doubt defects will be entirely removed. I shall be very glad of the assistance of the House in making this a workable measure.

Question put and passed.

Bill read a second time.

WINES, BEER, AND SPIRIT SALE AMENDMENT BILL.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Proof of *bona fide* traveller:
Penalty for false representation:

MR. JAMES moved that after the word "defendant," "sets up as a defence, but" be inserted.

THE ATTORNEY GENERAL: The first line of the clause, "If in the course of any proceedings the defendant fails to prove," seemed dangerously wide. Surely that was not the intention?

MR. JAMES: The amendment would limit the scope of the clause.

Amendment put and passed.

MR. JAMES moved that the word "shall," in line 6, be struck out, and "may" inserted; also that in lines 7 and 8 the words "if they think the purchaser falsely represented himself to be a *bona fide* traveller, it shall be lawful for the justices to" be struck out, and the word "shall" be inserted.

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

Clause 3—Limitation to employment of females:

MR. JAMES moved that the clause be struck out, with a view of inserting a new clause. Clause 3 provided for the limitation of the hours of labour. By the new clause it was proposed that barmaids might be employed till 12 o'clock, pro-

vided they were not employed more than eight hours a day.

MR. A. FORREST: There could be no hard-and-fast rule.

MR. MONGER: There was no outcry from the barmaids.

MR. JAMES: As the clause stood in the Bill, barmaids would have to cease work at 11 o'clock at night, and it had been objected that this would lead to a reduction of wages, because certain bars were kept open till 12.

Amendment put and passed, and the clause struck out.

Clause 4—Penalties may be reduced in discretion of Justices:

MR. JAMES moved that the words "this or," in line 2, be struck out, and that after the word "Act," in the same line, the words "or any amendment thereof" be inserted.

Amendments put and passed.

MR. JAMES further moved that the words "shall not exceed the maximum prescribed penalty, but," in the third and fourth lines, be struck out, and that there be added at the end of the clause the words "not being less than the minimum penalty, or imprisonment where such a minimum is specially provided for."

MR. LEAKE: By certain sections of the principal Act, fixed penalties were provided, no discretion being left to justices. Such penalties had been inserted advisedly, and should not be altered rashly. The section of the principal Act dealing with sly-grog selling provided a fixed penalty of £30, together with imprisonment, for the first offence. Was it prudent to allow justices to use discretion in such a case? By the amendment, the penalty might be reduced to a nominal fine without imprisonment.

MR. MORAN: It should not be left in the power of justices to reduce the penalty for sly-grog selling.

Amendment put and passed.

Clause as amended put and negatived.

New Clause:

MR. ILLINGWORTH moved that the following be added, to stand as Clause 3:—

See South Australian Act, 43 and 44 Vict., No. 191.—The delivery to any person of any liquor by a licensed or unlicensed person, or by the owner or occupier of any licensed or unlicensed house or place, or by his or her servant or other person in any licensed or unlicensed house or place, shall be deemed to be sufficient

prima facie evidence of money or other consideration having been given or exchanged for such liquor so as to support a conviction, unless satisfactory proof to the contrary be given.

This clause was taken from the South Australian Act, and the object was to throw the onus of the proof on the person charged. The only alteration made in the clause had been made at the suggestion of the Attorney General, and that was to include unlicensed premises.

MR. MORAN heartily supported the clause, as a representative of a part of the country where sly-grog selling was carried on to a great extent.

Clause put and passed.

New Clause:

MR. JAMES moved that the following be added, to stand as Clause 4:—

If any person holding a license under the principal Act or any amendment thereof, or managing or conducting any premises licensed thereunder, shall employ any woman, or suffer any woman to assist or serve in or about any bar, or in or about the sale of liquor on the licensed premises—1. For a longer period than 48 hours in any one week, exclusive of such time as may be allowed for meals; or 2. On Sunday, Christmas Day, or Good Friday; or 3. After 12 o'clock on any night, he shall forfeit and pay for every such offence a fine or penalty of not less than Five pounds or more than Fifty pounds.

