

Legislative Council,

Tuesday, 29th August, 1900.

Messages: Addresses forwarded—Papers presented—
Question: Free Railway Pass to Mrs. Hickey—
Question: Mail Steamers Calling at Fremantle—
Sessional Orders—Motion: Divorce Court Fees, to
Reduce—Legal Practitioners Act Amendment Bill,
first reading—Slander of Women Bill, first reading—
Accidents Compensation Bill, first reading—
Commercial and Business Holidays Bill, first reading—
Address in reply to Opening Speech, debate
(Amendment), third day—Adjournment.

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

PRAYERS.

MESSAGES—ADDRESSES FORWARDED.

Two messages from the Administrator were received and read; notifying (1) that the Address from the Legislative Council to Her Majesty in relation to Federation, and (2) the Address relating to the death of the Duke of Saxe-Coburg and Gotha, had been forwarded to the Secretary of State for presentation to Her Majesty.

PAPERS PRESENTED.

By the COLONIAL SECRETARY: 1, Report on Rottnest Prison, 1899; 2, Annual Report of Chief Inspector of Explosives and Government Analyst; 3, West Australian Year Book, 1898-9.

Ordered to lie on the table.

QUESTION—FREE RAILWAY PASS TO MRS. HICKEY.

HON. R. S. HAYNES asked the Colonial Secretary: 1, If it is a fact that one Mrs. Hickey, of Kalgoorlie, has travelled over the Government railway to and from Perth and Kalgoorlie on a free pass? 2, If so, how often has she so travelled? 3, By whom were the passes granted, and for what purpose on each occasion?

THE COLONIAL SECRETARY replied: 1, Yes. 2, Twice. 3, (a.) By the General Manager. (b.) In lieu of two tickets purchased by claimant, which were used to trace a box which had been lost by the servants of the Railway Department in transit between Perth and Kalgoorlie.

QUESTION—MAIL STEAMERS CALLING AT FREMANTLE.

HON. A. B. KIDSON asked the Colonial Secretary, Whether the Govern-

ment are prepared to give an assurance that the English mail steamers will be regularly berthed at the wharf, on the South side of the river at Fremantle, excepting in bad weather?

THE COLONIAL SECRETARY replied: The Government desire that the steamers should do so, and will use their influence in that direction, as it will be most convenient in every way.

SESSIONAL ORDERS.

BUSINESS DAYS AND HOURS.

THE COLONIAL SECRETARY moved that, unless otherwise ordered, the House do meet for the despatch of business on Tuesdays, Wednesdays, and Thursdays, at 4:30 p.m., and shall sit until 6:30 p.m. if necessary, and, if requisite, from 7:30 p.m. onwards.

HON. A. P. MATHESON: Last session the House came to an understanding that, though nominally members should meet at half-past 7 o'clock after dinner, as a matter of fact the President should not take his seat until a quarter to 8 o'clock. Would that arrangement be continued? It was a great convenience to hon. members who dined at home.

THE PRESIDENT: By next week it was hoped arrangements would be made whereby members would be able to dine on the premises; therefore there would not be the same occasion for extension of time as was agreed to last session.

HON. J. W. HACKETT: When this matter was previously before the House, it was stated that the practice had always been to meet at 7:30 o'clock. His memory was that members did not use to meet till 8 o'clock, and that the alteration to 7:30 o'clock was made on the motion of the then leader of the House, Mr. Wittenoom. A statement he made to that effect was then challenged, but he had looked up the records and found that his recollection was correct. He was entirely with Mr. Matheson, that it was highly convenient for members to meet at a quarter to 8 o'clock.

THE PRESIDENT: Mr. Hackett was right in saying the change to 7:30 o'clock was made at the request of Mr. Wittenoom. Members living out of town complained that the later hour of meeting made the sitting late; but he was quite willing now, if members so desired, not to take the Chair until a quarter to 8

o'clock. He thought, however, the convenience of members living out of town should be considered.

HON. R. S. HAYNES: Inasmuch as the convenience of members living out of town had to be consulted, it should be remembered that several members came down from the country, and if they had to wait from 6.30 o'clock until 8 o'clock, after taking their meals within the House, considerable time would be wasted. One hour was a sufficient adjournment for the evening meal, especially seeing that expense had been gone to in order to provide a room in the building for refreshments. Considerable business had to be done, and there was no reason to depart from the rule which had been in force since he came into the House, four years ago, to meet at 7.30 o'clock.

HON. M. L. MOSS hoped the motion for resuming at half-past 7 would be passed. The chances were that members would be kept waiting also five or ten minutes for a quorum, and it would be 8 o'clock before business would really be commenced. Those members using the suburban railway at night might lose the second train and be kept from home till late. To accommodate Mr. Matheson and other members who resided in Perth, the quarter to 8 arrangement was made; but the greatest number would be considered by agreeing to the motion for half-past 7.

THE PRESIDENT: Some arrangement might be made to suit the convenience of all members. If the hour were fixed for half-past 7, he could, in case of necessity, postpone the sitting until a quarter to 8.

Question put and passed.

STANDING COMMITTEES.

