

"MR. PRESIDENT AND HONOURABLE
"GENTLEMEN OF THE LEGISLATIVE
"COUNCIL,—

"MR. SPEAKER AND GENTLEMEN OF THE
"LEGISLATIVE ASSEMBLY,—

"The war between Great Britain and
"the South African Republics, which is
"now raging, has aroused into great
"activity throughout Australia the feeling
"of loyalty and affection for the mother
"country, and every Australasian colony
"has sent troops to assist in the war. In
"this colony great enthusiasm prevailed
"on the departure of our Contingent, and
"satisfaction was expressed on all sides
"at the ready response that was made to
"the appeal for volunteers to serve with
"Her Majesty's regular army in South
"Africa. The two great works now under
"construction, viz. the project for sup-
"plying the Coolgardie goldfields with
"water and the Fremantle harbour works,
"are both being energetically proceeded
"with, and great advancement towards
"completion is expected during the
"coming year. I now prorogue this
"Parliament till Wednesday, 25th April
"next."

The session then closed.

Legislative Assembly,

Saturday, 16th December, 1899.

Motion:—Sunday Sale of Soft Drinks; to relax Police
Act (withdrawn)—Discharge of Orders (3)—Compli-
mentary Remarks, close of Session—Prorogation;
Assent to Bills.

MOTION—SUNDAY SALE OF SOFT DRINKS.

TO RELAX POLICE ACT.

MR. HALL (Perth) moved:

That, in the opinion of this House, no prose-
cutions should be instituted by the police
against persons selling non-intoxicating drinks
on Sundays, and that the Police Act be altered
accordingly as soon as possible.

While regretting the necessity of bringing
this matter forward at so late a period,
the fact remained that according to the
Police Act, persons were not allowed
to keep open any premises on Sunday
for the purpose of selling non-intoxi-
cating liquors, nor even to sell a little
fruit. Section 60 of the Act contained
a specific provision against Sunday sell-
ing, and provided a penalty not exceeding
£5 for each offence. Towards the end of
last summer, the police prosecuted some
dozen persons for selling non-intoxicating
drinks on Sunday, and convictions were
obtained. It seemed to him a monstrous
thing that during the hot period of the
year, parents bringing their children into
town, or crossing the water to the Zoo-
logical Gardens, or seeking recreation in
the several parks around Perth, were not
to be allowed to obtain a drink of
lemonade or squash, or something of the
kind. In Queensland some years ago
the same prohibition was in operation,
and many persons were prosecuted for
selling soft drinks on Sunday. Mr.
Justice Lilly, in dealing with one of
these cases, said he looked upon soft
drinks as being necessary to people on
Sunday the same as any other day, and
said he must refuse to convict in spite of
the law; or if he found that he was
obliged to convict, he would fine the
offender in the sum of threepence and no
costs. What was good for the hot
climate of Queensland must be equally
good for this climate; and he (Mr. Hall)
felt sure this House would see the neces-
sity of allowing the soft-drink shops to
keep open on Sunday, and there should
be a similar relaxation in regard to
selling fruit on Sunday, as fruit was
almost as necessary as harmless drinks,
especially in hot weather.

THE PREMIER (Right Hon. Sir J.
Forrest): With regard to the purpose of
the motion, he had no objection to it; but
the matter would require looking into,
and he thought it need not affect the
law. He would confer with the Com-
missioner of Police on the subject.
Speaking for himself, he was quite in
sympathy with the motion in regard to
non-intoxicating drinks; and the only
difficulty was that under the guise of
selling non-intoxicating drinks on Sunday,
persons who kept these places open might
sell something else. In a climate like

this, it was desirable that people should be able to obtain non-intoxicating drinks and fruit on any day.

MR. ILLINGWORTH (Central Murchison): It was desirable to impress on the Premier, as Minister in charge of the Police Department, that great care would be necessary in carrying out the intention of this motion; for, on the goldfields particularly, nine-tenths of the so-called soft-drinks shops were really sly grog-shops.

MR. HALL: This motion would not affect them, because they existed already.

MR. ILLINGWORTH: Licensed public-houses were supposed to be closed on Sunday, though they were not closed in reality, and the effect might be simply to concentrate the selling of sly grog in soft-drink shops on Sunday. Therefore the Premier should take steps to protect the revenue, and to safeguard the matter in other ways.

THE PREMIER said he quite concurred with the hon. member.