MR. WOOD supported the clause, though some amendment would be necessary. In the original proposition by the member for East Perth (Mr. James) a hard and fast line was drawn; but the clause in its present form would meet generally with the approval of hon. members. The number of hours per week were fixed at 48; but, considering the nature of the business, the hours might be extended to 54. At the present time he knew that barmaids worked from 13 to 14 hours a day, and to make the number of hours per week by this clause 54 would be a big concession. He moved that the word "forty-eight" be struck out, and "fifty-four" inserted in lieu thereof.

MR. A. FORREST opposed the new clause.

MR. GREGORY: The clause should be accepted by the Committee, though it would be advisable to increase the number of hours from 48 to 54. He knew many cases where girls were kept employed in bars for 13 and 14 hours a day, and sometimes until 2 o'clock in the morning; and it did seem curious that the Commit-

tee should be legislating to prevent girls from being employed on Sunday and until the hours he had mentioned, when hotels were supposed to close at certain hours at night, and not to be opened on Sunday at all.

THE ATTORNEY GENERAL supported the amendment, 54 hours being a fair compromise. The minimum penalty was too high, and might have the effect of preventing conviction.

MR. JAMES: The penalty could be reduced.

Amendment to new clause put and passed.

THE ATTORNEY GENERAL moved that in the last line the words "five pounds" be struck out and "two pounds" inserted in lieu thereof.

MR. WOOD said he would rather see the words "five pounds or more than fifty pounds" struck out, and "not less than ten pounds" inserted in lieu thereof.

MR. JAMES: If that proposal were carried, it would be impossible to get a conviction.

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

New Clause:

MR. JAMES moved that the following be added, to stand as Clause 5:

This Act shall be incorporated with the Wines, Beer, and Spirit Sale Act 1880 (the 44 Vict., No. 9), herein called the principal Act.

Put and passed.

Title—agreed to.

Bill reported with amendments.

BANK NOTE PROTECTION BILL.

On motion by MR. A. FORREST, the House resolved into Committee to consider the Bill.

IN COMMITTEE.

Clause 1—agreed to.

Clause 2—Penalty for defacing bank notes:

MR. MONGER said he desired to move that in line four the words "five pounds" be struck out and "one shilling" inserted in lieu thereof.

MR. LEAKE said he was going to invite discussion on the whole clause, by moving that it be struck out.

MR. A. FORREST: Why was this not done on the second reading?

MR. LEAKE: The Bill had already passed its second reading, but he did not think hon. members quite appreciated the effect of the measure. It was difficult indeed to understand what the object of the Bill was.

MR. A. FORREST: It was an exact copy of the Victorian Act.

MR. LEAKE: That did not make it a good Bill. Here a man was to be penalised for putting his name on a bank note.

MR. A. FORREST: If the hon. member read the whole of the clause, he would see that was not so.

MR. LEAKE: Taking the clause and the proviso together, a man was to be liable to a fine if he stamped his name on a bank note. Why should there be anxiety to preserve these documents, which were re-issued from banks in a state so filthy and dirty that they were really unfit for circulation. The mere fact of stamping or marking these notes could not possibly do them any harm. He did not know at whose instance this Bill had been introduced.

MR. A. FORREST: At the instance of the associated banks.

MR. LEAKE: Then was there any guarantee from the banks that they would issue clean notes?

MR. A. FORREST: Yes; he would read a letter to the Committee.

MR. LEAKE: It would be seen, on looking at Sub-clause *b* of Clause 2, that a double penalty was inflicted, because the party who defaced the note was unable to cash it, and, in addition, was liable to a fine of £5. This Bill would go into force straight away, and would be a nice stroke of business for the banks.

MR. A. FORREST: Why?

MR. LEAKE: Because it would enable banks to refuse payment on their notes.

MR. A. FORREST: No.

MR. LEAKE: That was possible, and it was a power that should not be given to banks, respectable as these institutions were.

MR. A. FORREST: If hon. members did not like the Bill, they could throw it out.

MR. LEAKE: That was exactly what he wanted to do. It would be interesting now to hear from the member in charge of the Bill as to this guarantee for the issue of clean notes.

