

“time, appoint one of their number to be Chairman of such Board.”

“(4.) In the event of the absence of the Chairman from any meeting, the members present shall elect one of their number to be Chairman of such meeting. At all meetings of the Local Board the Chairman shall have a vote, and in case of an equality of votes shall have a casting vote; and during any vacancy in the Local Board, whether of the office of Chairman or not, the continuing members may act as if no vacancy had occurred, and at all meetings of the Local Board all questions shall be decided by a majority of the votes of the members present. The Local Board may make, alter and rescind, rules for regulating their own proceedings.

“Every reference to the district of a Local Board in the principal Act, or an Act amending the same shall, in case of a Board appointed under this Act, be deemed to be the area of the locality for which the Board is so appointed.

“All expenses incurred by a Local Board appointed under this Act shall be defrayed out of such moneys as may from time to time be voted by Parliament.”

“Every Board appointed under this Act shall cause accounts to be kept, in such form as may be directed by the Colonial Treasurer, of all moneys received and expended by them for the purposes of the Public Health Acts, and such accounts shall be audited by the Auditor-General.”

“In the event of the locality for which a Board is appointed under this Act or any part thereof being constituted a Municipality, the members of the Board shall thereupon cease to hold office, and all public moneys then in the hands of the Board, or under its control, shall be paid to the Municipality.”

“The area of any locality defined for the purposes of a local Board under this Act may from time to time be extended or contracted by the Governor by Order in Council.”

New clauses, put and passed.

Mr. JAMES moved to insert the following new clause to stand in lieu of Clause 6 which had been struck out:—

“Notwithstanding anything to the contrary contained in Section 96, or any other section of the principal Act, no person—other than the servants or the contractors to the Board of Health—shall deposit, bring, collect, bury or remove, or cause or permit to

be deposited, brought, collected or buried, any sewage, soil, dung, filth, ashes, dust or rubbish within the limit of such part or parts of the jurisdiction or area of a Local Board of Health as shall be defined by the Board.”

New clause put and passed.

Mr. JAMES moved to add a further new clause to the Bill as follows (to stand as Clause 21):—“Any person offending against any of the provisions of this Act, shall, except where otherwise herein provided, be guilty of an offence against the principal Act.”

New clause, put and passed.

Preamble and Title agreed to.

Bill reported with amendments.

ADJOURNMENT.

The House adjourned at 11.5 o'clock, p.m.

Legislative Council,

Thursday, 3rd October, 1895.

Lockeville Timber Mills—Leave of absence to Member—Parks and Reserves Bill: third reading—Westlyan Methodists (Private) Bill: second reading: committee; third reading—Roman Catholic Church (Private) Lands Bill: second reading: committee; third reading—Assisted Schools Abolition Bill: second reading: committee; third reading—Crown Suits Bill: Legislative Council's amendments: message from Legislative Assembly—Building Act Amendment Bill: first reading—Constitution Act Amendment Bill: message from Legislative Assembly—Adjournment.

THE PRESIDENT (Hon. Sir G. Shenton) took the Chair at 4.30 o'clock, p.m.

LOCKEVILLE TIMBER MILLS.

THE HON. J. C. FOULKES asked the Minister for Mines, What steps are being taken, or have been taken, by the Government to lease the timber mills at Lockeville?

THE MINISTER FOR MINES (Hon. E. H. Wittenoom) replied: An inventory of the property is being taken with a view to its disposal. The question of leasing the mills is being dealt with by the Government, and is under consideration.

LEAVE OF ABSENCE TO MEMBER.

THE HON. S. J. HAYNES moved, That leave of absence be granted to the Hon. C. A. Piesse for a fortnight.

Question put and passed.

PARKS AND RESERVES BILL.

THIRD READING.

This Bill was read a third time and passed.

WESLEYAN METHODISTS (PRIVATE) BILL.

SECOND READING.

