

the majority of members, the Inspection of Machinery Bill.

SEVERAL MEMBERS: No.

THE COLONIAL SECRETARY: I hear four members say "No," but I honestly believe that these clauses have an absolute claim to be retained in the present measure owing to the action taken by the House some little time ago in refusing to pass the second reading of the Inspection of Machinery Bill.

HON. G. RANDELL: We have these provisions already. This is only a re-enactment.

THE COLONIAL SECRETARY: We have certain provisions dealing with boilers in the present Boilers Act, but the efficient protection of machinery is a subject upon which we want more definite legislation than we have now. We have also an Employers' Liability Act, but I would like to point out that this Bill, or any legislation in this respect, is calculated to protect the employer just as much as the employee. I hope, and I think I may say that I almost feel confident, that the second reading will be carried, and I hope also that hon. members will not adopt the course, which I am led to believe in the past history of this House has been adopted, of placing on the face of the Bill amendments which render it impossible that another place will accept them. I hope this will not be done.

SIR E. H. WITTENOOM: It has never been done.

THE COLONIAL SECRETARY: I accept Sir E. H. Wittenoom's assurance that it has never been done in the past, and I hope at all events it will not be done in the present instance. I feel confident that the good sense, and that sense of fairness appealed to by the Hon. G. Randell, on the part of hon. members of this House will prevail, and that the second reading will be passed without a division.

Amendment (six months) put and negatived.

Question put, and passed on the voices.

Bill read a second time.

ADJOURNMENT.

The House adjourned at 9:47 o'clock, until the next day.

Legislative Assembly,

Wednesday, 2nd December, 1903.

Election of a Speaker PAGE 2416

The House met at 7:30 o'clock, p.m.
THE CLERK ASSISTANT (*ad interim*)
stated and put questions.

ELECTION OF SPEAKER.

THE PREMIER (Hon. Walter James): Mr. Grant, owing to the death of our Speaker the obligation now falls upon the members of this House to appoint a successor. By Section 15 of the Constitution Act of 1869 it is provided that the members of the Assembly shall, in the case of the death of the Speaker, again elect one of their number to be Speaker. By our Standing Orders provision is made, as members will see in the orders from No. 8 onward. By these Standing Orders a proposition is made to the House that a certain member do take the Chair, and it is then open for any members who desire to propose a member other than the one proposed to place their nomination before the House; and then by Standing Order No. 13 a ballot is held and the question is settled. In dealing with this question, we have to bear in mind that we are now on the eve of the termination of this session and the dissolution of Parliament. The Speaker who is now appointed will hold office, as far as members here are concerned, for the matter of a few weeks, and it will rest with the new Parliament when it meets after the elections to choose a Speaker to hold office during the term of that Parliament. Owing to the fact that in the past Sir James Lee Steere has commended himself so unanimously to members of this House, there has been no need to have an election, because as Parliament after Parliament has met we have recognised so unanimously his pre-eminent qualifications for the Chair that we have placed him in it without the least opposition, or the least suggestion of opposition. The duty devolves upon me of placing a motion before the House, and I now have very great pleasure in moving in accordance with Standing Order No. 8,

That Mr. Harper do take the Chair of this House as Speaker.