On further motions by the COLONIAL SECRETARY, Committees for the session were appointed as follow:—

Library Committee: The President, Hon. J. W. Hackett, Hon. H. Briggs, Hon. F. M. Stone, and the mover; with leave to sit during any adjournment and during the recess, and authority to act jointly with the Library Committee of the Legislative Assembly.

Standing Orders Committee: The President, Hon. J. W. Hackett, Hon. A. B. Kidson, and the mover; with leave to sit during any adjournment, and authority to confer on matters of mutual concernment with any Committee appointed

for similar purposes by the Legislative Assembly.

House Committee: The President, Hon. A. B. Kidson, Hon. R. S. Haynes, and the mover; with power to act during the recess, and to confer with any similar Committee of the Legislative Assembly.

Printing Committee: The President, Hon. M. L. Moss, and the mover.

MOTION—DIVORCE SUIT FEES, TO REDUCE.

HON. R. S. HAYNES (Central Province) moved:

That, in the opinion of this House, the fees payable in divorce suits should be reduced so as not to exceed £2 in the aggregate, and that the fees payable in filing affidavits, and on notices of motion, should be similar to those on the Common Law side of the court.

The fees payable in divorce suits were, he said, fixed twenty or more years ago; and although the fees of the other side of the court had been altered, no attempt had been made to reduce the fees of the divorce side. For example, in the Local Court, if a person wanted to sue for over £10 there were £1 8s. costs, which were fixed at a time when Commissioners had a certain portion of the fees by way of salary. In the Common Law Court, in an ordinary action, the fees payable to the court amounted to about £2, unless some extraordinary steps were taken. The fee for filing an affidavit was one shilling, and on motion five shillings. On the divorce side the fees payable were £2 at first, and the other fees followed on in the same ratio. The fees payable in a divorce suit amounted to about £19, whilst fees in an ordinary action in court amounted to £2. Those fees were also applicable to an action for judicial separation, and were charged, though no further work was incurred on the divorce side than on the common law side. To show the difference there was in the fees, he might mention that on filing an affidavit on the common law side the fee was one shilling, whilst on the divorce side it was 5s. There were no grounds whatever for these divorce fees being maintained; and in consequence of their being fixed so high persons were frequently prevented from instituting divorce proceedings.

THE COLONIAL SECRETARY: Was not that a good thing?

HON. R. S. HAYNES: It might or might not be a very good thing, but his own impression was that it was not, judicial separation suits being very seldom brought because the fees were exorbitant. Solicitors' costs amounted to £25 or £30, and the fees amounting to £19 or £20 meant about £45 expenses. If the divorce fees were on the same scale as those on the common law side they would not amount to more than £2. He knew the House had, by express motion, stated that hon. members were not in favour of extending divorce, but the present motion in no way extended the principle of divorce. It simply provided that where divorce suits were instituted, they should be within easy grasp. He saw no objection to the motion, and, if he remembered rightly, when the Divorce Act Amendment Bill was before the House he pointed this matter of fees out, and hon. members in every case agreed with the view that the fees ought to be reduced. Any hon. member in the House who was a practitioner would bear him out that the present fees were unjustifiable.

HON. M. L. MOSS (West) seconded the motion.

THE COLONIAL SECRETARY (Hon. G. Randell): These fees were fixed by the court, under an Act, as he was informed.

HON. R. S. HAYNES: The Divorce Act.

THE COLONIAL SECRETARY: Yes; and the question was whether it would not be better for Mr. Haynes to approach the court and ask for a reduction of the fees, seeing that the court had this matter within its power. Whether it would be a discourtesy to the Judges to interfere in a matter of this description he was not prepared to say, but he understood that the course Mr. Haynes should pursue would be to either approach the court or bring in a Bill to effect his object. That advice he had received from the Crown Law officers, no doubt for the information of the House. It was a matter of some importance, that where cases occurred in which it was desirable a divorce or judicial separation should be granted—and he believed there were such cases from time to time—the fees should be as little as possible; but he was not sure whether that could be effected by a simple resolution.

HON. R. S. HAYNES: It was intended the resolution should be forwarded to the court.

THE COLONIAL SECRETARY: After what had been said it could be left to Mr. Haynes to decide which course he would pursue. One sympathised with the object the hon. member had in view, that fees in all cases of this kind should not be too high; but at the same time he felt assured that the expression of opinion given recently showed that hon. members were not in favour of making divorce easier.

HON. R. S. HAYNES: This motion would not make divorce easier.

THE COLONIAL SECRETARY: The motion proposed to reduce the expenses, at any rate so far as the fees of the court were concerned, though he had not observed that Mr. Haynes said anything about fees paid to counsel.

HON. R. S. HAYNES: These fees had been stated to be about £25.

THE COLONIAL SECRETARY: No doubt these would also be reduced.

HON. R. S. HAYNES (in explanation): Counsel's fees were reduced even when earned. It would not be necessary to introduce a Bill to effect this object, because the scale of costs had been fixed by rules made by the late Chief Justice, not by the present Chief Justice; and he (Mr. Haynes) was sure the Judges would not take it as an act of discourtesy if the motion were carried. If he feared the Judges might so take the motion he should be the last to submit it to hon. members. He had a very good precedent for the motion, inasmuch as the Government had introduced a Bill stating when the court should sit, and this without even consulting the Judges.

