

sideration at our hands, I think that in the interests of the public and in the interests of justice, the second reading ought to be postponed. I am afraid that the other House has sent up bills to which it has not given as much consideration as it ought to have given. This bill ought to have been referred to a select committee before it came here, so that evidence might be taken, not only from employers, but also from operative coal-miners, to show how it will affect the interests of the two classes. In that case we should have been able to form an opinion on the merits of the bill; but no select committee has sat. It seems to me that if we take action in respect to these bills of a character which we believe will best promote the interests of the persons concerned, we are blamed by the other House for interfering with the expressed will of the representatives of the people. It is not fair to the House that we should be treated in this manner. A careful inquiry should be made before a bill of this kind is sent up. I concur in the view which the hon. and learned member, Dr. Garran, has expressed on the subject. I do not think I shall be revealing any confidence in stating that there are several members of the Assembly connected with the coal-mining industry who expect the members of the Council to give the bill a searching examination. In fact, they say it contains features which, if assented to by the House, will materially tend to cripple this important industry. Under such circumstances, I think the bill ought to receive the fullest consideration. If the Representative of the Government will state in what respect the bill differs from the existing law, I shall be able to form an opinion as to whether or not it should receive my assent.

Mr. W. H. SUTOR: As hon. members desire the debate on the second reading to be postponed, I shall have no objection to an adjournment until this day week. No doubt it is a very important measure. I quite admit that I have not done justice to the subject. I had too little time myself to go through the bill, and for that reason I have not been able to give a fuller explanation of its provisions to the House.

Motion agreed to; debated adjourned.

House adjourned at 9:24 p.m.

Legislative Assembly.

Wednesday, 12 November, 1890.

Publicans Licenses Further Restriction Bill—Department of Defence—Post and Telegraph Department—Lands Department: Promotions—Telegraph Messenger Drew—Land Board, Gosford—Railway: Bairnsdale to New South Wales Border—Volunteer Artillery—Land Agents—University Cutting—Third Readings—Newcastle Pasturage Reserve—Mrs. Cunyngame—Public Service Commission Reports—Papers—Business of the House—Disturbance at Clontarf—Pitt-street Fire—District Government Bill—Harbour Trusts—Newcastle Electric Lighting Bill (No. 2)—J. E. Manning—Public Works Expenditure—Married Women's Liability Bill—Policies of Assurance Bill—Capital and Labour Commission—Imprisonment for Debt Amendment Bill—Milson's Point Extension Railway Bill (third reading)—Marriekville to Burwood Road Railway Bill—Electoral Bill—Leprosy Bill—Financial Statement—Adjournment (Compendium of Speaker's Rulings—Gosford Land Board—Land Court).

Mr. SPEAKER took the chair.

PUBLICANS LICENSES FURTHER RESTRICTION BILL.

Message—recommending the expediency of making provision to meet the requisite expenses in connection with this bill—read.

DEPARTMENT OF DEFENCE.

Mr. TONKIN (for Mr. THOMPSON) asked the COLONIAL SECRETARY,—(1.) Have the Government as yet considered the matter of establishing a department of defence? (2.) If so, what provision has been made for it?

Sir HENRY PARKES answered,—This matter has not been considered.

POST AND TELEGRAPH DEPARTMENT.

Mr. TONKIN (for Mr. THOMPSON) asked the COLONIAL SECRETARY,—(1.) Why has not the report of the Royal Commission on the Post and Telegraph Department been laid upon the table of the House? (2.) When will it be ready for hon. members, so as to enable them to judge of the estimates for that department when submitted?

Sir HENRY PARKES answered,—I informed some other hon. member yesterday that this report should be laid upon the table in a day or two. It shall be laid on to-morrow.

Mr. W. STEPHEN asked the COLONIAL SECRETARY,—(1.) What is the nature of the reorganisation in the department of

the Postmaster-General, as notified in the Estimates-in-Chief for 1891? (2.) Has this reorganisation been framed in accordance with the recommendations made in the report of the Civil Service Inquiry Commission on the Postal and Telegraph Departments, handed to the Colonial Secretary on 9th May last? (3.) When will this report, of which, on 19th August, Mr. McMillan, for the Colonial Secretary, said "There was no objection to laying the report on the table at an early date," be laid before Parliament?

Sir HENRY PARKES answered,—(1.) Owing to the augmentation of business, it becomes needful to make provision for changes in the duties and for alteration in the designation of officers, for increase in the number of officers in some grades, and for the concentration of the officers in other grades; and the most convenient way of effecting this is by the estimates as submitted to Parliament. (2.) I may say that the report of the Civil Service Inquiry Commission can have had nothing to do with these changes, as that has not been before the Postmaster-General. (3.) As I have already stated, the return will be laid before Parliament to-morrow.

LANDS DEPARTMENT: PROMOTIONS.

Mr. CHANTER (for Mr. A. BROWN) asked the SECRETARY FOR LANDS,—(1.) Is it a fact that a number of clerks in the head office, Sydney, have received successive increases of salary since 1884, amounting in the aggregate in some instances to £225, whilst other clerks in the country, their seniors prior to the Land Act of 1884 coming into operation, have received no increases to their salaries whatever? (2.) Is it a fact that the following officers have had their salaries increased at the head office in the following ratio:—Curry, from £350 in 1884, to £625 in 1890; Cohen, £350 to £525; De Low, £350 to £475; Capper, £350 to £475; Yorke, £300 to £375? (3.) Are the same officers down for further increases in the estimates for 1891? (4.) Are there any special circumstances which warrant the increases to officers at Sydney which do not apply to officers in the country districts (disregarding the few instances of increases consequent on the board's inquiry)?

Mr. BRUNKER answered,—(1.) It is possible that such differences may exist,

[Mr. W. Stephen.

but this cannot be ascertained without a considerable amount of investigation—the mere location of an officer does not account for difference of salary. In consequence of the redistribution of offices, and the necessity for new posts created by the act of 1884, some officers removed to the country no doubt obtained higher positions than others of longer service in Sydney, while officers in Sydney have been advanced to higher positions than some at present in the country. If the hon. member will supply the names of officers between whom he desires a comparison to be instituted further information will be obtained; but I may mention that length of service alone is not always found to carry with it the necessary qualifications for special positions. (2.) Yes, so far as most of the officers mentioned are concerned. In the case of these officers the salaries specified as for the year 1890 are paid for duties attaching to posts not existing in 1884. (3.) They are proposed for such salaries as are thought to be fairly adequate to the responsibilities of their respective positions, and such salaries attach to the positions, whoever may from time to time occupy them. I may be permitted to add that since the reorganisation of the department the officers who have been specially named in the questions put have been appointed to occupy more responsible positions than they have held in the past, and the reason for this was that I found considerable delay accruing in the department from the fact that the whole of the work before it came into my hands had to filter through the hands of the under-secretary. I could not understand why gentlemen occupying responsible positions and receiving large salaries attaching to their offices, should not take upon themselves the responsibility of giving the public such advice as was necessary, and as was within their province to give, and of dealing with the cases which came before them, and of sending them on direct to me, thereby saving a considerable amount of time. (4.) There are special circumstances which warrant, not only the increase to officers at Sydney over officers in the country, but also to officers in the country over officers in Sydney, depending in either case upon the duties to be performed and the qualifications of the officers called upon to fulfil them.

TELEGRAPH MESSENGER DREW.

Mr. FRANK FARNELL asked the POSTMASTER-GENERAL,—(1.) Has the case of the death of a telegraph messenger named Drew, who was killed by the horse he was riding having fallen on him, been brought under his notice, with a view to awarding Drew's mother something as compensation for the loss of her son? (2.) Is he aware that Drew was the principal support of his widowed mother? (3.) Is it not a fact that the horse Drew was allotted to ride had thrown other boys before, and that it was so spirited that very few of the messengers would ride it? (4.) Does he intend to take into consideration the whole circumstances, with a view to relieving Mrs. Drew, and awarding her reasonable compensation?

Mr. D. O'CONNOR answered,—As I have already informed the hon. member for Hartley, who first brought this matter under my notice, I have delayed answering these questions, so that I might have time to investigate the matter. (1.) Yes. (2.) It is so stated in a letter from herself. (3.) No; the pony he was riding was not identical with the one referred to. (4.) It is reported to me that the unfortunate lad was alone to blame for the accident; but I have taken the matter into consideration, and decided to allow Mrs. Drew £100.

LAND BOARD, GOSFORD.

Mr. STEVENSON asked the SECRETARY FOR LANDS,—(1.) Has any meeting of the land board been held at Gosford since the 18th April, 1890? (2.) Have numerous selections been taken up in the Gosford land district during the last six months? (3.) Is he aware that selectors are prevented from residing and making improvements pending the confirmation of their applications to conditionally purchase? (4.) Is it intended that the land board shall hold any further meetings at Gosford for the transaction of land business? (5.) In view of the great inconvenience to selectors, will he communicate with the board with the object of fixing a meeting at an early date?

Mr. BRUNKER answered,—(1.) No. (2.) There have been eleven applications for conditional purchases made since the 1st May last. (3.) I am not aware, but under the 12th clause of the Crown Lands

Act of 1889 all the conditional purchasers above mentioned are at liberty to enter upon the land immediately after applications have been made. (4.) Yes. (5.) Yes.

RAILWAY: BAIRNSDALE TO NEW SOUTH WALES BORDER.

Mr. MILLER asked the SECRETARY FOR PUBLIC WORKS,—(1.) Has he received any communication from the Victorian Government in reference to the extension of the Victorian railway from Bairnsdale to the New South Wales border; if so, will he kindly inform the House of the nature of such communication? (2.) If not, will he take an early opportunity of communicating with the Government of Victoria with a view of determining on the point of juncture, as well as the speedy completion of the two lines, to form a second or alternate route between the capitals of this and the adjoining colony of Victoria?

Mr. BRUCE SMITH answered,—(1.) No such communication has been received. (2.) I cannot promise that the Government will enter into any such correspondence at present. The intention of continuing the railway beyond Cooma was based upon the supposition that the Victorian Government were about to push on with the completion of their railway to the New South Wales border; but, as there seems no such intention at present, the matter can well be suspended for a time, until the Victorian railway policy is definitely known.

VOLUNTEER ARTILLERY.

Mr. WILLIS (for Mr. SCHEY) asked the COLONIAL SECRETARY,—(1.) Has he received a report from the military authorities who were appointed some time ago to investigate and report upon the alleged hooting of certain labourers by a portion of the Volunteer Artillery? (2.) If so, has he come to any decision on the matter? (3.) If so, what steps, if any, does he intend to take in the matter? (4.) Will he take steps to see that in any action which may be taken, the innocent are carefully distinguished from the guilty? (5.) If no decision has yet been arrived at, when will the matter be decided?

Sir HENRY PARKES answered,—I had some conversation to-day on this subject with the general commanding. I am

to have a memorandum from this officer, and a further conversation with him to-morrow, when the matter will be decided.

LAND AGENTS.

Mr. EWING (for Mr. CRUICKSHANK) asked the SECRETARY FOR LANDS,—Will he take into consideration the necessity of immediately giving instructions to land agents to insert the amount of interest and principal due by selectors in the receipts when the annual instalments are paid?

Mr. BRUNKER answered,—This matter has already received careful consideration, and, in the public interest, it would be very undesirable to alter the present form of receipt. The land agents, however, are instructed, when balances are tendered, to furnish full information respecting the amounts due.

UNIVERSITY CUTTING.

Mr. BRUCE SMITH: Perhaps I may be allowed to reply to a question asked yesterday by the hon. member for West Sydney, Mr. Abigail, in reference to the University cutting at the Glebe. The hon. member asked me whether I was aware that in consequence of an excavation at the proposed retaining wall at the Glebe the verandah of one of the houses had fallen? I find on inquiry that owing to the unskilful work of the foreman for the contractor who has undertaken the work, part of the embankment did tumble in; but the foreman has been dismissed and has been replaced by a more suitable man this morning, and whatever damage has been done, I believe, has by this time been rectified.

Mr. ABIGAIL: I am glad to find that the work has been commenced.

THIRD READINGS.

The following bills were read the third time:—

Wagga Wagga Cattle Sale-yards Bill.
Tumut School of Arts Site Sale Bill.
Berry Municipal District Naming Bill.

NEWCASTLE PASTURAGE RESERVE.

Ordered (on motion by Mr. MELVILLE):

That there be laid upon the table of this House copies of all papers, letters, affidavits, and minutes connected with the granting of portions 1,645 and 1,646, of the Newcastle Pasturage Reserve to the Primitive Methodist Connection at Adamstown.

[*Sir Henry Parkes.*]

MRS. CUNYNGHAME.

Mr. CRICK: A question was asked on my behalf by the hon. member for Bourke, Mr. Willis, as follows:—

As the legal costs and expenses in connection with the select committee appointed to inquire into the case of Mrs. Cunyngame have not yet been paid, will he promise that the same will not be paid until approved by this House?

Sir Henry Parkes answered,—I really know nothing about the matter to which the question refers, but certainly no money will be paid without the knowledge of this House.

I may remind the Colonial Secretary that this had been the subject of two previous questions, and it refers to the legal costs incurred by a Government officer in connection with his defence before a select committee appointed to inquire into the case of Mrs. Cunyngame. I should like to have it clearly stated by the Premier that these costs will not be paid until submitted to and approved of by this House.

Sir HENRY PARKES: Are they legal costs in some action?

Mr. CRICK: They are the legal costs incurred by the Director of Asylums in appearing before the select committee appointed to inquire into the case of Mrs. Cunyngame.

Sir HENRY PARKES: Would not those be expenses?

Mr. CRICK: We generally call all that the lawyers get costs. They rank higher than expenses. I wish that there should be no misunderstanding, and that the attorney's costs incurred by the Director of Asylums will not be paid until sanctioned by this House.

Sir HENRY PARKES: I cannot say that at this moment. The hon. member will, perhaps, put his question on Tuesday next.

Mr. CRICK: That will be the fourth time!

PUBLIC SERVICE COMMISSION REPORTS.

Mr. TRAILL: I wish to ask the Colonial Secretary whether, in order that hon. members may have all proper information before them, he will lay upon the table before the estimates are dealt with all the reports of the Public Service Inquiry Commission which have been sent in up to the present time?

Sir HENRY PARKES: There is no objection whatever.

PAPERS.

Ministers laid on the table the following papers:—

Copies of *Gazette* notices, setting forth the mode in which it is proposed to deal with the dedication of certain lands, in accordance with the provisions of the 105th section of the act 48 Victoria, No. 18.

Abstract of Crown lands authorised to be dedicated for public purposes, in accordance with the 104th section of the act 48 Victoria, No. 18.

Report of Commission of Inquiry into the Civil Service upon the General Post Office, Money Order Office, and Electric Telegraph Department.

BUSINESS OF THE HOUSE.

Mr. T. WALKER: I desire to ask you, Mr. Speaker, a question with reference to a motion which I have on the paper proposing that pairs should be reported in *Hansard*. In giving notice of that motion, I understood that it would appear as business of the House, and would therefore take precedence. I notice that it has now taken its position among the general notices of motion; and therefore I shall not be able to reach it this session.

Mr. SPEAKER: I will see that the motion is placed first next sitting day.

Mr. T. WALKER: It would be more convenient for me if it were fixed for next Wednesday.

Mr. SPEAKER: It will appear on the business-paper to-morrow, and the hon. member can then arrange to have it fixed for Wednesday. That cannot now be done, because we have gone through the business-paper for the purpose of fixing business.

DISTURBANCE AT CLONTARF.

Mr. LYNE: I wish to ask the Minister of Justice whether it has been brought under his notice that something approaching a riot—at any rate, very considerable disorder—took place at Clontarf on Monday last? Scenes of the worst kind were witnessed, and among those present were many young girls. It took place in the presence of Sub-Inspector Broderick, Sub-Inspector Hyam, and a number of other persons who were helpless to take any action to prevent those scenes. The promoters of the Foresters' picnic, which was being held there, were also powerless to do anything with a mob of roughs called the "Gipps-street push," who were there. I am told that these scenes took place in

and about the hotel which is at Clontarf, and that they would not have taken place had it not been for the drink supplied by the publican, who, I think, is named Moore. I ask the Minister of Justice whether this has been represented to him; and, if it has not, whether he will make inquiries of those two inspectors I have referred to; and, if what I have stated is true, whether he or the Colonial Secretary will have Mr. Moore's license cancelled, and whether he will see if these scenes, which are described by an eye-witness as being of the worst character, cannot be put a stop to?

Mr. GOULD: The matter has not come under my notice, nor do I believe it has come under the notice of the Colonial Secretary, who has charge of the administration of the Police Department. As the administration of the Licensing Act comes within the Department of Justice, I will cause inquiry to be made in regard to the representations concerning Mr. Moore's hotel. If there has been conduct of the disgraceful character indicated I have no doubt it will be brought before the bench by the police authorities.

PITT-STREET FIRE.

Mr. LEES: I desire to ask the Minister of Justice, without notice, whether he has any objection to lay on the table copies of the depositions taken at the coronial inquiry as to the cause of the late fire in Pitt-street.

Mr. GOULD: If the hon. gentleman will place a motion on the notice-paper in the usual way I have no doubt it will be accepted as being of a formal character.

DISTRICT GOVERNMENT BILL.

Mr. J. WILKINSON: I desire to ask the Colonial Secretary if it is the intention of the Government to proceed with the Local Government Bill this session?

Sir HENRY PARKES: If the hon. member will promise me that by proceeding I shall be successful I shall certainly proceed.

Mr. J. WILKINSON: If that is all the Colonial Secretary wants I have much pleasure in making the promise.

HARBOUR TRUSTS.

Mr. NICOLL: I wish to ask the Colonial Treasurer whether it is his intention

to bring in a bill for the establishment of a harbour trust for the ports of Sydney and Newcastle, this or next session?

Mr. McMILLAN: The matter has had the attention of the Government, but there is little chance of the bill being introduced this session.

Mr. NICOLL: Will it be introduced next session?

Mr. McMILLAN: I hope so.

NEWCASTLE ELECTRIC LIGHTING BILL
(No. 2).

Report of select committee presented.

J. E. MANNING.

Mr. CRICK: In view of the fact that the report of the select committee appointed to inquire into the case of Mr. J. E. Manning, chairman of the licensing bench at Ryde, has been laid on the table, I desire to ask the Minister of Justice whether he will not reappoint Mr. Manning until the House has had an opportunity of dealing with the report?

Mr. GOULD: I can hardly enter into any question as to the finding of the committee of inquiry respecting Mr. Manning. I may state that as Ryde comes within the Parramatta licensing district, for which it is necessary to appoint the police magistrate as chairman of the licensing bench, that gentleman will be appointed in place of Mr. Manning when the new appointments are made.

PUBLIC WORKS EXPENDITURE.

Mr. LYNE: I desire to ask the Colonial Treasurer whether he will lay on the table the schedules of public works expenditure, so that, when the estimates are again considered, hon. members may have an opportunity of knowing what money it is intended to spend on public works?

Mr. McMILLAN: I can inform the hon. member that the schedules will be ready when we deal with the estimates. Of course, we have not finished the financial debate yet.

Mr. LYNE: Why can we not have them now?

Mr. McMILLAN: I will have them ready as soon as possible.

Mr. LYNE: I would point out that it is very necessary that we should have them whilst the financial debate is going on.

[Mr. Nicoll.

Mr. McMILLAN: I will consult my colleagues to-morrow, and I will have them ready as soon as possible.

MARRIED WOMEN'S LIABILITY BILL.

Bill received from the Legislative Council, and (on motion by Mr. Frank Farnell) read the first time.

POLICIES OF ASSURANCE BILL.

Bill received from the Legislative Council, and (on motion by Mr. Frank Farnell) read the first time.

CAPITAL AND LABOUR COMMISSION.

Mr. ABIGAIL: I desire to direct the attention of the Colonial Secretary to a paragraph in a newspaper, with the view of asking a question. The paragraph is headed "Conflict between Capital and Labour," and is as follows:—

Within the next few days the Government will fulfil its promise by appointing a royal commission to take evidence, and report upon the causes, of conflicts between capital and labour. The commission is to be composed of some twelve or fourteen members representing both interests concerned. The duty of the commission will be to ascertain the best mode of preventing or mitigating the consequence of strikes, from an economical standpoint; to learn what has been accomplished by measures devised in other countries by boards of conciliation or similar bodies; to obviate extreme steps in trade disputes; and to consider and report on the whole subject.

I wish to ask whether the paragraph contains a correct version of the action of the Government, and whether it is intended to investigate the cause and effects of the late strike?

Sir HENRY PARKES: The Government have thought of appointing, at a very early date, a commission of the character to which that paragraph refers, and of course it will, to some extent, go into the circumstances of the late strike; but its object is far larger and more reaching—to make an inquiry into the whole question of strikes, and the proposed remedies for mitigation.

Mr. ABIGAIL: I should like further to ask the Colonial Secretary whether he will instruct the Statistical Department to proceed to collect information with regard to the strikes that have taken place in the colony? I would point out that this course has been adopted in the United States of

America, with great advantage to both interests involved in the strikes.

Sir HENRY PARKES: While the Cabinet are contemplating the appointment of this commission, I can take no step to indicate their proceedings; but supposing the commission, when appointed, should require the instrumentality of the Government to obtain information of that kind, or any other, it would be extended to their inquiries.

IMPRISONMENT FOR DEBT AMENDMENT BILL.

Mr. DIBBS: I wish to ask the Minister of Justice whether he is prepared to keep his promise and to lay upon the table to-night the bill with reference to imprisonment for debt which he promised this day week?

Mr. GOULD: I will lay the bill on the table in the course of the evening.

At a later stage,

Bill presented, by Mr. Gould, and read the first time.

MILSON'S POINT EXTENSION RAILWAY BILL.

THIRD READING.

Question—That the bill be now read the third time—put. The House divided:

Ayes, 56; noes, 17; majority, 39.

AYES.

Abbott, Joseph
Abbott, W. E.
Abigail, F.
Allen, A.
Ball, E. J.
Barbour, R.
Brunker, J. N.
Burns, J. F.
Carruthers, J. H.
Clubb, G.
Colls, T.
Cooke, H. H.
Cruickshank, G. A.
Cullen, J. F.
Dalton, T.
Dowel, W. S.
Ewing, T. T.
Farnell, Frank
Fuller, G. W.
Garrard, J.
Garvan, J. P.
Gould, A. J.
Hassall, T. H.
Hawken, N.
Hawthorne, J. S.
Holborow, W. H.
Hutchison (*Canterbury*)
Kidd, J.
Lee, C. A.

Lees, S. E.
McCourt, W.
McFarlane, J.
McMillan, W.
Molesworth, E. W.
Nicoll, B. B.
O'Sullivan, E. W.
Parkes, Sir Henry
Paul, W. H.
Perry, J.
Plumb, J.
Ritchie, R. A.
Scobie, R.
Smith, Bruce
Smith, Frank J.
Smith, S.
Stephen, W.
Taylor, H.
Tonkin, J. E.
Turner, E. W.
Wall, W. C.
Wheeler, J.
Wilkinson, R. B.
Wright, F. A.
Young, J. H.

Tellers,
Ross, Dr. A.
Street, J. R.

NOES.

Barnes, J. F.
Chanter, J. M.
Creer, J.
Crick, W. P.
Curley, J.
Dibbs, G. R.
Fitzgerald, R. G. D.
Gormly, J.
Howe, J. P.
Lyne, W. J.
Miller, G. T. C.
Torpy, J.
Traill, W. H.
Walker, T.
Willis, W. N.
Tellers,
Hutchison (*Glen Innes*)
Wilkinson, J.

Question so resolved in the affirmative.
Bill read the third time.

MARRICKVILLE TO BURWOOD ROAD RAILWAY BILL.

In Committee:

Mr. BRUCE SMITH rose to move:

That it is expedient to bring in a bill to sanction the construction of a line of railway from Marrickville to the Burwood Road.

He said: The unusual vicissitudes through which this bill has passed are, I think, sufficient testimony to its importance, because I do not think that any bill for many years past has, in our Parliament, gone through such a strange career as this bill has gone through. That it is now before the House with every prospect of being carried by an overwhelming majority, if a division is necessary—

Mr. CRICK: A division will be necessary!

Mr. BRUCE SMITH: Is the strongest evidence I can offer of its importance. Hon. members know very well that a bill identical with this, with the exception of one or two alterations which I shall mention in a moment, has passed this Chamber in the ordinary way and has been before the Legislative Council. The proposal which it authorised to be carried out was originally negatived by a majority of one in the Public Works Committee. It was reconsidered by that committee and then affirmed by a majority of one. I think the fact of the committee reconsidering the matter and altering their original opinion is, as in the case of the North Shore railway, a strong testimony to its merits, because it is scarcely in human nature to change one's opinions when they have been so publicly expressed, as were the opinions of the Public Works Committee. Nevertheless, the work was approved by that committee. It then came before the House, and hon. members will recollect that it was discussed at very great length. I think the debate on one occasion lasted

from six to eight hours, and every possible merit and demerit of the proposal was laid before the House. The measure passed by overwhelming majorities, and went to the Legislative Council, and it is at this point that I wish to say a word in order to explain the reason of its being before the House now. Between the time of the work going before the Public Works Committee, and its being submitted to the House in the form of a bill, a suggestion was made by the railway commissioners that instead of a single line of railway, a double line should be laid down. That involved an extra expenditure of about £20,000, being the difference between £90,250 and £110,000. It was my intention to have made that alteration in Committee, but as the increase in the amount from £90,250 to £110,000 was made in the bill in its original form, the point was taken in the Legislative Council—and that point has been taken several times; I am not prepared now to test it, because it is not necessary—that inasmuch as the Public Works Committee had only approved a work estimated to cost £90,250, it was not open to the Government to introduce a bill involving a larger expenditure, although it was admitted that the bill could have been introduced to authorise the expenditure of the sum approved by the Public Works Committee, and could have been altered in Committee afterwards. For that reason the Legislative Council thought fit to amend the money part of the bill by altering it from £110,000 to £90,250; and in order to make sure that the promises which had been made by various landowners in the vicinity of the railway to give their land should be carried out, the Council thought fit also to introduce a provision making the construction of the line conditional upon certain persons named in the clause giving the land. The Government thought fit to put the bill under the table in consequence of the alteration in the money clause, and I am quite sure there are not half a dozen members in the House who will demur at that step. We are now simply reintroducing the measure, as it has been passed three times over by the House, and the various merits of the proposal have been so fully discussed in the House that it is not necessary for me now to repeat them.