MR. LEAKE (Albany): This motion was too sweeping altogether; and the hon. member having expressed his opinion, should withdraw the motion, particularly after the Premier's promise that the matter would be inquired into. It was most dangerous for this House by resolution to attempt to set aside the law, or to suggest that the law should not be enforced, however good the object and intention might be. The mover would be aware that in cases where certain offences were dealt with summarily, it was open to any common informer to lay an information, and in such event a resolution of this kind would not be binding on that person or on anybody. Circumstances might arise in which the police might think fit to prosecute a person for what might be called a technical breach of the law, and might do it perhaps with the idea of attaining some other end or object. If this motion were passed, he took it that the object of the hon. member was to prevent any prosecution in respect of Sunday selling of non-intoxicating drinks; but he (Mr. Leake) asked the House to pause before assenting to that proposition. Although the motion seemed to be harmless and inoffensive, yet he felt disposed to divide the House if the hon. member pressed the motion. He hoped the motion would be with-

drawn, and that the hon. member would leave it to the good sense of the police not to institute vexatious prosecutions, but to see that the spirit of the law was carried out.

MR. HALL (in reply): From the feeling of the House and the Premier's remarks, he took it that any person legitimately selling soft drinks on Sunday would not be prosecuted, pending an alteration of the Police Act. If the Premier would promise that no unnecessary prosecutions would take place, he would be pleased to withdraw his motion, which was submitted only because there was not time at this late hour of the session to introduce an amending clause in the Police Act.

Motion, by leave, withdrawn.

DISCHARGE OF ORDERS.

On the motion of the **PREMIER**, three Orders of the Day relating to proposed erection of storage sheds at principal goldfield towns, the prohibition of lotteries on horse-races, and the formation of a permanent military defence force, were discharged.

COMPLIMENTARY REMARKS, CLOSE OF SESSION.

THE PREMIER (Right Hon. Sir J. Forrest): Before the prorogation I would like to ask your indulgence, Mr. Speaker, and also the indulgence of hon. members, to say a few words. My desire is to thank you, Mr. Speaker, for the courtesy and consideration you have shown to hon. members during this arduous and protracted session. I desire at the same time to thank the Chairman of Committees (Mr. Harper) for his services as Deputy-Speaker during the time of your absence on leave, and also for his services as Chairman; and I further desire, on behalf of hon. members, to thank the officers of the House for their assistance and uniform courtesy. All the officers of the House have had a long and most trying session. It has been trying to hon. members; and when we remember that the officers of the House, including yourself, have to be always here, and often for many hours at a time, it will be seen they have an arduous duty. It is with peculiar satisfaction I address you to-day, sir, on

behalf of hon. members, because you have for such a long time presided over the Legislative Assembly of this colony, not only this Assembly under responsible government, but also under the old Legislative Council, which was the forerunner of the present Constitution. In the history of Australia, your position is unique amongst the Speakers on the continent at the present time. You have been 13 years Speaker of this House continuously—four years under the old Constitution and nine years under the present Constitution, and you have been 31 years a member of the Legislature of the colony. That is something to be proud of, but it must be prouder still for you to know that at the end of this long period of service you are honoured and respected by every member of the House. I have great pleasure in conveying to you my own thanks and also the thanks of the Government, for the courtesy and consideration you have always shown, and the assistance you have always rendered to us during the many years we have been associated with you in the Parliament of this country. Before I sit down I should like to express the hope that we all, both members who support the Government and those in Opposition, part to-day on as good terms of friendship as those with which we began the session. We have our differences, and we say hard words—I know I do sometimes, unfortunately, in regard to members opposite—but I can assure them I very soon forget, and do not want to remember or be told anything about the differences or hard words. I can only say that, so far as I am concerned, I part from hon. members to-day with feelings of friendship, and with expressions of thanks for many kindnesses extended to me during the session. I should like to say, in conclusion, that I wish you, Mr. Speaker, the Chairman of Committees, the officers of the House, and all hon. members present, a merry Christmas.