Question put and passed.

On further motion, the resolution was ordered to be transmitted to the Legislative Assembly for concurrence.

LEGAL PRACTITIONERS ACT AMENDMENT BILL.

Introduced by **HON. R. S. HAYNES**, and read a first time.

SLANDER OF WOMEN BILL.

Introduced by **HON. M. L. MOSS**, and read a first time.

ACCIDENTS COMPENSATION BILL.

Introduced by Hon. M. L. Moss, and read a first time.

COMMERCIAL AND BUSINESS HOLIDAYS BILL.

Introduced by Hon. A. B. Kidson, and read a first time.

ADDRESS IN REPLY TO OPENING SPEECH.

DEBATE (AMENDMENT), THIRD DAY.

Debate resumed from the previous Tuesday, on the motion for adoption of Address-in-reply, and on the Amendment by Hon. R. S. Haynes to add a paragraph affirming that the Government no longer retain the confidence of a majority of the House.

HON. W. MALEY (South-East): It may be supposed by some members who were not present at the last meeting of the House, that in taking the floor as the first speaker to-night I have usurped the right of the Colonial Secretary. But hon. members may be assured that I have acted according to the express wish of members of the House, and by the consent of the representative of the Government. I refer to this because one or two members, and some persons outside, have asked me why it is I stand in this position to-night. I am pleased to be here and speak to-night, and to follow my friend, Mr. R. S. Haynes. The amendment, I understand, is one of want of confidence in the present Administration, and as such it has my earnest support. I have had submitted to me an amendment on the amendment to the Address-in-reply, and I have consulted several members of the House in regard to the matter. I find the conviction exists that those who intend to move at all in this matter will go for the vote of no-confidence or not at all; they will either support the Government or oppose the Government by the direct vote of no-confidence. Some will say the amendment is not constitutional, but I am satisfied myself that it is a perfectly constitutional amendment, and one which at the present time will do a considerable amount of good. I may say at the present moment the Council is practically in a strong position as compared with the other House of Parliament. Members have recently been elected to this House fresh

from the ranks of the people, and consequently are, or should be, more in touch with the people than those who were elected something like three and a-half years ago: so we are in a good position to speak, and our position I consider is much stronger than the position of the Legislative Assembly. I find the Premier, in speaking the other day at a banquet at Kalgoorlie, wanted to know what the Legislative Council had to do with this particular vote of want of confidence, and I shall answer the Premier as directly and straight as I can. It is because we are the representatives of the people. The Legislative Assembly at the present time is supposed to exist, but it is an open question. Judging by the opinions of lawyers which we have had, and we do not often get lawyers' opinions for nothing, the Assembly has virtually ceased to exist. The Legislative Assembly, we are told was constituted for three years only, and not four. Then we find there are several vacant seats in the Legislative Assembly, and these seats ought to be filled. I will not refer to the individual member who is now serving his country. The Premier is able to represent that hon. member as well as the district of Bunbury, which he is supposed to represent, and does represent, as well as performing his other numerous duties. I do not refer to the member who is absenting himself, and to other seats which are practically vacant; but there are other constituencies which have recently been created and which are not represented in the House, and these constituencies should be represented. The Legislative Assembly does not properly represent the people by virtue of the fact that it has not a full number of members, and is not constitutionally established by Act of Parliament. As to the rolls which exist at the present time, they represent quite a different voice to the rolls under which the whole of the members of the Assembly have been elected. So I am quite within my province and the bounds of truth when I say that as far as recent legislation is concerned the Legislative Assembly does not in any way represent the people of this country. Then again, the Parliament is what is called a moribund Parliament. It is in an extraordinary situation, and even supposing the amendment were an

extraordinary one, and one which is not usually moved or dealt with in the Upper House, I say that desperate deeds require desperate remedies, and the only remedy which exists in this country for this very deplorable state of affairs is for this House to take the matter up and insist, if we are to have legislation, that we shall have legislation from the people and for the good of the people, not only in this House but in the other House: the Legislature should be representative of the people. I take it the amendment is a protest, a vigorous and firm protest, against what is happening elsewhere, and members of this House will not be doing their duty if they do not vote for Mr. R. S. Haynes's amendment. I may say that throughout the country there is considerable distrust of the present Government for reasons which I will be able to give hon. members, and I hope in doing so I shall not tread on the corns of any member of this House.

HON. A. B. KIDSON: They have not got any.

HON. W. MALEY: The action of the Premier in addressing public meetings at the present stage is unworthy of the position he occupies in this country. I am not here as an advocate of the Opposition, or of the leader of the Opposition; but the lips of the latter gentleman are closed in the House at the present time, and yet the Premier is making occasion, in my opinion, to burk discussion in Parliament on this question. That is not playing a fair game, but is "hitting below the belt," when the Premier goes to Kalgoorlie and represents as a fact that the Opposition have a certain policy, and refers to that policy and deals with it in such a way as to throw dust in the eyes of the public there and elsewhere; and this at a time when the leader of the Opposition has no chance to reply.