Mr. LYNE: Is this the same bill?

[*Mr. Bruce Smith.*

Mr. BRUCE SMITH: I am introducing exactly the same bill that I introduced before.

Mr. O'SULLIVAN: Without the land conditions!

Mr. BRUCE SMITH: A clause was inserted by the Legislative Council, which is an addition to the bill as it was passed by this House; but as it makes the construction of the railway conditional upon the land being given, I am sure the House will be more favourable to the bill than it was even on the previous occasion. With regard to the reduction in the amount, I can assure the Committee that the reduction would not be made unless it were found that the work could be constructed for the amount. Since the proposal was originally before the House, a slight deviation in the line has been made which lessens the cost, and I find that with the additional 10 per cent. over the authorised amount which the Public Works Act empowers the Minister to spend, the double line, as originally suggested by the railway commissioners, can be carried out for the reduced amount, as approved by the Legislative Council. So that, with those two exceptions, both of which I am sure will be favourably received by the House—the assurance that the land will be given, and the further assurance that the work can be done for about £20,000 less than was originally computed—this bill is a facsimile of the one which we have already passed.

Mr. LYNE: What is the proposed deviation of the line?

Mr. BRUCE SMITH: It is very slight. I will show it to the hon. member on the plan.

Question proposed.

Mr. CHANTER intended to oppose the bill from the very outset. There was no necessity whatever for this railway. It would go through a district already well served by railway communication. On looking over the report there were certain suspicious and peculiar circumstances in connection with the persistent advocacy of this line. The Public Works Committee and the railway commissioners were specially appointed to deal with these matters, and they were supposed to report to the House as to the necessity or otherwise of dealing with specific lines. What did we find in this case with regard to the Public

Works Committee? After taking evidence and carefully considering the matter, the Public Works Committee determined that it was not expedient at the present time that the railway should be made. Then, strange to say, about a month afterwards two members of the committee who were not present when the resolution was arrived at, managed to get the committee to reopen the question, and, as far as he could ascertain, without any reason whatever, the committee changed its opinion and affirmed the expediency of constructing the line. What did the railway commissioners say with regard to the proposal? They said practically that there was no necessity whatever for the line, and they said further that the annual cost of its working would be over £9,000 per annum, while the estimated revenue per annum would be about £3,000, making an annual loss upon the line of £6,000. This 4½ miles of railway was to cost £90,250, or between £19,000 and £20,000 a mile; and it ran parallel for a considerable distance with the Dulwich Hill tramway. This estimate was exclusive of the compensation which would have to be paid for the land resumed. The line therefore would be very expensive, and would benefit only a few persons who were already comparatively well served. Hundreds of thousands of persons in country districts were not only refused railways where they could be constructed for less than £2,000 a mile, but were refused permission to construct them themselves. Among the reasons urged against the line, and mentioned in the report of the Public Works Committee, were the following:—

(1.) The construction of the line will cost £19,000 per mile.

(2.) The complete loop-line to Liverpool, according to the report of the railway commissioners, would not to any appreciable extent relieve the traffic on the Great Southern Railway.

(3.) The line from Marrickville to the Burwood Road will run for about a mile almost parallel to, and within a short space of, the Dulwich Hill tramway.

(4.) A portion of the district through which the proposed line will go is already served to a certain extent by the extension of the tramway to Dulwich Hill, and by the railway to the western suburbs.

It might be expedient to construct the line some years hence; but it certainly was not expedient to do so at the present time, when railways were so urgently re-

quired in other parts of the colony. He appealed to country members to vote against the proposal upon the ground that the district to be served by the railway was already well served, and that the money could be expended with much better advantage in districts in remote portions of the colony. The evidence given before the Public Works Committee showed that the proposed line ran for a mile parallel with the Dulwich Hill tramway, which was practically a railway.

Mr. CARRUTHERS: The hon. member had better visit the locality before he speaks on the subject!

Mr. CHANTER was not surprised at the hon. gentleman's interjection; but he could tell him that he himself would not feel at all proud of having obtained a line for any portion of the district he represented in the manner in which this line was obtained. If it were parliamentary to use the term "log-rolling," he should say that no railway proposal had ever come before this House in connection with which more log rolling had taken place.

The CHAIRMAN: The hon. member is disorderly in the observation he is making.

Mr. CHANTER did not hesitate to say that the passing of this bill by the Assembly would practically defeat the spirit of the Public Works Act, which said distinctly that when a proposal had been once rejected by the Public Works Committee the question should not be reopened for a term of twelve months. This proposal, however, had been rejected and affirmed by the committee within one month.

Mr. TONKIN: Nothing of the sort!

Mr. CHANTER found that the first vote was taken in the committee on the 19th December, 1889. On that occasion eleven members of the committee voted on the motion approving of the construction of the railway, the "ayes" being Dr. Garrahan, Mr. Humphery, Mr. Trickett, Mr. Tonkin, Mr. Dowel; and the "noes," Mr. Abbott, Mr. Lackey, Mr. Cox, Mr. Copeland, Mr. O'Sullivan, and Mr. C. A. Lee. Mr. Lackey moved:

That the committee do not consider it expedient that the proposed railway from Marrickville to Burwood Road, as referred to the committee by the Legislative Assembly, be carried out.

Mr. Copeland seconded the motion, and it was passed on the following division:—

Ayes: Mr. Abbott, Mr. Lackey, Mr. Cox, Mr. Copeland, Mr. O'Sullivan, and Mr. C. A. Lee; noes: Dr. Garran, Mr. Humphery, Mr. Trickett, Mr. Tonkin, and Mr. Dowel. However, on the 18th February, 1890, another vote was taken, the ayes being: Dr. Garran, Mr. Humphery, Mr. Trickett, Mr. Garrard, Mr. Tonkin, Mr. Dowel, and Mr. Hurley; and the noes: Mr. Abbott, Mr. Lackey, Mr. Cox, Mr. Copeland, Mr. O'Sullivan, and Mr. C. A. Lee. It was clear that some great influence had been brought to bear upon the committee to reopen the matter when two gentlemen who were absent from their duties on the first occasion—Mr. Hurley and Mr. Garrard—were present, the motion being affirmed by a bare majority of one. The bill was subsequently agreed to in this Chamber and sent to the Legislative Council, where it was practically rejected. The Minister now proposed to accept the amendments of the Legislative Council, and the reintroduction of the bill in his opinion was opposed to the spirit of the Public Works Act. The proceedings of the Committee themselves were also opposed to the spirit of the act; because, if the committee were to be allowed to alter their decision from time to time as they thought fit, we might as well do away with the committee altogether. The railway commissioners had something to say with regard to this matter, and they clearly told the House that there would be a loss of over £6,000 per year on this line. We had appointed these gentlemen to make our railways pay; and yet we deliberately thrust a railway on their shoulders which they said would not pay. By-and-by we should be blaming them for maladministering the railways. He did not know what country members were going to do; but he knew that the country districts, especially the southern and south-western districts, wanted railways. There were no factories along this line, and it would have to depend upon the passenger traffic, and it had been shown that this railway would have the effect of robbing railways and tramways already in existence. The people of this district could well afford to wait for a time, as they had railways and tramways within short distances, and the money to be spent on this railway could be more advantageously spent in making 40 or 50 miles of railway

[*Mr. Chanter.*

in a country district to enable settlers to send their produce to market. He would vote against this bill at every stage.

Mr. TONKIN wished to contradict and explain certain statements made by the hon. member for The Murray, which must have been made owing to ignorance, as he was sure the hon. member would not willfully mislead. He stated that the Public Works Committee agreed to a report by a majority against this railway. The fact was that a resolution was carried at a meeting of the committee against the railway; but the report was not actually brought before the committee, consequently the investigation was not closed. The Milson's Point railway was an instance of what he meant. The report was received by the committee on that railway; and they adopted a report antagonistic to that railway in the first instance. Afterwards, and before the report was placed before this House, a notification was received from the railway commissioners and the Secretary for Public Works that further information had been received showing that, in addition to passenger traffic, there would be a certain amount of goods traffic, which might cause the committee to arrive at another decision. The committee immediately decided that, as they had drawn up their report and adopted it, they could not reopen the case. In this case, as the report was not adopted, further evidence could be taken. It was not necessary to do that; but when two other members came into the committee-room, it was decided to put the question to the vote again, and the resolution was carried. Those were the absolute facts. With regard to the line paying, if the hon. gentleman would carefully go through the evidence he would find that it had been clearly shown, as it had been shown in the House fifty times over, that even the railway commissioners had made an error in their estimate of the returns. It had been shown conclusively by reliable people that even the 'bus traffic was twice as much as it had been estimated by the railway commissioners. The evidence showed clearly that the railway would pay from the start. The hon. member for The Murray, being a country member, would naturally object to unnecessary expenditure of money around the metropolis, particularly if it would be an injury to the country districts.

He would be with the hon. member in taking that view; but in this instance he was satisfied that it could be shown conclusively that this railway, immediately it was opened, would be a paying line. There was not a suburban line around Sydney which was not paying a handsome dividend, and paying to make up in great measure for the loss on the hon. gentleman's own railway. The Narrandera to Jerilderie railway involved an annual loss of £35,000.

Mr. LAKEMAN: That is not the hon. member's railway!

Mr. TONKIN thought that it was in the hon. member's constituency; at any rate, it was one of the country railways which the hon. gentleman advocated, and instead of that railway being a feeder it was a bleeder.

Mr. KIDD did not think it was reasonable to discuss the merits of a bill on the motion for its introduction. He did not think a matter of this kind should be discussed on the motion for considering the expediency of bringing in the bill. The House had already committed itself to the bill, and he did not see the necessity of wasting further time over it.

Mr. McRAE thought that if hon. members received a little enlightenment on the subject they might alter their opinions in regard to the construction of the railway, and save the country an expenditure of money which could not be looked upon as justifiable. The Illawarra railway traversed the eastern boundary of Canterbury; the Great Western Railway ran along the northern boundary; and in the very heart of Canterbury itself a tramway, which answered all the purposes of transit, existed. The district was more highly favoured by the state than any other district within the metropolis. The time had arrived when hon. members ought to consider whether railways, when constructed, would open up the country for settlement. There would be some justification for extending a railway through a country which was susceptible of development. For the life of him, however, he could not understand why money should be voted for a railway such as a branch railway from Marrickville to Burwood Road. Were he to take a personal interest in the matter, he should vote for the construction of the line, because it would put money into his pocket.

Mr. HUTCHISON (*Canterbury*): Not so much as a line running from Arncliffe!

Mr. McRAE: The line was not wanted, whether it ran from Arncliffe or Marrickville. If the railway were required at all it would be far better to have the junction at Arncliffe; it was far better to have such a junction as that than a junction in a swamp which was not fit for habitation. He could guarantee that the ablest medical men in the city would condemn the junction. No doubt, when the line was constructed, people would spend their money in settlement, for the simple reason that they would desire to make money. Men would travel tens of thousands of miles to make money; and they would build at this place, although they might know that by so doing they would not improve their health. A great deal had been said in reference to the evidence of the ex-commissioner for railways. That gentlemen recommended the expenditure, notwithstanding the fact that the district was already served by two railways and a tramway. And yet, for a similar reason, he opposed the extension of the railway from Crow's Nest to Milson's Point. He contended that under these circumstances the evidence of the ex-commissioner for railways must be considerably discounted. The principal argument in favour of the loop-line from St. Peters to Liverpool was that it would relieve the main line of the southern traffic, since it was thought that the vast traffic of the north, south, and west would be too heavy for that line. But since the railway between Sydney and Liverpool had been duplicated, there was no necessity for a railway between Marrickville and Liverpool. He should not so seriously object to the proposal before the Committee, if it were to construct a railway to Liverpool, or beyond Liverpool, for the purpose of lessening the journey from Melbourne; but he objected to a junction at Marrickville, because that district was not fit for human habitation. After a heavy downfall of rain, there were 2 or 3 feet of water there, and the Government should not try to stimulate development in such an insanitary place. He thought that the time occupied in opposing this expenditure was not wasted. He hoped hon. members would consider the enormous indebtedness of the country, and that they would negative the motion.

Marrickville had now two railways and a tramway, and he thought that the proposed extension, though perhaps not intentionally, was a sop to a certain portion of the electorate of Canterbury.

An HON. MEMBER: It looks very crooked!

Mr. McRAE said that it did look crooked, and he would explain why. The bill gave the Minister power to sanction deviations where necessary, and he informed the Committee that between Canterbury and the principal line the letter "S" was formed.

The CHAIRMAN: The hon. member will not be in order in discussing the details of a bill which is not yet in the possession of the Committee.

Mr. McRAE, for general reasons, hoped that the Committee would reject the proposal. He voted for the extension of the railway from the Crow's Nest to Milson's Point, and in the best interests of the community, because he was certain that it would pay better than any railway extension which the House could pass. He was confident of that because he knew the character of the district which it traversed. But there was no justification for the line proposed. The people of Marrickville had not to walk half a mile now to reach means of locomotion, and they must be getting very lazy if they wanted another railway through the district. He could not understand the proposal coming before the House so often. The Public Works Committee first rejected it, but after reconsideration at length approved of it. The Upper House threw it out at first, but through some manœuvring it was again introduced. He used to have great faith in the stability and wisdom of the Upper House in regard to expenditure submitted to them by this House; but he was beginning to lose faith in that body. They generally did the right thing, but it mysteriously happened on this occasion that, after rejecting the proposal, they again entertained it. It might possibly be due to softening of the brain having taken place.

Mr. GARRARD asked if the hon. member for Morpeth was in order in characterising the members of the co-ordinate branch of this legislature as subject to softening of the brain? There was a parliamentary rule to the effect that the other branch of

[*Mr. McRae.*

the legislature should be spoken of in respectful terms, and was not the hon. member's expression very disorderly?

The CHAIRMAN: The hon. member for Morpeth was decidedly out of order in making any reflection whatever in his remarks upon the co-ordinate branch of the legislature.

Mr. McRAE wished to inform the Committee that the residents of Moorfields, Kingsgrove, and Belmore were opposed to the abortional section of railway proposed, because the route which they originally recommended had been altered to meet the interests of syndicates and land companies. He instanced the Anglo-Australian Land Company. The late Minister of Justice, Mr. W. Clarke, was director of that company, and had had a good deal to do with altering the position of the line.

The CHAIRMAN: The hon. member is again out of order in endeavouring to discuss the details of a bill, of which he cannot officially have any knowledge at the present moment.

Mr. McRAE said that the fundamental and essential reason why he opposed the project was because the line did not follow the route recommended by the people who first advocated the extension. Nineteenths of them were opposed to it because it hugged the main railway, and only benefited the racecourse.

The CHAIRMAN: The hon. member is again out of order, and if he persists in the course which he is now taking, and to which the Chair has repeatedly called attention, he will bring himself under the 4th standing order.

Mr. McRAE said he intended to oppose this proposed expenditure most strenuously, and thought of becoming an obstructionist, though he did not as a rule approve of such a proceeding. The expenditure would be most ill-advised, and would not redound to the credit of the Government or the House. Why heap undue favours in the shape of railway communication on one electorate? He could understand the proposal if the district only had a tramway; but it had a tramway and two railways.

Mr. JOSEPH ABBOTT: The hon. gentleman knows they have not two railways!

Mr. McRAE said they had the western line and the Illawarra line.

Mr. JOSEPH ABBOTT: How far away are they?

Mr. McRAE said they were only a stone's throw distant. If the Government came down with a proposal to carry the railway right through to Liverpool, and so shorten the distance between Melbourne and Sydney, there would be some reason in their action. If this proposed line were constructed, he believed the next move would be a junction at Fairfield, and that the line would never go to Liverpool. That was the reason why the people of the district were opposed to the extension—because it did not take the route which the promoters at first recommended.

Mr. LAKEMAN had the same objection to this railway proposal as he had to the North Shore extension. Notwithstanding the contradiction of the hon. member for East Macquarie, Mr. Tonkin, he would point out to that hon. gentleman that the Public Works Committee, in the first instance, distinctly arrived at the decision that this railway ought not to be constructed. They did this after taking evidence and giving the matter careful consideration, and then, without any fresh evidence or any justification whatever, they changed their opinion, and deliberately recommended that the line should be carried out. It was a most astonishing thing to him that the committee should have so acted. A tramway could easily be constructed to serve the suburb. The tramway line could be extended from Marrickville at a comparatively small cost; but in the bill sought to be introduced it was proposed that £90,000 should be expended to construct about 4 miles of railway. Instead of incurring such a large expenditure upon works like the North Shore extension and the Marrickville to Burwood railway, it would be better to develop the resources of the country by the construction of such a line as that from Byrock to Brewarrina. He could not understand the Government bringing forward this proposal. The evidence of Mr. Cameron gave a very fishy look to the whole transaction. That gentleman stated that immediately the line was spoken about all the land in the immediate vicinity was bought up by large syndicates and companies. If this sort of log-rolling was to go on he could not tell where it would end.

Mr. CARRUTHERS: That evidence is disproved by the evidence of all the other witnesses. The hon. gentleman should not take one man's evidence as against the bulk of the evidence on the other side.

Mr. LAKEMAN said the witness was upon his oath, and his statements were not disproved.

Mr. CARRUTHERS: The statements were disproved by evidence both before and after his evidence. If there is a population of 14,000, how can the land be in the hands of land syndicates?

Mr. LAKEMAN thought that that population was not upon the line.

Mr. CARRUTHERS: But it will be served by the line!

Mr. LAKEMAN could have understood the Government making this proposal, if they had been asked by the railway commissioners to construct a line right through to Liverpool, but he could not understand a proposal to take a railway only to the Burwood Road, unless there were something behind it of which hon. members were not aware. It was not a question of relieving the traffic on the main suburban line, because a line to Burwood Road would not achieve that object. The railway commissioners were at the present time quadrupling the main line, and when quadrupled, it would be sufficient to carry all the traffic likely to come upon it for some time to come. At some future time the construction of railways within a few miles of each other might be justified, but it certainly could not be justified at the present time.

Sir HENRY PARKES: It is a question as to whether the line will pay!

Mr. LAKEMAN thought the evidence went to show that it would not pay.

Mr. BRUCE SMITH: The hon. member for Redfern, Mr. Goodchap, is of opinion that it will pay!

Sir HENRY PARKES: As a rule, railways will pay anywhere where there is population!

Mr. LAKEMAN admitted that. He objected to the proposal at the present juncture, partly because we should have to go to the London money market in a short time to borrow a large sum in connection with the railways already authorised. Besides, there were several country districts which at the present time were positively languishing for want of better

means of communication. Railways were by far the cheapest roads the Government could make. Instead of our wasting hundreds of thousands of pounds every year upon roads and bridges, the money should be expended upon railways in various portions of the country which were at present without them. It would be the best expenditure the Government could undertake. He opposed the North Shore railway for the same reason—namely, that country districts were a great deal more in need of this means of communication than were the suburbs of Sydney.

Question resolved in the affirmative.

Resolution reported.

Motion (by Mr. MELVILLE) proposed :

That the resolution be now received.

Mr. CHANTER : I object.

Motion (Mr. BRUCE SMITH) agreed to :

That the reception of the resolution stand an order of the day for to-morrow.

ELECTORAL BILL.

In Committee (consideration resumed from 7th November, *vide* page 5045, on motion by Sir Henry Parkes) :

That it is expedient to bring in a bill for the redistribution of New South Wales into electoral districts ; for the establishment of a system of registration ; for the better representation of the people in the Legislative Assembly ; and for other purposes auxiliary to, and connected with, the aforesaid objects.

Question resolved in the affirmative.

Resolution reported ; report adopted.

Bill presented, and read the first time.

Motion (Sir HENRY PARKES) proposed :

That the bill be printed, and that the second reading stand an order of the day for this day fortnight.

Mr. O'SULLIVAN : Upon that motion I think it would be as well for us to inquire whether the Government intend to proceed with this measure before the people have had an opportunity of ascertaining what are the boundaries of the electorates ?

Mr. SPEAKER : The hon. member is not in order in discussing this question on a motion for the printing of the bill.

Question resolved in the affirmative.

Mr. SEE : I should like, with permission, to ask the Colonial Secretary if it is intended to furnish, with the Electoral Bill laid on the table of the House, a map so as to better enable hon. members to understand the boundaries ?

[Mr. Lakeman.

Sir HENRY PARKES : It is my intention to furnish the Legislative Assembly with maps and written descriptions to enable hon. members to fully understand the bill.

Mr. SEE : Before the second reading takes place ?

Sir HENRY PARKES : Certainly. Some electorates will disappear. Morpeth, for example.

Mr. McRAE : Not if I know it !

LEPROSY BILL.

In Committee :

Legislative Council's amendments agreed with ; report adopted.

FINANCIAL STATEMENT.

In Committee of Ways and Means :

Debate resumed (from 22nd October, 1890, *vide* page 4725) on motion by Mr. McMillan :

That, towards making good the supply granted to her Majesty for the service of the year 1891, there may be granted out of the Consolidated Revenue Fund of New South Wales, the sum of £2,194 for the expenses of the establishment of his Excellency the Governor for the year 1891.

Mr. COPELAND : I think it is to be greatly regretted that the House is not better informed as to the business with which the Government propose to proceed. It has certainly been the custom hitherto for hon. members to receive intimation as to when a debate like this is to be resumed.

Sir HENRY PARKES : But this is pretty well concluded, I should think !

Mr. COPELAND : I should think it is not commenced yet, if I know anything about it. At any rate, it seems to me to be a very improper method of conducting business. I certainly think the Premier, or whoever is leading the House, ought to intimate the night before what business is to be gone on with. I presume we are met for the purpose of dealing intelligently with such questions as are submitted to Parliament, but it is quite impossible for hon. members to take up large subjects like this at a moment's notice. Nevertheless, it is necessary for some one to take up the running, and I shall have to deal with the subject as well as I can under the circumstances. Considering the statements made by the Premier and the Colonial Treasurer when this debate opened, I should think that the Government, if possessed of the

smallest particle of political honor, would, without any hesitation whatever, withdraw this budget, and come down to the House fully prepared to expound to the House and the country the fiscal policy they intend to carry out in the future. The Premier told us some time ago that the Government, including himself, were ever so desirous of expounding to the country their free-trade fiscal policy, and that the only reason which prevented them doing so was on account of the strike being in full force. Well, now that the strike is as dead as Julius Cæsar, I should like to know what excuse the Government have now for further delaying the announcement of their fiscal policy?

Sir HENRY PARKES: First prove that Julius Cæsar is dead!

Mr. COPELAND: However, I say this much—and I do not wish to use any terms harsher than are absolutely necessary—that our public life is utterly bereft of all morality.

Sir HENRY PARKES: Hear, hear!

Mr. COPELAND: And I am afraid it will continue so as long as the Premier leads the House.

Sir HENRY PARKES: The hon. member did not think so when he wanted to get into public life first. He knows that he got in by my recommendation!

Mr. COPELAND: The hon. member is utterly mistaken.

Sir HENRY PARKES: The hon. member knows it very well!

Mr. COPELAND: The only time the hon. gentleman recommended me I was defeated.

Sir HENRY PARKES: The hon. member got in at New England by my recommendation!

Mr. COPELAND: The only time that the hon. gentleman gave me a letter was when I stood for the southern gold-fields.

Sir HENRY PARKES: The hon. member knows that he got in for the northern gold-fields by my recommendation!

Mr. COPELAND: The hon. gentleman is utterly mistaken. I had a walk-over there. There was no contest at all. The only time I ever appealed to the hon. member was before I came into the House at all. I saw him then, and he gave me one letter. Whether that was the cause of my defeat I do not know; but when I went in independent I was returned unopposed.

Sir HENRY PARKES: The hon. member did not go in independently of me; he went with my letters!

Mr. COPELAND: Where?

Sir HENRY PARKES: To the northern gold-fields!

Mr. COPELAND: No.

Sir HENRY PARKES: The hon. member should be more civil!

Mr. COPELAND: If the hon. member can tell me one gentleman in the northern gold-fields to whom he gave me a letter, I will give £50 to the Benevolent Asylum or any other charitable institution to-morrow.

The CHAIRMAN: The line of argument which the hon. member is now taking has no reference to the resolution before the House.

Mr. COPELAND: I trust I shall be able to confine myself to the debate before the Committee if the Premier is kept in order. I say again most emphatically that if the Government fail now to proceed with their fiscal policy, they will give a clear indication that they are utterly bereft of all political honor; and I challenge the Premier, or any member of the Government, or any hon. gentleman sitting on that side of the House, to give one instance in which any other government, whether in this colony, in the other Australian colonies, or in the mother country, have been guilty of such a dereliction of public duty as this Government have been guilty of, having come into office on the distinct pledge that they would give effect to a free-trade policy.