MR. LEAKE: I hope I may be permitted to express, on behalf of members who sit on the Opposition side of the House, their appreciation of the remarks which have been made by the Premier, and particularly of all that has been said in regard to yourself, sir, as Speaker of this Assembly. If there is one member of Parliament who has the respect of

his fellow men, it is yourself; and on both sides of the House we feel a peculiar pleasure in the fact that you are permitted to preside over us, and hope you will occupy the Chair for many years to come. The thanks of the House are due, as the Premier has said, to the Chairman of Committees, who discharged your duties during your absence; and we have always felt that the gentleman who presides over this Assembly is guided by every idea of impartiality, and a desire to administer the rules of the House with an even hand. The session is brought to a close, and it is a great pity we had not this heat wave some little time ago, when we might have been saved three or four weeks' work. But be that as it may, we have managed to get through a certain amount of work during the year, and in all honesty I hope the Premier will not think I am satirical when I express the trust that on another occasion Bills will be submitted immediately Parliament is opened, and not be put off to such a late hour. Had we had Bills before us at an earlier date, the business of the session would have been facilitated; but perhaps the delay is owing to the fact that the drafting department is not altogether organised as it might be, and I hope this matter will receive the attention of the Government. As to the expressions of goodwill and feeling the Premier has uttered, I heartily reciprocate them. Whatever hard words have been used, I am not conscious they have been used on this side of the House. I do not think I have ever used any hard words since I have been a member of the Assembly; but if I have, I withdraw them all, and say I look forward to the recess with a feeling that, whatever has happened, I have not made an enemy in the House. Perhaps hon. members will not believe it, but this is probably the last time I shall address the Assembly for many years to come; because I am afraid circumstances have arisen which will compel me to retire from politics.

THE PREMIER: I hope not.

MR. LEAKE: I mention this merely for the purpose of showing that I really entertain feelings of goodwill and fellowship for all members in the House; and should I retire, I only hope that I may leave behind me some feelings of personal goodwill. In any circumstances, I shall always recall with pleasure the feeling

which I have personally, and which hon. members generally have, with regard to yourself as Speaker. I can assure you again that we respect you as you would wish to be respected, and that you have the goodwill of every member of the Assembly.

THE SPEAKER: Honourable members,—I can assure you I have heard with very great satisfaction, and largely appreciate, the remarks that have been so kindly made by the leader of the Government and the leader of the Opposition, with regard to the performance of my duties as Speaker of the House. Of course, I need not tell you it is rather a wearisome thing sitting here so many hours as I do sometimes, especially in the late hot weather; and very great discretion has to be used by the person occupying the Chair, in conducting the proceedings of the House. Sometimes I have heard it said, "Oh, you know, the Speaker is what you call a very strong Speaker." I do not know exactly how that term is being interpreted; but I do not think I have given any rulings that were unjust or overbearing. In fact, if I were to ask myself the question, I should say I am a little too forbearing; but that is because I do not wish to unnecessarily irritate members, by giving rulings which may not perhaps be absolutely required. I was rather surprised, therefore, to see a leading article in one of the Perth newspapers, about the beginning of September, saying the Speaker of the Assembly had got into the habit of rather harassing members by making technical rulings on points of order. I know an explanation may be unnecessary; but this article went on to say this was a very different state of things from that which prevails in the House of Commons, where probably the Speaker only makes two or three rulings during the session. I have looked up the *Hansard* reports of the House of Commons, and I see that during the first fourteen sitting days in August, 1895, under the presidency of the Right Hon. N. C. Gully, who is considered a most excellent Speaker, there were questions ruled out of order amounting to 12 rulings; on points of order

in debate, 46 rulings; and miscellaneous rulings, 24, making a total of 82 rulings; therefore I think my proceedings here will compare favourably with that record. Of course, we must recollect there are 650 members in the House of Commons, while there are only 44 members here; but still, when we find a newspaper saying only two or three rulings are given in the House of Commons in the course of a session, and we actually find that in 14 days there were 82 rulings, I really think newspaper people ought to satisfy themselves as to the accuracy of statements, before publication. I return my best thanks for the kindly way in which the Premier has been pleased to express his appreciation of my services. I hope I may not be considered egotistical when I say that I consider I can do more good to the colony in the position I occupy than I could in any other position, owing to my long parliamentary experience; and that is the reason I have continued, with your approbation, to so long preside over the Assembly. I may hope to be permitted, on behalf of the Chairman of Committees, to thank the House for having coupled his name with mine. Personally, I owe him a deep debt of gratitude for having performed my work during the time I was absent in England. I also wish to return thanks on behalf of the officers of the House, who, I am assured, have done their utmost to further the convenience of hon. members during the long session. Gentlemen, I again thank you for your kind words. [General applause.]

PROROGATION.

ASSENT TO BILLS.

At seven minutes past 12 o'clock a message was received from the Governor, and accordingly Mr. Speaker and hon. members proceeded to the Legislative Council Chamber, where His Excellency was pleased to give assent to 38 Bills of the session, in addition to others assented to previously, reserving two Bills for the approval of Her Majesty, and also delivered an address proroguing Parliament. [Vide Council proceedings.]

The session then closed.