THE HON. F. M. STONE: I beg to move the second reading of this Bill. For the information of hon. members, I may say that under an Ordinance of 31 Victoria, the trustees of the Wesleyan body hold their property under a model deed executed in England. At a conference held, I think, in South Australia, it was agreed that the circumstances of Australia were different to those of England, and that it would be preferable to have an Australian deed. In consequence of this, it has been found necessary to repeal the old statute and to substitute for it this one. Power is also given by the Bill for the South Australian Conference to appoint ministers, and to fix the terms of their appointment. The rest of the Bill deals with the appointment of trustees, and how the lands belonging to the body shall be vested.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was then considered in Committee, agreed to without amendment, and reported.

The Standing Orders were suspended.

THIRD READING.

The Bill was then read a third time and passed.

ROMAN CATHOLIC CHURCH (PRIVATE) LANDS BILL.

SECOND READING.

THE HON. F. M. STONE: This is a Bill to give power to the Bishop of the Roman Catholic Church and his successors, to mortgage, lease, and sell lands vested in him as such Bishop. Provision is made for the protection of lands granted by the Crown to the Roman Catholic body, the Bishop not being able to mortgage or sell without the consent of the Governor-in-Council. I move that the Bill be read a second time.

Question put and passed.

Bill read a second time.

IN COMMITTEE:

The Bill was then considered in Committee, agreed to without amendment, and reported.

The Standing Orders were suspended.

THIRD READING.

The Bill was then read a third time and passed.

ASSISTED SCHOOLS ABOLITION BILL.

SECOND READING.

THE MINISTER FOR MINES (Hon. E. H. Wittencoom): In rising to move the second reading of this Bill, I feel certain that I shall have the support of all honorable members of this House. I am quite certain the history and stages this Bill has gone through lately must be within the memory of all hon. members. It will be remembered that a considerable discussion took place, and a large amount of feeling was evinced in another place on the subject, but eventually an unanimous decision that the Assisted Schools should be done away with was arrived at. That decision left nothing to be decided except the amount of compensation. The history of how the amount was arrived at will be fresh in the minds of everyone. Firstly, a sum was proposed by the Government, and that sum was carried in the Assembly, but only by a small majority. Under these circumstances, it was thought that a lesser sum would meet the views of the people generally, and the amount originally proposed was reduced to the sum of £15,000. I think hon. members will agree that that is a fair and reasonable amount to be paid to the managers of Assisted Schools in consideration of the Grant, which they have been in the habit of getting, being taken away, and I am sure all must hail with satisfaction the removal of this question, which has always been a warm one, and around which a great deal of feeling has been centred, from political discussion. The Clauses of the Bill are very brief. It is provided that the abolition shall commence from the 1st January next. Then Clause 4 fixes the compensation payable at £15,000, and Clause 5 repeals that part of the Education Act of 1871, which deals with Assisted Schools. With these few words I move that the Bill be read a second time.

Question put and passed.

Bill read a second time.

IN COMMITTEE.

The Bill was then considered in committee, agreed to without amendment, and reported.

The Standing Orders were suspended.

THIRD READING.

The Bill was then read a third time and passed.

CROWN SUITS BILL.

LEGISLATIVE COUNCIL'S AMENDMENTS—MESSAGE FROM THE LEGISLATIVE ASSEMBLY.

THE HON. J. W. HACKETT: I have to ask you, Sir, if you will give us your ruling on the Message (*vide* pages 1183 and 1184) received from the Legislative Assembly.

THE PRESIDENT (Hon. Sir G. Shenton): I have carefully considered this question, and my opinion is that this House was perfectly within its rights in making the amendment it did in Clause 37 of this Bill.

The House then went into committee for the purpose of considering the Message.

IN COMMITTEE.

