

Legislative Council,

Wednesday, 31st October, 1900.

Question: Ticket-of-Leave Regulations, revised—Question: Patriotic Poem, Dedication, etc.—Motion: Public Servants under Censure, Suspension or Dismissal—Motion: Public Servants, to Grade and Classify (Adjourned)—Papers presented—Distillation Bill, third reading—Noxious Weeds Bill, first reading—Land Resumption Amendment Bill, first reading—Killing of Kangaroos for Food Bill, first reading—Patent Acts Amendment Bill, first reading—Loan Bill, £790,000, first reading—Streets (Victoria Park) Closure Bill, first reading—Arrangement of Business, Adjournment.

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

PRAYERS.

QUESTION—TICKET-OF-LEAVE REGULATIONS, REVISED.

HON. M. L. MOSS, without notice, asked the Colonial Secretary: Is it the intention of the Colonial Secretary's Department to form new regulations in lieu of the present ticket-of-leave regulations, as recommended by the recent Penal Commission?

THE COLONIAL SECRETARY replied:—I have pleasure in saying that new prison regulations have been framed for some months now, and have been placed in the hands of the Law Department in order to ascertain whether they are in order. I have anticipated for some time that these new regulations will be approved by the Law Department, forwarded to the Governor for his approval, and promulgated.

QUESTION—PATRIOTIC POEM, DEDICATION, Etc.

HON. R. S. HAYNES asked the Colonial Secretary: 1, If it is a fact that the dedication of a patriotic poem, composed by a West Australian, on the British Army, has been accepted by Field Marshal Lord Roberts. 2, If the Government have been informed of this fact. 3, If the Government intend to suitably acknowledge the courtesy of Lord Roberts in so permitting the dedication.

THE COLONIAL SECRETARY replied:—As no communication had been received from Lord Roberts by the Government, it was not proposed to communicate with him on the subject. I may explain that I believe the author

of the poem in question has produced a letter to the Under Secretary of the Premier's Department, and that is all the knowledge the Government have of the matter.

MOTION: PUBLIC SERVANTS UNDER CENSURE, SUSPENSION OR DISMISSAL.

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

That, in the opinion of this House, no commendation of either House of Parliament, dispensing with civil servants, should be carried into effect without the concurrence of the other House of Parliament.

He said: It is usual when a motion is passed by one House dealing with the public service, to send the resolution on for confirmation by the other House. In illustration of that I may point to the fact that this House passed a resolution that no more leases should be granted on the foreshore of the Swan River, and that resolution was sent down to the Legislative Assembly. That House, however, did not agree with the resolution, and consequently it had no effect, and the Government leased the land in question to certain persons. I understand that in consequence of a resolution passed in the Legislative Assembly, certain steps are to be taken which will have the effect of dispensing with the services of some officers in the public service, and if that be so, it seems to me this House ought to be consulted. What would be the state of affairs, supposing this House expressed the opinion that some officer of the Government ought to be suspended or dismissed? Would the Government be justified in dismissing that officer without consulting the other branch of the Legislature? I think not. Supposing, for example, this House expressed the opinion that the Under Secretary of the Colonial Secretary's Department should be dismissed, would the Government be justified in acting on that resolution? Certainly not; and yet it is now proposed to take similar proceedings without giving the persons charged an opportunity of explaining. Surely that is not just; and I venture to think it never was the intention that such resolutions should be carried into effect unless with the consent of the two Houses. I shall be no party to any resolution or act

of the Government dispensing with any civil servant, unless that servant has a fair chance of defending himself; but if he have that chance, and it is found he ought to be dismissed, I shall be the first to move for his dismissal. This may be taken as an abstract motion, but I must mention I have reason for submitting it; because I understand that in consequence of a resolution of one House, some civil servants are to be dismissed without any opportunity of defending themselves. I hope the hon. member will see his way to assent to the motion. It is one that commends itself to the sense of the House, and in no way imperils the good feeling that exists between the two Houses. Therefore I ask hon. members to pass the motion, and I propose to move that it be transmitted to the Legislative Assembly for concurrence.