MR. A. FORREST: During the second-reading debate, it was stated that the Bank of England never re-issued notes, and the reply he was now able to give to that observation was that the Bank of England was the richest corporation in the world, with a note issue of £28,000,000, whereas the banks here only issued notes to the extent of £290,000, and he could say that notes in this colony were withdrawn from circulation when they were not reasonably clean. The life of a bank-note, as a rule, was not more than three months, because most people took not the slightest care of a note, and it was a common practice for men to carry notes thrust loosely in the pocket, and every time they pushed their hand in they crumpled up the notes, so that in a few hours or a few days those notes became unfit to issue again. Every note issued in this country cost the bank 2d., and the bank managers said they ought to be protected as well as the public. It had been said in this House that typhoid and other diseases were spread by means of bank notes, but he was informed by bank managers that the officers engaged in the collection of notes that were disfigured had been doing that work for many years, and were all healthy men; thereby showing that practically there was no risk of the spread of disease through the handling of bank notes. He was assured that not a single officer engaged in this work in a bank in this colony had been known to contract typhoid or any other disease; so that the statements made by the hon. member (Mr. Vosper) were wrong. It would be very unfair, where competition in banking was so keen, to make the banks go to the expense of providing work for the printers by destroying every note after its first return to the bank. Bank managers informed him that the discoloration of bank notes and their dirty appearance were caused chiefly by the red dust on the goldfields. Managers also informed him that the notes in circulation in this colony would bear favourable comparison with the bank notes in other parts of Australia, so far as their good condition was concerned. In fact, there was so much labour involved in connection with bank notes that the banks would generally rather issue gold than the notes. This Bill was the law in other colonies of

Australia, and he hoped it would pass here.

MR. GEORGE: The hon. member was not to be congratulated on his conduct of Bills in this House. As to using bank notes, his own experience in using notes for paying wages on public works had satisfied him that bank notes were often too dirty and too dangerous for use. A few years ago he had assisted to burn a great number of disused notes for one of the banks in this colony. in 1894; and a dirtier, filthier, stunkier lot of notes he never wished to see again, for they were that black that a person could hardly distinguish what they were. The usual safe place, and in fact the only safe place, for a working man was to carry notes in his boot, and this accounted for a good deal of the dirt.

MR. A. FORREST: Bank notes were often defaced. That was what he objected to particularly.

MR. GEORGE: Any person putting an advertisement on a note, and defacing it, would make himself liable for payment of that note, in the event of the bank failing to meet it.

MR. LEAKE: What was the meaning of the phrase, "defacing a bank-note by marking it on its back"?

MR. A. FORREST: Notes were defaced both on the front and on the back.

MR. LEAKE: "Defacing" meant marking a note on its face, as far as he understood the meaning of words; and he noticed that the clause differed from the Victorian Act in the language used.

MR. MORAN: The penalty provided in the case of a note being defaced was too severe; and, besides the penalty, a poor man might be put to inconvenience in having a defaced note which he could not get converted into cash or goods.

MR. EWING: The holder of a defaced note was not liable to a penalty for defacing it, unless it could be shown that he was privy to the act of defacement.

MR. JAMES: The penalty appeared to be needlessly oppressive, for a person having a defaced note in his possession might not have been privy to the act of defacing, and yet it would be a source of inconvenience to have a note which he found it impracticable to convert because it was defaced.

MR. EWING: If the name of "John Jones" was stamped on a note by way of

defacing it, that was *prima facie* evidence that John Jones had defaced the note. A bank could not refuse to pay a note because it was defaced, but the bank could prosecute the person who defaced the note. The only penalty provided would apply to the person who defaced the note, and not the holder of the defaced note.

THE ATTORNEY GENERAL: As pointed out by the member for East Perth (Mr. James), the substantial objection to Sub-clause b was that it might prevent a poor man from purchasing goods with a bank note.

MR. VOSPER: And might establish a pernicious custom.

THE ATTORNEY GENERAL: A bank must, of course, cash all notes issued; but the sub-clause might impede the circulation of notes, and thus prove injurious to the banks themselves.

MR. A. FORREST said he would move that Sub-clause b be struck out.

MR. VOSPER: It was useless to reiterate the objections to the Bill he had raised yesterday. He moved that the Chairman do leave the Chair.

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

Ayes	...	...	...	7
Noes	...	...	...	12

Majority against ... 5

AYES.	NOES.
Mr. George	Hon. S. Burt
Mr. Illingworth	Mr. Ewing
Mr. Lenke	Sir John Forrest
Mr. Monger	Mr. A. Forrest
Mr. Moran	Mr. Hubble
Mr. Rason	Mr. Lefroy
Mr. Vosper (Teller).	Mr. Pennefather
	Mr. Phillips
	Mr. Piesse
	Mr. Solomon
	Mr. Throssell
	Mr. Doherty (Teller).