An HON. MEMBER: No!

Mr. COPELAND: Undoubtedly they did so; and the hon. member came here on the same pledge. I do not need to appeal to hon. members here; I can appeal to their friends outside—to the newspapers and the members of the Free-trade Association, who claim the credit of having sent the Government and free-trade members here committed to a free-trade policy. Notwithstanding this, the Government stick to their offices like limpets to a rock, and shrink from giving effect to the policy that brought them here.

Mr. BRUNKER: Then why not put them out?

Mr. COPELAND: It is a very easy matter to say that.

Third night.

Sir HENRY PARKES: Why not give us a justification to go out—pass a resolution against us?

Mr. COPELAND: How exceedingly verdant the hon. member and the Secretary for Lands are. Will they tell us how a minority can vote out a majority.

Sir HENRY PARKES: While we have a majority we have a title!

Mr. COPELAND: The Government have no title; no administration has a title to sit here and govern by utterly departing from their pledges to the public.

Sir HENRY PARKES: We have a resolution from this House saying that we did right!

Mr. COPELAND: I cannot understand how the Government can obtain a vote from the minority, to say that they have done right.

Sir HENRY PARKES: Proposed by one of the best men on that side!

Mr. COPELAND: I appeal to the Chairman for protection.

The CHAIRMAN: I ask hon. members not to interrupt the hon. member for New England. It will lead to disorder, and every hon. member will have an opportunity to address the Committee.

Mr. COPELAND: I am very glad to to see that they do not like the rubbing-in which they are getting.

Mr. O'SULLIVAN: If they had any respect for themselves they would go out!

Mr. COPELAND: If there is a member of the Government who is not ashamed of the acts of the Government in this matter I am utterly ashamed of that hon. gentleman's standard of political honor and morality.

Sir HENRY PARKES: That is of great value!

Mr. COPELAND: My opinion is of as great value as the hon. member's is. I could go through the country quite as well as the hon. member, or the members of the Government could, and I should not be charged with political immorality. Before I come to more important subjects I should like to remind the hon. member of the advertised announcement under which this Government came into office. In January, 1887, the hon. gentleman gave his platform to the people of St. Leonards, and this is one of the sentences of which the hon. member made use:

In meeting the old mouldy, worn-out doctrine of protection, we face it as deadly enemies.

Where is that deadly enmity?

[*Mr. Copeland.*]

Sir HENRY PARKES: We destroyed the policy!

Mr. COPELAND: The hon. member's Government have been living almost entirely on revenue derived from this mouldy, worn-out system of protection. The hon. gentleman obtained his seat by telling the free-traders that when he came here he would clear away the whole system of protection. But the hon. member himself re-enacted the present protectionist tariff, which is more protectionist in many respects than many of the tariffs of out and out protectionist colonies. And the hon. gentleman had a majority at his back when he did so. I did intend to refer to the different speeches and addresses of every member of the Ministry to show what they were going to do in the way of giving this country a free-trade policy. The Secretary for Public Works was going to do wonders. In February of this year he said that when Parliament met, if they had to go down, as many prophesied, it would be with colours flying, and with the knowledge that they had stuck to their guns. I do not know where the Minister himself or the Government generally carry their guns; but I venture to say that if they went into battle the only part that would require to be armour-plated would be their stern-sheets. They have sheltered themselves behind the unfortunate strike, and now when that is over they have no political courage left. The meanest man in the House, if he had come into Parliament on such pretences as the Government made, and had neglected or refused to carry them out, would have had the manliness to resign and go before his constituents. But yet the Government hold on to office, not daring to come down to the country with their fiscal policy. Why? If they thought they would have a majority of one or half a one they would come down readily enough; but they are under the impression that as soon as their fiscal policy is announced they will find themselves in a minority and will have to go to the country, and they know perfectly well that the country is against them. What becomes of all the bombast of the Premier now, and all the bombast of the Colonial Treasurer, although in the latter case it has not been quite so great? What becomes of all the loud-mouthed speeches the Premier made in different

electorates throughout the colony about what he was going to do? He has it in his power now to come down with a free-trade policy. Why does he not do it? Why does he continue to live on a protectionist policy? The Government are free-traders when they want to catch votes. I am glad to see that their own Free-trade Association is beginning to realise how their promises and pledges are worked. About the only question in this fiscal debate that seemed to be worth touching upon, and that was open to dispute, was the question of £200,000 in connection with the Centennial Park, because it is impossible for us on this side of the House to spend any time in useful criticism by simply going through a mass of figures. I do not for a moment think that the Colonial Treasurer would be in any way guilty of hiding anything that was wrong. I do not mean to imply anything like that, notwithstanding all the hon. member's dishonorable conduct in connection with the fiscal question.

MR. McMILLAN: We are all in it!

MR. COPELAND: I am rather surprised that one or two members of the Government are in it. I thought they had a little more backbone than to be in it, instead of showing that they are simply played upon like a piece of putty.

MR. McMILLAN: There is often more backbone in abstaining from a thing than in doing it!

MR. COPELAND: No doubt hon. gentlemen opposite will be able to find reasons for what they did or for anything else. I wish to draw attention to one or two features in connection with the item of £200,000 for the Centennial Park. I think I shall be able to show that the Colonial Treasurer has dealt with that in a way altogether different to that in which he was entitled to deal with it, and I hardly know what expression to make use of. I do not say "wilfully dishonorable," but most undoubtedly the hon. member out to take his financial statement back again.

MR. McMILLAN: It must be a matter of opinion only. The hon. member will admit that I told him all about what I was doing!

MR. COPELAND: The hon. gentleman dwells a good deal on the fact that he told

us all about it. He reminds me very much of a placard we see about the town in connection with the Sydney Safe Deposit Company. A gentleman is represented lying snugly in bed with his nightcap on, and he suddenly awakes to find a burglar standing at his bed-side, and the burglar asks him for the keys of his valuables. He says, "What valuables? I have left all my valuables with the Sydney Safe Deposit Company, except my watch." "Oh!" the burglar says, "I have got your watch." That is what the hon. member does. Like the burglar, he has got the watch; but because he tells us that he has got it, he thinks everything is all fair and square. I suppose the gentleman with the nightcap on did not for a moment think that the burglar had done him no harm by taking his watch, because he had told him he had got it. That is the position the hon. gentleman takes up. He does a wrong, and then because he tells us that he has done a wrong, we are to regard his action as rather more favourable than if he had not committed a wrong at all. The hon. gentleman prefers to be looked upon as a burglar rather than as an "area sneak"—a man who takes something, and steals away and says nothing about it.

MR. McMILLAN: Yes, I prefer that!

MR. COPELAND: I admit it is rather unfortunate that we have not something a little more substantial to discuss in the financial statement; but, as I said before, the fault is not ours. I have heard it said that you can make good soup out of common stones; and we certainly have nothing but common stones to make soup out of on this occasion. Nevertheless, I think I shall show the hon. gentleman that there is something serious in connection with the £200,000. The hon. gentleman, in his speech, said with reference to this item:

The lands of this country which have been sold are lands upon which no particle of expenditure has been made, and they are the lands of the whole country. But here are lands which were not merely dedicated to the public in their waste state, but in regard to which this Parliament agreed to an expenditure, not for the whole of the people of the country, but for the people of Sydney; not for a work of absolute utilitarianism, but for a work of beauty and recreation.

With reference to the first part of that quotation —

Third night.

Mr. McMILLAN : Will the hon. gentleman allow me to say that I went on —

Mr. CRICK : Do not interrupt !

Mr. McMILLAN : You are nobody !

Mr. CRICK : And you are nobody !

Mr. McMILLAN : I wish to explain to the hon. member for New England —

Mr. CRICK : You are only a makeshift !

The CHAIRMAN : Order. I must ask the Colonial Treasurer to withdraw the expression he used towards the hon. member for West Macquarie.

Mr. McMILLAN : The expression I made use of, sir, you might not have caught. I said, "You are nobody in this matter."

Mr. CRICK : The hon. member said nothing of the sort !

The CHAIRMAN : I took the expression to be, "You are nobody."

Mr. McMILLAN : What I meant was that this was a matter between the hon. member for New England and myself ; and I said the hon. member for West Macquarie was nobody in this matter. However, I withdraw the expression, if it is objectionable.

The CHAIRMAN : The hon. member for West Macquarie will withdraw the expression he made use of.

Mr. CRICK : What expression ?

The CHAIRMAN : The hon. member is well aware what the expression was. What is the use of bandying words with the Chair in this way ? The hon. member is aware that he made use of an expression in reply to one used by the Colonial Treasurer. I ask him to withdraw that expression.

Mr. CRICK : The hon. member said I was nobody, and I said he was nobody, and I say so now.

The CHAIRMAN : Order. The Colonial Treasurer has been called upon to withdraw the expression he used, and he has done so, and I now ask the hon. member for West Macquarie to withdraw the expression he used in reply to that of the Colonial Treasurer.

Mr. CRICK : What was that expression ?

The CHAIRMAN : One of the expressions was that the hon. member was no more than a makeshift.

Mr. CRICK : Well, I withdraw that.

The CHAIRMAN : Now the hon. member will apologise to the Committee for having interrupted its proceedings in having interjected remarks while a debate was going on.

Mr. CRICK : Let the Colonial Treasurer apologise first for calling me nobody.

The CHAIRMAN : I ask the hon. member to apologise to the Committee for having interrupted its proceedings by such interjections as have been ruled out of order.

Mr. CRICK : The Colonial Treasurer insulted me first, and let him apologise first.

Mr. DIBBS : Let the Colonial Treasurer apologise first !

The CHAIRMAN : The Chair will take no dictation from any member of this Committee, and it is not the province of hon. members to dictate to the Chair as to who shall apologise and who shall not, unless they rise and address the Chair. I have requested the hon. member for West Macquarie to take a course which is in strict accordance with parliamentary rule. The hon. member who made use of the first expression has been called upon to withdraw it, and the hon. member for West Macquarie is now called upon to apologise to the Committee for his repeated interruptions.

After a pause :

The CHAIRMAN : Do I understand that the hon. member is not prepared to acquiesce in the request of the Chair ?

Sir HENRY PARKES : I would appeal to the hon. member for West Macquarie to offer his apology. The Chair has stated its decision, and he cannot resist the Chair.

The CHAIRMAN : I again ask the hon. member if he is prepared to acquiesce in the decision of the Chair ?

Mr. CRICK : I absolutely and point-blank refuse.

The CHAIRMAN : The Serjeant-at-Arms will remove the hon. member until he is prepared to obey the request of the Chair.

Sir HENRY PARKES : I appeal to the hon. member for West Macquarie to obey the Chair.

The Serjeant-at-Arms proceeding to remove the hon. member for West Macquarie,

Mr. CRICK : Don't you handle me. I will not be bullied by Melville or any one else. I will not go out, and I say so point-blank.

Sir HENRY PARKES : The hon. member must go out.

Mr. WILLIS : Mr. Melville —

The CHAIRMAN : Order. There can be no debate.

The Serjeant-at-Arms having requested the hon. member for West Macquarie to leave the Chamber,

MR. CRICK : It's of no use your trying to move me. McMillan insulted me first, and I will not stand his insults. He didn't apologise, and why should I? I won't go out.

MR. WILLIS : ———

The CHAIRMAN : The hon. member will see that there can be no debate at this stage; whether the Chair has given a right or wrong order, it must be carried out.

The hon. member for West Macquarie having been forcibly removed from the Chamber by the Serjeant-at-Arms and attendants,

MR. DIBBS : I would suggest to the Colonial Treasurer that he should now put himself in order by apologising.

HON. MEMBERS : "No, no," and "Yes, yes"!

MR. McMILLAN : I was about to say, with the leave of the hon. member for New England —

SIR HENRY PARKES : I beg to move:

That the Chairman do now leave the chair, and report to the House what has occurred in Committee, and ask leave to sit again.

MR. COPELAND : I rise to a point of order.

The CHAIRMAN : There can be no point of order at this stage. The only resolution before the Chair is that of the Colonial Treasurer, and I presume the hon. member is not about to take a point of order upon that.

MR. COPELAND : No!

The CHAIRMAN : The Premier has moved that I leave the chair, and report the disorder which has taken place in Committee. It is quite within the province of the hon. gentleman to move that the Chairman leave the chair if he thinks fit, and also to move that I report disorder; but I would point out to him that the Chair having preserved order by excluding the disorderly member, there can be nothing to report to the House unless exception be taken to the action of the Chair.

SIR HENRY PARKES : If I may be permitted to say so, sir, I think there is much to report besides the action of the Chair. We have had not only disorder, but a personal scuffle while we were in deliberation, and that is a thing to which we ought not to submit. I beg to move :

That the Chairman do leave the chair, and report to the House disorder, and the character of that disorder, and ask leave to sit again.

The CHAIRMAN : Perhaps the Premier will allow me to say this much—that taking the view he does of the occurrence of a few moments since, the best way to bring it under the notice of the House would be for me to surrender my position into the hands of Mr. Speaker. The Serjeant-at-Arms will request Mr. Speaker to attend.

MR. COPELAND : Is there a motion before the Committee, sir, or is there not?

MR. DIBBS : The Chairman cannot leave the chair without the leave of the Committee.

The CHAIRMAN (*standing beside the chair*) : Order. The Serjeant-at-Arms will request Mr. Speaker to attend.

MR. SPEAKER : This is a very curious proceeding, sir. Are you in the chair or are you not?

The CHAIRMAN : I am in possession of the Committee, and I shall keep order. I trust the hon. member will resume his seat.

MR. COPELAND : I am prepared to take my seat; but not to be sat upon!

MR. DIBBS : Hear, hear!

MR. J. SHEPHERD : Mob rule!

MR. COPELAND : I shall pull the hon. member's nose if he talks to me in that way!

MR. TRAILL : Will you inform me, sir, what is the position of the Committee at this moment?

The CHAIRMAN : The position of the Committee is this: the chief officer of the Committee has declined to proceed further until he has reported to Mr. Speaker a serious disturbance. It has been moved that I leave the chair and report that disturbance to the House.

MR. COPELAND : But I submit, sir —

The CHAIRMAN : The hon. member will have an opportunity to speak later on. I trust he will be seated while the Chair is speaking.

MR. COPELAND : I should like to know whether we are at liberty to discuss the Premier's motion, or whether it is really before the Committee?

The CHAIRMAN : The hon. member must know from his long experience in this Chamber that it is highly disorderly to enter into discussion with the Chair.

MR. COPELAND : I simply want to know, sir, what you propose to do; things are getting a bit mixed.

Third night.

The CHAIRMAN: The Chair is about to state a resolution, and it should be allowed to state it without interruption. The question is, "That I leave the chair and report to the House that an unseemly disturbance and disorder has taken place in Committee from the fact of the hon. member for West Macquarie having disobeyed the Chair."

Mr. DIBBS: That is not the motion made just now.

The CHAIRMAN: I trust that the hon. member, as a responsible member of this House, will act in an orderly manner. He will have an opportunity directly —

Mr. T. WALKER: I draw your attention, sir, to the fact that since you ordered the exclusion of the hon. member for West Macquarie the Serjeant-at-Arms and the attendants of the House have had one of the doors barred preventing the ingress or egress of hon. members.

The CHAIRMAN: The hon. member must be seated at this juncture.

Mr. T. WALKER: I merely wanted to state a fact.

The CHAIRMAN: The hon. member must state the fact presently. He will resume his seat; the Chair must be obeyed.

Mr. TRAILL: If the doors are not opened directly I will pull them open pretty quickly. I will not be a prisoner in Parliament.

The CHAIRMAN: The question is:

That I do leave the chair, and ask leave to sit again, to report to the House that an unseemly disturbance and disorder has taken place from the fact that the hon. member for West Macquarie, Mr. Crick, refused to obey the Chair, and for such refusal the Chairman called upon the Serjeant-at-Arms to remove the hon. member until he expressed his willingness to obey the Chair, and that the hon. member resisted the Serjeant in the execution of his duty with violence.

Sir HENRY PARKES: I desire to say a few words in support of the motion submitted. It will be in the recollection of members of the Committee that I twice appealed to the hon. member for West Macquarie to obey the Chair.

Mr. DIBBS: We all did that on this side, too!

Sir HENRY PARKES: That I do not for a moment question. I have only to do with my own action. I have upheld the doctrine at all times, that so long as the chair is filled the Chair must be obeyed. I do not intend by that to ex-

[The Chairman.]

press an opinion whether the Chair was right or wrong. I have nothing to do with that. So long as the chair is occupied by the officer elected to the chair, there can be no order in the House or in the Committee unless the Chair is obeyed. I appealed, and I have no doubt the friends of the hon. member appealed to him, to obey the Chair.

Mr. PAUL: Some of them!

An HON. MEMBER: You shut up!

Mr. PAUL: You are not able to make me shut up!

Sir HENRY PARKES: If my own side insists on disorder, I do not know why I should attempt to address the Committee. I have no interest in this matter except the interest of parliamentary order. Now, there is no dishonor in obeying the Chair. There is no forfeiture of manhood in obeying the Chair. There is no breach of personal honor in obeying the Chair. The rules of correct personal conduct are quite consistent with absolute obedience to the Chair. If the Chair is wrong, there is an easy means of dealing with the Chair. The occupant can be displaced on the next sitting day, but so long as the Chair is there it must be obeyed. That brings me to what followed. The hon. member for West Macquarie not only refused to obey the Chair, but he resisted the officer of the House appointed to preserve order. If that is to be tolerated by any excuse whatever, you are no longer a parliament, but a mob. There is no way of preserving your character as a parliament but by obeying your rules and orders, and the officers whom you yourselves have created. So far as my recollection serves me, I have never seen such a wanton outrage as the outrage of to-night.

Mr. DIBBS: The hon. member has seen worse on this side when he was sitting here!

Sir HENRY PARKES: I have never seen such a wanton outrage. What I mean is an outrage with so little cause, with no cause whatever, and that cannot be tolerated. Hence I have moved that the House resume, and that the highest authority that we have here shall deal with this scandalous breach of all parliamentary rules, of all courtesy in our debates, and of loyal obedience to the officers whom we ourselves have appointed. If this sort of thing goes on, then it is not worth while for any-

body to remain a member of such a disorderly body as this. With these words I submit my motion.

Question proposed.

MR. COPELAND: I submit that this motion is entirely out of order. Whatever disturbance there was had passed away when the hon. member for West Macquarie was expelled from this Chamber and fresh business had been called on. The Colonial Treasurer's name had been called, and the Colonial Treasurer was in the act of addressing the Committee. Any action of this kind must take place at the time of the disturbance and not after the disturbance has passed away. The Chairman himself had admitted that the disturbance had passed away when the hon. member had been expelled.

SIR HENRY PARKES: I have no doubt Mr. Speaker will rule that I moved the motion in time.

MR. COPELAND: It is very hard to say what Mr. Speaker will rule, but I am quite sure the hon. member was not in order in moving the motion. I think it is a most unfortunate circumstance that we should have this interruption, and that the hon. member for West Macquarie should have resisted the Chair. Still it seems to me that the hon. member was dealt with somewhat harshly. Other hon. members had been interrupting a great deal more than the hon. member for West Macquarie had. Why were they not made to apologise? Why was not the Colonial Treasurer himself and the hon. member for Paddington, Mr. J. Shepherd, made to apologise?

THE CHAIRMAN: The hon. member will have an opportunity in the event of this matter being reported to the House to debate the conduct of the Chair. Whatever the Chair may have done, or may not have done, antecedent to the action which led to the present circumstances, it is out of order now to debate it. The action of the Chair can only be debated in the proper place—that is in the House when this resolution is reported, or on some specific motion.

MR. COPELAND: I will confine myself to this point of order, which will be referred to Mr. Speaker if you decide against me.

MR. DIBBS: I wish to address myself to the question of order, and to the motion,

in order to save time. Hon. gentlemen on this side of the House joined with me in endeavouring to induce the hon. member for West Macquarie to obey the Chair. I quite agree with the Premier that there can be no business carried on unless the Chairman is obeyed. There is a simple way of dealing with the action of the Chair by moving dissent; although we had an incident the other night where a difficulty occurred when an hon. member on this side of the House wished to move dissent from the ruling of the Chair, and we had the unusual entrance of Mr. Speaker to the chair unsought and unasked for when the Chairman was quite able to deal with the business of the Committee. On the question of order, it appears to me that the discord and disturbance has passed away, the business has been resumed, and any attempt to refer to the disorder which has been controlled by the action of the Chair is a downright insult to the Chair itself. The Chairman's duty is to maintain order. He has maintained order in a manner which we have just unfortunately witnessed. It is a very unfortunate circumstance, I admit, and one which I must deplore. But the Chairman has clearly maintained order, and the business of the Committee was proceeding in its proper course. Therefore what necessity is there for us now to appeal to Mr. Speaker and report to him a circumstance of disorder which has been dealt with by the Chairman, and after the Committee has resumed its work? To my mind it can only be done with the idea of giving the Chairman a slap in the face, and the course proposed is the most convenient way of giving it. We are to tell Mr. Speaker that disorder has taken place; and when he has dealt with it what can follow? Mr. Speaker will walk out of the chair, and the Chairman will resume the position he now occupies, and which he was occupying when the Colonial Treasurer resumed the debate. When the Chairman is able to preserve order in the manner in which he has preserved it, there is no necessity to be flying to Mr. Speaker every few moments. If the House gets into the state of disorder into which it got in 1886, when the Chairman was unable to keep order, then Mr. Speaker would do his duty, as the late Mr. Speaker Barton did, and take the chair and restore order.

Third night.

Sir HENRY PARKES: Will the hon. member permit me for one moment? There is a necessity, because a scene occurred which is scandalous to Parliament, and of which the House itself ought to be informed.

Mr. DIBBS: I will quote a precedent by referring to a scene which occurred in 1886, when the hon. member, who is now so loud on the side of law and order, was the most disorderly member in the House. One hon. member sat in the Speaker's chair with a rug round him, and the Premier himself sat on the table, and declared that the Committee was a rabble and a mob.

Sir HENRY PARKES: I did not do any of these things!

Mr. DIBBS: The hon. gentleman did. Scenes occurred then which were a scandal to all parliamentary government.

Sir HENRY PARKES: So they were; I admit that!

Mr. DIBBS: What have we witnessed to-night? A delinquent hon. member has been guilty of disorder, and he has been removed. Why should the business of the Committee and of the country be stopped for the purpose of reporting to Mr. Speaker circumstances which have been dealt with by the Chairman in such a manner as to restore the Committee to order? Order has been restored, and what is the good of the farce of reporting to Mr. Speaker what has taken place? If the hon. gentleman will tell the Committee that when Mr. Speaker takes the chair, and the disorder is reported to him, he will be prepared to move some other motion, there will be some colouring and some ground for what he proposes to do. I only look upon it as an attempt to take the business out of the hands of the Chairman, as a downright insult to the Chairman himself, and as an admission that he is unable to rule the business of the Committee.

Mr. PAUL: The leader of the Opposition has just said —

The CHAIRMAN: Does the hon. gentleman wish to speak on the point of order?

Mr. PAUL: Upon the statement made by the leader of the Opposition.

The CHAIRMAN: Perhaps it would be better for me to state the point of order, subject to the correction of the hon. member for New England. The hon. member for New England takes this point of order: That the disturbance having ceased—that

[*Mr. Dibbs.*

the Committee having been restored to order—the resolution now before the Committee is not in order, inasmuch as some business intervened, and the intervention of that business prevents the reporting of the scene of disorder to the House. Have I correctly stated the hon. member's point of order?

Mr. COPELAND: Hear, hear!

The CHAIRMAN: Does the hon. member for Bathurst wish to speak to that point of order?

Mr. PAUL: I do, in reply to the leader of the Opposition. The hon. gentleman stated that he did his best to advise the hon. member for West Macquarie to obey the Chair. I distinctly heard the leader of the Opposition encourage the hon. member in his conduct —

The CHAIRMAN: Order.

An HON. MEMBER: That is not true!

The CHAIRMAN: The hon. member will see that it is highly disorderly to make a charge when addressing the Committee on a point of order.

Mr. WILLIS: On the point of order I really think that as the hon. member for West Macquarie has been punished for what offence he committed by being expelled from the House —

The CHAIRMAN: I must call the hon. member's attention to the fact that he is not speaking to the point of order. His remarks will be perfectly legitimate on the resolution itself.

Mr. WILLIS: For the information of the Committee will you, Mr. Chairman, state the point of order?

The CHAIRMAN: As I have not the point of order written out, I trust hon. members will correct me if I do not state it as clearly as it ought to be stated. The point of order taken by the hon. member for New England is this: That the disorder having ceased, and order having been restored in the Committee, and other business having intervened, it is not in order to report the scene of disorder to the House.

Mr. WILLIS: I prefer to speak on the main question, but I wish to make this one remark —

The CHAIRMAN: If the hon. member is going to speak on the main question he must be seated.

Mr. O'SULLIVAN: I contend that this must be out of order according to your

own ruling to-night. You distinctly refused at first to take this motion from the Colonial Secretary.

Sir HENRY PARKES: Not upon that ground!

Mr. O'SULLIVAN: Excuse me. You distinctly refused to accept the motion from the Colonial Secretary, and you went so far as to tell the Serjeant-at-Arms to bring in Mr. Speaker. That, in my opinion, shows very clearly that if you are fit to hold the position of Chairman—and ruling in the way you did—the Colonial Secretary is highly disorderly in attempting to dispute your ruling.