THE MINISTER FOR MINES (Hon. E. H. Wittenoom): I feel sure that all hon. members will regret that the two Houses have again, to some extent, come into conflict, and that a repetition of the history of last year is likely to take place—a history which, I am sure, is not to the best advantage of the country. Owing to the conflict of last year, we lost a most useful Bill, and its operations were retarded for twelve months. In this case, as hon. members are aware, we substituted in Clause 37 the sum of £2,000 for £1,000, which was the amount fixed by the Legislative Assembly that could be recovered by persons in regard to certain claims against the Government. Our action seems to be considered by the authorities of the Legislative Assembly as not being within our privileges, and it is now a question of whether we are right or not. Of course everyone has his own opinion on the subject, but I feel sure hon. members will endeavor to try and take as sensible and as broad a view of the matter as possible. The fact remains that, whatever views may be taken, if each party holds to its own opinion we shall have the same result as was experienced last year, and a useful Bill will be laid aside. I am, therefore, going to move a resolution which I hope will meet with the approval of hon. members. I move that the amendment made by the Legislative Council to Clause 37 of the

Crown Suits Bill be not insisted upon. I do so for these reasons: Firstly, that the Government are very desirous not to lose this useful Bill. I may point out that the question of either £1,000 or £2,000 is not very material to the Government. It is not the money of the Government that is concerned, and if the representatives of the people choose to vote a larger sum than the Government propose, it is perfectly within their province to do so; but the Government wish to do away, as soon as possible, with the old and obsolete method of conducting cases brought against the Crown, and to substitute for it more modern machinery. The next reason why I move in this way is that it may be possible that some compromise may be arrived at. I do not think that to make a compromise is a disgrace, for we all know that to get along peaceably and quietly, both in business and social affairs, compromises must be resorted to. Instead, therefore, of this House standing on its rights, it would be better if a compromise could be arrived at, and with that end in view I have introduced this resolution. If we set the example of trying to effect a compromise, we are, I think, taking up a proper and dignified position, and we shall be showing the people of the colony that we are fairly trying to meet the situation, and that we are not insisting on our unquestioned rights as they have been delivered from the Chair. The President considers that we have acted within our rights. Knowing what our rights are, it is no disgrace for us to give way in anticipation of the Legislative Assembly meeting us. If they refuse to meet us, we have done our duty. It is well known that this House has power to throw out the Bill, but, if we advance, and then they do not meet us, the whole of the responsibility will be thrown on them, and not on us. I have no desire to raise the question of whether the Legislative Assembly or Legislative Council is right. The rulings of the authorities in each House have been placed before us, and no doubt members of either House will consider that they are right. Without giving an opinion myself on this subject, I ask hon. members to approach this question in a spirit of concession, and see if we cannot arrive at a decision which will enable the country to have the benefit of this desirable Bill. I now move the resolution.

THE HON. J. W. HACKETT: What is the compromise?

THE MINISTER FOR MINES (Hon. E. H.

Wittenoom): That the amendment with which the Legislative Assembly has disagreed be not insisted upon. It is quite within the power of any hon. member to move an amendment to this which will effect a compromise.

THE HON. S. H. PARKER: I feel sure we all concur with the hon. gentleman who has just sat down in a desire to work harmoniously with the other House in the best interests of the country at large. At the same time, we owe a duty to our constituents and to future Legislative Councils, and if we are continually giving way when we are told that we are committing a breach of privilege, we shall soon find that we have no privileges left, and that the Assembly has the whole of them. There is no compromise suggested by the Hon. the Minister for Mines. He proposes to surrender absolutely the right which we claim to amend this Bill. I am not going to discuss the question of whether the Speaker, in his ruling, or the President, is correct; but I think we may fairly consider the reasons given by the Legislative Assembly for disagreeing with our amendment, and we may, perhaps, look upon them with a critical eye to see if they really do bear out the conclusion which has been arrived at by that body. The reason given by the Assembly is that the amendment of the Council increases the limit of the burden fixed by the Assembly on the public, and is therefore an infringement of the privileges of the Assembly. Now, the Assembly has fixed no limit, for the reason that the Assembly has no power to limit. The limit must be fixed by Parliament, which consists not only of the Legislative Assembly, as that body apparently thinks, but also of the Legislative Council and the Governor, and, until the three concur, no limit can be fixed. Therefore, the premises on which this conclusion is founded are entirely erroneous. Had it been that an Act was in existence by which no sum exceeding £1,000 should be paid by the Government, and this Council had taken upon itself to alter that sum to £2,000, there might be some reason in the argument which has been urged by the Assembly that we were increasing the burden upon the public. There is, however, no such law. The law at present is that the burden is unlimited, and the Assembly of itself has no power to fix a limit to it. Therefore, the burden being unlimited, the Council is not increasing it, but is reducing it from an unlimited burden to one limited to £2,000. If we look