Motion thus negatived.

MR. VOSPER moved that all the words after "every," in line 1, be struck out. Bacteriologists had proved that bank notes were largely instrumental in spreading disease. The member in charge of the Bill, in refutation of this statement, had pointed to the healthiness of bank clerks; but that was accounted for by the fact that the notes, when in banks, were carefully disinfected. Besides, on the Coolgardie goldfields some two years ago, the mortality among bank clerks was larger than in any other section of the population. For economy's sake, some

local banks printed notes on cheap and spongy paper, making them continuous accumulators of filth. The machinery of Parliament should not be used to confer such a paltry favour on banks, though some hon. members seemed to appreciate the advantage of being on good terms with such institutions. Why waste the time of the country in trying to save to a bank a sum of twopence in respect of a dirty rag of which such an institution should be ashamed? Rubber stamps on notes were harmless, so long as the original printing of the notes was legible.

MR. GEORGE supported the amendment. The member in charge of the Bill had again allowed himself to become a mere delegate in regard to this matter.

MR. ILLINGWORTH called attention to the absence of a quorum.

THE SPEAKER having been called in, a quorum was formed.

THE CHAIRMAN resumed the Chair.

MR. GEORGE (continuing): As he was saying, this Chamber existed for the purpose of making laws for the benefit of the community at large; and a question was whether laws should be for the benefit of a large majority or a minority of the people, however influential that minority might be. This clause attempted to create an offence punishable by a fine, and it would be fruitful of trouble and be a nuisance. Every person was supposed to know the law of the country, but this law would have effect in distant parts of the country where the *Government Gazette* did not even penetrate, much less a copy of the statutes. Yet a man in the back-blocks might have his wages paid to him in defaced notes.

MR. VOSPER called attention to the absence of a quorum.

THE SPEAKER having been again called in, a quorum was formed.

QUESTION OF ORDER.

THE PREMIER: I should like to call your attention, Mr. Speaker, to what I call wilful obstruction on the part of the member for the Murray (Mr. George) of the business of this House. At the present he is talking against time, and I ask you whether the whole business of the House is to be obstructed and interrupted by the hon. member in order that he may carry out some idea of his own.

MR. GEORGE: May I be permitted to speak?

THE SPEAKER: No. I think that what has been going on here this evening is rather an abuse of the forms of the House. Twice I have been called into the Chair, having been brought in by the Chairman, who reported that there was no quorum; and immediately I take my seat a quorum is formed. The Premier has called my attention to the fact, and I would just like to read to the hon. member the Standing Order on this matter:

Whenever any member shall have been named by the Speaker, or by the Chairman of the Committee of the whole House, immediately after the commission of the offence of disregarding the authority of the Chair or of abusing the rules of the House by persistently and wilfully obstructing the business of the House, or otherwise, then, if the offence has been committed by such member in the House, the Speaker shall forthwith put the question on a motion being made—no amendment, adjournment, or debate being allowed—"That such member be suspended from the service of the House"; and the Chairman, if the offence has been committed in a Committee of the whole House, shall put the same question in a similar way; and, if the motion is carried, shall forthwith suspend the proceedings of the Committee, and report the circumstance to the House, and the Speaker shall thereupon put the same question, without amendment, adjournment, or debate, as if the offence had been committed in the House itself.

Both the Speaker and the Chairman of Committees are powerless to take any action unless a motion be made that the member be suspended, and if that motion be made I shall be prepared to act upon it.

THE PREMIER: I do not propose to make that motion; but I thought some observations of yours, Mr. Speaker, might have the desired effect.

MR. VOSPER: That the hon. member be reported?

MR. GEORGE: I should like to know what the right hon. gentleman is complaining of. He has not been in the House, and does not know what my argument is. He has formed his opinion upon hearsay.

THE SPEAKER: If the hon. member continues to speak for the purpose of obstructing the business, it comes under the ruling.

MR. GEORGE: Will you allow me one moment? If a member in his place

thinks, for the purpose of explaining his views, he should speak at some length—

THE SPEAKER: Whom does the member allude to as "the hon. member"?