The CHAIRMAN: I think the hon. member will see that the charge contained in the last remark is not conducive to order.

Mr. COLLINS: On the point of order, I may state that I was sitting on the Opposition bench, and I distinctly heard the leader of the Opposition try to —

The CHAIRMAN: The hon. member will be perfectly in order in substantiating any statement made by the leader of the Opposition in the general debate. A point of order is now before the Chair.

Mr. GARVAN: I think the motion before the Chair is perfectly in order. A scene of disorder took place, and without specifying the different incidents which constituted that scene, the disorder had certainly not ceased when the motion was submitted. It was no particular act, and no particular word, which constituted the disorder, and disorder of the most gross character, which occurred. The taking of the point of order as to whether you thought a different course should be pursued or not at the commencement, does not affect the question of the disorder having arisen. You were under the impression, at an earlier stage, that another course should have been pursued in the interests of order; but the scene of disorder had lasted all the time, and no other business of the House had actually intervened. There is no question about that. For these reasons I think the motion submitted is undoubtedly in order. More than that, it would be contrary to every privilege of this House if a motion of this kind could not be submitted. Not alone can it be submitted, but it is the absolute duty of whoever is in command of the business of the House to submit such a motion; and he would be wanting in the

obligations of his high office if he failed to submit such a motion. It is incumbent upon this House to take upon itself to express some opinion with reference to the acts of disorder itself, and perhaps to some of the incidents in connection with it.

Mr. T. WALKER: I submit that the disorder complained of was purely incidental to the point which was raised when the Chairman ordered the Serjeant-at-Arms to remove the hon. member for West Macquarie for not obeying his decision. The very moment that order, issued from the Chair, had been complied with, all disorder was at an end, and the ordinary business of the Committee was resumed. After that we should have to go back upon ourselves to submit this point of order to Mr. Speaker. If we can do what it is proposed shall be done, we can submit to Mr. Speaker a matter which occurred a week ago. The lapse of time makes no difference. The hon. member who has moved the resolution has done so with the object of preserving the dignity of Parliament, and of keeping the rules of Parliament intact. One of the most inviolate rules of the House is that we shall not go back upon our business; that we shall continue the business we have in hand, since, having started with it, anything antecedent is of no concern to the Committee. If hon. members are going to preserve parliamentary rules intact this motion is undoubtedly out of order. Besides this, I take it that in the preservation of parliamentary rules we should have some consideration for what we are going to do after we have got the Chairman out of the chair. It appears from the motion that the hon. gentleman intends to report to the House that a certain thing has occurred, and apparently to do no more.

Sir HENRY PARKES: I did not say that!

Mr. T. WALKER: That is all we are left to imagine.

The CHAIRMAN: The hon. member will be out of order in speaking about what may or may not take place when this matter is reported. The Committee has nothing to do with any action which the House may take when it resumes.

Mr. T. WALKER: I was only replying to an interruption made by the Colonial Secretary. His entire contention is that business when the motion was made had entirely ceased. But you, sir, had performed

Third night.

your functions; you had maintained the dignity of the Chair; your order had been obeyed, and the obstructing member had been removed from the Chamber. Order had been completely restored, and business was proceeding in a perfectly pacific manner when the Colonial Secretary broke in upon it, and by that very proceeding committed an act of disorder himself. I submit that what the Colonial Secretary can do, anybody else can do, and if a motion can be given notice of two minutes after ordinary business has been going on it can be given notice of an hour after, and we might constantly have motions to remove the Chairman from the chair to report disorder which had occurred a long time before. I say that it will be dangerous to allow this motion to be taken after business has been gone on with. It is not as if there were a contention that business had not been gone on with, because it is admitted on all hands—it is known to yourself and to every member of the Committee—that business had actually commenced, and therefore I submit that no motion should have been allowed to interrupt it.

Mr. WANT: It seems to me that there is a strange misconception as to the facts of this case. Directly the hon. member was removed from the Chamber, hon. members who sit opposite saw the scene of violence and disorder which occurred outside the doors, and it was only by the strength of those who had charge —

Mr. WILLIS: Is the hon. member in order in debating the main question? I submit that he is debating the whole of the proceedings and not the point of order raised by the hon. member for New England. I think that what should be meat for one should be meat for another in this House.

The CHAIRMAN: I trust the hon. member will at once withdraw the last expression. It is an insinuation that hon. members are not receiving impartiality from the Chair. When he does so, I shall give my decision on his point of order.

Mr. WILLIS: I withdraw it, and if it is offensive to the Committee or to the Chair, I apologise.

The CHAIRMAN: The hon. and learned member for Paddington, so far as he had got, was, I take it, endeavouring to state certain facts in order to give his reasons

[*Mr. T. Walker.*

for or against the point of order. The hon. member is out of order in making reference to anything that has occurred outside the Chamber. That has not been reported to the Committee.

Mr. WANT: I was speaking of what was taking place at the door of the Chamber, though I said outside. While this disorder was taking place the Colonial Treasurer stood up and commenced to address the House; but before he had said a solitary word the Premier motioned to him, so far as I could see from my seat, to cease addressing the House, and before any business could be commenced again the Premier himself addressed the Chair. Therefore, it is a mere quibble to state that business had intervened, and I regret that hon. members on that side of the House, who ought to be the first—and who were the first to-night—to endeavour to suppress disorder, should come here to support the conduct which has occurred.

The CHAIRMAN: The hon. member will see that the remarks which he is making, although they may be pertinent to the main question, are not now in order. On the point of order, all he can do is to explain the dry facts of the case.

Mr. WANT: Perhaps I was going a little beyond the mark, but it was while hon. members were attempting to keep the hon. member for West Macquarie quiet that the Premier was in his position endeavouring to stop the Colonial Treasurer from speaking, and was therefore putting a stop to any business which might otherwise have intervened. Nothing was said, nothing was done, no discussion had taken place when the motion was proposed. Undoubtedly the Colonial Treasurer was called upon to speak, but the Committee is not bound by that action of the Chair.

Mr. DIBBS: Is not that a quibble?

Mr. WANT: It is a quibble of a second class order to that raised by the hon. member. What I am pointing out is that no business had intervened—and I believe I shall be borne out in my statement by other hon. members on this side. The Chairman calling upon the Colonial Treasurer to speak is not a commencement of business. If hon. gentlemen choose to call it commencing business I give them all credit for their quibble.

Mr. COPELAND: The hon. gentleman's argument would lead one to the conclusion

that if the debate lasted for three months there would be no business done in that time. The Chairman called upon the Colonial Treasurer to speak, and that of itself was quite sufficient to commence business. Even if the hon. gentleman had not spoken, it showed clearly that we had passed on to other business. Will the hon. member for Paddington say that when the order of the day is called upon, that is not passing from formal business? Can any hon. member give notice of a motion, or do anything of that kind then?

Mr. WANT: The Colonial Treasurer was in possession of the Chair before!

Mr. COPELAND: He was in possession of the Chair before, and he resumed his explanation in reference to some remarks which I made.

Mr. WANT: That is not fresh business!

Mr. COPELAND: It is undoubtedly fresh business. There would be no fresh business according to the hon. member until the motion was absolutely disposed of. If it was not fresh business for the Chairman to call one hon. member to speak, it would not be fresh business for him to call upon a dozen hon. members to speak, and after two or three days' discussion the hon. member might just as reasonably get up and say, "Oh, this is the same business as we had the other night when the hon. member for West Macquarie broke into it by his disorder." I am surprised at the hon. member arguing like that. I think his argument is purely and simply a quibble.

Sir HENRY PARKES: On the point of order I am very much surprised that any hon. member can take the course which the hon. gentleman has taken. His contention is founded on the well known parliamentary rule, that if irregular or unparliamentary words are spoken they cannot be taken down when other business has intervened. But this is a very different case altogether. This in no way comes under that rule. The rule is properly laid down that if a member is guilty of unparliamentary expressions, and other business is allowed to intervene, his words cannot be taken down, and for obvious reasons, because, unless they are taken down at the time, there is no guarantee of accuracy. But this is a scene, not in one act, not in one expression, but which is continued in the persons of several officers of the House, and which is carried to the

extent of sweeping through the Chamber, and resistance at the door of the Chamber.

Mr. T. WALKER: In debating the point of order, is the hon. gentleman entitled to discuss what took place at the door of the Chamber and outside of the Chamber?

Sir HENRY PARKES: I am simply describing the circumstances.

Mr. T. WALKER: You have ruled others out of order, sir, for the same thing; and I ask whether the Colonial Secretary is not out of order?

The CHAIRMAN: The Colonial Secretary will not be in order in going into the general merits of what has occurred. It is exceedingly unfortunate that whenever the Chair endeavours to offer an opinion, some hon. members feel it to be their duty to supplement the remarks of the Chair by observations in a low tone of voice. I trust this will not occur again. I hope the Colonial Secretary will endeavour to address himself to the point of order, and confine his remarks as nearly as possible to the facts without making a general statement. The point of order is as to whether, the Colonial Treasurer having been called upon to speak, the motion submitted by the Colonial Secretary is in order.

Sir HENRY PARKES: I think I was strictly in order, and I do not find that you have ruled me out of order. I was simply endeavouring to define what the occurrence of to-night really was, and was pointing out that it was not at all analogous to the occurrence against which the parliamentary rule has been established, that other things must not intervene. This is a thing which if days had intervened ought to be reported to the House.

Mr. COPELAND: Nonsense!

Sir HENRY PARKES: It is very well to say "Nonsense," but if the contention is that things may be done in Committee and not reported to the House, then, of course, I know nothing about parliamentary order.

Mr. COPELAND: The hon. member knows that it is not the parliamentary practice!

Sir HENRY PARKES: I know very well that the rule that no other business must intervene relates only to the expression of disorderly language. But this is not a case of that kind. This is a case of a riot in the House, a case of defiance of the Chairman and of resistance to the Serjeant-at-Arms.

Third night.

Mr. WILLIS: I rise to order. Is the Colonial Secretary in order in referring in general terms to what took place?

Sir HENRY PARKES: The hon. member can sit down.

Mr. WILLIS: I am addressing the Chair, not the hon. member.

Sir HENRY PARKES: I decline to say anything more.

Mr. WILLIS: I ask you, sir, to protect me and other hon. members from the insults of the leader of the Government. What is dealt out to one man in this House should be dealt out to another.

The CHAIRMAN: Order. The Chair endeavours to deal impartially with all members, and will continue to do so as long as I occupy the position.

Mr. CRICK (*speaking from one of the ante-rooms*): I tell you you are a liar!

The CHAIRMAN: The Serjeant-at-Arms will take what assistance he requires to remove from the building the person who is disorderly.

Mr. CRICK (*speaking from outside the Chamber*): Why don't you stick to the men who put you in office, and gave you your £800 a year?

Sir HENRY PARKES: This, too, is in order!

The CHAIRMAN: I have already pointed out that the Colonial Secretary, any more than any other hon. member, will not be in order in going into details.

Sir HENRY PARKES: I have done.

The CHAIRMAN: The Colonial Secretary intimates that he has no further desire to address the Committee on the point of order.

Mr. DIBBS: When the Colonial Treasurer was called upon to speak, and when he had risen to do so, I got up with a view to suggest that the hon. gentleman should place himself in order by apologising, and so remove the difficulty, and it was at that moment that the Premier made the motion.

Mr. TRAILL: It appears to me, after deliberate reflection, since this point was first raised, that it cannot be sustained, otherwise the intervention of business between a scene or disturbance, and a proposal such as that of the Premier, would prevent the matter being dealt with at any subsequent stage of the proceedings. For instance, at the close of the proceedings, when the Chairman was about to be

moved out of the chair in the ordinary way, it would be impossible to embody in the motion for the Chairman leaving the chair, any matter relating to the disturbance which had occurred, as at that period undoubtedly fresh business, or at any rate, a prolongation of business, would have intervened. I think no member of this Committee conceives for one moment that although the disorder which arose was effectually quelled by yourself, and had ceased at the time the Premier made his motion, the matter can rest at this stage; consequently, if the point of order were sustained, the Premier, or any other hon. member, who would have an equal right in that respect, would be debarred at a subsequent stage from reporting to the House that such a disturbance had occurred. Such a report must be made to Mr. Speaker in the chair. For these reasons I think the point of order cannot be sustained, and that if on technical grounds it could, it would be a misfortune, having in view the orderly conduct of the business of the House.

The CHAIRMAN: The motion before the Committee, should the Committee determine to report to the House, would place one matter, and one matter only, before it. British law is very clear upon this point: that a man cannot be punished twice for one offence. Consequently, whether my action be right or wrong, that portion of the disorder consisting of the removal of the hon. member for West Macquarie for disobedience of the Chair is done away with. Although the resolution contains a reference to that portion of the disorder—and the reference is necessary in order that the later disorder may be rightly understood—the latter portion contains specific reference to the violent resistance of officers of this House—in other words, to a specific disorder—in reference to which I take it that the Committee desire that the House may take action; and I do not say that the House has not a right to take action so far as the early part of the disorder is concerned. But the hon. member for New England contends that inasmuch as the Chairman had called upon the Colonial Treasurer to continue his remarks upon the main resolution before the Committee, this resolution cannot be received. The opinion of the Chair is that the motion is in order, and for this reason: the Chair can take no action whatever with regard

to the violence used against the officers of the House. That is a matter which it is in the province and wisdom of the Committee to refer to the House or not as it may think fit. In the opinion of the Chair, no amount of business intervening during the sitting of the Committee could prevent the Committee from attaching, if it thought fit, to the resolution reported at the close of its sitting a statement with regard to the resistance offered to the officers of the House. Order having been restored, the disorder can be dealt with if in the opinion of the Committee it is desirable to take that step. In my opinion the resolution is in order; and if the Colonial Treasurer had delivered a speech, I certainly should have accepted the resolution. But the hon. gentleman had not delivered a speech. He had simply been called upon by the Chair, and was almost immediately interrupted by the Colonial Secretary moving a resolution. I therefore give my opinion in opposition to the point of order taken, and in favour of the resolution being legally before the Committee.

Mr. COPELAND: I feel it my duty to dissent from your ruling on this question; and, while I do so, I do not think hon. members can honestly assume that I am attempting to defend the hon. member for West Macquarie for the disorder he created. I have no desire to do that; but I have a desire to maintain the privileges of members of this Chamber; and I conceive that we are in great danger of losing some of the privileges we have hitherto possessed. In my opinion, if a question of this kind can be referred to now, it can be referred to in an hour's time, or in a week's time. Another hon. member was undoubtedly called upon to resume the debate upon which the Committee were engaged, and he did so. The Colonial Treasurer himself will not deny the fact. He resumed the explanation he was offering when the disorder occurred. I submit that if disorder of any kind can be referred to any time after business has been resumed, it would be quite competent for an hon. member at 10 or 11 o'clock to-night to refer to it after half a dozen members had spoken upon the main question.

Sir HENRY PARKES: Certainly it would be competent for him to do so!

Mr. COPELAND: I am surprised at the hon. member making such a statement. The hon. gentleman has been a member of Parliament longer than any other hon. member here; but I ask him to point out a single instance in which such a thing has taken place. I say he would not be in order, and, although the hon. member has been here twice as long as I have, perhaps even longer than that, I believe I am just as well read in May's "Parliamentary Practice" as he is. I challenge him to refer to a passage in "May" in support of his contention.

Sir HENRY PARKES: If I may be permitted to say so, it is the hon. member's duty to prove that he is correct!

Mr. COPELAND: I submit that my view is the correct one. I will presently refer to "May" to show that whatever notice may be taken of disorder must be taken at the time of that disorder, and that when once business has been resumed there is an end of the matter. There is no distinction between this case of disorder and any other case. A disorderly remark was made, and the Chairman called upon the hon. member who made it to withdraw it and to apologise, for what? Not for having used a disorderly expression, but for having interrupted the business of the Committee, and the —

The CHAIRMAN: Perhaps the hon. member will pardon me. I am sure he has no wish to misquote the Chair. The Chair distinctly called upon the hon. member for West Macquarie to apologise for using an expression which had interrupted the business of the Committee, the expression being contained in an interjection.

Mr. COPELAND: The Chairman is not quite right in what he says. It was not as he says —

The CHAIRMAN: I certainly must decline to sit in this chair for one moment if I am to be told that my statement of an opinion I have given is not correct. I distinctly called upon the hon. member for West Macquarie to withdraw the expression, and I asked him to apologise to the Committee for interrupting its business by that disorderly expression.

Mr. A. ALLEN: That is perfectly correct!

Mr. COPELAND: I presume hon. members sitting in this Chamber are at liberty to have some opinion of their own. I would have you to remember, sir, that

you are here merely as the Chairman of this Committee. When you give an opinion I and other hon. members are quite willing to abide by it; but at the same time we claim our right to hold our own opinion with reference to it.

The CHAIRMAN: I decline to allow the hon. member to discuss my opinion except upon a specific motion dissenting from it.

Mr. COPELAND: Then the Chair will have a merry time of it!

The CHAIRMAN: I hope the hon. member will withdraw the expression.

Sir HENRY PARKES: It is disorderly enough!

The CHAIRMAN: The hon. member for New England will see that, irrespective of myself, the dignity of the Chair cannot be maintained if threats of that kind are indulged in.

Mr. COPELAND: I am dissenting from your decision now, sir, and I ask you not to interrupt me so frequently in my remarks.

The CHAIRMAN: I have not interrupted the hon. member except to give him that which I thought he would be thankful to receive—an exact statement of what took place. I must call the hon. member's attention to the fact that I have asked him to withdraw an expression which reflects upon the Chair. Personally it has nothing to do with me; but it has with the government of the Committee. I am sure the hon. member will withdraw the expression, as it amounts to a threat.

Mr. COPELAND: I should like to know how I can dissent from your ruling, unless I can give the reasons?

The CHAIRMAN: The hon. member is at liberty to dissent from any ruling I have given with regard to the point of order he has taken; but he is not at liberty in discussing that to discuss other opinions and judgments that the Chair has given. The hon. member will see that he is discussing and was discussing other things that happened before the question of order was raised that he is now appealing to the House upon.

Mr. COPELAND: The whole question simply rests upon the origin of this disorder!

The CHAIRMAN: I am exceedingly sorry to have to interrupt the hon. member, but I must appeal to him before he proceeds any further, to withdraw an expression

[*Mr. Copeland.*]

which amounts to a threat: that is, that the Chair will have a merry time of it.

Mr. COPELAND: I do not see that I am called upon to withdraw that expression!

HON. MEMBERS: Chair!

Mr. COPELAND: There is nothing offensive in the remark that the Chair will have a merry time of it. What I simply wished to say was this: —

Sir HENRY PARKES: The Chair is the judge of its own character!

Mr. COPELAND: I presume I can defend my own action, and perhaps I may be allowed to explain what I meant by the words "a merry time of it." I meant that there would be a great many points of order raised. That was my meaning, and there was nothing offensive in that. I presume I am at liberty to raise a point of order whenever I think the liberties of this House are in danger, and I am not in the habit of raising questions of order merely to waste time. I am sorry to say that members of the Government are seemingly lending themselves to this shameless waste of time.

Sir HENRY PARKES: We are not lending ourselves to that outrage!

The CHAIRMAN: The Chair understood by the tone of the hon. member when he expressed the sentence that its meaning was entirely different from what the hon. member now explains. If I am to understand from the hon. member that in making that statement there was no intention to reflect upon the action of the Chair, or to intimidate or threaten, I shall accept the hon. member's statement. I must say that from the tone of the hon. member, and from the manner in which the statement was made, I was under the impression that he intended to make use of a threat.

Mr. COPELAND: I did not wish to intimidate the Chair or any one else. I am inclined to think, if I may be permitted to say so, that there are too many interruptions to the remarks of hon. members, and unnecessarily so. Those interruptions lead to disorder. Disorder may arise either from the Chair or from hon. members themselves. At any rate, I have never been in the habit of raising disorder, and now I am only trying to get on with the legitimate business of the Committee. I beg to move —

Mr. J. SHEPHERD: —————

MR. COPELAND : Will the Chairman expel the hon. member for Paddington as well as the hon. member for West Macquarie?

THE CHAIRMAN : Order. The hon. member for Paddington must obey the Chair, and cease disorderly interruptions.

MR. COPELAND : The Chair should compel the hon. member to cease interrupting.

THE CHAIRMAN : I cannot allow the hon. member for New England to address the Chair in that manner. I was about to call upon the hon. member for Paddington, Mr. J. Shepherd, to withdraw the remark he made, and apologise.

MR. J. SHEPHERD : If the remark is regarded as offensive, I beg to withdraw it and apologise.

MR. COPELAND : I beg to move :

That you do now leave the chair, report the point of order to the House, and ask leave to sit again so soon as the point of order is decided, the point of order being : that, inasmuch as the disorder had passed away by the removal of the hon. member for West Macquarie, the business having been resumed by the Colonial Treasurer being called upon to resume the debate on the financial statement, and the Treasurer himself resumed his speech, it is out of order to refer to the said disorder, either by reporting to Mr. Speaker or otherwise, upon which the Chair had expressed the opinion that the motion was in order, to which opinion exception was taken.

Question proposed.

MR. WILLIS : I would not have risen to speak about this unfortunate occurrence but for the remarks which fell from the hon. member for Bathurst. One hon. member told the House —

THE CHAIRMAN : The ruling already given stands good with regard to this motion. The debate now is, whether this question shall be referred to Mr. Speaker. Any matter having direct reference to that is in order ; but general debate is not.

MR. T. WALKER : On the point of order I may state that I have seen the hon. member for West Macquarie. I understand your ruling was that the hon. member should be removed from the Chamber until he apologised.

THE CHAIRMAN : That ruling was given, and if the hon. member had obeyed it or had given an indication that he was prepared to obey it, the Chairman would, when the ordinary business was being proceeded with, have accepted the apology. The Committee, however, have now placed it beyond the power of the Chair to accept

the apology by the resolution which has been submitted. When the resolution is dealt with the Chairman will be in a position to express an opinion on anything the hon. member may have to say. The question before the Committee at present is that I should leave the Chair, and report a point of order to Mr. Speaker.

MR. WILLIS : I shall reserve my remarks until I have an opportunity of expressing them more fully.

MR. COPELAND : Before the question is put I should like to draw the attention of hon. members to certain facts. This is a question of voting. Of course what I may say may not influence the votes of hon. members. I desire, however, to quote from May's "Parliamentary Practice" in support of the contention I have raised ; and hon. members will then see for themselves that my contention is perfectly sound. I take up this position : that after the disorder had passed away, by the removal of the hon. member creating the disorder outside the Chamber, the Colonial Treasurer was called upon to resume the ordinary business of the evening. The Colonial Treasurer did resume that business, and had spoken several words before the Premier had taken action in connection with the disturbance. This is what May says with reference to the practice of the House of Commons :

Whenever any disorderly words have been used by a member in the debate notice should be immediately taken of the words objected to ; and if any member desire that they may be taken down, the Speaker or Chairman, if it appear to be the pleasure of the House or the Committee, will direct the clerk to take them down. The House of Commons have agreed "that when any member had spoke between no words which had passed before could be taken notice of."

Does any hon. member say that in this instance the Colonial Treasurer had not spoken between ?

SIR HENRY PARKES : It is not a matter of words ; it is a matter of action.

MR. COPELAND : It is useless quoting "May" if hon. members will quibble and attempt to get away from a clear statement of facts. I say that the Colonial Treasurer had resumed the business of the evening, and he had spoken several words before the Premier rose in his place. "May" continues :

So as to be written down in order to a censure

SIR HENRY PARKES : Hear, hear !

Third night.

Mr. COPELAND : Of course the hon. gentleman knows perfectly well that he is bound to say "hear, hear." Is not that what I have contended all along?

Sir HENRY PARKES : No.

Mr. COPELAND : Yes, it is, and I call the attention of the Chairman to the hon. gentleman's interruptions. I submit I have no right to be interrupted in this way.

Sir HENRY PARKES : I can surely cheer.

Mr. COPELAND : I am not quite sure whether hon. gentlemen can cheer or not. Either Mr. Speaker or the Chairman has ruled that it is out of order to cheer on certain occasions. "May" continues :

And on the 9th April, 1807, the Speaker decided that the words of Dr. Duigenan could not be taken down, though Lord Howick had immediately risen to order, and had objected to the words used. But another member and the Speaker had spoken to the question of order before the House expressed a wish to have the words taken down.

Here is a case in which the debate on the disorder was actually continued, and yet because the words were not taken down at the very moment they were uttered, it was ruled that they could not be taken down.

An HON. MEMBER : There is no motion that the words be taken down in this instance.

Mr. COPELAND : It is exactly the same thing. It is a case in which attention is drawn to a disorder which has passed away as much as though it had happened seven years ago. Then "May" continues :

And, again, when objection was taken to words, after a question had been put from the Chair, it was ruled to be too late.

Can hon. members want a clearer case than that?

The same principle would seem to apply, if the member had afterwards been permitted to continue his speech without interruption ; and this appears to be the rule in the Lords, where the words are required to be taken down instantaneously. If the words be taken down in a Committee of the Whole House, they are ordered to be reported, and the House deals with the matter as it may think fit.

I submit that it is perfectly clear that if we are to be guided by "May" in this matter—and we have no standing orders which deal specially with this question—it is not now in order to refer the matter to Mr. Speaker, or to take any further notice of it. For these reasons, I beg to move dissent from your ruling.