THE COLONIAL SECRETARY (Hon. G. Randell): I cannot help thinking that the hon. member is under some misapprehension in regard to this matter. He has not detailed the circumstances which have led up to his moving the motion. A select committee was appointed by another House to inquire into the frauds which were said to have been committed by the Ice Company. That select committee sat and furnished its report, and upon the report of that select committee a motion of the House was founded that two officers should be dismissed. This is a departmental matter, and while the Government recognise that both branches of the Legislature have a right to pass resolutions, and that the Government should give effect to those resolutions, there is no intention on the part of the Government to obey a resolution of the kind that has been adopted without taking the necessary steps to enable the officers to defend themselves. The resolution has been transmitted to His Excellency the Governor with a view to the suspension of the officers, but they will be given an opportunity, by counsel or otherwise, to defend themselves. I think that will meet the wishes of the hon. member. I may point out, and this will apply to the next motion which stands in the name of the hon. member, that the Public Service Bill, which will be assented to in a day or two, will give officers the right to demand an inquiry. But, in the case under

notice, the officers will be given every opportunity by the Government to defend themselves. It was never intended on the part of the Government that these officers should be condemned unheard. It is an Englishman's right, and I believe an Irishman's right too, to be heard in defence. I hope, after the explanation which I have given, the hon. member will see that there is no necessity to press this motion. With the general principle enunciated I have no quarrel. I think it is desirable that the two Houses should act in unison in this respect. In the case mentioned there is no necessity, because the action resulted from the report of a select committee. If it had been a joint select committee, hon. members know that the report would have come before the House, and with that report we could have dealt. The officers who have been recommended to be dismissed will be dealt with in a fair and proper way by the Government.

HON. R. S. HAYNES (in reply): I am pleased indeed with the assurance that has been given by the Colonial Secretary. I should not have moved the motion only I understood that the Government were advised that they had no option but to deal with these officers in the way recommended by the Assembly. In the person of the new Commissioner of Railways, I felt certain that any officers would receive justice, and that he would not proceed in an imperious way. Although the select committee inquired into the Ice Company's frauds, they did not formulate a charge against any officers, and the officers referred to were not aware of the evidence given. The committee decided on evidence which was given by persons when these officials were not present, and the officials did not see the evidence. When they applied for a copy of the evidence, they were refused permission to see it. I quite accept the assurance of the Colonial Secretary, and I am very pleased that he is in accord with the spirit of the resolution. I would have pressed it, but, after the assurance of the Colonial Secretary that no civil servant will be dismissed without a joint resolution, or a fair hearing being given, I am quite willing to withdraw the motion. I accept the Colonial Secretary's statement, in the shape of a promise that if these persons are dealt

with it will not be until after assent has been given to the Public Service Bill, so that the officers will have an opportunity of proceeding under the Bill.

THE COLONIAL SECRETARY: Apart from that, they will have every chance.

HON. R. S. HAYNES: Under the Public Service Bill, officers will be entitled to have a board of inquiry. I thank the Colonial Secretary for his explanation, and I ask leave to withdraw the motion.

Motion, by leave, withdrawn.

PUBLIC SERVICE BILL. DISMISSAL OF CIVIL SERVANTS.

HON. R. S. HAYNES having previously given notice of intention to move, "That in view of the assent at an early date being given to the Public Service Bill, civil servants should not be dismissed without an inquiry, as directed by that Bill," he now said: In view of the statement made by the Colonial Secretary, I ask leave to withdraw the notice of motion.

Notice, by leave, withdrawn.

MOTION — PUBLIC SERVANTS, TO GRADE AND CLASSIFY.

Notice of motion read, for the Hon. A. Jameson to move: "That a Royal Commission be appointed to grade and classify members of the civil service, and to fix their status and remuneration in the various classes."

HON. F. M. STONE, for Hon. A. Jameson, moved that the motion be postponed until to-morrow.

THE PRESIDENT: I may point out to hon. members that a Notice of Motion can be deferred, if an hon. member is not present. If an Order of the Day is called on, and the hon. member in charge is not present, the Bill lapses from the Notice Paper.

THE COLONIAL SECRETARY: In the case of a Notice of Motion?

THE PRESIDENT: If any member objects, it drops from the Notice Paper. If any member is in charge of a Bill, he cannot depute his power to another member to move it. Several decisions have been given on this point, lately.

Motion (postponement) put and passed.

PAPERS PRESENTED.

By the **COLONIAL SECRETARY:** 1, By-laws of the City of Perth. 2, Plan of

proposed new railway station, Hannan street, Kalgoorlie.

Ordered to lie on the table.

DISTILLATION BILL.

Read a third time, and returned to the Legislative Assembly with amendments.

NOXIOUS WEEDS BILL.

Received from the Legislative Assembly, and, on motion by the **COLONIAL SECRETARY,** read a first time.

LAND RESUMPTION AMENDMENT BILL.

Received from the Legislative Assembly, and, on motion by the **COLONIAL SECRETARY,** read a first time.