MR. GEORGE: I am alluding to myself. The Premier has alluded to myself, but he has not been in his place two minutes during the bulk of the time I have been speaking. Then the Premier comes in here and claims your protection, Mr. Speaker, from that which he has not the courtesy to listen to. I would call it an abuse of the liberty of the subject.

THE SPEAKER: If I were in the Chair and found the hon. member talking for the purpose of obstructing the business of the House, I should name him.

MR. VOSPER: Has any charge been made against the member for the Murray?

THE SPEAKER: A charge need not be made, but the Speaker or the Chairman can act upon his own authority, and after he has done so it remains for a member of the House to make a motion.

MR. GEORGE: There is only one member of the House who would do that, the member for West Kimberley (Mr. A. Forrest), who is the only mean man in the House.

IN COMMITTEE.

The **SPEAKER** having retired, the **CHAIRMAN** resumed the Chair.

MR. GEORGE (resuming): If the Chairman should find that he (Mr. George) was obstructing the Bill, and would say so, then he would at once resume his seat. He would take no notice of the Premier, for the simple reason that if he did so he should have to say things he would be sorry for afterwards. Before being interrupted he was speaking on the amendment, and the hon. member who moved it was desirous, so far as he understood the remarks, that the rights of the majority of the people should not suffer by privileges being granted to a minority, however small. Take the case of a man in the back blocks, a gold digger, or a "bullock puncher" in the Kimberley: if ever he got paid in notes, or if ever he got paid at all, that man might receive payment in notes, and the man would be willing to take the notes offered to him, irrespective of any defacement. What would be more natural than that a man should take a note which was stamped on the back? He

would take the stamp more as a guarantee that the notes were genuine. A man might have taken notes of the defunct Provincial Bank of Victoria, which were issued at Geelong 18 or 20 years ago; and if those notes were indorsed with a stamp or the name and address of a responsible firm, then anyone cashing the notes would be able to recover the amount from the person whose name was indorsed on the note. If the present amendment were defeated, it should not be considered out of place to reduce the penalty from £5 to a merely nominal amount. Sub-clause b threw the onus on the person who attempted to pay a defaced note into a bank as a deposit. One would have thought the mere fact of a note being accepted by the bank should be sufficient to remove the onus from the man; but the Bill went further, and said that if a person offered a note as a deposit, and it should be accepted by the bank officers through inadvertence, still he would be held liable for it. If it had been stated the bank authorities could refuse to receive the note, there might be some reason for it; but when a defaced note went into a bank, instead of the officials being ready to jump upon a poor unfortunate person who brought it there, they ought to be rather pleased that it had been brought into the place, that they might have an opportunity of withdrawing it from circulation. As to the statement that the expense to the bank was too great, the banking authorities could easily obviate that by not issuing notes. He presumed banks did not issue notes unless there was some advantage to themselves. There was no reason why they should not be compelled to issue clean notes. In 1894 he burned 13 sacks of disused notes for one of the banks of the colony, and one respected officer of the bank, whose duty it was to see that every note was burnt (Mr. Law), became seriously ill from the abominable stench which arose from the burning of those notes, and two of his (Mr. George's) men also became ill. The proviso in the clause said it should not be deemed an offence "for the holder or holders of a bank note to indorse it with their signature or signatures, in writing, for the purpose of identification." The man who could write upon a dirty and greasy bank note in the state people received it

had not yet been born. The only way to make the notes so that they could be indorsed after they had passed into circulation would be to treat them with some kind of acid, to extract not only the dirt, but the grease accumulated upon them. They could not be written upon with any ordinary ink. Strong as the acid of red ink was, it would not make any effect unless one used a whole pot of it, which would deface the note. An india-rubber stamp, with an ink in which a sort of aniline dye was used, would make an impression. The Bill said a person should not use the only means of identification one could use, namely, an india-rubber stamp.

MR. ILLINGWORTH called attention to the absence of a quorum.

THE SPEAKER was again called in, and a quorum was formed.

THE CHAIRMAN resumed the Chair.

MR. GEORGE (continuing) : The proviso said distinctly it should not be an offence to indorse the notes by writing a signature, by using a pen and ink. The filthy condition of the notes would not allow an ordinary pen and ink to be used, and the only way in which the indorsement could be made would be by means of an india-rubber stamp.