Sir HENRY PARKES : By some singular obliquity of mind, the hon. member, ap-

[Mr. Copeland.

parently without knowing it, has entirely destroyed his own position. I contended myself exactly as the hon. member contends, and as "May" contends, that if disorderly words are spoken, and they are not noticed at once, they cannot be taken down after other business has intervened ; but that is not the case we are considering.

Mr. COPELAND : Undoubtedly it is.

Sir HENRY PARKES : We are not considering that case at all ; but we are considering a case which will find an analogy in the conduct of Mr. Feargus O'Connor, and several other members. The case we are considering is one, not of disorderly words, but of disorderly conduct, amounting to a literal defiance of the Chair, and a literal resistance of the Serjeant-at-Arms, amounting to a scramble in this House, which did not terminate until the offender was put outside the House. The House of Commons never deals with a matter of that kind under the ruling which the hon. member has correctly quoted ; and I will prove at once how impossible it would be to do it. Supposing that when the Serjeant-at-Arms was instructed to do his duty the offending member, instead of threatening and gesticulating, had actually killed him. Would you have pretended that the rule that business had intervened would have saved the offender from the consequences of his action? Why, no man in his senses would contend anything so absurd and so irrational.

Mr. O'SULLIVAN : I rise to order. The question is whether this matter should or should not be referred to Mr. Speaker. I ask whether the Colonial Secretary is in order in covering the whole ground? I would point out that you have already ruled that it is not in order to do that.

The CHAIRMAN : The Premier was replying to the arguments of the hon. member for New England, who has pointed out that "May" lays down a certain procedure when disorderly words are used, and the Premier was showing that in his opinion, in this case, it is not words, but actions, with which the Committee have to deal. So long as the Premier, or any other hon. member, confines himself to that line of argument, he will be in order.

Sir HENRY PARKES : I cannot understand this disposition to endeavour to suppress fair debate. Surely we want to do

what is right in this matter, not in the interest of individuals, but in the interest of Parliament. Surely every man wants to do that. Is there any man here who would go to his constituents and justify what has taken place to-night? Then, why attempt to bring it under the rule so well known, which refers to disorderly language, and to disorderly language only? This is a case of outrage—of the defilement of the very House to which we are elected. Not only that, but we also ought to remember that this outrage was repeated by a shout from Mr. Speaker's ante-room by the same offender. If hon. members think this a light offence, to be covered by the well-known rule that you must write down disorderly words before other business can intervene, I do not think they have any great respect for the dignity of Parliament. I shall certainly vote against the motion, which is being made to submit your ruling, sir, to Mr. Speaker. Your ruling is so manifestly correct, and every person acquainted with the rules of Parliament must know it to be so.

Mr. COPELAND: If so, why is the hon. member afraid of submitting it to Mr. Speaker?

Sir HENRY PARKES: Because it is a frivolous attempt to waste time.

Mr. COPELAND: I rise to order. The hon. member has charged me with moving this motion with the intention of creating a frivolous waste of time. Is he in order in doing so?

Sir HENRY PARKES: It is perfectly parliamentary for me to express the opinion that time has been wasted. There would be no liberty of speech at all if that were disallowed.

Mr. COPELAND: I submit the hon. member is not in order in charging me, in moving this motion dissenting from your ruling, with the intention of frivolously wasting time.

The CHAIRMAN: I accept the hon. member's point of order; but will the hon. member allow the Colonial Secretary to say what he has to say upon it?

Sir HENRY PARKES: I have no intention to say anything further.

The CHAIRMAN: If I understand the point of order correctly, the hon. member for New England claims that he has been charged with frivolously wasting the time of the Committee.

Mr. COPELAND: With intending to do so!

Sir HENRY PARKES: I did not say "intention"!

The CHAIRMAN: The Colonial Secretary distinctly disclaims having imputed such an intention, and the hon. member was perfectly in order, if he did not impute to the hon. member for New England an intention to prevent the Committee's business from proceeding, in using the words which he used. If the hon. member had used them to accuse the hon. member for New England of wasting time —

Mr. COPELAND: Of a "frivolous attempt to waste time"!

The CHAIRMAN: The hon. member disclaims that, and his word must be taken.

Sir HENRY PARKES: I submit that while you, sir, are in the chair, it is our duty to support you, as it is our duty, in the full House, to support Mr. Speaker, and it should not be on any light occasion that we should dissent from your ruling. As far as I can form an honest and independent opinion, your ruling is absolutely correct, and I object to throw a kind of slight upon your judgment by sending this ruling to Mr. Speaker. In my judgment there is no occasion for such censure, and unless there is a grave ground for such a step we ought to support your ruling, and support you in the chair at all times.

Mr. T. WALKER: Speaking upon the motion, I submit that the speech of the Colonial Secretary, to give it its proper weight, is entirely in favour of this matter being submitted to Mr. Speaker. He draws a distinction between the point where words are to be taken down, and where disorder of such a serious character as occurred to-night takes place. Now, I submit that if there is a reason why our action should be immediate when words only are concerned, there is a stronger reason that it should be so when disorderly acts and riot occur. If we are not to allow the slightest business to be transacted where words are concerned, we should be doubly particular where the disorder is of such a character as has been described by the Colonial Secretary to-night. We should be closely upon our guard to be immediate in punishing the delinquent, whoever he may be. But there is another argument why this point should be referred to Mr.

Third night.

Speaker. It is that it is comparatively novel. The fact that there is such a difference of opinion upon it between hon. members who hold leading positions in the House, and the Colonial Secretary, shows to some extent the novelty of the question. Now, when a new point of this importance—and no one can deny its importance—arises, there can be no discourtesy to the Chairman in submitting it to the highest tribunal of the Assembly. When we can have such a difference of opinion between men well versed in points of order, and well up in matters relating to parliamentary proceedings, as we have had to-night, surely after the Chairman has given his decision, it can be no reflection upon him to refer the matter to be decided by the highest authority that the House possesses. In fact, sir, it would be more to your credit, and more to the credit of the Committee, to have this matter definitely settled by Mr. Speaker, because by our action to-night we are creating a precedent. In the various speeches which have been delivered pro and con, there have been no references to specific cases, no appeals to the decisions of previous speakers of this House, or of speakers of the House of Commons, because no case precisely similar to this has been decided. Now, in making a precedent, the Committee should be extremely hesitant and guarded. If Mr. Speaker will rule in accordance with the ruling of the Chairman of Committees, nothing is lost, and we shall have a double ruling for the guidance of the House, if anything similar should unfortunately occur in the future. But if, by the vote of the majority, this matter is decided by the ruling of the Chair, there will still be a doubt, in the minds of hon. members, simply by a majority, simply by the Committee. The point would virtually, in the minds of most hon. members, still remain unsettled. Therefore as nothing can be lost to your honor and dignity, as none of the honor and dignity of the House can be sacrificed, as we are fighting now for parliamentary rights and privileges and for upholding parliamentary law, and as we are sticking at niceties we should do well I think to submit a point of this importance, when it is the first of its kind that has ever occurred in the House, to Mr. Speaker. I shall therefore vote for the reference of the point to Mr. Speaker.

[*Mr. T. Walker.*

Mr. TRAILL: The hon. gentleman who has just sat down has anticipated to some extent the remarks I was about to make. If the resolution proposed by the hon. member for New England could be separated into two parts, and the matter could be referred to Mr. Speaker without dissenting from the ruling of the Chairman I should certainly vote for the second part and against the first. But as it stands, it being inseparable, as I understand, it is necessary for me to consider which is the least compromise of my own opinion. I certainly concur that it is desirable at this stage to obtain the decision of the highest authority in the House. There is a very strong amount of dubiety as to what may be the proper course of procedure. What is the most convenient and most just procedure in view of the ordinary conduct of business I have no doubt whatever in my own mind, and that is that the matter should be referred to Mr. Speaker as originally proposed by the Premier. It was distinctly ruled by the ex-speaker not very long ago that unless a matter be referred to him from the Committee through the Chairman no subsequent reference when Mr. Speaker was in the chair could be made to what occurred in the Committee, and unless the matter be conveyed in the way intended by the motion of the Premier there can be no subsequent dealing with it, and it must pass entirely as it has been dealt with in Committee, which appears to me to be an undesirable thing. But at the same time the point is of some dubiety. The hon. member has pointed out distinctly that if words are referred to, and any business intervenes between the utterance of those words and notice being taken of them that is out of order, and the objection will not stand—that the notice must be taken and the words taken down without any intervening business. The analogy between words and actions, as drawn by the hon. member for Northumberland, strikes me exactly in the inverse ratio. The reason why words must be taken down and dealt with at the moment is obvious, because otherwise they may escape memory. But no person can have any doubt as to the facts in regard to acts transpiring before him. Words are very subtle things; they are very easily transposed and changed unless they are taken down and at once photographed, as it were.

Mr. T. WALKER : Look at the different versions of the facts that we have had to-night !

Mr. COPELAND : Words are not more subtle than the memory of facts !

Mr. TRAILL : Words are extremely susceptible of very nice inflections of change, and seldom will the memory of two persons agree as to the use of words. The only authority available at the moment is that of "May," and I find there a very nearly analogous course laid down. May says :

In ordinary cases an infringement of the usage or orders of the House is obvious, and is immediately checked by the Speaker ; in other cases, his attention is directed to a point of order, when he at once gives his decision, and calls upon the member who is at fault to conform to the rule as explained from the Chair. But doubtful cases may arise, upon which the rules of the House are indistinct or obsolete —

It appears to me that this is exactly a case in which the rules of the House are indistinct. In support of his contention that the case should be dealt with differently from words, the Premier has not quoted any precedent incident or precedent fact.

Sir HENRY PARKES : There are numbers in the journals of the House of Commons !

Mr. TRAILL : I do not think they were quoted.

Sir HENRY PARKES : There is the case of Mr. Feargus O'Connor !

Mr. SLATTERY : In that case the disorder was dealt with immediately !

Sir HENRY PARKES : No !

Mr. TRAILL : At the present time the rules of the House relating to the distinction between acts and words are undoubtedly indistinct if not obsolete. We cannot say they are obsolete because we do not know that any rules distinctly bearing on the subject ever existed. At any rate they are indistinct ; they give ground for some doubt at the present moment. May goes on to say,

or do not apply directly to the point at issue ; and then the Speaker, being left without specific directions, refers the matter to the judgment of the House.

That is to say, when the House is again sitting and Mr. Speaker in the chair, so important is it considered that the matter should be deliberated upon in the most thoughtful way that even Mr. Speaker himself does not decide, but refers the whole matter to the House. That again

is contrary to the line of argument taken by the hon. member for Northumberland who deprecates, and I think with some justice, the reference of a matter of this kind to a vote of possibly an excited or party character. Nevertheless so it is, and the importance of the matter where the rules of the House are distinct is carefully recognised by May. I shall therefore vote for the reference of this point to Mr. Speaker. At the same time I wish it to be distinctly understood that I personally agree with the ruling of the Chairman. Although in a formal manner I differ from the ruling of the Chairman, yet I actually acquiesce in that ruling, and it is only the latter part of the motion as to the reference to Mr. Speaker for which I am really voting.

Mr. LYNE : I think that in a case of this kind the surrounding circumstances must be taken into consideration. I have listened to the remarks of the mover of the motion, and also to those which fell from the Premier, and I am exceedingly sorry that objection has been raised to the reference of this matter to Mr. Speaker. There is no doubt that very great disorder arose. The Colonial Treasurer rose to speak, and there is very little doubt in my mind that while that was taking place, and while the hon. gentleman was called upon, the disorder was continued. Under those circumstances the case is peculiar. The leader of the Opposition, and those associated with him, endeavoured to prevent the disorder ; but, in spite of that, disorder of a serious character took place, and, setting aside all small technicalities, because the question as to the Colonial Treasurer getting up to speak is a technicality —

Mr. T. WALKER : I am sorry to interrupt the hon. member ; but as other hon. members have been confined to the question immediately before the Committee, I think it only fair that the hon. gentleman's remarks should have a similar limit.

Mr. LYNE : I submit that I was strictly in order. I was saying that I intended to vote against the motion, because I agree with the decision you have given—with the reasons you have given for referring the matter originally in dispute to the House. I was showing that I was opposed to the action taken in dissenting from your opinion.

Third night.

The CHAIRMAN : I do not think the hon. member had entered into sufficient detail to bring him within the rule which has been applied to other hon. members.

Mr. LYNE : Having regard to the peculiar circumstances surrounding the case, I am exceedingly sorry that the matter is not already before the House. There could be no disposition I am sure on the part of the Opposition to support in any way the hon. member who has been guilty of disorder, and being so satisfied, I think the sooner we take the matter before Mr. Speaker and obtain his decision the better.

Question resolved in the negative.

Mr. PAUL : I should not have troubled the Committee with any remark but for the statement of a member of the Opposition that he did all he could to induce the hon. member for West Macquarie to obey the Chair.

The CHAIRMAN : I must point out to the hon. member that under the rule of Parliament he is bound to accept the statement of the hon. member to whom he refers.

Mr. PAUL : I desire to tell the House something I heard him say.

Mr. LYNE : Which hon. member?

Mr. PAUL : The leader of the Opposition. I heard him deliberately ask the hon. member for West Macquarie not to apologise, because the Colonial Treasurer had not been asked to apologise.

Mr. WILLIS : The hon. member is wrong!

Mr. PAUL : I say that so far from discouraging the hon. member for West Macquarie in resisting the Chair, the hon. gentleman encouraged him.

Mr. R. B. WILKINSON : I rise to order. I draw the attention of the Chair to the fact that the hon. member is dealing with the conduct of the leader of the Opposition, whereas the motion now before the Committee has no reference to that hon. member.

The CHAIRMAN : I have already intimated to the hon. member that the leader of the Opposition having made a statement, that statement must be accepted. The hon. member is not only travelling beyond the bounds of the discussion, but he is making an imputation which is disorderly.

Mr. WILLIS : This is a very unfortunate occurrence, and I think the action the

[*Mr. Lyne.*

Chair has taken in dealing with the hon. member who caused the disorder should be sufficient for the House and for the country. I do not think that the hon. gentleman who has made this motion will receive much kudos from the country for following up this matter, as though he desired the last drop of blood out of the hon. member for West Macquarie. No hon. member can take the part of the hon. member for West Macquarie in the course he has taken to-night. I, for one, although the opinion and the action of the Chair seemed somewhat erratic, strongly advised the hon. member to apologise, and my hon. friend, the leader of the Opposition, also advised him to apologise—in fact he implored him to do so.

Mr. PAUL : In the early part of the proceedings?

Mr. WILLIS : I am addressing my remarks to the Chair, and not to the animated coffin from Bathurst.

The CHAIRMAN : The hon. member will withdraw the expression he has just used, and will, I am sure, tender to the Committee an apology. I think the Committee, in accepting such apologies, will understand that they are to be made not merely from the lips. If I am permitted to remain in the Chair apologies of this description will be made in a manner from which the Committee can infer that they are really meant. I appeal to the hon. member for Bourke to withdraw the expression, and to apologise to the Committee in the sense in which one gentleman apologises to another.

Mr. WILLIS : I apologise, although I do not know how I could do so, other than with my lips and my tongue. However, I apologise, and I think that is all this House can request me to do. But while I apologise, I think I might be protected from interjections from the other side. We hear interjections of a disorderly character coming from the Government, and more especially from the leader of the Government.

The CHAIRMAN : The hon. member is not in order in discussing interjections on this motion.

Mr. WILLIS : I was saying that the leader of the Opposition implored the hon. member for West Macquarie to withdraw the expression he used, and to apologise for it. I was sitting beside the hon. member, and I also did so. The hon. member

for The Námoi, Mr. Collins, another supporter of the Government, did the same. If hon. members opposite do not feel disposed to take the word of the leader of the Opposition, perhaps they will take the word of one of their own side. The hon. gentleman implored the hon. member for West Macquarie to withdraw the words and apologise. He said, "No, I will not apologise, because the Colonial Treasurer first insulted me, and he has not been called upon to withdraw and apologise. He has simply been called upon to withdraw. The Chairman in this matter is partial; he has always been partial to the Government."

The CHAIRMAN: The hon. member will have to withdraw the expression that the Chairman is partial.

Mr. SLATTERY: He is only repeating what the hon. member for West Macquarie said!

The CHAIRMAN: That is equally disorderly.

Mr. WILLIS: It seems to me that the best thing we can do is to give up trying to address the Committee at all. Upon my soul I cannot see any chance for any member standing up for the rights and liberties of speech. While the Government rule with the iron hand, we might as well be at home in our beds as trying to fight for the rights and liberties of the people. I give the words of a conversation which took place almost verbatim. Forsooth, you set me down, and say it is disorderly to repeat what the hon. member for West Macquarie said. What course am I to pursue?

The CHAIRMAN: The hon. member should confine his remarks to the resolution before the Committee.

Mr. WILLIS: I am trying to do so. I am trying to get to the kernel of this disorder, and to point out that the leader of the Opposition is in no way to blame. The leader of the Opposition tried, by every means in his power, to induce the hon. member to apologise to the House and to you, sir. The hon. member for West Macquarie pointed out that the Colonial Treasurer had not been called on to apologise; that the Chair was partial, and was always partial.

The CHAIRMAN: As I have already intimated, it is equally as disorderly to attempt to attribute partiality to the Chair

by repeating what some other person said as it is to make a direct statement to that effect. There will be a time—and apparently it is not far away—when the hon. member will be at liberty to make remarks at whatever length he pleases on the action of the Chair; but he is not at liberty to do so at present.

Mr. WILLIS: I will not trespass any more in that direction, but it is carrying party feeling a little too far when hon. members on the other side will get up, perhaps put up by the Premier, because he is always at the beck and call of the Premier —

The CHAIRMAN: The hon. member will see that his remarks have no reference whatever to this resolution, and he is certainly disorderly in charging the Premier with putting up any person for any such purpose.

Mr. WILLIS: As I have already said, I would not have spoken if it had not been for the action of the hon. member for Bathurst in charging the hon. member for The Murrumbidgee with having egged on the hon. member for West Macquarie, when that hon. member had done all he could to induce the hon. member for West Macquarie to apologise. I, for one, felt that that hon. member was being badly treated by the House. Let us go back to the circumstances: The hon. member for New England gave way to the Colonial Treasurer, so that he might make an explanation. The hon. member for West Macquarie jokingly interjected some friendly remark, when the Colonial Treasurer said, "You are nobody." The hon. member for West Macquarie simply said, "Well, you are only a makeshift"; then the hon. member for South Sydney, Mr. Traill, said, "He is not a shift at all; he is a shirt." The Colonial Treasurer was asked to withdraw the remark, and of course he did so. He occupies a high position in this House, and it was consistent with his dignity to do so. Then the Chairman of Committees called upon the hon. member for West Macquarie to withdraw the expression, and mark you, sir, to apologise. He of course thinking that the Colonial Treasurer should also apologise, point blank refused to do so. I think he acted very injudiciously. There is too much disposition in this House, and more especially on the other side, to sit upon

Third night.

and gag young members. When we look at the records of this House, we can see that greater scenes of disorder have occurred here, and led on by whom? By the Premier of this country.

The CHAIRMAN: The hon. gentleman will see that whatever scenes of disorder may or may not have occurred in the past they have nothing whatever to do with this resolution. The hon. member is not in order in making such a reference.

Mr. WILLIS: As there seems to be no liberty of speech here —

The CHAIRMAN: The hon. member will have to withdraw that expression; it is an imputation upon the ruling of the Chair.

Mr. WILLIS: I withdraw it and will say no more.

Mr. TRAILL: I must complain of the way in which the hon. member for Bourke dragged me into this matter, as having made use of a disorderly expression. I did use the expression he quoted; but I interjected it quietly into the ear of my next neighbour as a little bit of a joke. It was not a good joke, and I certainly would not have given it to the House in general. It was quite as confidential as if I had written a private letter on the subject, and I am very sorry that it has been hauled up in this way.

Mr. HUTCHISON (*Glen Innes*): An ancient writer has said, "Behold what a great fire a very little matter kindleth." We have had an instance of that to-night. I exceedingly regret the incident which has taken place to-night, and I do not wish to see a recurrence of it. I do not wish to animadvert upon your ruling, sir, or the ruling of Mr. Speaker. I simply wish to state my impression that of late I feel that I can scarcely open my mouth without calling down upon me the hard and fast ruling of Mr. Speaker or the Chairman.

The CHAIRMAN: I am sure the hon. member will see that he has no right whatever to debate the ruling of Mr. Speaker in this Committee. I must ask the hon. member to avoid any reference of that kind, more especially as the terms used approach to disrespect of the rulings which have been given.

Mr. HUTCHISON (*Glen Innes*): I do not reflect upon you or upon Mr. Speaker in any shape or form; but I merely state my

[*Mr. Willis.*

feelings in the matter. I exceedingly regret what has taken place; and I have come to the conclusion, notwithstanding anything that may be said to the contrary, that I, as one of the people's representatives, might as well stay at home. I am not going to impute partiality to you, sir; but still, I have thoughts to which I cannot give expression; but I will not speak them, and you will not be able to get hold of me. Some very curious thoughts have passed through my mind. I know something of the individual members of Parliament, and I know something about law and order—and how things should be done decently and in order. I can see when errors have been made and by whom, without saying who is at fault. I hope that this matter will be speedily ended. I think the proper course would be to let the motion go to Mr. Speaker. By doing so, nothing will be lost to the dignity of the House, neither will your honor be affected in any shape or form. I do not wish to see you placed in any false position; I prefer to see your action confirmed and your authority respected; but still, I think that the members of this House should not have a slavish fear, while having a respectful fear, of your rulings. Hon. members should uphold the honor and dignity of the Chair at all times.

Mr. T. WALKER: We are now fighting for something like parliamentary order and the liberties of the individual members of this House, and I am surprised that those hon. gentlemen who are generally prating so loud about liberty are the first to prevent it being given to another. I shall vote against the motion, because by taking the course which is proposed by the Premier to-night we are really taking the course to degrade our parliamentary institutions. There is nothing that pleases these gentlemen who thrive by penny-alining—there is nothing pleases the press so much as to be able to print, not three or four columns of good legislative work performed in this Chamber, but three or four columns of spicy reading of disorderly scenes. What has occurred to-night would be over and forgotten now but for the action of the Premier. Nothing more would have been said about it, and order would have been restored, and we would now be going on with the business of the country, instead of which it

has been intercepted and, I might say, obstructed by the tactics of the Colonial Secretary in taking this matter to the House. I can see no purpose that is to be served, unless it is to spread out the debate and give more columns of printed matter of scenes occurring here to the press. I can see no object in this except to emphasise the bad character which some people would like to see the House possess, especially for disorderly scenes that occur through the action of any hon. member of the Opposition side of the House. What is to be done? The hon. member for West Macquarie, Mr. Crick, has already been punished; he cannot be punished again for what he has committed, and what occurred subsequently really occurred through the provocation that arose out of those proceedings in this Committee. Is it that we are going in a vindictive spirit to follow the hon. member for West Macquarie, that we are going to ask the House to decide this matter, and that we are going to punish him in a direct and signal manner, to mark him out as a special victim? What is the object of taking the matter to the House? We all know what has occurred, and the indignation of the House has been expressed, and what more can be gained by discussing the matter when it is reported to Mr. Speaker? I submit that we can only the more blacken our own characters, lengthen an acrimonious debate, and emphasise the fact that we can do no legislative work. Whenever there is a chance of a squabble, hon. members jump at the opportunity to waste the evening to discuss the conduct of an hon. member in a scene of disorder, and are not willing and anxious to debate the real matters of interest to this country. I have observed during the discussion which has ensued, that this Chamber, which is not often filled when a serious debate is going on, has been filled by hon. members to-night. Are we going to let the country know that we take greater delight, and devote more time to discussing disorderly scenes, and of taking the opportunity of showing spite, than in doing the real business of the country? I take it that those who are interested in the business of the country—in fact the Government themselves must see that the matter has gone far enough, and that we have expressed our indigna-

tion of the action of the hon. member for West Macquarie. There is not an hon. member who will defend him in his action. Every hon. member who has spoken has condemned that action, and every hon. member, if he did speak, would condemn it. What, then, is the object of taking it to the House? Let the matter drop now. Let us take it no further, and we will not humiliate ourselves by discussing the matter in the House at the same length as we have discussed it in Committee. As sure as we discuss it in the House, the same hon. members who discussed it in Committee are bound to discuss it again. It is only a technical quibble to report the matter to the House. It is known not only to us, but to the whole country, and we can only emphasise the fact, that the New South Wales Parliament is becoming notorious for scenes of disorder, which are created by the members of the Government who lack tact and discretion. As we have gone so far, and as nothing more is to be gained, I trust that we shall let the matter drop, and resume the ordinary course of business.

MR. DIBBS: I have only just now entered the Chamber, and I am informed by one of my hon. friends that during my absence the hon. member for Bathurst made a statement to the effect that he heard me tell the hon. member for West Macquarie not to withdraw the language that he had used.

THE CHAIRMAN: I think it only fair to tell the hon. member, seeing that he was absent—and I would also have taken the same step had he been present—that I pointed out immediately the hon. member for Bathurst used the words indicated, that the leader of the Opposition made a statement which must be accepted by this House. I did all I could do legitimately to prevent the hon. member making any accusation. Virtually and officially no such accusation has been made with the consent of the Chair.

MR. DIBBS: I am perfectly satisfied with the course taken by the Chairman, but the hon. member for Bathurst allowed certain words to escape his lips which doubtless have reached the press. I merely wish to put myself right in regard to those words. I do not believe that the hon. member would intentionally misrepresent me.

Third night.

Mr. PAUL: Will the hon. member allow me?