HON. R. S. HAYNES: It was an after-dinner speech.

HON. W. MALEY: In the Kalgoorlie speech we find references to public works which it is the intention of the Government to pursue in that particular locality. In ordinary phraseology, I may say the Government, through the Premier, used the occasion to throw sops to the people of the goldfields.

HON. R. G. BURGESS: And plenty of other places, too.

HON. W. MALEY: To throw sops to the people of the goldfields so as to secure their support in carrying out certain legislation in a moribund Parliament. The Premier, in the course of his speech said:

Their lines at Kalgoorlie would want duplicating, and they wanted a loop line. (Applause.) There were a great many things they ought to have, and which they were willing to give them, and which had been agreed upon by the Government. (Applause.) His friend, the late Commissioner, had advised him to duplicate the line and to take it past Boulder to Kamballie, and to put in a loop line, all of which the Cabinet had agreed should be done.

I would have recommended the Premier to travel in a different direction in this country, and I could point to several directions in which he could travel, but in which he would not have the courage to go for the simple reason that he could not carry any sops with him. I would have recommended him to go to Albany.

HON. R. S. HAYNES: He would never have got back.

HON. W. MALEY: I would recommend the Premier to go to Esperance; I would recommend the Premier to go to Geraldton, or to any of the ports of this colony, save to the particular port and district which he represents, namely Bunbury.

HON. M. L. MOSS: Classic Bunbury, you mean.

HON. W. MALEY: The Premier says he has a precedent for bringing into this moribund Parliament the public works policy which he has been consistent enough to place before the country, and which he referred to in his Kalgoorlie speech. If there be a precedent, that precedent is the Premier's own. Failing to find any other precedent, he had the assurance to say:

He had a good precedent in the last session of the previous Parliament, when they had voted moneys which increased the public debt of the colony by £710,000. But there was no such sum involved in his present proposals. In that session they agreed to purchase the Great Southern Railway for £1,100,000, they placed a loan for £3,500,000, and they authorised the Coolgardie Water Scheme, to cost £2,500,000, and that was all in the last session of what might be called a moribund Parliament.

It is a most pernicious system. It is a disgrace to the Parliament that passed the works, and it is a disgrace to the

Premier of this country, Sir John Forrest, whom otherwise we could respect, that he should use a moribund Parliament to pass expenditure amounting to seven millions of money without taking the voice of the people of the country on works of such magnitude. Let the Premier take credit for the disaster which has followed such a pernicious system; and I wish he could take the loss that many of us have suffered during the last four or five years. I feel very strongly on the question, because I am one of those who have suffered, and have seen the folly of the policy from start to finish. The principle is wrong; and if the Premier acted so on a previous occasion, his doing so now is not justified, for the simple reason that two wrongs do not make a right. The Premier has no excuse, nor can he give any sound reason, why he should so flout the people of the country. Who is to govern this country? We object to an autocrat; we are not governed by a Governor; and we object to anything that will interfere with the rights and privileges of the people under responsible Government; rights which have been fought for, and well fought for, and which it is our bounden duty to maintain. The attitude we are taking on this occasion is an attitude which has been assumed by the Legislative Councils or Upper Houses in other colonies; and I would call your attention to the doings of the Legislative Council of Victoria. If the Legislative Council of this colony had been as true to their trust as the Legislative Council of Victoria were in 1866, when they refused the taxation proposals of the Government, the people of this rich young colony would not have to bear the taxation they do at the present time. In Victoria in 1866, the Legislative Council refused to pass the taxation proposals of the Government; and a struggle went on between the two Houses until 1879, when it was decided by the Administration to test the question as to whether the Upper House had power to refuse certain money bills or estimates. I have not really gone into the question, but I was in Victoria shortly afterwards, and the facts were clearly stated to me.

HON. J. W. HACKETT: It was on an item on the Estimates.

HON. W. MALEY: Yes; and the Government decided to test the powers of the Upper House, and to find out once and for all whether the Legislative Assembly could control the whole country, or whether the Legislative Council had a say in the matter. At an expense of £5,000 the Government sent to England Mr. Berry, afterwards Sir Graham Berry, and Professor Pearson. The money and time were wasted in a way, but their mission finally settled the question for us; because the reply the delegation got from the Imperial Government was that no power except the consent of both Houses of Parliament could interfere with the constitution of the Upper House.

HON. R. S. HAYNES: The Upper House of Victoria?

HON. W. MALEY: The Upper House of Victoria. The Premier, in the remarks to which I have referred, takes up altogether false premises when he says that, according to those people who are opposed to this public works policy, there must be no public works for two or three years. That is a piece of pure bluff, because the Premier has no authority or right whatever, and it is untrue, to say "According to these people they must not have them (public works) for two or three years." Supposing that in this House or another place a vote of no-confidence is carried, the result will be an appeal to the people; and what is more right than an appeal to the people?

HON. R. G. BURGESS: Now?

HON. W. MALEY: An appeal to the people would be made, say, in May next.