at the reasons given by the Legislative Assembly, it is obvious, as I have said, that the conclusion they have arrived at has been on unfounded premises. Such being the case, I think it is our bounden duty to adhere to the amendment. I did not take part in the debate on the amendment, but I agree with those hon. members who suggested £2,000 instead of £1,000, because I think the latter is an unreasonably small amount to fix in the case of a person who is, perhaps, maintaining a large family, and who may meet his death through the negligence of the railway officials. Now having considered our position, and having found the Legislative Assembly altogether wrong in its premises, and consequently wrong in its conclusions, it is our obvious duty to insist on the amendment. When I occupied the position last year which my hon. friend now fills, and when a similar question arose, I felt that my first duty was to this House, and that I should support the privileges and liberties of this House against the Assembly. I moved that we should insist upon our amendment, and I am happy to say that hon. members agreed with me and did insist. The result was that the Assembly would not concur, and the Bill was laid aside; but I may point out that it was re-introduced this session, and it then virtually contained the amendments which were made by this House last year. It may be remembered that the Council, in the Municipal Bill, increased the power to rate lands from $2\frac{1}{2}$ per cent. to $3\frac{1}{2}$ per cent. This year, the Assembly, after seeing the great wisdom there was in the reasons which induced the Council to make this alteration, not only adopted the amendment, but increased the rate to 4 per cent., and I have no doubt that those distinguished gentlemen who adorn the Assembly will, in the future, concur with us in thinking that £2,000, or even a larger sum, is not too great under the circumstances. I can quite understand that when the Speaker rules in the Lower House, hon. members feel bound to support him, and I am aware that it is almost impossible for even the Government to take exception to his ruling. The Speaker has taken this responsibility, and it will be for the Assembly, not for us, to accept or reject this Bill. In insisting upon our amendment, we take no responsibility of rejecting or throwing it out. All we say is that we insist upon £2,000. We say to the Assembly, "You apparently do not object to the amount, but you

take an absurd view of our privileges, and that sooner than allow us to make the amendment, you prefer to throw out the bill altogether." Thus the responsibility will be upon the Lower House, and not upon us. Under the circumstances, therefore, I move as an amendment to the resolution of the Hon. the Minister for Mines, "That this House insists upon its amendment."

THE HON. S. J. HAYNES: Sir, I have much pleasure in seconding the Hon. Mr. Parker's amendment. I am sure hon. members will be pleased and strengthened by your ruling, and we shall all concur in the expressions given utterance to by the Hon. Mr. Parker. The Minister for Mines has suggested what he terms a compromise, but I consider his resolution is nothing but an out and out surrender. He does not support his motion by argument, and he winds up by saying he does not wish to express an opinion. That being so, I conclude that his opinion is unfavorable to his motion. So far as the Bill before the House is concerned, I moved the increase, and, in doing so the Minister for Mines hinted that it was a Money Bill, and I told him that that was only raising a bogie. I had not considered the constitutional aspect as I might have done, but having now considered it, I can only endorse my former opinion that it was a bogie, and that this Bill does not come within the interpretation of a Money Bill. From the authorities I have looked up, I find that a Money Bill is in Parliamentary language, a Bill by which money is directed to be raised from the subject, for any purpose or in any shape whatsoever, either for governmental purposes, and collected from the whole Kingdom generally, or for the benefit of a particular district, and collected in that district as parish rates.

THE HON. S. H. PARKER: A Money Bill has to be introduced by Message from the Governor. This was not introduced by Message.