THE CHAIRMAN : The hon. member must be warned that he was using too much repetition.

MR. GEORGE : A dirty greasy bank note could not be indorsed with an ordinary pen and ink, but by means of an india-rubber stamp; but the Bill said if an india-rubber stamp were used, the person who used it would be committing an offence.

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

Ayes	...	...	...	4
Noes	...	...	...	16

Majority against ... 12

AYES.
Mr. George
Mr. Locke
Mr. Monger
Mr. Vosper (Teller).

NOES.
Mr. Doherty
Sir John Forrest
Mr. A. Forrest
Mr. Hubble
Mr. Illingworth
Mr. Lefroy
Mr. Morgaus
Mr. Pennefather
Mr. Phillips
Mr. Piesse
Mr. Quinlan
Mr. Rason
Mr. Robson
Mr. Throssell
Mr. Wood
Mr. Solomon (Teller).

Amendment thus negatived.

MR. MONGER moved that the words "five pounds" be struck out, and "one shilling" inserted in lieu thereof, as a penalty.

MR. A. FORREST : If the penalty were made "not exceeding one pound," he would agree to it.

MR. MONGER : No. It had not been brought under the notice of members that the bulk of bank notes were for £1, and to ask for such a penalty as £5 for defacing one of these notes seemed the quintessence of injustice. The bank which would charge a person for defacing one of these £1 notes must have some idea to participate proportionately in the fine that would be inflicted.

MR. A. FORREST : The banks were above that.

MR. MONGER : Such a penalty was altogether unreasonable, and he hoped the Committee would vote for the amendment, and thus show their disapproval of one of the greatest farces in the shape of a Bill that had ever been brought under the notice of the Legislature.

Question — that the words "five pounds" be struck out — put and passed.

Amendment — that the words "one shilling" be inserted — put, and a division taken with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	16

Majority against ... 12

AYES.
Mr. George
Mr. Monger
Mr. Vosper
Mr. Moran (Teller).

NOES.
Mr. Doherty
Sir John Forrest
Mr. A. Forrest
Mr. Hubble
Mr. Lefroy
Mr. Locke
Mr. Morgans
Mr. Pennefather
Mr. Phillips
Mr. Piesse
Mr. Quinlan
Mr. Robson
Mr. Solomon
Mr. Throssell
Mr. Wood
Mr. Rason (Teller).

Amendment thus negatived.

MR. GEORGE moved that the words "five shillings" be inserted.

MR. A. FORREST said he would be willing to have the penalty made not to exceed £1.

MR. GEORGE : But hon. members would not agree to that. The member in charge of the Bill was trying to create

one of the biggest blots that could disgrace any deliberative and legislative assembly.

MR. LEAKE: The member for West Kimberley had informed the Committee that the value of a bank note was about twopence.

MR. A. FORREST: That was what a note cost to print.

MR. LEAKE: And it was proposed to fine a man £1 for defacing this twopennyworth of paper!

MR. A. FORREST: The only desire was to stop the defacing of bank notes.

MR. VOSPER: The amendment was reasonable. A penalty of £1 would be monstrous in proportion to the value of the note.

THE PREMIER: Besides the value of the paper, there was the cost of clerical labour in registering.

MR. VOSPER: Whether the Bill passed or not, the bank staffs would remain unaltered, and the net cost of a note to a bank would not amount to more than 1s. Was it not preposterous to fine a man £1 for affixing one rubber stamp to a £1 note?

MR. A. FORREST: In Victoria, the penalty was £5.

MR. VOSPER: The Committee were not bound to follow that colony.

MR. A. FORREST: But the hon. member did so when it suited him.

MR. VOSPER: Some hon. members were prepared to follow any colony in a devious course which had nothing to recommend it. If the amendment were negatived, not only would an offender be fined, but the bank note in his possession would be rendered valueless to him.

THE PREMIER: No; that provision would be struck out.

MR. VOSPER: If a note were defaced by 10 different rubber stamps, why should the last defacer only be prosecuted and the others go free? Why not have a fixed penalty of 2s. 6d., 1s., or £1?

MR. A. FORREST: One pound was the maximum.