HON. R. G. BURGESS: An appeal would be useless at present.

HON. W. MALEY: In May next there would be a general election, and it is only a few months to May when the Parliament would be constitutionally fit to carry out these public works and any other proposals which might be decided on. It is utterly erroneous to say there would be any need to wait two or three years for the public works, and, in any case, I consider the delay is not dangerous, but is in the interests of the country. We have made too much haste hitherto; too much haste in borrowing money and in plunging the country into debt.

HON. J. W. HACKETT: To what delay are you referring?

HON. W. MALEY: What a crime it would be to delay the centralisation scheme which is proposed! What a crime it would be to delay the second water supply to Fremantle and to Perth! What a crime it would be to delay these two very important works! With the railway extension to connect Norseman, I think Nannine—(general laughter)—I have not finished yet—I say that with the railway to connect Norseman, Nannine, and the equator with Perth—I think that is something like it—we have a centralising policy. It would be a crime, would it not, to delay that scheme, because the next Parliament might represent the people, and the people might chance to say “ We don’t want to be connected with the equator or Nannine, and we do not want Perth to be connected with Norseman, nor do we want the gigantic scheme for supplying the metropolis and the port of Fremantle with water.” In this connection I would point out that there is absolutely nothing in the Speech of His Excellency the Administrator providing for any port outside of Fremantle, or for any centre outside Perth. The whole Speech is a centralising policy, though on this occasion different from what it was on other occasions, because there is absolutely nothing for any centre with the exception of the port of Fremantle and Perth. As to the people of Albany, we find there is no compensation whatever to be given them for depriving them of the mail steamers. I fail to see the justice of the Administration, or any reason why the Administration should be kept in power when one port and one centre of population are deprived of what they have had for half a century, and nothing whatever is given in substitution for that which is lost, or to provide the people with the means of earning their livelihood. As to the progressive legislation for which we are all working, I can find nothing in the Speech which will suit the mercantile community. I had hoped to see the sliding scale wiped right out, so that the mercantile community could tell now how they stood: but we find nothing about this vexed question, purely because it is a vexed question. So far as I can see it is a policy of despair, as far as the wage-earner is concerned. We have nothing about the removal of the food duties, with the exception of the duties on meat, and

I suppose if you can fill the poor elector’s mouth with meat, that will about shut him up in his desire for anything else.

HON. R. G. BURGESS: Give him plenty of public works: that is what he wants.

HON. C. E. DEMPSTER: And good wages.

HON. W. MALEY: If we have payment of members, which hon. members in this House, no doubt, do not wish—

HON. R. G. BURGESS: They do not want it.

HON. W. MALEY: It will give great satisfaction to the community; but there is nothing in the Speech to encourage one in the hope that the Government will introduce a Bill to establish payment of members. One adult one vote should also come with payment of members; but we are not near that, for legislation so far as the franchise is concerned is as far away, in my idea, as it ever has been in this country. A proposal is in the Speech for conciliation and compulsory arbitration in the settlement of industrial disputes; and I say the Government should have anticipated this. Seeing the disaffection throughout the country, the Government should have granted payment of members long ago, thus giving representation to the wage-earners in the House. Then there would have been no clamour for a Conciliation and Arbitration Bill.

HON. R. G. BURGESS: Bosh.

HON. M. L. MOSS: How about New South Wales and New Zealand?

HON. W. MALEY: However, be that as it may, I am certain that in the matter of progressive legislation, payment of members should be the first plank in the platform, and not an Industrial Conciliation and Arbitration Bill. With payment of members, men who understand the situation would be in the House, and would be able to express themselves on the subject better perhaps than we can who are not concerned in muscle work.

HON. R. G. BURGESS: Plenty of us have been in that.

HON. W. MALEY: Had representation been allowed, through payment of members, to the wage-earner and the worker we should have had men in Parliament who would have been able to assist in the passing of the Conciliation and Arbitration Bill. I am pleased to notice that an attempt is being made at

the present time to return a labour member to this House, because there is nothing like trying, and with payment of members which is to follow, no doubt we shall have a change in the *personnel* of the Legislative Assembly and Legislative Council; then probably I and a number of others will have to give place to abler and better men. I shall only be too pleased when the time comes.

HON. A. B. KIDSON: You are elected for six years, you know.

HON. W. MALEY: So far as I observe, the Government is one of exploits, and the exploitation has been that of drawing all the funds possible from the British capitalist. He has been exploited, the Western Australian capitalist has been exploited, the Western Australian taxpayer has been exploited, and I find that something like £26,000,000 has been got together from one place and another by the Forrest Government, of which amount £16,000,000 has been revenue, a huge sum to be provided by a population now numbering 180,000 persons. But the result is disastrous to the country. We have a debt of £64 per head, which I believe is not approached anywhere, and which represents ten millions of money borrowed from the British capitalist.

HON. C. A. PIESSE: We have got something to show for it.

HON. W. MALEY: We have something, and we ought to be proud of the Premier and the debt, but I advise all hon. members to keep their eye on the Premier, and their eye on the debt, and reduce the debt, because they cannot reduce the Premier, who seems to be enlarging in spite of us; but we can reduce the debt.