THE HON. S. J. HAYNES: I say this Bill does not come within this interpretation, and that our powers and privileges are defined by the Constitution Acts. I see nothing in the Constitution Acts to support the view taken by the other House. Section 36 of the Act of 1889 says:—"It shall be lawful for the Legislature of the colony, by any Act, to define the privileges, immunities, and powers to be held, enjoyed, and exercised by the Legislative Council and Legislative As-

sembly, and by the members thereof respectively: Provided that no such privileges, immunities, or powers shall exceed those for the time being held, enjoyed, and exercised by the Commons House of Parliament, or the members thereof." Then section 66 says:—"All Bills for appropriating any part of the Consolidated Revenue Fund, or for imposing, altering, or repealing any rate, tax, duty, or impost, shall originate in the Legislative Assembly." This Bill does not come within those sections, and, in my humble opinion, the Legislative Assembly, in claiming that we have infringed their privileges, assert to themselves greater powers and privileges than the House of Commons claims. In the Constitution Amendment Act, Sec. 23, it is laid down as follows:—"In the case of a proposed Bill, which, according to law, must have originated in the Legislative Assembly, the Legislative Council may at any stage return it to the Legislative Assembly with a message requesting the omission or amendment of any items or provisions therein. And the Legislative Assembly may, if it think fit, make such omissions or amendments, or any of them, without modifications." This shows that the Bills we can amend are those contemplated under Sec. 66 of the Principal Act. It is said that our amendment casts a burden on the people, but according to the Bill itself, it is to simplify the present cumbersome procedure against the Crown, and Section 37 limits the amount of damage that can be recovered. That damage has to be ascertained by the Court, and, when it has been assessed, the Registrar has to send a certificate of the judgment to the Governor, and then, according to another section, the amount necessary to meet the judgment must be provided from a fund appropriated by Parliament. At that stage the matter comes before the House in the shape of a Money Bill, and then it is, I take it, that we cannot encroach upon the privileges of the Assembly. The widest view that can be taken is that this Bill only indirectly touches upon privileged matters. I do not say that it does, but that is the strongest way it can be put against us. According to the practice of the House of Commons, as laid down by Mr. Speaker Abercrombie, such amendments from the Lords are always accepted, otherwise the utility of the House might be much impaired. In looking through the authorities, I have not been able to find a case to support the contention of the

Lower House, and I hope hon. members will, therefore, insist upon the amendment.

THE HON. J. W. HACKETT: I have listened with very much care and interest to what the Hon. the Minister for Mines has said in urging upon this House what he called a compromise, but which, according to the wording of the amendment he has proposed, is equivalent to a total surrender, not only in regard to this Crown Suits Bill, but a surrender of a large series and a considerable body of rights this House has laid claim to, and which, as far as I know, it has no intention of foregoing. I was greatly struck by the attitude of the hon. gentleman. He did not argue that the amendment made by this House in the Bill in question was wrong; he did not say that £2,000 was not a fit and proper sum to fix as the limit, nor did he argue that this House was wrong in making the amendment. In fact, he slid away from that aspect of the question, and, that being so, he leaves us without any possible course other than to insist on the amendment. He has not given us any reasons on grounds of policy or otherwise, why we should forego our amendment, nor has he attempted to argue that it is because this House is wrong that we should make a change. If hon. gentlemen will look at the reason the Legislative Assembly has given for disagreeing with our amendment, they will find that it is based on one ground only. The Assembly does not question that we may not be right in the attitude we took up. They do not deny that the alteration of the amount might not be for the better, but they deny that it was competent for this House to make the amendment on the score of privilege. What I desire to impress on this House is that the Legislative Assembly has raised an issue which is wholly irrelevant to us. They have set up claims to privileges which this House, from the time it was constituted, has denied to them. We have based our rights all along on the statute law—not on precedents collected through a long history on an unwritten constitution, during which claims were made and given effect to according as those who put them forward were able to enforce them or not. As I say, we take up our position on the statute law, and, until that is altered by the authority of Parliament, I trust hon. members will abide by it and see that it is carried into effect. Our position is that we claim certain rights to alter Bills which contain clauses relating to fees, rates