MR. VOSPER: Why fine a man £1 for stamping a £1 note?

THE PREMIER: It might be a £10 note.

MR. VOSPER: The £1 notes being most common were most likely to be defaced. If passed, magistrates would be loth to enforce such a tyrannous law.

Let the Bill be reduced to some semblance of reason.

MR. A. FORREST: The main object of the Bill was to strike at tobaccoists and sweep promoters, who, during a few years past, had been extensively advertising on bank notes. To dispute as to the amount of the penalty was to make the Bill much more important than he had thought it was when requested to introduce it by the associated banks.

MR. GEORGE: Then the hon. member was a delegate?

MR. A. FORREST: Undoubtedly. Every Bill must be introduced by some hon. member. It was surprising that the member for North-East Coolgardie (Mr. Vosper), who was a newspaper proprietor, should seek to protect people who advertised on bank notes instead of through the legitimate channel in the public Press.

MR. GEORGE: That also applied to the *Morning Herald* proprietor. "The cat was out of the bag."

MR. A. FORREST: Referring to the stonewalling of the hon. member (Mr. George), he was surprised that the Chairman had not taken strong measures during the last two hours to suppress that hon. member. The absence of the hon. member for a week would be of benefit to the country. Why should Government supporters be compelled to keep a House for the edification of hon. members in respect of a small Bill like this? The Opposition members did not assist in forming a quorum. The banks required the Bill, and traders of the country should support the banking institutions.

MR. ILLINGWORTH: In supporting the second reading, he had aimed at the insertion of an amendment penalising banks which issued defaced or dirty notes. The penalty now being discussed was the penalty he desired to inflict upon banks; consequently, if the penalty were reduced to 5s., it would destroy the object he had in view.

MR. MORAN: A bank might issue many dirty bank notes in the course of a week, and the penalty of 5s. for the issue of each note would amount to a large sum; but the penalty of 5s. on a storekeeper for issuing one dirty note would not be much. Could the member in charge of the Bill assure the Committee that this law was in force in all the Australian colonies.

MR. A. FORREST: It was in force in Victoria, and he thought in the other colonies.

MR. MORAN: A Bill of this character was a serious matter in a young country like this, where so many working men knocked about in the back blocks; because if any person had a stamped or defaced bank note in his possession, that was *prima facie* evidence that the person was an accomplice. This Bill could well have been left over for a year or so, as we had more important matters for consideration. He did not approve of sweep promoters advertising on the back of notes, but if members wanted to stop sweep promotion, let them bring forward legislation in the proper manner, and not try to get at the sweep promoters in an indirect way. A man might say he marked a note for identification, and who was to say such was not the case? This was redundant legislation, because large machinery was set in operation for the purpose of preventing sweep promoters advertising on the back of notes.

MR. MORGANS: The object of the Bill was to prevent people from advertising on the back of bank notes, but it did not follow that because anyone inadvertently defaced any bank note, such a person would be fined 20s. All the circumstances would be looked into, and a suitable penalty be inflicted; not necessarily the maximum. The argument of the member for North-East Coolgardie (Mr. Vosper) was that a man should not be fined £1 because he defaced a bank note which was worth only twopence. We had heard of a man being fined £2 for stealing a penny cabbage, but that penalty was inflicted to prevent the practice of stealing, and the object of the Bill was to prevent advertising on the back of bank notes.

MR. GEORGE called attention to the absence of a quorum.

The SPEAKER was again called in, and a quorum was formed.

THE CHAIRMAN resumed the Chair.

MR. MORGANS: There was an unreasonable opposition to the Bill, and hon. members who were opposing it did not seem to have any real ground for doing so. Hon. members were taking up the time of the House unreasonably.

Amendment (to insert "five shillings") put, and a division taken with the following result:—

Ayes	...	...	...	4
Noes	...	...	...	15

Majority against ... 11

Ayes.	Noes.
Mr. Monger	Mr. Doherty
Mr. Moran	Sir John Forrest
Mr. Vosper	Mr. A. Forrest
Mr. George (Teller).	Mr. Illingworth
	Mr. Lefroy
	Mr. Locke
	Mr. Morgans
	Mr. Pennefather
	Mr. Phillips
	Mr. Piess
	Mr. Quinlan
	Mr. Robson
	Mr. Throssell
	Mr. Wood
	Mr. Hubble (Teller.)