Mr. DIBBS: I shall allow nothing. I rose to make an explanation. The words which the hon. member allowed to escape his lips may be reported in the press to my discredit, and I think it would be unfair if I did not make an explanation. My strong advice to the hon. member for West Macquarie—and I am sure the hon. member for Bathurst did not hear what was said from that side—was to withdraw the words and apologise to the Chair, and that that having been done we should then be in a position to ask the Chairman to call upon the Colonial Treasurer to withdraw his statement and apologise. I used these words as often as I possibly could, and when I found it useless I was not going to resort to personal force to cram my words down his throat. I shall be no party to disorder, and I simply make this explanation to show that the hon. member for Bathurst did not clearly hear what took place.

Mr. WANT: I can bear the hon. member out. I sat alongside him!

Mr. PAUL: I rise to say that I accept every word which the hon. member uttered as to what took place after he sat down; but the remarks I alluded to were made as he was standing at that door. Approaching the hon. member in an excited state he said, "The Colonial Treasurer has not been called upon to withdraw and apologise, and why should you?"

Mr. DIBBS: I am a temperate man, and I do not get excited!

Mr. COLLINS: I desire to say a few words with reference to this matter. I was sitting exactly in front of the hon. member for West Macquarie, and I heard the leader of the Opposition distinctly tell him to apologise, and to withdraw the expression, and also say, "After you have done that we shall get McMillan to apologise also." I can bear out his statement as to the words he used. He never, while I was there—and I sat there for some time—made use of the expression attributed to him by the hon. member for Bathurst.

Mr. O'SULLIVAN: I certainly have no sympathy with the hon. member for West Macquarie in his conduct this evening. I was one of those who endeavoured to persuade him to withdraw and apologise

[*Mr. Dibbs.*

for the remarks he had made. At the same time I do not think it is wise to adjudicate on this matter in a state of excitement. There can be no doubt that we have had a considerable amount of excitement here to-night over this episode—in fact, we have heard the Premier describe the hon. member's conduct as a riot. Just imagine one offender creating a riot! It only shows the frame of mind in which the Colonial Secretary must have been when he stigmatised that episode as a riot. That to me is an evidence that even he, with all his cool-headedness, was somewhat excited over the matter, and in that frame of mind he should not have submitted the motion which he did this evening. The hon. member for West Macquarie, no doubt, thought he was right, and if he did, possibly he thought he had a right to take the course he did—and any hon. member may have made the same mistake—and while in that frame of mind, no doubt he thought he was suffering an injustice, and resented that injustice. Having been punished by the Chairman by being expelled from the sitting this evening, I do not see the force of carrying the matter any further. It is useless to say that we must uphold good conduct in Parliament. I admit that as forcibly as any one does. But I submit that we have shown that we do uphold good conduct by the Chairman taking the course which he did this evening. We cannot, as the Chairman points out, punish the hon. member a second time for the offence unless a second offence is committed. I do not even see how we can punish him for a second offence, and the least we can do, I presume, is to exclude him for the remainder of the evening. That having already been done effectually, I cannot see the force of taking the matter any further. I am quite certain that the Colonial Secretary would not propose to expel the hon. member altogether for an act of violence committed in a state of excitement while labouring under a sense of injustice. If he does not propose that, what else can he propose, but simply to suspend him for the remainder of the evening? It seems that we have simply wasted a whole evening by acting upon the motion of the Colonial Secretary, which was evidently moved in a moment of excitement.

Motion agreed to.

In the House :

Mr. MELVILLE : Mr. Speaker, the following resolution has been passed by the Committee, which I now wish to report to you :

That an unseemly disturbance and disorder had taken place, from the fact that the hon. member for West Macquarie, Mr. Crick, refused to obey the Chair, and for such refusal the Chairman called upon the Serjeant-at-Arms to remove the hon. member till he expressed his willingness to obey the Chair—the hon. member then resisted the serjeant in the execution of his duty with violence.

During the discussion on the financial statement, while the Colonial Treasurer was addressing the Committee, the hon. member for West Macquarie interrupted by means of interjections, and the expressions he used were deemed by the Chair to be disorderly. The Colonial Treasurer had used an expression of which it appeared, upon explanation afterwards, the Chair had caught only one-half of the sentence ; but, nevertheless, the Chair called upon that hon. gentleman to withdraw the expression, and with that request he immediately complied. The hon. member for West Macquarie had interrupted while remaining seated, the Chair requested the hon. member to withdraw the expressions he had used, and to apologise to the Committee for having interrupted its proceedings by making those disorderly interjections. I really cannot say, sir, as I wish to be accurate and truthful, how many times the Chair appealed to the hon. member, or requested him to accept its decision. It ultimately became apparent—and painfully apparent, because all the hon. members surrounding the hon. member were endeavouring by the best means within their power to induce him to obey the Chair—that he deliberately, and after fair and repeated warnings, refused most positively to obey its ruling. To my mind, sir—I admit that I may have been mistaken, and it will be for hon. members to point out in what respect my statement of the circumstances is not correct, and I am desirous of stating them as nearly correctly as I can remember them now, and without in any way whatever at the present moment saying one word as to the conduct of the hon. member—I desire to state that he had every opportunity given to him, every latitude given to him, even to the very extreme course of an appeal from the Chair, as a last resource to obey

its authority. The hon. member refused to accept the suggestion of the friends who surrounded him, and there is no doubt in my mind that his resistance to the authority of the Chair was cool and deliberate. That being the case, Mr. Speaker, I take it that if order is to be maintained in the Committee, and unless the Chair is to be set at defiance, it was necessary to deal trenchantly with the hon. member. The only means at the disposal of the Chair for the enforcement of order was the removal of the hon. member until he was prepared to acknowledge that he was willing to obey the ruling of the Chair. That order was made, and the officer of the House proceeded to remove the hon. member. The hon. member, in a defiant attitude, threatened that officer, and it was only by the assistance of other officers of the House that he was eventually expelled from the Chamber. The latter portion of the hon. member's action in resisting the officers of the House is referred to in the latter portion of the resolution ; but so far as his punishment is spoken of at all it is in that portion of the resolution which refers to the removal of the hon. member from the Chamber, by which order was restored. Then, sir, the leader of the Government and the leader of the House, I take it by the resolution which he has just moved, felt it incumbent on him to report the matter to the House, so that the House, having greater powers than the Committee, might deal with the resistance of the hon. member to its duly authorised officers—not so much his resistance to the Chair, because that was dealt with inasmuch as the punishment speedily followed the act of disobedience. I do not know that I shall be called upon at this juncture to say anything about the powers vested in the Chair to enforce its orders. I can only say that on a previous occasion—in the year 1886—Mr. Chairman Slatery, when disobeyed upon giving a ruling in Committee of the Whole, I think by the hon. member for East Macquarie who is now hon. member for Paddington (Mr. J. Shepherd), ordered the removal of the offender from the House, not for the evening merely, but until he was prepared to obey the ruling of the Chair, and you, Mr. Speaker, have, I believe still greater power. I do not know that I am called upon to say more with regard to my action.

Third night.

If my action is by the House decided to be in error, then, of course, the hon. member has been punished erroneously. If, on the other hand, my action was not in error, then the hon. member's violent resistance to the officer of the House was extremely disorderly, and such as the House is justified in asking Mr. Speaker to deal with. I should like to say before I finish that if I have not fairly and honestly stated the case, I shall be happy to receive any correction from any hon. member who witnessed the circumstances.

Mr. COPELAND: In the main I agree with the statement just made by the Chairman of Committees; but the hon. gentleman has forgotten to state one thing which, in my opinion, was a very important factor in the case, and that is, that before attention was called to this matter by the Premier —

Mr. MELVILLE: That point escaped my mind, and I must apologise to the House for not having referred to it. After the hon. member for West Macquarie had been removed, and the scene of disorder which followed on his resistance to the officers of the House had subsided, I called upon the Colonial Treasurer to resume his speech. Almost immediately the leader of the Opposition rose, and addressed the Colonial Treasurer across the table. While that was taking place the leader of the Government indicated to me in the best way he could, seeing that there were persons speaking between himself and myself, that he desired to move a resolution. He then stated his resolution. I am free and frank to admit that the resolution before you now is not the resolution which the leader of the Government moved. It is one that he subsequently accepted. The resolution was then put from the Chair, and a debate upon it followed. I think I have now stated, as near as I can, what took place, and I apologise for not having alluded to the point before.

Mr. SPEAKER: The matter cannot be debated because there is no question now before the House. The practice resorted to by the House on a former occasion was this —

Mr. COPELAND: Shall I be in order in taking a point of order? My point of order is this: That it is out of order for the Chairman to report to you a matter that has occurred in Committee after the

Committee had dealt with the case, after the Chairman himself had dealt with the case, and awarded what punishment he thought was necessary, the business having resumed its ordinary course. I may be allowed on a point of order to state my version of the case.

Mr. SPEAKER: I do not think the hon. member would be in order in raising such a question of order on this matter, because the House cannot be aware of what transpired in Committee unless it is reported. The Committee has made a report to the House as to the disorder which occurred in Committee, and the House must be bound by that report. I think, however, it would be fair to allow the hon. member to make a statement, though that is not the practice. The practice is to call upon the member who has been reported for disorder to come before the House, to offer any explanation he may desire to make, and then to withdraw while his conduct is under consideration. I think that would be the better course to take on the present occasion. The only difficulty I see is that the hon. member has been removed from the House by order of the Chairman. But with the consent of the House, I will direct the hon. member to be brought in, and will ask him to make an explanation on this resolution being read to him.

Mr. COPELAND: I take it that the motion before the Chair is that leave be given to sit again.

Mr. SPEAKER: No; leave to sit again has already been given.

Mr. COPELAND: Is it not customary for a debate to take place when a report is brought from Committee to the House?

Mr. SPEAKER: Ordinarily, a motion is made that the report be received, and some motion is made upon which a debate may ensue. In this instance, however, the information conveyed to me when I came into the chair, was that the Committee reported the disorder, and asked leave to sit again so soon as the question had been settled. That was carried on the voices, and now the practice is to read the report to the hon. member who is affected by it, ask him for his explanation; and then, if the House chooses, to deal with it by a resolution, it can do so; but until that is done there can be no debate. The Sergeant-at-Arms will request the attendance of the hon. member for West Macquarie.

[Mr. Melville.]

Mr. CRICK (*entering the Chamber*) said : Mr. Speaker, I understand from some message conveyed to me by the Serjeant-at-Arms, that I have been requested to come in. I understand that is the request to me. If it is understood that I come in under the custody of the Serjeant-at-Arms, I will walk out again. I wish to know from you whether I come in as a member of the House, or whether I come in as a prisoner in charge of the Serjeant-at-Arms?

MR. SPEAKER. The hon. member is certainly not a prisoner in charge of the Serjeant-at-Arms; but the Committee have reported a resolution which I think it is my duty to read to the hon. member, and if he thinks fit to make an explanation he can do so, and then he must withdraw. That is the practice of the House. The Committee have reported to the House

that an unseemly disturbance and disorder had taken place from the fact that the hon. member for West Macquarie (Mr. Crick) refused to obey the Chair, and for such refusal the Chairman called upon the Serjeant-at-Arms to remove the hon. member till he expressed his willingness to obey the Chair—the hon. member then resisted the serjeant in the execution of his duty, with violence.

If the hon. member now desires to do so he can make any explanation he thinks fit, and then he will be required to withdraw while the question is being dealt with by the House.

Mr. CRICK : There is no motion, I understand, before the House to deal with?

Mr. SPEAKER : The hon. member must do what I desire him to do or withdraw. If the hon. member desires to make an explanation in reference to this resolution he can do so. If he does not he must withdraw. He must not debate with the Chair.

Mr. CRICK : Well, I am not going to debate with the Chair, Mr. Speaker; but I am certainly not going to allow the Chair to knock me into a sort of pulverised sausage. Now, I have made my determination express and explicit. I know my rights as a member of the House, and I know the rights of the Chair; and I am quite prepared to fight for my rights, and I am quite prepared to concede the rights of the Chair. Let there be no mistake about my position in this House. I am neither a boastful man nor a man who is afraid. I am neither going to try

to bounce nor am I to be bounced. Once for all; and my position to-night, in my opinion, is very well assured; I am satisfied about the strength of it, and I am going to defend the strength of it. Twenty times being put out by the Serjeant-at-Arms will not quail my spirit. Now, coming to the question, sir. You have read to me a report from some committee, I presume of this House—the Committee from which I was put out by a brutal and illegal force.

Mr. SPEAKER : The hon. member is not in order in using such language in reference to the Committee.

Mr. CRICK : Well, sir, I was put out by some committee of this House, or by the order of the Chairman of Committees; not by the Committee. That action I intend to contest in the constituted courts of this country. Now, sir, you have read to me something that this Committee has reported to you, of which I know nothing. Not being allowed inside here, I know nothing of what this Committee has reported to you. You have read it to me, but there is no motion before you to deal with. I understood you to say that I could either make an explanation or not, and then it would be my duty to retire. I intend to at once dissent from your ruling on that matter. If there was a motion to deal with me; if there was a motion either to suspend or expel me, then I could be called upon to explain—

Mr. SPEAKER : The hon. member will resume his seat.

Mr. CRICK : Certainly; I always do so when the Chair rises.

Mr. SPEAKER : The hon. member is not in order in refusing to obey what the Chair has directed him to do. He must confine himself to making his explanation, and he will not be in order in dissenting from the ruling of the Chair except on notice of motion.

Mr. CRICK : Well, if the Chair orders me to hang myself, I refuse to do it at once. The Chair has ordered me to do a certain thing, and I say this: that the Chair's ruling is incorrect.

Mr. SPEAKER : The hon. member is not in order in questioning the ruling of the Chair. I will not appeal to the hon. member again. He must either make his explanation or decline to do so, one or the other, and then withdraw.

Third night.

Mr. CRICK: Mr. Speaker, I may have misapprehended you; I should like to know what is the resolution dealing with me that I am called upon to reply to? If there is a resolution dealing with me, then I quite understand the rule of Parliament, and I must reply to it and withdraw; but now I ask you, as Speaker of the House, what is the resolution dealing with me? I ask you that as Speaker. I ask you, sir, again, what is the resolution to which I have to reply?

Mr. SPEAKER: I am not going to submit, whilst I am Speaker of this House, to the insults of the hon. member. Serjeant, remove the hon. member.

While the hon. member was being forcibly removed from his place by the Serjeant-at-Arms he exclaimed:

Then, sir, you refuse to tell me what I have to reply to? Well, now, I tell you that you got £2,000 for putting the Broken Hill Water Supply Bill through. That is what I tell you; and I tell the Chairman of Committees that he got £1,000; and I tell you you are both a pair of thieves and robbers of the country. There, now, put that in your pipe.

Sir HENRY PARKES: I move:

That the last words uttered by the hon. member for West Macquarie, Mr. Crick, be taken down.

Mr. SPEAKER: Will the hon. member state the words?

Sir HENRY PARKES: The words were, "that the Speaker got £2,000 from the Broken Hill Water Supply Company, and that you, sir, and the members were a parcel of thieves and robbers."

An HON. MEMBER: And that the Chairman of Committees got £1,000!

Mr. SPEAKER: The words taken down by the clerk are: "I tell you, that you, Mr. Speaker, got £2,000 from the Broken Hill Water Supply Company, and the Chairman £1,000, and that the Speaker and members are a parcel of robbers."

Mr. WILLIS: That is not correct!

HON. MEMBERS: Those are not the words!

Sir HENRY PARKES: The expression used was, "thieves and robbers."

Mr. TRAILL: The words were, "You, Mr. Speaker, got £2,000 from the Broken Hill Water Supply Company for pushing the bill through."

Mr. COPELAND: These are the exact words which the hon. member used: "You,

[Mr. Crick.

sir, got £2,000 for putting the Broken Hill Water Supply Bill through, and the Chairman got £1,000, and you are a pair of thieves and robbers of the country."

Mr. SPEAKER: Does the hon. member accept those words?

Sir HENRY PARKES: Those words, Mr. Speaker, were uttered certainly.

Mr. SPEAKER: The words as taken down by the clerk are: "That you, sir, got £2,000 for putting the Broken Hill Water Supply Bill through, and the Chairman got £1,000, and you are a pair of thieves and robbers of the country."

Mr. WILLIS: I should like to take your ruling, Mr. Speaker, as to whether the hon. gentleman is in order in moving that the whole of these words be taken down, as certainly half of them, or at least the latter portion, were uttered outside the Chamber?

HON. MEMBERS: No, no!

Mr. SPEAKER: The hon. member will resume his seat.

Sir HENRY PARKES: The present combination of circumstances is quite new to me, because there are two offences before us now, either of which is so serious that extreme steps should be taken, and must, I apprehend, be taken; and I would like to ask your, sir, whether these two offences can be dealt with together, or separately, and if separately, which is to be dealt with first?

Mr. SPEAKER: It appears to me that the question which must be dealt with first is the question of the disorderly words uttered in the House.

Sir HENRY PARKES: Then I have no hesitation in moving that those words are highly disorderly, and ought to be withdrawn, and an ample apology offered for the use of them. I will amend my motion and move:

That the words uttered by the hon. member for West Macquarie (Mr. Crick), on leaving the Chamber are highly disorderly, and a gross breach of the privileges of this House.

Question resolved in the affirmative.

Sir HENRY PARKES: I now move:

That the hon. member for West Macquarie (Mr. Crick), in Committee of the Whole, as reported by the Chairman, having disregarded and defied the ruling of the Chair, and afterwards having violently resisted the Serjeant-at-Arms when that officer was directed to remove him, and continued such resistance until other officers rendered assistance, causing a great dis-

order and scandal, this House resolves that the said member, William Patrick Crick, Esq., be expelled from this House.

I make this motion with so much pain that I am quite sure I can never make it apparent to anybody. It could not be otherwise than painful to me—or to any man, but especially to me—to see a young man, whom nature has endowed with rare ability, who might have carved out for himself a career of so much usefulness for the country, and so much honor to himself, continually, and against all fair advice, all generous counsel, and against what must be his own inner convictions, commit conduct in this House which cannot be passed over, and which cannot be met in any other way than by the utmost severity. I could scarcely believe it when I sat here and saw this young man refusing to obey the Chair. It may be that the Chair ruled harshly—it is not for me to judge. If the Chair did in any way unfairly treat the hon. member he had his remedy. But when I saw him resist the counsel of his best friends, absolutely and defiantly refuse to obey the Chair, and when I saw him threaten the Serjeant-at-Arms—the officer whom we have appointed to carry out the decisions of the Chair—when he raised his hand and absolutely refused to be peacefully removed from the House until two or three other persons arrived, and when I saw him in one continuous struggle all along the bench, being removed because he could not resist the force employed to remove him—when I saw all that, I saw plainly enough, whatever our feelings of admiration might be for the ability which that gentleman has at different times shown, whatever might have been our hopes that we had seen the last of these episodes of misconduct, whatever feelings we had of a friendly nature, it was impossible to resist the conclusion that the strongest means in our power would be the most merciful in dealing with such conduct. I move this motion, therefore, occupying the place I do as the nominal leader of this House, from a high sense of duty, disregarding everything but the character and dignity of this great representative branch of the Parliament of the country.

Question proposed.

Mr. DIBBS: No one in this House deplores more than I do the necessity for the

resolution which has just been moved by the Premier. I believe that no one in this House feels that the Premier in moving that resolution has done anything more than his strict duty to the House. Mr. Crick's conduct to-night cannot be justified by any one. Mr. Crick has had many opportunities, coupled with the advice of his friends, to withdraw, and to apologise for various offences, and had he accepted the advice of his friends to-night the disorder and disgrace perpetrated upon this House would have been avoided. I have my own opinion that a good deal of the disorder—and I am loth to say it—which took place to-night, and the painful necessity for the Premier moving the motion which I intend to support and vote for, has arisen from the peculiar conduct of the Chairman of Committees in regard to Mr. Crick at an early hour of the sitting. I do not say that by way of justification of Mr. Crick's conduct. Nothing can justify any hon. member, whoever he may be, whether he be the Premier or the humblest member of the House, in disobeying the Chair, and setting it at defiance. But I think there was—and again I say that I do not mention it in justification of Mr. Crick—undue severity shown to-night by the Chairman of Committees; and that that severity led to the disorder which occurred, and to the necessity for the resolution which, for the honor of Parliament, I think the House will unanimously adopt. I regret it very much; but I shed no crocodile tears, and make no remarks with regard to Mr. Crick's ability. We know his great ability, but he requires ballast. In sending him back to his constituents, in order that they may express their approval or disapproval of his conduct in this House, I think we are taking the only course open to us. I feel reluctantly compelled, having regard to the honor of Parliament, to support the course the Premier has taken.

Mr. WILLIS: I hope and trust that this resolution will not even go to a vote. While no hon. member can justify the conduct of the hon. member for West Macquarie, I think the step taken by the Premier is a very severe one—a very harsh one indeed. There are surrounding the conduct of the hon. member to-night circumstances which, in the case of other hon. members, have been made a great excuse.

Third night.

Mr. W. E. ABBOTT : I rise to order. I desire to take your ruling, sir, as to whether the hon. member for West Macquarie should not be heard in explanation or defence before the resolution is finally put from the Chair ?

Mr. WILLIS : I submit that the hon. member has raised no point of order. It is merely an interruption of my speech.

Mr. SPEAKER : The hon. member for West Macquarie was afforded an opportunity to explain his conduct at an earlier period of the sitting ; but, instead of offering an explanation, he aggravated his offence by further disorderly conduct. The case, I find, is not altogether without precedent. A similar case occurred in the House of Commons many years ago, when an hon. member, on being brought into the House and asked to make an explanation, became disorderly, whereupon the House immediately removed him. I do not think that the hon. member is, under the circumstances, entitled to a further opportunity for explanation.

Mr. T. WALKER : I rise to a point of order. I desire to ask a question.

Mr. SPEAKER : Mr. Willis.

Mr. T. WALKER : Am I not allowed to ask you a question, sir ?

Mr. SPEAKER : Certainly not, at this stage. The hon. member for Bourke is in possession of the Chair.

Mr. WILLIS : I hope that in its present heated temper the House will not resort to the extreme step proposed by the Premier. It amounts to snuffing out of political life a young man who under other circumstances might be an ornament to this House and to the country. Why should we in a moment of heat expel him from the Parliament to which the people have sent him ? I do not justify his conduct ; but I do say that the step which it is proposed to take is extreme. We know that the ruling of the Chairman of Committees was harsh in the extreme—that it was tyrannical.

Mr. SPEAKER : The hon. member is not in order in using such language with reference to an opinion of the Chairman of Committees, nor is he in order in referring to that opinion at all upon this motion except in a general way.

Mr. WILLIS : Speaking of it in a general way then, sir, I maintain that the Chairman of Committees did not give the

[Mr. Willis.

hon. member for West Macquarie that latitude, or extend to him that leniency, which he extended to the Colonial Treasurer. The Colonial Treasurer was the first —

Mr. SPEAKER : The hon. member cannot debate in detail anything which occurred in Committee. He can refer to it only in a general way.

Mr. WILLIS : I bow to your ruling, sir. I think the House might well consider the resolution now before it in a cooler and calmer moment. I do not think that the House, after the heated discussion which has taken place, is in a fit condition to go to a vote on this question. There are circumstances surrounding the conduct of the hon. member for West Macquarie to-night which have been made an excuse for other hon. members. I have seen an hon. member dragged out by the heels by the officers of the House because he was in such a beastly state of drunkenness that he could not sit up.

Mr. SPEAKER : The hon. member is not in order in referring to an hon. member as being in a beastly state of drunkenness.

Mr. WILLIS : I will say, then, that an hon. member had a fit of dozing upon him. I have seen an hon. member roll off the benches on to the floor, when the messengers were obliged to enter the Chamber and take him out. That, surely, was an offence against the dignity of this House, but still it was overlooked. It was treated as though it were nothing at all. To-night an hon. member, after receiving a great deal of provocation, took a certain course, and, forsooth, he is to be expelled from the House. I have no doubt it will result in his coming back—that is, if the House should take such an arbitrary and high-handed course, unprecedented in the history of the country.

Mr. O'SULLIVAN : I have no desire to canvass your ruling, sir, but I certainly will not vote for this resolution until the hon. member for West Macquarie has been heard in his place. I do not say that he should be heard to-night, because he is not in a fit condition. We are making a great mistake in taking advantage of the condition in which we know the hon. member to be to-night. I need not indicate that condition more plainly than I have ; but we have in the past been in the habit of treating unfortunate members who come here in a peculiar condition in a lenient

way. I have often admired the leniency shown by members of the House to fellow-members in that condition. At the same time I think that leniency should be shown allround. I do not for a moment attempt to justify the conduct of the hon. member in resisting the Serjeant-at-Arms. I believe that was radically wrong; but I do say that there were conditions precedent to that conduct that ought to be explained by the hon. member.

Mr. WILLIS: I rise to order. Is it not a fact that the hon. gentleman is now stating something which is not true? He refers to the hon. member for West Macquarie. I ask whether there is any member for West Macquarie, that hon. member having resigned, and the resignation having been placed in the hands of Mr. Speaker?

Mr. O'SULLIVAN: I saw enough, sitting in my position here, to justify me in coming to the conclusion that there was partiality shown. On that ground we should give the hon. member an opportunity of being heard in his place, if he can be heard in his place. I understand he has resigned. It is un-British and unmanly to try a man without hearing him in his defence. We are not here to administer the laws of Judge Lynch; we are not a jury of executioners; we are here to do justice as well as to uphold the honor of Parliament. I am prepared to do both; but we cannot do both unless we allow the accused person to give his version of the occurrences and explain the reason that induced him to resort to violent and unjustifiable conduct.