In moving that motion I do it with very great pleasure, because for some years past Mr. Harper has been acting as Chairman of Committees, and by virtue of our Standing Orders his position as Chairman of Committees has thrown upon him the obligation of occupying the position of Deputy Speaker, and of watching over the deliberations of this House. Members are no doubt aware of the fact that comparatively recently our late Speaker obtained leave of absence, and during that time Mr. Harper was Deputy Speaker and practically in control of the House. During the whole of this session, owing to the unfortunate illness of Sir James Lee Steere, Mr. Harper time after time has been called upon to preside over our deliberations, and time after time he has been called upon to sacrifice his personal views, his personal desire to take part in the deliberations and discussions on which he held strong views, for the purpose of keeping himself free for the occupancy of the Chair as Deputy Speaker. Mr. Harper has had a long service as Chairman of Committees, and a very long service as a member of this House, and I think very few members of this House will not readily admit that Mr. Harper occupies a very high position in the estimation of members, and that he enjoys a high reputation throughout the State. I have pleasure in making this motion, and I hope the House will agree to make it a unanimous nomination. Mr. Harper knows, as I am quite certain any person who is elected will know, that all we are doing now is to elect a Speaker for the remainder of this session until a new Parliament comes in. When the new Parliament comes in every member is perfectly free. We of course cannot say who will be chosen Speaker then, but I think I am expressing the views of members and of Mr. Harper himself when I say that in dealing with this question members reserve a perfect freedom for future action. We are called upon to elect a Speaker for the remainder of this session, and the services rendered to Parliament and the State by Mr. Harper as an old and distinguished member of this House fully justify me in making this motion, and in expressing the hope that members will unanimously indorse

it and appoint Mr. Harper to the position of Speaker. I beg to move the motion.

THE MINISTER FOR WORKS (Hon. C. H. Rason) : I second the motion.

MR. C. HARPER (Beverley) rose in his place and said : I desire to express my cordial thanks for the honour proposed to be put upon me, and to say that if members place me in the high and honourable position of Speaker, I shall fulfil it to the best of my ability. I place myself entirely in the hands of the House.

MR. F. WALLACE (Mount Magnet) : I have a desire to nominate a member of this House as a candidate for the position of Speaker. Am I in order in doing so now?

THE CLERK ASSISTANT : I will read the Standing Orders on the point. [Standing Orders 9 and 12 read to the House.]

MR. WALLACE : I wish to nominate for this position the hon. member for Cue (Mr. F. Illingworth). I have spoken to Mr. Illingworth, and I have every reason to believe that he will accede to the decision of the House. Looking back to the previous occasion on which we had to appoint a Speaker, I would like to remark that the present Premier, then the member for East Perth, proposed our late departed friend (Sir James Lee Steere) with not nearly so many words as he has used on this occasion. It was needless for the Premier to eulogise Mr. Harper as he did, because members are equally able to form a similar opinion to that of the Premier on Mr. Harper's fulfilment of his duties as Deputy Speaker of the House and Chairman of Committees; but in my opinion, and in the opinion of many members, the time has arrived when another hon. member, the member for Cue, should occupy the position of Speaker, as he is more worthy to fulfil the position. It is not the time for one to put forward the good qualities of a candidate for that position, because members having sat in this House for two years are well able to judge of the qualities of the candidates without any eulogies from the Premier. Mr. Illingworth has sat in this House for ten years, and has had previous experience. The Premier having raised the question of fitness, I venture to say that Mr. Illingworth's experience, if not as long perhaps as that of the member for Beverley, has

fitted him equally well for the position. Mr. Illingworth, during this session, has done the greater part of the work in connection with the Chairmanship of Committees, and he has filled the position of Deputy Speaker on occasions. On all occasions he has given satisfaction almost to the letter. Even our late departed friend Sir James Lee Steere was not accurate in all his rulings, and not one Speaker in any Parliament has been absolutely accurate. I am sorry I have had to say even this much in favour of the candidate I have nominated, because I have the utmost respect for both gentlemen, and if two Speakers were required I would like to see both gentlemen chosen. However, as we have to appoint only one Speaker I would rather have Mr. Illingworth chosen, and I have very much pleasure in moving—

That Mr. Illingworth do take the Chair as Speaker of this Assembly.

MR. P. STONE (Greenough): I have much pleasure in seconding the proposition put forward by the member for Mt. Magnet. I have been acquainted with the hon. member for Cue for a good many years, and have watched his career, and I think he is fit to fill the position of Speaker. Certainly no member of the House has paid greater attention to legislative matters than Mr. Illingworth during his parliamentary career in Western Australia. He has been here night after night, and ever since he was returned to the House I have watched his career very closely, and I think he is an authority on parliamentary procedure which we have no reason for regret.