and damages. That position was fully set out by yourself, Sir, in regard to another question which arose last session, and it has again and again been insisted upon by this House; and, so far as I know, it has never been directly challenged. Until, therefore, we find a majority in this House to challenge and deny it, we are bound in duty to the House itself, in duty to our constituents, and in duty to those who follow us, to see that no abatement is made to our privileges, and to demand our full rights, as another place demands their privileges and rights. Before going into the case of the Legislative Assembly, I would draw the attention of the House to the extreme gravity of the position. It is this: If we give way, we cut from under us the right to make any change in any Bill which comes to us from another place, and which contains the mention of any sum of money. That seems a strong phrase, but I will prove it to the satisfaction of the House without delay. There is an impression abroad that this House has only the right to make suggestions with regard to Money Bills. It has been stated in the House below, and I have no doubt but that it will be insisted upon, that our right of suggestion is confined to one class of Bills, which does not include such as the Municipal Bill, or the Crown Suits Bill—a position you, Sir, alluded to in the elaborate ruling which you gave last session, and which, I am sure, no member of this House has seen any reason to disagree with. You pointed out that the Constitution Act Amendment Act of 1893, merely deals with Bills which have to be initiated in the Legislative Assembly, which were brought there by message from the Governor, and which came up to us in the ordinary course, after passing through their various stages in another place. But I believe the position taken up by the Lower House is that, although we have the right to suggest amendments in regard to Money Bills pure and simple, in these lesser matters we have no right to interfere at all. If, then, this House agrees to give way, we shall deprive ourselves for all time of all power to interfere with Bills which contain clauses relating to penalties, rates and damages. We cannot give way under these circumstances, even if we would. We cannot do so, in justice to those we represent, and in justice to those who, sooner or later, will replace us. It is said that we should give way because the Legislative Assembly

assert that their rights have been interfered with, because we had no business to do what we did, and because, by increasing the burden on the public, we are infringing their privileges. It has already been pointed out that it is inconceivable that our amendment can be said to increase the burden. The burden, at the present time, is any sum a jury may think fit. Parliament is now asked to step in and limit the burden, and one section of that Parliament, in its wisdom, says that £1,000 shall be the limit, and another section, having co-ordinate authority, says £2,000. They do not agree, and therefore the burden remains as it was before—possibly enormously larger than £2,000. We are told that the amendment is objectionable because it extends the burden. Let us look at the heading of the Bill. It is not a Bill to impose burdens, but a Bill to facilitate the protection of Crown property, and the enforcement of claims against the Crown. A distinction is there drawn between the Crown and Crown property, and the people, and it sets out that those whose liability is to be limited, are not the people, but the Crown; and I venture to say that the objection by the Speaker in another place could not be substantiated anywhere else, for those who know anything of history must be well aware that for hundreds of years fierce disputes have been carried on between the Crown and the people. All the rights and privileges that the people possess have been fought for. The great Hallam speaks of people who believed that our liberties were won with the blood of our forefathers, and declares it would be more accurate to say that they were purchased. They were paid for in hard cash. The Crown was induced to part with its privileges. It gave up its prerogatives, one by one, in return for grants-in-aid, supplies, and taxes. In this way, the rights of the Crown were reduced, and the rights of the people extended. But this Bill only deals with Crown property, and the enforcement of the claims of the people. To put it more justly, it is a Bill to relieve the Crown and to abate the enforcement of claims against the Crown. It is to limit the claims against the Crown and to extend the claims of the people. It really amounts to what was called in olden times a redress of grievances. At the present time, people have a right to demand any sum as a penalty for damage by the Crown that their Peers may think fit to give. This Bill says that we, the Crown, must be protected, and we ask you to