Mr. SLATTERY: I am assured it is a fact that the hon. member has sent in his resignation.

Sir HENRY PARKES: The thing called a resignation is an insult to the House!

Mr. SLATTERY: I took it to be an ordinary resignation. Considering all the circumstances we should permit this motion to be withdrawn, because the hon. member will have to appear before his constituents for re-election.

Mr. SPEAKER: I shall take it upon myself to read the letter I received from the hon. member. It is as follows:—

11th November, 1890.

MR. SPEAKER,—I consider Parliament rotten and corrupt. You put me out to-night, fearing my tongue and consequent exposure. I resign

my seat, and intend to appeal to my constituents against a rotten and corrupt parliament, in which freedom of speech is brutally stifled and suppressed in order to cover up crime.

Yours truly,
W. P. CRICK.

Mr. SLATTERY: I need scarcely say to hon. members that I knew nothing of the contents of that letter, and I knew nothing of the intended resignation. I merely heard of it from the hon. member for Bourke, Mr. Willis. I have no sympathy with disorder, and no sympathy with the language used in that letter. I have seen the best men in the public life of this country, at times of great excitement and in debate, commit acts of disorder; but we know that in a few moments their good sense prevailed over their temper, and everything was put in order. To-night I hardly know in what position I am. I look upon the hon. member for West Macquarie as one of the brightest intellects we have ever had in this Parliament during the last twenty years, and a man fitted in every possible way, as was so nicely and justly stated by the Premier, to adorn public life if he could only have a little more self-restraint.

Sir HENRY PARKES: Something more than that!

Mr. SLATTERY: While we do justice we should at the same time be merciful. If the Premier can extend mercy on an occasion of this kind he ought to do so.

Sir HENRY PARKES: I do not think it is fair at all to appeal to me, I have nothing to do with it!

Mr. SLATTERY: I know the Premier is only performing what would be the duty of any one else in his position. I know that it is with pain and sadness he has been called upon to perform this public duty. I would appeal to hon. members on both sides to see whether we cannot do something to preserve the rights and privileges of the House intact, and at the same time be merciful. I would not like to see any one at all put in the position of being expelled from the Assembly. In the parliamentary history of England and of every British country great scenes of disorder have occurred; but in no case whatever, except where there was no other course open, has expulsion been resorted to. Can we not adopt some other course than to brand this promising young man with public infamy by expelling him for disorder?

Sir HENRY PARKES: He has branded us with infamy!

Mr. SLATTERY: I would fight as hard as any man in the world for a friend; but there is no doubt there has been disorder. I did not witness the disorder in the Committee; but the subsequent disorder no one could justify. We must remember that the hon. member for West Macquarie only about a year ago was very nearly expelled for disorder; but for nearly a year he has not been guilty of any such gross disorder as to call for the interposition of the leader of the House.

Sir HENRY PARKES: That way of defending him is only condemning him!

Mr. SLATTERY: It is my opinion, and I will state it to you respectfully, that the hon. member is entitled to be heard in his place in this House before the motion is put. At page 393 of "May," I find the following:—

But a member not yet adjudged guilty of contempt may return to his place when the debate is concluded.

That is the decision as given in Mr. Speaker Brand's note-book relating to Mr. Parnell in the House of Commons, 25th July, 1877. If the hon. member is entitled to be heard in his place as you stated, he is certainly entitled to be heard before this motion is put. If the hon. member were permitted to appear in his place and express contrition for this gross offence of Parliament, and made an ample apology, surely we would do what has been done before, especially under the peculiar circumstances of this evening. I think the punishment is too serious for the offence, because after all the motion which is before the Chair now is one in regard to disorder in Committee, which appears to have arisen from some trivial matter, some interjection and misunderstanding across the table. If the hon. member could be heard in his place, and if he would do what would be satisfactory to the House, I think we might let the unfortunate episode pass by. I cannot see my way clear to vote for the expulsion of the hon. member, and I am sure hon. members will hesitate before any hon. member of this House, whoever he may be, suffers so gross an act as expulsion for an offence such as the one in question. We all commit offences, and are all liable to err. Where is the one of us who is

[*Mr. Slattery.*

pure and spotless in our public career? Do we not know—the best of us, the calmest of us, the most judicial of us, that we occasionally err in a moment of excitement? Then I would ask—and we must all acknowledge that these unfortunate scenes must of necessity occur so long as Parliament exists—I would appeal to hon. members to be merciful, while at the same time protecting the rights and privileges of this House.

Mr. ABIGAIL: I feel, sir, that to remain silent on an occasion of this kind would be almost criminal. The hon. member for Boorowa has made an appeal in the interests of justice; but I submit that if Parliament, after what we have heard, and after what has been submitted to-night, pays any heed to the hon. member for Boorowa, we would simply give license to disorder throughout the whole of this or any other parliament. The leader of the Opposition took the proper course, and that hon. gentleman would have stood up and defended the hon. member for West Macquarie if he could have done so. No man during my time in Parliament has had the same amount of license and kind consideration shown him as the hon. member for West Macquarie. I can say that, because it was in my power to have acted in a way that the hon. member for Boorowa knows, to have placed the hon. member for West Macquarie in such a position as might have caused him the forfeiture of his seat; but I made a condition such as he could accept, and besides that I advised him as I would have advised my own brother, although he did me an injury. I recognised that he had ability, and I have on many occasions abstained from denouncing the hon. member—when he has been disorderly, when I could have stood up and denounced his conduct in strong terms—in the hope that better feelings would come over him, or that he would exhibit some evidence of a change. Are we never to be done with this sort of thing? Have we not—every hon. member, no matter where he sits—been insulted to-night in the grossest possible manner? And I submit that if any other course had been taken than that of carrying the resolution, each one of us would put a brand of indignity and infamy upon ourselves as representing the people of this country. We are here to represent the people of this great

country, and what is the effect of this kind of conduct? It goes forth to the world, and the papers of the great centre of the world, in London, will have columns of this in a couple of days, and it will stand as a degradation to New South Wales. Not only so, but it will probably affect our credit and our reputation all over the world. It is no pleasure to me to stand up here and speak in opposition to any hon. member; I would sooner stand up in defence of the hon. member, if there were any grounds at all to do so, than to do honour to him; but if it were the case of my own brother I could not do other than urge upon the hon. members, in the interest, respect, and dignity of Parliament, and in support of the chief officers of the House, who have been so grossly insulted, as well as in defence of the credit and the good name of this country, to carry the resolution. If we want to save ourselves from indignity and infamy, we cannot do otherwise than carry the resolution moved by the Premier, and send the hon. member for West Macquarie back to his constituents. If they put—as the hon. member for Bourke, Mr. Willis, has stated—the true stamp upon him, and send him back to this House, they will be doing him the greatest injury that they could possibly do him at the present time. It will be an advantage to the hon. member to have an opportunity of a little quiet reflection, and I hope, if he comes back at some future time, it will be with maturer thoughts and better notions with respect to his duty to the Parliament and the people of this country.

Mr. COPELAND: It is not my intention to oppose the motion, because I have always held that it is necessary for the conduct of parliamentary business that decorum should be observed, and that every hon. member should submit himself to the rules of the House. However, I would like to point out to the hon. member for West Sydney, Mr. Abigail, that he was not always so virtuous and so indignant with disorder. I remember not many years ago, less than a century, when the hon. member, Mr. Wisdom, resisted removal from this Chamber, and fought and struggled with the Serjeant-at-Arms.

AN HON. MEMBER: It is not so!

Mr. COPELAND: And the hon. member for West Sydney (Mr. Abigail) and

the present Premier then sat alongside of him, and supported him.

Mr. ABIGAIL: It is not so!

Mr. COPELAND: Two wrongs, however, do not make a right; and I am not going to argue that because Mr. Wisdom acted in that way, that it is right for the hon. member for West Macquarie to do so. I condemned Mr. Wisdom's action then, and I equally condemn the action of the hon. member for West Macquarie now. Therefore, I do not rise to palliate the offence in any way whatever. It is just a question whether the House is justified in acting in this rash and hasty manner, being in the position of Crown prosecutor, judge, jury, and executioner as well.

Mr. O'SULLIVAN: Without hearing the accused!

Mr. COPELAND: It is a well-known fact that the hon. member for West Macquarie has just returned from the Melbourne Cup, and is slightly excited, and might it not be desirable under the circumstances if further action were postponed until to-morrow? In urging that course I have no desire to shield the hon. member for the just and necessary punishment which attaches to his conduct. It is very evident that if this kind of proceeding is not checked it will be necessary for hon. members to bring their revolvers or bowie knives to defend their own honor. The House is in an excited state as well as the hon. member who has committed the offence.

Mr. HAYNES: We have not all been to the cup!

Mr. COPELAND: That is true; but still the House occupies a very peculiar position, inasmuch as it is the prosecutor, the judge, the jury, and the executioner. It is questionable in my mind whether, if the debate were adjourned until to-morrow, the hon. member might not come here and offer an humble apology to the House; and that being done it is questionable whether the punishment might not be altered from expulsion to suspension for a week or something of that kind.

Mr. ABIGAIL: That is contrary to law!

Mr. COPELAND: I am not quite sure of the decision of the Privy Council on that point.

Mr. SLATTERY: Suspension for a sitting only!

Mr. COPELAND: If it is simply a question of suspension for one sitting, or

Third night.

expulsion altogether, I do not think that suspension for one sitting would be sufficient punishment. It is worthy of the House to consider whether, if the debate were adjourned until to-morrow we could not deal with the hon. member a little more judiciously than we are likely to do at present. This is a somewhat peculiar motion. Two offences are committed. One offence consisted in the hon. member resisting the Serjeant-at-Arms, and the other offence is, in my opinion, a million times greater. One offence is simply resisting an officer of the House without any violence—for he merely jostled against the serjeant, he did not offer any violence.

Mr. PAUL : Yes, he did !

Mr. COPELAND : The hon. member simply quietly resisted. What can that offence be compared to the offence of charging Mr. Speaker and the Chairman of Committees with bribery or corruption?

Mr. TRAILL : That is no offence unless it is false !

Mr. COPELAND : Of course it is no offence unless it is true. He is justified in his charge if it is true. I should say that if it were true, instead of the hon. member being expelled he ought to be raised a hundred feet higher than he is, and be crowned with laurels. But I do not for a moment believe it can be true. Nevertheless two offences are committed. To one offence the punishment of expulsion is attached ; but to the other offence no punishment whatever is attached. The hon. member is to be expelled for resisting the officers of the House in removing him from the Chamber. But where is the punishment for charging Mr. Speaker and the Chairman of Committees with wholesale corruption ?

Mr. SLATTERY : That is not before the House now at all !

Mr. TRAILL : It was separated, I think !

Mr. COPELAND : If the hon. member is to be expelled for the minor offence, he ought to be hanged, drawn, and quartered, for the infinitely greater offence. It seems to me that the House, or the Premier at any rate, can scarcely have considered in his cool, collected senses, when the two offences are within his own immediate knowledge, why he attaches great punishment to one offence and lets the other pass by. I do not know what interpretation to put on his conduct. Does the hon. member ad-

[*Mr. Copeland.*

mit it is no offence for an hon. member to come here and charge Mr. Speaker and the Chairman of Committees with wholesale corruption? If it be no offence, then of course no punishment ought to attach to it. But if the hon. member does not believe it to be true, he surely must look upon it as an offence of the grossest kind ever committed within the four walls of this Chamber. At any rate, I say the punishment ought to attach to the greater offence and not to the lesser one. Let us all get cool, calm, and collected. If we have to cut off the hon. member's head, let us perform the task in a cool and deliberate spirit. The motion is so peculiar that, I think, some attention ought to be drawn to it. Is this other offence of charging the principal officers of the House with corruption —

Sir HENRY PARKES : I submit that the other offence is not before the House now !

Mr. COPELAND : I submit that both offences are before the House.

Sir HENRY PARKES : No !

Mr. SPEAKER : The Premier dealt with the other offence by a specific motion, which was carried on the voices.

Mr. COPELAND : May I be allowed to see the resolution? I suppose it means crucifixion.

Mr. McMILLAN : It carries no punishment, it is only declaratory !

Mr. COPELAND : I do not presume for one moment that after dealing with that offence, and then passing on to other business, the Premier has any intention to refer to the subject again. Here is the resolution :

That the words uttered by the hon. member for West Macquarie, Mr. Crick, on leaving the House, are highly disorderly, and a gross breach of the privileges of this House.

Where is the punishment? One of two constructions must be placed on the resolution. What are the people outside to think? They will think that we simply passed that bald resolution. Must they not think that we are afraid of inquiring into the charge, that in point of fact we acquiesce in the slander uttered against Mr. Speaker and the Chairman of Committees?

Sir HENRY PARKES : No !

Mr. COPELAND : If we do not acquiesce then I say the punishment to be meted out for the greater offence should be infinitely greater than the punishment proposed to be awarded for the lesser

offence, because in the one case the hon. member did not attempt to strike the lower officers, if I may use the expression for the want of a better one, while in the other the two highest officers of the House were a thousand times worse insulted than were the Serjeant-at-Arms and the messengers. What is the insult of a man merely shuffling his shoulder against the Serjeant-at-Arms in comparison with the insult which must brand Mr. Speaker and the Chairman of Committees before the world with indelible corruption unless some further action is taken ? I say—and I dwell on the point—the House is not in a calm judicial state of mind to deal with a question of this kind.

SIR HENRY PARKES : The hon. member is not, evidently !

MR. COPELAND : I am quite sure the hon. member is not, otherwise he would not think of punishing for the minor offence, and allowing the greater offence to go unpunished. I think it would be better, in the interests of the House, for the matter to stand over until to-morrow, when, perhaps, in our calmer moments, we may see some manner of dealing with it other than by resorting to the extreme measure of expulsion. What puzzles me is the spirit in which the Premier has acted in expelling the hon. member for merely pushing the Serjeant-at-Arms, whilst Mr. Speaker and Chairmen of Committees are to bear their insult without punishment being awarded to their traducer. I have no desire to be looked upon as excusing or palliating the offence.

MR. GARLAND : The hon. member said he was going to vote for the motion when he got up !

MR. COPELAND : I will most undoubtedly vote for the motion for punishment. I am as much desirous of order being maintained as are the hon. member and the Premier. Punishment should only be resorted to with the object of reclaiming the hon. member ; not with the object of revenge. I am sure the Serjeant-at-Arms has no feeling of revenge, and that he does not wish to see the hon. member expelled. Our object should be to award such a punishment which may perhaps cure the hon. member of his defects.

MR. TRAILL : This is not a reformatory ; it is the Parliament of the colony !

MR. COPELAND : I presume that if every hon. member were awarded what he

deserves there would be a good many of them outside the walls of the Chamber. It is all very well to be virtuously indignant. Sometimes allowances may be made ; and the only allowance which can be made in this case is that the hon. member was a little excited, having just returned from Melbourne. I move :

That the debate be adjourned until to-morrow.

Question proposed.

MR. MELVILLE : It is not my intention to say much upon this matter. I do not know that I should have spoken at all but for the fact that an insinuation was made by the leader of the Opposition that I had in some way or other been conducive to the hon. member's unfortunate position. Hon. members sitting on each side of the House can form little idea of the difficulty experienced by the Chair in holding the balance fairly and justly. I regret that an attempt has been made to make it appear that harsh action has fallen upon the shoulders of those with whom I am associated as a party. I submit, however, that all who were in the Chamber will agree that I exercised all the patience that it was fair and honorable to exercise to enable the hon. member for West Macquarie to maintain his position. I, as Chairman, was placed in this position : that had I sat quietly and meekly in my chair, the hon. member would have been master of Parliament, and order would have been gone. The course I took, painful though it might have been to myself, was taken in the interests of hon. gentlemen on the Opposition benches as well as on the Government benches ; and it appears that I have fallen under the partial censure of the gentleman whom I have acknowledged as my chief up to this evening, and that I stand before the world as having been an accessory, in some shape or form, to the unfortunate punishment which is, I presume, about to fall on the head of the hon. member for West Macquarie. The hon. member had the whole evening to consider the matter ; and if he knew that I had been a contemptible receiver of bribes, the moment I attempted to rule in the chair would have been the time for his manly interjection, and for him to have challenged my position. I am partially spurned by my leader as having instigated the hon. member to do something which was wrong, and I am branded

Third night.

by the hon. member for West Macquarie as he leaves the Chamber with being the disgraceful recipient of a bribe for my action in Parliament. It only shows the difficulty of earning laurels as Chairman of Committees; and it only makes apparent the absolute duty of hon. members of standing by any man placed in the chair who is game to do his duty even though the result may affect his own party. Any man who saw my conduct in the chair must agree that I almost forgot the dignity of the Chair when I appealed to the hon. member for West Macquarie; but when I found that the authority of the Committee was to be set at defiance I was compelled to take the course which I did. Although the chief whom I have followed loyally until this evening has thought fit to cast the blame of the occurrence upon me, and although the hon. member for West Macquarie has associated me with an alleged nefarious transaction, I say I do not feel that I did any action to-night while sitting in the chair for which I should blush while I look upon my countrymen. With regard to the punishment of the hon. member for West Macquarie, it will be my duty to abstain from voting, because I have already sat in the position of judge and awarded a certain amount of punishment, which has been carried out. If the House could see its way to defer passing sentence to a future hour, if it will bring about a better result, I wish it to be known that I seek not the punishment of the hon. member. If hon. members choose to postpone the punishment I shall gladly acquiesce. The hon. member for Queanbeyan and the hon. member for New England have told us that there is something connected with this proceeding to-night which is spoken of in muffled tones. We have been told that the hon. member for West Macquarie is in such a condition that he is not responsible for his actions, and I am inclined to think that the statement is true. But are we, the Legislative Assembly, to sit here from day to day at the mercy of one who has to-night inflicted upon our reputation a stab the effects of which will take years to wipe out. The hon. member hurled an outrageous charge against me, and the hon. member for Bourke says he does not believe it; but it was made by the hon. member for West Macquarie under excitement.

[*Mr. Melville.*

Mr. WILLIS: Will the hon. member allow me to say a word? I will almost vouch for it that to-morrow the hon. member for West Macquarie will not even know that he made the statement.

Mr. MELVILLE: Hon. members have known me for ten years in this House, and I undertake to say that no action of mine would indicate that I have received anything for pushing on the Broken Hill Water Supply Bill. I am not even in the position that the Irishman was in when he said, "Bedad, I have the blame, and I will have the gain." I am accused of receiving £1,000, but I have never had an opportunity of seeing it. I say that the offence committed by the hon. member for West Macquarie when leaving the Chamber was of a most aggravated nature. I do not know that I should have spoken had it not been for the imputation that has been cast upon me by the hon. member whom I have followed loyally until to-day. If my actions are to be impugned, if evil motives are to be imputed to me by the hon. member, it will become my duty to find a seat below the gangway. I repel the charge. I appeal to hon. members who saw the whole of the circumstances, and I say it is cruel on the part of the leader of the Opposition to cast such an imputation upon me. Unless the imputation is retracted I shall find it my duty to cease my allegiance to one who could make against me a charge so vile and so foul as that I led the hon. member for West Macquarie into the position in which he was placed. I do not think it necessary to do more than to deny the foul and iniquitous charge which was hurled at me by the hon. member for West Macquarie when he was leaving the Chamber, and to say that if any inquiry is to be held before any court, or before Parliament, I am ready for that inquiry. I have received nothing for supporting the Broken Hill Water Supply Bill. No one has spoken to me on the subject, and I have had no transactions in connection with that bill. I voted for it and helped it through because of the foul charges which had been made against certain hon. members. I felt that the time had arrived when we should show the country that we were not afraid to do our duty because charges of bribery and corruption were scattered broadcast throughout the

land. I know no more of Broken Hill than I have heard in this Chamber. As regards the charge against me, what makes the stab all the more deep is the fact that I began life without money and friends and had to fight my way up. That makes the stab deeper, because it is so easy to fix upon one who is supposed to be poor an accusation of corruption. I shall not vote for the resolution. I have done my duty, and if I have done harm to any one it has not been intentionally. Notwithstanding any threats, I shall endeavour to act fairly and impartially while I occupy the chair, however long or short that time may be.

Mr. T. WALKER: I desire to speak to the question, but, before doing so, would like to take Mr. Speaker's ruling on a point of order. I submit that the motion is out of order, because it is in contravention of the 25th section of the Constitution Act, which says:

It shall be lawful for any member of the Assembly by writing under his hand addressed to the Speaker of the said House to resign his seat therein and upon the receipt of such resignation by the Speaker the seat of such member shall become vacant.

Mr. Speaker having received the resignation of the hon. member for West Macquarie, the seat is already vacant. There is nothing either in the Constitution Act or any other act to compel a man to be a member of the House one moment longer than he wishes; and the hon. member for West Macquarie, having resigned to-night, is no longer a member, and therefore cannot be expelled. It does not affect the point that the resignation is not worded respectfully. The act distinctly says that upon receipt of a resignation the seat becomes vacant.

Mr. SPEAKER: The letter I have received and the point the hon. member has raised do not really constitute a question of order. A resolution is before the House, and has been proposed from the Chair, and it is for the House to deal with that resolution apart from the facts stated by the hon. member, and it is laid down that the Speaker shall not anticipate events or determine whether or not a hypothetical discussion would be in order. I do not think that the discussion with regard to the resignation of the hon. member for West Macquarie is in order.

Mr. T. WALKER: Speaking to the question, I feel that what I have to say at

this late hour, and under the excitement that prevails, can have very little weight. I feel, as a young member, a great sense of responsibility in having to take a course which may seem to place me on a level with one whom I desire to defend from the extreme punishment of expulsion. I am not going to say that there ought to be any apology made for a man who forgets himself so far as to get under the influence of intoxicating liquor. That cannot be done. Though I admit it is done very often, not only in this legislature, but also in others, yet a man ought not to so far forget himself, and sacrifice the dignity of the House, as to come here deprived of his intellect through the influence of intoxicating liquor. But when we know that this has taken place, and, possibly, under more or less excusable circumstances—when an hon. member has returned from a trip where joviality, we will suppose, has reigned triumphant; when he has just come back from the excitement of a trip where Bacchus is the chief god in many instances, we might be a little tolerant of him under those circumstances, as we are tolerant of the after-dinner speeches of some politicians. It is a poor excuse to offer, I admit, but we ought not to judge the actions of a man who is not himself, who is bereft of the reasoning and controlling faculty, bereft of the moral susceptibilities which he generally carries about with him—we ought not to judge him by the same harsh measure as we would judge a man in his cool, sane senses. It has been already said by the Premier and by others, that the hon. member for West Macquarie is a young man, possessed of great abilities. No one will doubt that. It is just possible, I will admit, that, by leniency towards him and his faults, we may cause him to throw away those great abilities. It is just possible that if we are too kind to him we may teach him to pay too little respect to the responsibilities that the great gifts he possesses entail upon him. But whilst that is the case, we ought to remember, too, that men of a constitution of mind like that of the hon. member are liable to be injured in an evil direction by a too high-handed method with them. There are some horses—if I may use the illustration—that may be trained with a whip, that you may flog into submission, that you may drive as you do brutes of burden; but there are

Third night.

others of high and noble spirit that can only be trained by wise tact and good management; and though it is not incumbent upon hon. members here to go out of their way to use tact with the hon. member for West Macquarie—though it is not incumbent upon us to be over-kind and indulgent with a young man who, possessing great abilities, chooses to misuse them—still with a due regard to the best hopes of that young man, with a due regard to the services he may render to the country, with a due regard to his youth, with a due regard to the circumstances under which he has committed the offence to-night, surely none of us would throw away our manhood, or even lose our respect for this great assemblage, if we extended to him some consideration—if, at all events, we did not judge him in the hot blood we are in now through excitement—if, at all events, we allowed this matter to stand over until another day, when we might, with that spirit of fair play and a due regard to the rights of Englishmen, give him, if not the right, at least the privilege of defending himself in this House. I shall not vote for the motion, though I am told by the leader of the Opposition and by other members of the Opposition that the only course to take to defend the dignity of Parliament is to expel this young man. If I saw in the middle of this room a log of wood incapable of moving itself, incapable of understanding language, or incapable of entering into the spirit of my dealing, I should not think of kicking that log of wood or of arguing with it. The hon. member for West Macquarie to-night is nothing but that log of wood, so to speak. He is incapable of appreciating the punishment we propose to inflict upon him. By the punishment that we propose to-night, we only show a vindictive spirit—a cruel spirit of persecution, and of resentment of wrongs which, though great, have been equalled in the past without the extreme course that is proposed to-night being taken. Let me caution hon. members—especially those who, in the future, may possibly be, like the hon. member for West Macquarie, liable to take too much of the elevating draught—about the step that they will take to-night if they expel the hon. member, for the taking of an extreme step of this kind may possibly be

