

trate could have given 100 lashes and three years' imprisonment—[MR. VOSPER: It is a Criminal Act]—and that would possibly in the old times have been carried out, but I do not go so far as to say such a sentence would in this case have been a just punishment. I would like to point out that when the lash was used years ago it was such a thing as no doubt the word "cruelty" could be applied to, because it was at that time a barbarous punishment, and the weapon used could not be used without inflicting a large amount of pain, because the weapon was knotted catgut, and the severest punishment a man could bear. At present the weapon for whipping is a mere plaything. (General laughter.) Hon. members may laugh, and say "Oh," but I should like them to see for themselves. (More laughter.) It is not so much the feeling of the whip that is a deterrent in a matter of crime, but it is rather the fact of getting that punishment before their fellow-men.

MR. GEORGE: That is where the punishment comes in.

MR. SOJOMON: I might mention that one of these men had been found guilty of garotting. [MR. VOSPER: Gaol-breaking is not garotting.] But this man was in for fifteen years for the crime of garotting, and who is to know, if he had got away, that some innocent person might not have suffered at his hands? These penalties are inflicted, not so much as a punishment as a deterrent. I can assure hon. members that there are men in that gaol who, if such punishments were not inflicted, would not hesitate to try to get beyond the walls and do further mischief. I thought it necessary, as a brother magistrate, to speak on this matter, because for the nine years I have sat with the gentleman whose conduct has been questioned I have always found him very lenient. I must apologise for having made any remarks on this matter; but I felt that I was called upon, in my position, to vindicate the character of a gentleman who has been in the service so long, and deserves commendation rather than condemnation.

MR. MITCHELL (the Murchison): Mr. Speaker,—In addressing myself to the motion on the Address-in-Reply to the speech we heard a few days ago from the Governor, I feel called upon to offer my congratulations to you on being again

selected to preside over this honourable House. I have also to express my pleasure at seeing the right hon. the Premier back in his place. I may tell you, sir, that I had not the slightest idea of speaking on the question of federation on this occasion. From what fell from the lips of the Attorney General I take it to be his wish that we should only deal with this measure when in committee. But, inasmuch as other members have had their say, I do not see why I should not be allowed to have my say. In any case, what I say will be very little indeed. We were told by an hon. member last night that we did not know anything about federation. Well, I think it is no disadvantage for us not to know anything about it. The less we know about federation for some time to come, the better it will be for Western Australia. It is but a short time since we obtained the privilege of managing our own affairs, and Responsible Government was conceded to us. It will be admitted by all members, and the colony generally, that we have done very well under our new Constitution. We have made great strides in progress, and that progress is attributable to three causes, namely,—first, the change in the Constitution of the colony; secondly, the discovery of gold; and thirdly, and last but by no means least, the administrative ability shown by those gentlemen who have been entrusted with the management of our public affairs. We are told if we get federation we shall have freetrade; and there is no doubt about the truth of that. [MR. LIVINGWORTH: Who said that?] Well, we shall have freetrade so far as the federated States are concerned. Freetrade may seem very nice in the abstract; but, perhaps, in speaking on this subject, "free ports" would be a better term. However federal freetrade may be described, I do not think Western Australia would participate in the advantages which many of the colonies would enjoy. We, here, have nothing whatever to send to the other colonies, whereas the other colonies have plenty to send to us; and therefore, I say, we could not participate in the advantages of free ports. We have done so well under Responsible Government in Western Australia that I would ask hon. members to think before they record their votes for anything that might lead to



giving up the right to manage our own affairs—a right near and dear to all British subjects. A few years ago I suppose none of the other colonies would have asked us to join in federation. They would have told us that we had nothing on which to federate with them; but, since we have been fortunate enough to discover gold and make such vast progress, they are only too glad to get us to go in with them.

MR. ILLINGWORTH: Before gold was discovered the other colonies asked us to federate.

MR. MITCHELL: I question that very much.

MR. ILLINGWORTH: It is a fact all the same.

MR. MITCHELL: I have more faith in the ability and wisdom of members of this House than to believe for one moment they will vote for the giving up of the right to manage our own affairs; and as soon as we do federate, we should have to give up that right. I hope that both sides of the House—perhaps I ought to say the three sides—will work together, as far as is consistent between a Government and an Opposition, for the well-being of this great and growing country. When I say growing country, I mean growing in importance. This being the first time I have appeared as a speaker in this House, I must ask hon. members to excuse me if I have not said all I ought to have said. At any rate, I have said all I could.

MR. EWING (the Swan): The hon. member for the Gascoyne last night, and also the hon. member for the Murchison to-night, seemed very much surprised indeed that the whole of the members of the Assembly have not taken the suggestion of the Attorney General as law. I have no doubt that the House will be glad to hear any suggestions that may fall from the learned gentleman; but these will only be taken as suggestions and not as directions. When contesting my election I stated it was doubtful which side of the House I should sit on. I pointed out that, so far as I was able to see at the time, my views were not in accordance with those of the Ministry, and that I might probably be found on the Opposition side. I contested that election as an independent candidate, for the reason that I was unable to gather

from the long speech of the Premier at Bunbury what were the political principles of the Government. Had I been able to gather from that long speech of some two hours whether the principles of the Government were progressive or whether they were conservative, then I might have been able to tell the electors of the Swan whether I was prepared to go on the Government side or on the Opposition side. I hoped—and still cling to the hope—that when we came before the House, we should, in accordance with established custom, have such a Governor's Speech as would enable us to see what were the intentions of the Government. I hoped, and was right and reasonable in hoping, that we would be able to gather from that Speech whether the Government intended to carry out much-needed legislation, or whether they did not—whether the Government were conservative or whether they were going with the times and appreciated the existing condition of affairs. But what have hon. members met with? We have assembled here, and have absolutely nothing before us except the fact that we are called together for the purpose of considering federation.

THE PREMIER: This is a special session.

MR. EWING: That may be; but if it is, we required a special sitting months ago. If the Premier realises that two days before his return a special sitting was necessary, how much more was it necessary long ago, in order to enable Parliament to thoroughly discuss the federation question? Now, we are invited to consider this important matter in two days—are practically asked not to debate it. With five or six Ministers in the colony, it is hard to see the reason for the absence of any declaration of policy or any indication of the intentions of the Cabinet. Is it because the only man who was capable or who was willing to formulate a policy was absent? If so, now that the right honourable gentleman has returned, I hope he will tell us what the Government intend to do, and give us an opportunity of supporting or opposing him. I take it that a member, though he may sit in opposition, does not pledge himself to oppose all the proposals of the Government, but merely those which he thinks should not be carried into effect, and that it is