reduce the rights of the people and limit their claim to £1,000 as the Legislative Assembly says, or to £2,000 as we say. How can that be called extending the burdens of the people? I claim that we should stand by the amendment, not only because it is right, but because it is a fair assertion of the privileges and rights of this House, and because it does not do what the message from the Assembly claims it does, namely, extend the burdens of the people. Next I say that this amendment only carries out the wish of the Assembly, who represent the Commons of the country. I do not desire to detain the Committee further, except to remark that another place declares that we have no right to raise this amount from £1,000 to £2,000. But do they go so far as to say this House has no right to amend this Act at all, but is compelled to accept it, for that is what they are trying to force, as any gentleman possessing a logical mind must see. If they leave us the right to throw out the Bill, it carries with it the right to extend the burden absolutely without limit. I suppose no one in West Australia will deny that we have absolute rights with regard to the rejection of Bills. Sir Erskine May, dealing with the matter constitutionally, and arguing for the Commons against the Lords, and laying down with all the limitation which his knowledge supplied material for, says under the head of rejection by the Lords of Bills and provisions creating charges upon the people,—“As the functions of the House of Lords in the grant or imposition of supply and taxation are reduced to a simple assent or negative, it becomes necessary to examine how far the power of dissent may be exercised without invading the privileges of the Commons. The legal right of the Lords, as a co-ordinate branch of the legislature, to withhold their assent from any bill whatever, to which their concurrence is desired, is unquestionable.” That he lays down as a fundamental principle of the Constitution. Under all these circumstances, I do not see how this House can give way. The reason given by the Assembly will not stand argument, and, that being so, this House cannot pay any attention to it. We have set up claims, and it is our duty to see that they are not foregone. We owe it to others to hand down the privileges we have, abated not one jot or part, and I claim that a resolution of this kind—whether it was intended to test the temper of this House, or to effect a

settlement, I care not to enquire—on the part of the Assembly, should be resisted distinctly and resolutely, and this we can do by agreeing to the amendment which has been moved by the Hon. Mr. Parker.

THE HON. C. E. DEMPSTER: I should feel more pleasure in pouring oil on the troubled waters than adding it to the flame. I cannot, however, consider that the Speaker has treated this House properly by sending the Bill back as he has done. I do not think this House should be subject to the humiliation which even a compromise would amount to now. The matter really before us is whether we will support the ruling of the President, or the Speaker, and I consider it our duty to stand by the President. Were the same question before the House, I should take the same stand as I did before, and support £1000, because I consider that is sufficient. However, the amendment was carried by a large majority, and it ought to be treated with proper consideration by the Assembly.

THE HON. A. B. KIDSON: I do not think it necessary to add to the debate after hearing the very convincing arguments of the Hon. Mr. Parker and the Hon. Mr. Haynes, and the eloquent and able speech of the Hon. Mr. Hackett. I think the thanks of the House are due to these gentlemen for having gone carefully into the matter, and for placing before us the position in such a clear and lucid manner. The matter had gone beyond a question of £1,000 or £2,000, and has become a question of the infringement by the Assembly of the privileges of this House. The President has given his ruling, and I think it is the duty of hon. members to loyally support him. I could not help smiling, and I noticed other hon. members smiled, when the Minister for Mines introduced his amendment. He said his amendment would enable the House to effect a compromise, but I could not gather how he proposed to make the compromise. As far as the amendment is concerned, it is practically a surrender, and I do not know what the hon. gentleman took the members of this House for, if he thought that they were going to accept this amendment as being something which would lead to a compromise. The wording of the amendment is plain, and it means nothing other than that we are to surrender one of our privileges. The matter has been so thrashed out that I need say no more except to express

my intention of supporting the amendment of the Hon. Mr. Parker.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): I think I might say one word in explanation to some of the remarks which have been made by hon. members. I do not think that in anything I said I advocated in any way a surrender of our rights and privileges, and I hope my remarks will not be taken in that way. I took care to explain that the resolution I moved was for the purpose of having the question discussed, and that possibly a compromise might be suggested. The Hon. Mr. Haynes said that I gave no reason. I might tell the hon. member that my brief experience of Parliamentary life does not enable me to stand up and give an opinion on a subject on which two of the greatest authorities in the Colony—the Speaker and the President—disagree, but, at the same time, I should be one of the first to insist on maintaining the privileges of this House. I opened the debate to try and arrive at a compromise. I did not mention an amount because, in my opinion, the £1,000 is sufficient. I thought that perhaps some one else might bring forward another amount, and thus bring about a compromise.

THE HON. S. J. HAYNES: It is not a question of amount.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): We could offer to make a compromise or concession, and it would be for the other House to meet us or not as they thought fit.

THE HON. D. K. CONGDON: Let them do it then.