HON. M. L. MOSS: I believe the debt is paying interest to the sinking fund.

HON. W. MALEY: According to the last return it has paid one per cent., which has been laid out in repairing lines.

HON. M. L. MOSS: Four per cent., I think.

HON. W. MALEY: Excuse me, I have looked up the returns. As to the borrowing policy of the Government, there is a simile to some extent in the Vogel policy of New Zealand, but the railways in New Zealand were carried out to a large extent with a view of suppressing the power of the Maoris.

HON. M. L. MOSS: Talk about something you know.

HON. W. MALEY: I know after the borrowing policy of Sir Julius Vogel in New Zealand the debt was only £50 per head of the population. The Maori war followed on top of that, and had it not been for the railway policy there would have been trouble. In face of the example of New Zealand and elsewhere, it is nothing short of criminal that this country should be plunged into the debt which Western Australia has been plunged into, and with a whole page of this history before us. What excuse was there for any Premier or any Government launching out into a policy of borrowing, or spending and throwing money broadcast throughout the country.

HON. R. S. HAYNES: Look at the Mint and the Observatory: they are useful buildings.

HON. W. MALEY: I say, that just in the same way as you can bring the Government to the bar of public opinion in respect to legislation, so you can do so in respect to the whole of their policy. There is no excuse for the Government, and with history before us, the policy should not have been entered upon. Had the Premier trusted the people of the colony as he should have trusted them, had he adopted the legislation which was adopted in the other colonies, had he elevated Western Australia to the level of the other colonies, he would have done an immense amount of good to the colony, and made a name for himself without rushing into the extremes which he rushed into in every direction.

HON. R. G. BURGESS: Tell us how.

HON. W. MALEY: I may say, and it must be said somewhere, whether in the other House or here, that it is a deplorable thing that we should have had to live through the several years of depression which we have experienced in this colony, and have experienced financial straits, all of which is due to the autocratic Government. There should have been a change so far as the Government was concerned, but we have been ruled by the Premier of the country.

HON. R. S. HAYNES: Hear, hear.

HON. W. MALEY: There may have been no choice when Sir John Forrest was chosen Premier, although I think there was another official in the civil

service who might have been chosen, but in my opinion the best selection from the civil service that could have been made was made: I admit that, but no more. Unfortunately for the colony the Premier is not a democrat. We had proof of that when we were fighting for responsible government. The Premier did not move one finger for it, but he kept his post under the Imperial Government, which was one of profit, as long as he could, and he will stick to his present position as long as the money will stick to it. The Premier was selected, not because he was a democrat, or because he was a man of advanced ideas in regard to legislation, but because he had influence.

HON. A. B. KIDSON: Experience.

HON. W. MALEY: He had departmental experience, but Sir John Forrest was never elected to a public office in his life, and that is the test. When a man goes before his constituents, and is re-elected, or takes a defeat and fights for a time, like Mr. Deakin in Victoria has done, that is the test and that is what makes the man. It is not being spoon-fed. I have been tempted to go so far. I had not intended doing so: it has been drawn out of me.

HON. A. B. KIDSON: You feel better now.

HON. W. MALEY: There has been no appeal to the people, no well-fought-out contest. The Electoral Act and the amendments that have been made have been passed by Parliament without the consent of the people, and without members going before the people. There has been no proposal put before the people, who never expressed their opinion at any general election on these questions. It is the duty of the Premier to announce the whole of his policy at a general election; to place the whole questions before the people, and take the consequences; to be elected to carry out the wishes of the people, or to be rejected and let another take his place; but the people have been gagged.

HON. C. E. DEMPSTER: How gagged?

HON. W. MALEY: By proposing public works in a moribund Parliament, and not taking the vote of the people on those works; by passing measures through a Parliament which has shortly to go before the people, so as not to allow the people to have a voice in the affairs

of the country. Certainly the Government have wielded great power: they have had the power of millions. Has it not been said throughout the country that it was a question of "spoils to the victors?" Have members not heard that. I have heard it. The expenditure of £26,000,000 carried out by a Government with "spoils to the victors!" It is time a change took place. We have had nine years of a centralisation policy—that is long enough: it has been a pretty rough time in nearly every part of the country, and I do not know that Perth is much better off, so far as property-owners are concerned, than they were before this policy was commenced. Rents are very little higher in the city to-day than they were a few years ago.

HON. C. A. PRESSE: They are too high now.

HON. W. MALEY: Probably they will always be too high; probably some would be pleased to live rent-free; but, under the present Government, people will always have to pay high rents. Probably the Government would like to have centralised the whole of their policy in one square mile. According to members here, there has been a failure even in the one respect in which we might have expected the policy to have been a success. I may say that if the policy is pursued—but fortunately we have federation—

HON. R. G. BURGESS: Unfortunately.

HON. W. MALEY: If the policy of the Government had been pursued without federation, we should have had separation.

HON. R. G. BURGESS: It will have to come.