MR. F. ILLINGWORTH (Cue) rose in his place and said: Though this nomination is not of my own seeking, I have consented to it because I find that a number of members are desirous that I should so consent. The House will form its own judgment, and decide which is the better man. I shall be content with the choice whichever way it is; and if the choice should fall upon me, which I very much doubt, I shall try to do my duty. I shall place myself unreservedly in the hands of the House.

THE CLERK ASSISTANT: It will be necessary to take a ballot, in accordance with Standing Order No. 13. The proposers of the candidates will act as scrutineers,

Ballot taken, and Mr. Harper declared to be elected by a clear majority of members present as Speaker of the Legislative Assembly. (General applause.)

THE SPEAKER-ELECT being then conducted to the Chair by the Premier and the Minister for Works (greeted with applause), said: Hon. members, I have to thank you most sincerely for the high and honourable position to which you have elected me this night. I can only say that as far as my abilities go I shall endeavour to carry out those duties with the utmost justice and fairness to all, with your assistance; and on this I wish to ask most particularly that I shall obtain your assistance. When our late lamented Speaker was last elected to the honourable position, he laid great stress on that point. He said, "Unless you assist the Speaker, he is powerless to keep order in your House." I wish to emphasise this, because a habit has grown up amongst us of leaving it entirely to the Speaker to keep order. It is just as much the duty of any one member as of the Speaker to call attention to disorder of any kind when it occurs. If any hon. member hears another commit a breach of the orders of this House, it is his duty to call attention to it. The Speaker often has not the opportunity, or may not catch something said which ought not to be said, and it is then the duty of members of the House to call his attention to it; and I ask you earnestly and sincerely to assist me in carrying those duties out. I again thank you most heartily. (Applause.)

THE PREMIER: Mr. Speaker, I desire to offer you the congratulations of the House on your appointment to the high office you now hold, and I reciprocate entirely the view to which you have just given expression. We are all anxious to assist you as far as we possibly can in the maintenance of order in this House. I think all of us appreciate the fact that if we are called to order sometimes, even if momentarily we think we are wrongly called to order, we have respect for the Chair, and we like to see that authority exercised. We extend to you our hearty congratulations. I think you will permit me to say it is an express honour to be elected in view of your competitor, the member for Cue (Mr. Illingworth). All of us have realised on

many occasions what good and valuable services the member for Cue has rendered to this House and what a strong grip he has of constitutional questions, and the fact that you have been elected as you have in opposition to that hon. member is perhaps a double compliment, proving that we realise the service you have rendered to us as Chairman of Committees; and now we have an opportunity of appointing you to the office of Speaker, we are not unmindful of the services you have rendered in that humbler capacity. I extend to you the heartiest congratulations of the members of the House.

MR. S. C. PIGOTT (West Kimberley): I wish, on behalf of members sitting on these (Opposition) benches, to join with my hon. friend in congratulating you on having attained the high and honourable position to which you have this evening been elected. It is to you that members of this House look for assistance just in the same way as you this evening said you look forward to the assistance of members of this House to help you to carry out your duties. There are many occasions—and though only a young member in politics I have noticed those occasions—when perhaps a speaker may at times, being carried away by intense feeling, be liable to say in this Chamber things which he would not say in a cool moment outside, and it is at those times we look to our Speaker for assistance. It is to him we look in order that he may tell us when we are going too far, when we are going beyond our range; and while we congratulate you on having attained that position which you now occupy, I would like to say we will extend to you a promise that your decisions will be obediently and instantly accepted on this side of the House, and I hope by all members. The Chair carries every respect with it, and when it is occupied by a member who has been in the House for many years, I think there can be no possible doubt that it will carry a greater amount of respect than it would perhaps have carried if a new member had been appointed. I can only say again that we offer you our hearty congratulations, and that we also promise to abide by your decisions faithfully and obediently. (Applause.)