Amendment thus negatived.

MR. MONGER moved that "ten shillings" be inserted as the penalty.

Amendment put and negatived.

MR. ILLINGWORTH moved that the words "one pound" be inserted as the penalty.

MR. GEORGE: It had been the expressed intention of various members that they would force the Bill through to-night, even if they sat all night. They had not had the manliness to say it in their place in the House, when notice could have been taken of it. He would like it placed on record that this sort of bullying was the sort which, in other matters, led to revolution. He objected to the penalty of £1, which was altogether out of proportion to the offence.

MR. A. FORREST: There was not the slightest objection to fixing the penalty at a sum not exceeding £1.

MR. GEORGE: If a man, wishing to send £1 away by post, went to the bank and for a sovereign obtained a note, that note was as much his property as any article he could buy in any other shop; yet it was proposed in the Bill that this penalty should apply, if the man marked that note in any way. He (Mr. George) was now taking the only constitutional means he had of carrying out his views, and surely, if a man believed himself to be in the right, he could not be blamed for fighting to a finish. But the Premier, instead of relying on arguments, must needs invoke the authority of the Speaker to gag discussion. The Bill would be found unworkable, because it was unjust, struck at the liberty of the subject, and

created a new offence. It would place a blot on the statute book which the member in charge, if he had any shame at all, would regret for the rest of his life. That hon. member had acknowledged that he was simply the delegate of the banks, and was carrying out orders he had received from somebody who was the power behind the throne.

Amendment (Mr. Illingworth's) put and passed.

MR. MONGER further moved that after "who," in Sub-clause *a*, line 1, the words "within six months" be inserted.

Amendment put and passed.

MR. ILLINGWORTH moved that paragraph *b* be struck out, and the following inserted in lieu thereof: "Or any bank which issues defaced, torn, or unclean notes." It would be unfair to make the individual in possession of a note practically responsible for the defacement.

MR. MORAN supported the amendment. Sub-clause *b* was most objectionable.

MR. A. FORREST accepted the amendment.

MR. MORAN: The amendment would be most disagreeable to the banks if carried, and there would quickly be a petition to this House for repeal of the measure.

MR. ILLINGWORTH: Before any penalty could be imposed on a bank, some person must take action against the bank; and unless the bank continued to issue dirty notes, no action would be taken against it.

Amendment (Mr. Illingworth's) put and passed, and the new sub-clause inserted in the Bill.

Clause, as amended, put and passed.

Clause 3—agreed to.

Title—agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House adjourned at 11:20 p.m. until the next day.

Legislative Assembly,

Thursday, 21st September, 1899.

Companies Duty Bill, Legislative Council's Amendment—Pharmacy and Poisons Act Amendment Bill, second reading—Police Act Amendment Bill (Betting), in Committee, Clause 2, Division, progress—Public Service Bill, in Committee, Clauses 1 to 6, progress—Adjournment.

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

PRAYERS.

COMPANIES DUTY BILL.

LEGISLATIVE COUNCIL'S AMENDMENT.

Suggested amendment made by the Council was considered.

IN COMMITTEE.

New Clause—"This Act shall only remain in force until the 31st December, 1902":

THE PREMIER moved that the suggested amendment be agreed to.

Question put and passed, and the new clause added to the Bill.

Resolution reported, report adopted, and a message accordingly transmitted to the Legislative Council.

PHARMACY AND POISONS ACT AMENDMENT BILL.

SECOND READING.

MR. JAMES (East Perth): I beg to move the second reading of this Bill, which provides certain remedies for defects which exist in the Pharmacy and Poisons Act of 1894, and which makes provision for more effectually carrying out the principles on which the original Act is based. When that Act was passed, it was adopted by the House because it was realised that a duty was placed in the hands of chemists of such a nature that provision should be made to secure the safety of the public by providing that every person acting as a chemist and compounding medicines should be qualified. Unfortunately the wording of the principal Act has not succeeded in carrying out the object which the Legislature had in view, and in a number of cases chemists' shops, which purport to be branches of other shops, are not carried on under the control of qualified assistants, but are carried on by persons who are not qualified. For the purpose of remedying the evil, Clause