HON. W. MALEY: Mr. Burgess says "It will have to come"; and I say it will be hastened on by nothing more than a centralising policy. In the Speech of His Excellency we find reference to the removal of the mail steamers to Fremantle, and the statement is made that the Imperial Government have given the necessary orders to that effect. That change is not—happily if it were—one of the exigencies of commerce. If it were one of those exigencies, the Albany people would bow to the will of fate and accept the removal, because they would have had no cause for complaint. But it has been the distinct policy of the Government of the colony to make Fremantle the port of call for the mail

steamers, at the expense of Albany. That in itself is a great reflection on the justice of the people of the colony, and the move having been made, it appears to me some effort should be directed to compensate Albany.

HON. C. A. PLESSE: In what form?

HON. W. MALEY: The Albany people contribute, say, £48,000 annually to the revenue of the country.

HON. R. G. BURGESS: That is farcical.

HON. W. MALEY: If 3,000 people be taken at £16 per head, the total amounts to about £48,000; and as to the public debt, taken at £64 per head, it gives the result of £180,000 or £190,000. Mr. Burgess can work the figures out for himself.

HON. R. G. BURGESS: Yes; in another way.

HON. W. MALEY: The people of Albany, contributing as they do so much to the revenue, and being liable for so much of the public debt, and being colonists the same as ourselves, are entitled to some consideration; but the policy of the Government is unreasonable, because it is apt to shift and has already shifted population from Albany and sent it abroad, probably to other colonies. I know scores of families who have recently left Albany. Even the editor of the local newspaper has had to come to Perth, and property has depreciated to something like 30 per cent. in value. I had a letter to-day from one of the leading land agents in Albany—indeed, I think he is the leading agent—who offers me a property at a reduction of something like 30 per cent. Some hon. members have asked me what should be done for Albany, and I reply that the least the Government could do would be to man the railway workshops there, and employ every man who has hitherto earned his livelihood in connection with the mail steamers; to man the workshops so as to take up the unemployed left by the removal of the steamers. Then there might be a reclamation scheme, or any other profitable work of permanent value to the town, carried out by the Government so as to retain the population there and compensate the district for the grievous loss which it has sustained. But we find, as the result of the centralising policy of the Government, that there is a conflict

between Esperance and Perth, and between Albany, Geraldton, and even the goldfields and Perth. All the colony is in conflict with Perth, and the only way in which this Government can keep outlying districts quiet—for they cannot gratify them—is to occasionally throw them a sop. As to departmental administration, the question which was asked by Mr. Haynes has produced an answer from the Colonial Secretary that a Mrs. Hickey has been travelling on the railway on a pass; and I take it the answer is not a satisfactory one to the House. It seems to me that if a lady or a gentleman were to leave a box in Perth, and report the fact at Kalgoorlie, all she or he would have to do would be to apply at the office, and get a free pass in lieu of two tickets, so as to look for that box. If that be so, there will be a large number of boxes lost during the present session of Parliament, to say nothing of boxes that will be lost during the next twelve months. And in connection with the Railway Department, I think the *Sun* newspaper deserves the gratitude of the electors of the colony for the disclosures made in its columns. Hon. members are more or less familiar with the circumstances to which I refer; and Mr. Haynes, at the last meeting of the House, said he considered the Government had compounded a felony. If we have one fraud, may there not be more? In all probability more frauds have been perpetrated; and I would recommend to the Government, if they continue in power, to steer a line as closely as they can to scrupulous honesty, so that there may be no more such dealings, and the Government not be brought into grave disrepute as it has been in this particular connection. I have been throughout the colony, and there are tales everywhere against the Government. In every direction something is said; but what truth there is in the statements, I cannot say. But where you see a Government afraid to trust the people, is it not reasonable to suppose there must be something behind that fear? From my own observation I may say, without going into details or disclosing any more than I can possibly help, that I am very sorry to see the Government have so prostituted themselves in dealing with their real estate as they have in the suburbs of Katanning. These dealings I consider a scandal to the

country; and as to the appointment of justices of the peace—

HON. J. W. HACKETT: What is there at Katanning?

HON. C. A. PIESSE: What are the particulars?

HON. W. MALEY: I say from my own observation I am satisfied that the Government have been playing fast-and-loose with the public estate at Katanning.

HON. C. A. PIESSE: Give us some particulars.

HON. W. MALEY: If you want particulars I will give them.

HON. A. B. KIDSON: That is better.

HON. W. MALEY: One of the suburban reserves at Katanning has been dealt with by the Government in several different ways. Reserves have been made and land disposed of without, in one instance, any opportunity for competition.

HON. A. B. KIDSON: You mean sold to a private individual?

HON. W. MALEY: Yes; without other people having the right to come in. Streets and roads in this suburban area have been laid under cultivation, and have recently been sold by auction in allotments to the people who have them under cultivation. I do not wish to go any further, but I think hon. members will be satisfied that what I have said goes far enough. As to the appointment of justices of the peace, Mr. Haynes in his remarks referred to this matter, and for myself I am satisfied the best interests of the country have not been served by the appointments hitherto. I was present at a meeting in Katanning when the question cropped up, and one gentleman, who has considerable interests in the locality, expressed the opinion that the appointment of justices of the peace recently were "not fit for a black-fellow." I do not agree with that opinion, but I think no inexperienced men—say men under 30 years of age—should be appointed unless there are no others in the district fit for the position.