MR. R. HASTIE (Kanowna): I wish also to congratulate you, Mr. Speaker, upon the attainment of your present office, and I can assure you there is not one member of the House who does not believe that your decisions will be fair and just ones. Our experience has been that if you have erred you have erred too much on the other side, too much with an idea of not allowing any person to suppose he has been in any way restricted. You mentioned a few minutes ago that you required the assistance of the House in order to enable you to carry out the duties of Speaker properly. I feel certain the House will always abide by your decisions. The House will recognise that there are a great many things that are just upon the borderland as to whether we are out of order or not, and we must have an authority to decide these questions. The Speaker is invested with that authority, and I am certain every member of this House will immediately abide by that ruling. Again I wish to congratulate you upon your attainment of the office, and express my belief that during this session of Parliament we will be able to get along very amicably in that position.

MR. F. ILLINGWORTH (Cue): Mr. Speaker, I desire to unite my congratulations with those of other members of the House who have spoken on this occasion. The result of the ballot is exactly what I expected, and I may say to a large extent what I wished. I can assure you there is no member of this House more willing to support the Speaker in the honourable position in which he has been placed than I shall be. I offer you my best congratulations, and pledge you my heartiest support. I should like also to take this occasion of thanking the Premier for the very kind words which he was pleased to utter with regard to myself as a member of this House. I have tried to do my duty in any capacity in which I have been placed, and it was only a sense of duty which induced me to allow myself to be nominated on the present occasion.

MR. F. WALLACE (Mt. Magnet): I too would like to offer you, sir, my congratulations, even though I opposed you by nominating another member. I also will continue to give that respect which I did prior to your elevation to the office.

I feel that members of the Assembly will recognise that from you at least we shall get justice, no matter what our sentiments may be or on what side of the House we sit. I hope your position will be quite easy to you, and that you will be long spared to discharge the duties of the position. I desired to have a contest, having always held the opinion that new blood is desirable. That is why I asked the member for Cue to allow me to nominate him. I trust the same good feeling will exist between yourself and myself during the remainder of my term in the House. I again congratulate you.

THE SPEAKER-ELECT: I can only repeat what I said before, that I thank you from my heart for having placed me in this high and honourable position. I hope I shall not fall short in any way in fulfilling those wishes which you have expressed. If I do err, as men must, it will be an error of judgment and not in any way an error of prejudice. My only desire is to give justice and satisfaction to this House, and to maintain its dignity in accordance with the House as it was left by our late lamented Speaker. I cordially thank you.

ADJOURNMENT.

THE PREMIER informed the House that His Excellency the Governor would be pleased to receive hon. members at a quarter to three o'clock to-morrow afternoon, for the purpose of presenting to His Excellency the Speaker elected by the House.

The House adjourned at 8.14 o'clock, until the next day.

Legislative Council,

Thursday, 3rd December, 1903.

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

PRAYERS.

PAPER PRESENTED.

By the COLONIAL SECRETARY: Map showing the centre line, with limits of deviation of the Jandakot railway route (projected).

Ordered, to lie on the table.

BOULDER TRAMWAYS BILL.

Read a third time, and passed.

MINING BILL.

SECOND READING.

Debate resumed from 18th November.

HON. J. T. GLOWREY (South): I think the mining community are indebted to the Government for the very great attempt to bring forward a more liberal mining measure. The Bill now before the House is a consolidating measure, and a liberalising one. I have no doubt when we go carefully through the Bill, as most of us will do or have done, we shall find very many minor amendments to make in it. We all know the progress that has been made in mining in this State until the last two or three years, during which time, I am sorry to say, mining has been more or less at a standstill. This may be due to a variety of causes, and it is necessary for the Government to assist the mining industry in every possible way, and encourage it, and I am pleased to say in this Bill some inducement is offered to prospectors to go out and open up the country. The Bill itself gives the prospector some relief and some inducement, but I maintain the provisions are not liberal enough. There are several clauses of the Bill—Clauses 16 to 41—dealing with miners' rights. A great portion of the Bill is