THE MINISTER FOR MINES (Hon. E. H. WITTENOOM): We are now in a position to begin, and if some one suggested another amount, a compromise might possibly be arrived at. However, I see I am not in accord with the feeling of the House, and I always am willing to give way to the majority—at least I have to.

THE HON. D. K. CONGDON: It is my intention to support the amendment moved by the hon. Mr. Parker, and I do so because I think it will have the effect of having this Bill sent back to the Assembly, and the responsibility will then rest with them as to what is to be done with it.

Motion put and negatived.

Amendment put and passed.

BUILDING ACT AMENDMENT BILL.

This Bill was received from the Legislative

Assembly, and was read a first time.

CONSTITUTION ACT AMENDMENT BILL.

THE PRESIDENT announced the receipt of a message from the Legislative Assembly, covering a memorial proposed to be forwarded to the Right Hon. the Secretary of State on the subject of the Abolition of the Aborigines Protection Board, (*vide* pages 1185 and 1186 *ante*).

ADJOURNMENT.

The Council at 6:15 o'clock, p.m., adjourned until Tuesday, October 8th, 1895, at 4:30 o'clock, p.m.

Legislative Assembly,

Thursday, 3rd October, 1895.

Motion for Adjournment: "Hansard" reports—Duplication of Telegraph Line to South Australia—Assent to Bills: Message from the Administrator—Building Act Amendment Bill: third reading—Constitution Act Further Amendment Bill: Memorial to Secretary of State for the Colonies—Collie Coalfields Railway Bill: second reading; committee—Donnybrook-Bridgetown Railway Bill: second reading; committee—"Hansard" Reports: personal explanation—Insufficiency of Rolling Stock: message from Legislative Council—Parks and Reserves Bill: amendments of Legislative Council—Crown Suits Bill: Message from Legislative Council insisting on amendment—Stock Diseases Bill: committee—Mines Regulation Bill: committee—Explosives Bill: second reading; committee—Engine Sparks Fire Prevention Bill: second reading—Fencing Bill: order of the day for the second reading discharged—Minimum Wage in Government Contracts—Adjournment.

The Speaker took the chair at 4.30 o'clock, p.m.

PRAYERS.

HANSARD REPORTS OF PARLIAMENTARY DEBATES.

MR. MORAN: Sir, In referring to some of the reports appearing in *Hansard*, of debates in this House—

The SPEAKER: The hon. member cannot do that, without a motion.

MR. MORAN: Can I do so upon moving the adjournment of the House?

The SPEAKER: Yes, you can do that.

MR. MORAN: Then I will do so. For a good many reasons I have found that I should call attention to some of these reports. I find, on reading some of the *Hansard* reports through, that they are not correct. Some of the speeches are not reported as they are given. Not only do the reports not agree with what members said, but they do decidedly disagree in the distortion of statements. I notice, in the report of Tuesday's debate on the Goldfields Bill, published in to-day's *Daily News*, in the *Hansard* report, statements alleged to have been made by me which I know I never did make; and several other hon. members will have noticed that in many cases their speeches are not reported correctly. I think that when we agreed it was desirable, in the interest of the colony, that we should have a *Hansard* report of the Parliamentary debates published in a newspaper, we understood, and were led to expect, and do expect—and as far as I am concerned I shall have it carried out—if not a *verbatim* report on all occasions, at any rate a correct report, and one in which our statements are not distorted—whether by carelessness or otherwise, I am not prepared to say. I notice, in the same newspaper in which the Goldfields debate is reported, a paragraph referring to the discussion which took place in this House, last evening, on the Electoral Bill upon the question of doing away with the restriction on candidates as to addressing electors within a certain time of the nomination. Here is the paragraph as it appears in to-day's *Daily News*:—"When the Electoral Bill was being considered in committee last night, Mr Moran moved that the clause regarding the prohibition of personal solicitation by candidates be struck out. He urged that the clause was a useless piece of legislation, and gagged the mouth of candidates for days, thus prohibiting them, in large districts like the goldfields, from addressing many of the electors." I do not think I moved that, nor did I make any such statements. The paragraph goes on to say:—"The House