HON. C. A. PIESSE: Name one.

HON. W. MALEY: I will not oblige the hon. member on every occasion. In my opinion, Parliament does not at the present time represent the people of the country, and that is my reason for supporting the amendment. The remedy is not a new Ministry only, but a new Legislative Assembly, because we want

the Parliament of the country put in touch with the people. As to the Opposition, I have not bound myself in any way, and whether the Opposition is fit to take the reins of power or not it is not for me to say, because that point has not entered into my consideration so far. The general election in May will decide all these questions, and if there should be a dissolution before then, the country would willingly and cheerfully bear the brunt of the expense. I, however, see no need for a dissolution. In South Australia last year, when the Government were defeated, Mr. Solomon was sent for to form a fresh Ministry. That gentleman did form a Ministry which lasted only a few hours, and then a member of the previous Government was sent for, and he formed a Ministry which is still in existence. It will be seen, therefore, that without dissolution a Government can be provided, but no Government will be satisfactory except a new Government and a new Parliament elected by the people of the country.

HON. D. MCKAY (North): I do not think the shortcomings of the Government warrant the extreme step taken by the member for the Central Province (Mr. R. S. Haynes). I cannot extend any sympathy to the hon. member, so I intend to record an adverse vote on the amendment of no-confidence. From all I can learn, several hon. members have "axes to grind" in slaying the Government; and those members do not "take their gruel" from a common-sense point of view. But as sensible men the sooner they make up their minds to "bury the hatchet," the better it will be for the welfare of the country.

HON. H. LUKIN (East): In speaking on the Address-in-reply, I wish to confine myself to paragraphs 17, 18 and 19 of His Excellency's Speech. Before touching on these paragraphs, however, I would like to say a few words on what I consider to be the present position of the Government and Parliament. On the great question which has just been settled by the vote of the whole of the colony, as to whether or not we should federate, we find the Ministry divided amongst themselves, some of them advocating one policy and some another. If we go still further we find that the Ministry or some members of it are entirely out of touch

with their constituents. This also applies to members of both Houses of Parliament, so that I think one is perfectly justified in making the statement that the Government and the Parliament at the present moment are very inadequately representing the country. I will go still further, and say it is my firm belief that the lack of proper representation in the country has caused the bad blood and the bitterness of feeling throughout the community to-day—a state of affairs which every member in this House, and every right-thinking man and woman in the country, must deeply deplore. The Government should have done what many members in this and in another place thought should have happened. When this House of Parliament threw out the Enabling Bill to refer the Commonwealth Bill to the people, the Government should have dissolved Parliament. If the Government had done that, a great deal of the bitterness of feeling which exists, and which has done so much harm to the colony, and which will take years to live down, would not have occurred. As the Government did not think fit to take the course which so many people inside and outside of Parliament thought the right one, at least we might have expected that in this session which has just been opened the Government would have presented a programme of only strictly routine business, and would not have attempted any fresh legislation whatever.

HON. C. E. DEMPSTER: Hear, hear.

HON. H. LUKIN: What do we find? If we turn to paragraph 17 of the Governor's Speech, railway extensions are advocated which will commit the country to a considerable expenditure of money. I submit in any case that it were well for the colony to pause before going into any further railway extension or incurring any further debt per head of the population, as already the debt is pretty considerable; and, for a Parliament that many of us consider ought to have died last year, it is next door to indecent to come down now and ask us to sanction and pledge the country to further expenditure of money—hundreds of thousands of pounds.

HON. R. G. BURGESS: Millions!

HON. H. LUKIN: It may be millions. I do not wish to detain the House further, but I beg to state it is for these

reasons, and these reasons only, that I intend to support the amendment moved by Mr. R. S. Haynes. I do not agree with a lot which Mr. Haynes and Mr. Maley have said about the Government, because almost anything may be said without being substantiated; but on purely political grounds I shall support the amendment.

On motion by HON. F. M. STONE, debate adjourned until the next day.

ADJOURNMENT.

The House adjourned at 6.5 o'clock until the next day.

Legislative Assembly,

Tuesday, 28th August, 1900.

Resignation of Commissioner of Railways: Ministerial Statement—Papers presented—Messages: Addresses forwarded—Question: Rabbits at Norseman—Address in reply to opening Speech. debate (Amendment), third day—Adjournment.

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

PRAYERS.

RESIGNATION OF COMMISSIONER OF RAILWAYS.

MINISTERIAL STATEMENT.

THE PREMIER (Right Hon. Sir J. Forrest): Before we proceed to business, I should like to inform the House that since we last met, our friend and colleague Mr. Piesse, the member for the Williams district, who occupied for four years or more the position of Commissioner of Railways and Director of Public Works, has resigned his portfolio. I feel that I ought to make this announcement to the House; and I can only say that, as far as I am concerned and as far as my colleagues are concerned, I make this announcement with the deepest regret. I can say with certainty that there is