KILLING OF KANGAROOS FOR FOOD BILL.

Received from the Legislative Assembly, and, on motion by the **COLONIAL SECRETARY,** read a first time.

PATENT ACTS AMENDMENT BILL.

Received from the Legislative Assembly, and, on motion by the **COLONIAL SECRETARY,** read a first time.

LOAN BILL, £790,000.

Received from the Legislative Assembly, and, on motion by the **COLONIAL SECRETARY,** read a first time.

THE COLONIAL SECRETARY moved that the second reading be made an order of the day for to-morrow. He had entered into an engagement with hon. members not to go on to the committee stage until the next Tuesday.

Question put and passed.

STREETS (VICTORIA PARK) CLOSURE BILL.

Received from the Legislative Assembly, and, on motion by Hon. J. M. Speed, read a first time.

ADJOURNMENT.

ARRANGEMENT OF BUSINESS.

THE COLONIAL SECRETARY, in moving that the House do now adjourn said he understood several hon. members were willing to make a House to-morrow for the transaction of merely formal business, and he had given a promise that he

Bills would then be taken into Committee. If the second reading of any Bill should be moved, it would be open to any hon. member to move for the adjournment of the debate until the next Tuesday, so that hon. members would have full control over the business; but it was expected that formal business would come from the other Chamber, and if this could be advanced a stage, the work of the session would be assisted.

HON. R. S. HAYNES: Was there any reason for meeting to-morrow? He understood it was the intention of the Colonial Secretary to move the suspension of the Standing Orders on Tuesday, in order that Bills might be carried through all stages at one sitting.

THE COLONIAL SECRETARY: If necessary. Notice of motion had to be given.

HON. R. S. HAYNES: If the Standing Orders were suspended, the meeting to-morrow would be inoperative, because all the business could be proceeded with on the next Tuesday. He was now speaking on behalf of country members and others who desired to be at every meeting of the House, and it would meet their convenience if the House adjourned until the next Tuesday.

THE COLONIAL SECRETARY: A number of members had intimated their willingness to make a House to-morrow, and it was very desirable there should be a sitting, which, though only short, would enable him to move the second reading of one or two Bills, also to receive Messages from the other House.

THE PRESIDENT: Now that the session was drawing to a close, it would be advisable to meet to-morrow in order that Messages might be received from the other House, and as a certain number of members had promised to attend, it would be wise to accept the suggestion of the Colonial Secretary, and make a House to-morrow for the transaction of formal business.

The House adjourned at 5.15 o'clock until the next day.

Legislative Assembly,

Wednesday, 31st October, 1900.

Paper presented—Question: Legislative Assembly Buildings, Additions—Question: Rabbit Incursion, Prevention—Question: Circuit Courts and Fourth Judge—Exportation of Arms Bill, first reading—Coolgardie Exhibition Lands Repeal Bill, first reading—Patent Acts Amendment Bill, third reading—Loans Bill, third reading—Kalgoorlie Tramways Bill, second reading, in Committee, reported—Kalgoorlie Roads Board Tramways Bill, second reading; Select Committee—Leederville Tramways Bill, in Committee, new clause, reported—Fremantle Tramways Bill, Recommittal—Roads and Streets Closure Bill, in Committee, reported—Annual Estimates, Committee of Supply, Railways vote (resumed), adjourned—Adjournment.

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

PRAYERS.

PAPER PRESENTED.

By COMMISSIONER OF RAILWAYS: Retrenchment of Mr. H. W. Hargrave, Correspondence (as ordered).

Ordered to lie on the table.

QUESTION—LEGISLATIVE ASSEMBLY BUILDINGS, ADDITIONS.

MR. ILLINGWORTH asked the Premier, Whether it was proposed to make arrangements whereby a commencement might be made as soon as the House was prorogued, with the necessary additions to this Chamber, in accordance with the plans submitted last session for the approval of members, and in order that the additional rooms might be available when the new Parliament met for the despatch of business.

THE PREMIER replied:—The first thing to be decided is what amount of money it is advisable to spend on this old building. I would suggest that a Select Committee be appointed to report.

QUESTION—RABBIT INCURSION, PREVENTION.

MR. MITCHELL asked the Commissioner of Crown Lands: 1, Whether any steps were being taken to check the inroads of the rabbit pest. 2, If so, what was the nature of them.

THE COMMISSIONER OF CROWN LANDS replied:—1, Yes. 2, Lightly equipped parties are being organised for the purpose of destroying any colonies of rabbits that may be found in the infested areas.