[*Mr. T. Walker.*

the ruin of this young man. I do not look to immediate results. If I believed that my vote would cause the hon. member for West Macquarie to reform, bring him to a stern sense of his responsibilities as a representative of the people, and give him a deeper respect for this assemblage when he is in it, I would vote for the motion; but the possibility is that by expelling a young man of his temperament, which, in my estimation, is closely allied with that of genius—is keen and sensitive—we may cause him to drift irretrievably over the steps of ruin. It is a painful thing when the least elevated of humanity sinks into the mire of degradation; but to see a bright son of the human family—catching, as it were, the very rays of the brightest thoughts from the greatest minds round about him, and having himself the very mainspring of originality of thought and power to express thoughts—in a sparse colony like this, crushed by an act of this assembly in the heat of passion, in a moment of temporary frenzy and of resentment—the worst time to act is in a moment of heat and passion—and thrown headlong to ruin, is one of the saddest sights a human being could witness. Intelligence is a scarce commodity. Great power and clearness of thought, breadth of discernment, scope of knowledge, and power to use reason, speech, and moral suasion, for the advancement of a country which is young as the hon. member for West Macquarie is himself, are, indeed, scarce commodities. I am of opinion that he is high-spirited, for he belongs to a high-spirited nation. It is almost impossible for us—who have cold Saxon blood flowing through our veins—to understand that irritability and strong sensitiveness which belong to those of the hon. member's race. They have been bred, as it were, with a sensitiveness to insult. Their blood boils when they believe that any one is about to take advantage of them. Though the Chair, in my opinion, did what was right, still I could see clearly that at that stage the hon. member thought that he was being put upon, that he was being oppressed, and the natural feeling that he always displays against oppression arose within him. He did not act discreetly; but his discretion was obscured by the fumes of wine. He could not clearly discern the right course, and he took the wrong one. The quality of stern stub-

bornness came into play, and he determined to take his own course. I regret that the very act of expelling him sent him again to the wine cup, and he became more inebriated. When he came here what sane man would have asked him to defend himself? Who would put him on his trial if he had to plead for his life, and ask him to speak in his own behalf, when he is in such a state as to be incapable of reason, incapable of doing himself the simplest justice; in fact, capable only of doing himself injustice? Let us sink our position as members of Parliament, and simply let our humanity speak. What would we do if, in our own house, or in that of a friend, we saw a man forget himself? Would we expect what is expected by the most dignified assemblage in the realm—what is expected by the greatest combination of the intelligence of the colony? Would we expect what we expected of the hon. member for West Macquarie to-night? If we did, we should add fuel to the fire. Our great offence is expecting there and then, or even to-night, a defence, or justification, or even an apology, from such a source. I want these things to be considered. I am mentioning these facts because the misdeed that the hon. member committed, and the punishment inflicted upon him, have been such as to drive him again to the wine cup. I admit that we have no right to either use or restrain our powers for the purpose of saving the hon. member from the drunkard's doom; but if by the exercise of mercy, which is as high a prerogative as was ever exercised either by tyranny or in carrying out the strict letter of the law—if we can, by a little charity, by a little common humanity, throw aside our mock-masks of mere legislators, and act as men do towards men, let us give the hon. member a chance in his sober moments to decide what he will do—whether he will then offer an apology. I admit that it must be a very deep apology—in fact, wide and comprehensive in every way, to meet the gravity of the offence. But, in the name of common-sense, when a man is charged with the most serious offence in his political life—a charge that is to result in his political death—let us have the man at his best, to speak for himself; and I will guarantee that if he be the man I take him to be, there is not an hon. mem-

ber who would more willingly admit his misconduct than the hon. member for West Macquarie will in his sober moments. Do not let us forget ourselves. I am appealing, in a spirit of fair play, for hon. members to wait until the hon. member for West Macquarie is sober. I am not by mere wordstrying to cover over the offence. The offence committed by the hon. member to-night was that of getting drunk and attempting, whilst in a state of intoxication, to do what he could not do whilst in that state, and therefore bringing himself into contumely. Let the man be sober, then try him. Let the man be in his right senses, and then ask him what he has to say about the matter. We shall then know what we are punishing—that we are not kicking a dead log, or an irresponsible brute, or a human being bereft of reason—a mad man, for, talk as hon. members may, the hon. member for West Macquarie is in a state of madness to-night, absolutely idiotic, as regards his rights and privileges, and also those of the House. To-night he is his worst enemy. Shall we take advantage of the hon. member's condition to exhibit a spirit of vengeance? Shall we, in the tumult and whirlwind of vexation, send the hon. member for West Macquarie to his political death? It is said that we are sending him to ascertain the opinion of his constituents; but there is a great deal of difference between allowing the hon. member to ask the opinion of his constituents of his own accord, and kicking him out of the House to do so. I am satisfied that if we take the step proposed by the Premier we shall ruin one of the brightest and most promising young men who ever sat in this House. We can do no wrong by extending mercy, even in this high tribunal. While we condemn the hon. member most unmercifully, while we flog him, do not let us kick him when he is down. Do not let us jump upon him; but let us show our manhood by waiting until the hon. member recovers sufficiently to fight fairly. Let us wait until time is called, and then see if the hon. member can answer.

Mr. TURNER: I am afraid that very little can be said to-night in favour of the hon. member for West Macquarie; but I think this debate ought to be adjourned until to-morrow night, and that any action we take to-night is bound to be precipitate.

Third night.

What reason can be urged for not adjourning the debate? The result, in any case, will be about the same. The circumstances have suddenly arisen. An hon. member is overtaken by what is termed excitement, and he trespasses in a way that cannot be overlooked. Nothing which has been said of the hon. member for West Macquarie to-night is too bad having regard to his conduct. But the case is easily explained. The hon. member was suffering from great excitement—from an excitement from which we have all suffered more or less at some time in our lives. Speaking for myself, I know that I can say with Dido, Queen of Carthage :

Non ignara mali miseris succurrere disco.

and I should be sorry to condemn the hon. member. The whole of his trespass is simply accounted for from the fact of his having been at the races. But be his offence what it may, no harm can result from an adjournment of the debate until to-morrow night. I feel that I can say nothing in the hon. member's favour. Any little hope there might have been for him was dissipated by his letter to Mr. Speaker. I cannot refrain from saying that I have a personal liking for the hon. member. I know him to have one of the greatest intellects in the House, and in a few years' time he might, with more ballast, become one of its chief members. I think it would be too bad to relegate him to political destruction in the course of an hour or two. The course proposed to be taken in this precipitate way may ruin the hon. member politically and in every other respect. I think the debate should be adjourned until to-morrow night.

Mr. HUTCHISON (*Glen Innes*): I desire to set myself right before the members of this House and before my constituents. I thought to-night that we were making a great mistake in asking an hon. member in a state of inebriation to enter this House for the purpose of making a personal explanation. That which has transpired proves that my conviction was right. It was worse than useless to ask a drunken man to come into an assemblage of gentlemen to make an explanation of his conduct. I do not attempt to extenuate the crime of drunkenness whether committed by the hon. member for West Macquarie or by any other hon. member. It is discreditable in the extreme. But I

[*Mr. Turner.*

suppose we all take credit to ourselves for having some of the milk of human kindness, and I suppose also that we should all be very displeased if we were told that we were not Christian gentlemen. If we really believe in the principles of christianity, in that Master who said we were to forgive not seven times, but seventy times seven, we shall give the hon. member for West Macquarie an opportunity when he is in his sober senses to make a full explanation, and to apologise to Mr. Speaker, to the Chairman of Committees, and to the House for his misconduct. I do not think it would be in any way lowering to our dignity to adopt such a course. If the Premier's motion be pressed to a division to-night I shall vote against it. I shall never wittingly commit a breach of the rules of this House, and I admit that we are all personally responsible for our actions. But at the same time we are all to some extent our brother's keeper, and we should extend fair play to an hon. member who is in the unfortunate position of having had too much to drink at the races, and who came here in a state of excitement, not fully realising or understanding the position in which he placed himself by refusing to obey the Chair. We ought to adjourn this debate until hon. members are in that calm frame of mind in which they are likely to do unto others as they would have others do unto them.

Mr. MILLER : I intend to support the motion for the adjournment of the debate. I know that the hon. member for West Macquarie came from Melbourne this morning, because I came with him, and he was at that time perfectly sober.

Mr. PAUL : The hon. member for Bourke (Mr. Willis) said the hon. member came home last night !

Mr. MILLER : Then I must have been drunk this morning. I was with the hon. member then, and I say that he was perfectly sober. In the Opposition room this afternoon, I again saw the hon. member, and he was sober then also. I attribute his conduct to-night, which was most disgraceful and could not be condoned, to no other cause than what I consider to be a curse to this Parliament—that is, the refreshment-room. If there were no refreshment-room and no alcoholic liquors sold within the precincts, there would be far less drunkenness, I will not say among members, but among persons who are seen within the

precincts of the House. I regret exceedingly that the hon. member for West Macquarie was ever called into the Chamber to give an explanation. I am sure, sir, that if you had known the state of the hon. member you would have been the last in the world to have called upon him to make an exhibition of himself as he did. The very way in which he rushed into the Chamber without acknowledging your presence, and exclaiming in a violent way, "Mr. Speaker, am I here as a prisoner or as a member of Parliament?" was sufficient to show any man of ordinary intelligence that he was absolutely drunk. Sufficient has been said by hon. members on both sides to warrant an adjournment of the debate. In the present excited state of hon. members' minds, I do not think we should be acting judiciously in coming to a vote on the motion. I trust that the Premier, being an old and experienced politician, having watched the career of many hon. members, who are present, or dead, will extend his consideration to a young man, and a promising member, as he himself admits, and that he will consent to an adjournment of the debate. Circumstances may arise to-morrow which will entirely change the opinions of most hon. members with regard to the motion of expulsion. I can conceive no greater disgrace that can be put upon any man in the community than to expel him from the highest position that any young man can attain in this country. Not only is he politically damned, but he is privately damned, if we take this extreme course. We must not forget that the hon. member for West Macquarie is not now a single man; he has a young wife depending on him. I hope hon. members will not come to a decision to-night, but will give the question calm consideration.

Mr. HAYNES: I would not have said a word on this question if it had not been for the extraordinary speeches delivered by the two hon. members who have just spoken. The hon. member for Northumberland said the hon. member for West Macquarie was in the House in a state of madness from drink. No better reason can be given for sending a man back to his electorate.

An Hon. Member: Will the hon. member apply that rule all round to hon. members on his own side?

Mr. HAYNES: I have been in the House for some time; I am an observant man; I am not affected in that way myself, and I have not seen anything of the kind. If a man makes himself mad with drink, and appears in the representative Chamber in that state, it is undoubtedly the duty of Parliament to send him back to his constituents. I have been an observant man, and have been here nearly always since I have been a member, and I have not seen the evil results which the hon. member attributes to the refreshment-room. I honestly believe there is no gathering of gentlemen in any part of the world which has exhibited more sobriety and steadiness than this Parliament has. The hon. member for West Macquarie did not come to the House, I venture to say, to become affected in this manner. Hon. members are only attempting to cover up his great outrage upon parliamentary government. The hon. member for New England in one breath condemned and condoned the offence of the hon. member.

Mr. COPELAND: I have not attempted to condone it!

Mr. HAYNES: What else is this proposal to adjourn the debate? We saw a scene to-night which, if it were not put down, would result in the absolute destruction of parliamentary government. That scene would have disgraced the lowest slum in the city. An hon. member said it was only a kind of blustering interference with the Serjeant-at-Arms. Why, the hon. member for West Macquarie, Mr. Crick, shook his fist at the Chairman and struck and assaulted the Serjeant-at-Arms.

An Hon. Member: The hon. member for West Macquarie never struck at the Serjeant-at-Arms at all!

Mr. HAYNES: And then made an attempt to break into the Chamber when the bars were locked against him. If men are returned to this House who cannot respect parliamentary institutions, the one duty is to send them back to the people to have their claims to be elected reconsidered by their constituents. The hon. member for West Macquarie has created scenes here from time to time which, if tolerated in other hon. members, would mean the destruction of parliamentary government altogether. I have heard hon. members talk about the rights of

Third night.

constitutional government and the respect that ought to be paid to Parliament, and under cover of such sentiments have assailed parliamentary government in a way which, if it were continued in by hon. members, would leave the House in wreck and ruin. It appears to me that the House cannot postpone its deliberation on this question in justice to itself. It dare not do it. Witness the scene that took place when the hon. member was given an opportunity of explaining his conduct—a scene that was degrading to Parliament, and one that shocked every hon. member, whether friend or foe of the hon. member for West Macquarie—and I trust he has no foes here. With regard to the statements concerning the hon. gentleman's magnificent attributes, and his high intellectual character, I might state that I saw a man tried at Darlinghurst Gaol—Captain Moonlight—who in his way was his equal, if not superior, in my opinion. Was that man fit for Parliament? He had ability which made him prominent among a class of men, and if the hon. member for West Macquarie has ability, unfortunately it has been used in making assaults upon parliamentary government. His continued insults to hon. members on both sides of the House are degrading to the side to which he belongs, and to-night's interruption of the proceedings of Parliament is, I believe, an insult which should meet with expulsion, and his probable defeat when he goes before his constituency, which will do him good. If the hon. member can survive that he is fit to be in Parliament. I do believe that two or three years outside of Parliament, and careful reflection upon his conduct here, would do him a real amount of good, and those hon. gentlemen who oppose the motion to-night will, I am sure, regret it.

Question—That the debate be now adjourned—put. The House divided:

Ayes, 19; noes, 57; majority, 38.

AYES.

Barnes, J. F.
Chanter, J. M.
Colls, T.
Copeland, H.
Edmunds, W.
Ferguson, D. A.
Hassall, T. H.
Hutchison (*Glen Innes*)
Miller, G. T. C.
O'Sullivan, E. W.

Schey, W. F.
Slattery, T. M.
Teece, C. B.
Turner, E. W.
Walker, T.
Willis, W. N.
Wright, F. A.
Howe, J. P.
Ross, Dr. A.

[*Mr. Haynes.*

NOES.

Abbott, Joseph
Abbott, W. E.
Abigail, F.
Allen, A.
Ball, E. J.
Brunker, J. N.
Burns, J. F.
Carruthers, J. H.
Clarke, H.
Clubb, G.
Cooke, H. H.
Copland, D.
Cruikshank, G. A.
Cullen, J. F.
Dale, D.
Dibbs, G. R.
Ewing, T. T.
Farnell, Frank
Fitzgerald, R. G. D.
Garland, C. L.
Gould, A. J.
Greene, G. H.
Hawken, N.
Hawthorne, J. S.
Haynes, J.
Hogan, P.
Hutchison (*Canterbury*)
King, R. J.
Lee, C. A.

Lees, S. E.
Lyne, W. J.
McFarlane, J.
McMillan, W.
McRae, M.
Mitchell, J.
Molesworth, E. W.
Nicol, B. B.
O'Connor, D.
Parkes, Sir Henry
Paul, W. H.
Perry, J.
Plumb, J.
Scobie, R.
See, J.
Shepherd, J.
Smith, Bruce
Smith, S.
Stephen, W.
Stevenson, R.
Tonkin, J. E.
Torpy, J.
Traill, W. H.
Want, J. H.
Wheeler, J.
Wilkinson, R. B.
Fuller, G. W.
Lakeman, A.

Question so resolved in the negative.

Original question put. The House divided:

Ayes, 63; noes, 10; majority, 53.

AYES.

Abbott, Joseph
Abbott, W. E.
Abigail, F.
Allen, A.
Ball, E. J.
Barnes, J. F.
Brunker, J. N.
Burns, J. F.
Carruthers, J. H.
Chanter, J. M.
Clubb, G.
Colls, T.
Cooke, H. H.
Copeland, H.
Copland, D.
Cruikshank, G. A.
Cullen, J. F.
Dale, D.
Dibbs, G. R.
Ewing, T. T.
Farnell, Frank
Fitzgerald, R. G. D.
Fuller, G. W.
Garland, C. L.
Gould, A. J.
Greene, G. H.
Hassall, T. H.
Hawken, N.
Haynes, J.
Hogan, P.
Hutchison (*Canterbury*)
Jones, T.

King, R. J.
Lakeman, A.
Lee, C. A.
Lees, S. E.
Lyne, W. J.
McFarlane, J.
McMillan, W.
McRae, M.
Mitchell, J.
Miller, G. T. C.
Nicol, B. B.
O'Connor, D.
Parkes, Sir Henry
Paul, W. H.
Perry, J.
Plumb, J.
Ross, Dr. A.
Scobie, R.
See, J.
Smith, Bruce
Smith, S.
Stephen, W.
Stevenson, R.
Teece, C. B.
Torpy, J.
Traill, W. H.
Want, J. H.
Wilkinson, R. B.
Wright, F. A.
Molesworth, E. W.
Wheeler, J.

NOES.

Clarke, H.
 Ferguson, D. A.
 Hutchison (*Glen Innes*)
 O'Sullivan, E. W.
 Schey, W. F.
 Slattery, T. M.

Walker, T.
 Willis, W. N.
Tellers,
 Edmunds, W.
 Turner, E. W.

Question so resolved in the affirmative.

Sir HENRY PARKES : I beg to move :

That the seat of William Patrick Crick, Esq., member for the electoral district of West Macquarie, hath become and is now vacant by reason of his expulsion from this House.

Mr. T. WALKER : I shall now take the point of order which I took previously, but which has a special applicability now that it had not then. I took the point of order during the previous debate that the seat of the hon. member for West Macquarie was already vacant by virtue of his resignation.

Mr. SPEAKER : I have already decided that question, and the hon. member cannot reopen it.

Mr. T. WALKER : I rise to order. The hon. member has resigned his seat under the 25th section of the Constitution Act ; that resignation was announced from the Chairs some hours ago, and I submit that new business relating to that seat which has become vacant by virtue of such resignation, arising subsequently, is out of order.

Mr. SPEAKER : I give the same ruling as I did on the former occasion. I rule that the motion is perfectly in order. The question is that the seat of William Patrick Crick, Esq. —

Mr. T. WALKER : I beg to move dissent from your ruling, sir.

Mr. SPEAKER : I shall not allow the hon. member to do that. It has been laid down repeatedly in the House of Commons that the ruling of the Chair can be questioned only in a regular way by asking the House to pronounce its opinion thereon, and that on motion of which notice has been given. There are three modes by which the practice of this House has grown up. The Constitution Act confers upon the House the power to make standing orders ; the standing orders give power to make sessional orders, and the first of our standing orders, which were made in 1870, is in these words :

In all cases not specially provided for herein-after, or by sessional or other orders, resort shall be had to the rules, forms, and usages of the Imperial Parliament, which shall be followed so far as the same can be applied to the proceedings of this House.

We have no sessional order, we have no standing order relating to dissent from the ruling of the Speaker, therefore we have to look to the practice of the House of Commons—because I hold that we cannot build up a practice of our own which is opposed to the practice of the House of Commons—and our standing orders provide for that practice. This is a matter which I have looked into with considerable care, and I have shown the various decisions to many hon. members, and I must rule, until the House may decide otherwise on notice of motion, that no hon. member can dissent from the ruling of the Speaker except on motion of which notice has been given. I give that ruling upon the principle laid down in Mr. Brand's decisions and in Mr. Peel's decisions that it is not proper that the House should be invited to dissent from the ruling of its chief officer except on motion after notice, so that every hon. member shall have an opportunity of discussing and considering the question. It has also been laid down that to attempt to do so would interfere with the legitimate business before the House.

Question resolved in the affirmative.

Mr. WALL : As a matter of personal explanation, I desire to state that in the early part of the evening I paired with the hon. and learned member for East Sydney, and not knowing how he would have voted on the question, I refrained from voting, otherwise I should have voted with the ayes.

Committee of Ways and Means resumed :

Progress reported.

ADJOURNMENT.

COMPENDIUM OF SPEAKER'S RULINGS—GOSFORD
 LAND BOARD—LAND COURT.

Motion (by Mr. McMILLAN) proposed :
 That the House do now adjourn.

Mr. COPELAND : I think the present is a good opportunity of drawing attention to what appears to me to be a very important matter for the guidance of the House. You, Mr. Speaker, have just given a very important ruling to the effect that in the future hon. members are not to be allowed to move dissent from the ruling of the Chair except after notice. This is the reverse of what has been the practice of Parliament hitherto. I do not

desire to dissent from your opinion ; but I think it would be very desirable for you to take the necessary steps to record your rulings, and have them bound in a volume, so that at the end of each session they might be available to hon. members for reference. During the time I have been a member of the House, we have had several speakers, including Sir Wigram Allen, Mr. E. Barton, Mr. J. H. Young, and yourself. I have no hesitation in saying that many of the rulings which have been given by different speakers have been altogether different in their effect. We are supposed to conduct the business of Parliament on certain fixed rules and lines ; but how can we do this unless the rulings are recorded in a manner in which they would be convenient for reference ? We ought to be able to refer, at a moment's notice, to rulings of previous speakers. If we were able to do that, a great deal of time would be saved.

Mr. HAYNES : They are reported now !

Mr. COPELAND : They are reported ; but they are not published.

Mr. HAYNES : Yes, they are !

Mr. COPELAND : No, they are not, and they never have been that I am aware of. I remember speaking to Sir Wigram Allen on this subject, and he told me that the rulings were recorded by the clerk. What I desire is, that the rulings should be bound in the same way as are the standing orders. Whilst on this subject I may express the opinion that it seems a very foolish thing that we should pass numbers of laws of which few men in the country are aware. It seems to me very desirable that we should have in our public schools a simple compendium of our laws so that our children may be taught the laws of the land—I do not mean abstruse questions of law, but the rudiments of the laws under which we live. Hon. members come to Parliament and they do not know what the practice of Parliament is. If the rulings were bound in the form of a small volume a great deal of time might be saved and a great deal of quibbling and ill-feeling avoided. Perhaps you, Mr. Speaker, will be good enough to see whether there is any difficulty in the way of carrying out the suggestion.

Mr. SPEAKER : I desire to call the attention of hon. members to a matter to which I wished to refer a short time ago.

[Mr. Copeland.

The ruling upon which I was unable to lay my hands at the time is as follows :—

If an hon. member challenge the Speaker's action he must do so by notice of motion, and the matter is one of order, not privilege.

These decisions have been extracted from the English *Hansard* by Mr. Edwin Gordon Blackmore, clerk assistant of the House of Assembly, South Australia. There is no doubt they would be exceedingly convenient to hon. members, and would assist in the conduct of debates of the House. If I remain in the chair sufficiently long I will see what steps can be taken, not only to keep on record my own decisions, but those of my predecessors. I may mention that in connection with one of the Australasian legislatures—that of Tasmania—a hand-book is published, in the preface of which it is stated :

It appears from the decisions of the Supreme Court at Sydney, in the case of *Taylor versus Barton*, and that of the Privy Council on appeal, that the effect of such adoption of the rules of the House of Commons by a colonial legislature is limited to those which were in existence at the time when the adopting standing order was passed, that is, that it can only be retrospective, and cannot be prospective.

For that reason they issued a parliamentary hand-book. I will see what can be done to carry out the suggestion of the hon. member for New England.

Mr. STEVENSON : I take the earliest opportunity afforded me of referring to the answers given to-night by the Secretary for Lands as to a question I put to him as to the holding of a land board meeting at Gosford. The hon. gentleman admits that since 18th April there has been no land board meeting held at that place. I do not think it likely, as the Minister has pointed out, that people will, under the Crown Lands Act, enter on land immediately after application ; and I do not think it will be admitted that the delay occasioned is in the interests of *bona fide* settlement. The Minister has stated that since 1st May there have been eleven applications. I do not see why eleven persons should be kept waiting for seven or eight months of the year. It is only natural that they should be reluctant to go into residence or make improvements before confirmation. It has been the custom to hold meetings at Gosford every few months, and I think the Minister would do well if he would have a meeting held there as early

as possible. Seven months have elapsed since last meeting, and we have no notification at present as to when the next meeting is likely to be held. I have no doubt the Minister thinks the matter of no importance; but I find on looking over the electoral roll, that since the opening of the railway through to Brisbane Water there has been an addition of 1,070 electors. That shows a rapid increase of settlement within the last few years. Therefore, the hon. gentleman might give a little more attention to it, and he might have promised, in answer to my question, that it should receive more attention. I have taken this opportunity of referring to the matter again in the interests of the *bona fide* settlers on the land.

Mr. LAKEMAN: I should like to draw the attention of the Secretary for Lands to a case which was argued in the Land Court yesterday, and in which Mr. B. R. Wise appeared. That gentleman was feed by the Crown, and I suppose he did not get less than £5 5s. for taking up the case. When he got into the court, however, he had to admit that he had no arguments to use in support of the contention of the Crown. I should like to know who is responsible for feeing a barrister to appear before the Land Court on behalf of the Crown when the Crown has no case?

Mr. BRUNKER: I think the answer which I gave the hon. member for Wollombi was that there had been only eleven applications for conditional purchases in his district since April last. The hon. member will admit that that is not a large number; but there is no reason why those applicants should suffer any inconvenience. The hon. member may not be aware that the districts have been changed during the last six months. During the last few months the chairman of the land board has been engaged continuously in dealing with cases arising under the Newcastle Pasturage Reserve Act, and it is possible that business has been disarranged in consequence of the attention which has had to be given to those cases. However, I will see that attention is given to the request of the hon. member, so that any inconvenience that is being caused may be obviated. I do not know the particulars of the case which has been referred to by the hon. member for Balranald. I believe there was some difference of opinion with regard to the points raised.

Mr. LAKEMAN: Why should the barrister admit that he had no case to argue?

Mr. BRUNKER: He made that admission after some case had been cited in court, a case of which perhaps he had no previous knowledge.

Mr. LYNE: I should like the Colonial Treasurer to inform us what business the Government intend to proceed with to-morrow?

Mr. McMILLAN, in reply: The first business to-morrow will be the reception of the report, simply a matter of form, in connection with one of the proposed public works. After that we shall go into Committee of Ways and Means, and continue the financial debate to the close.

Mr. LYNE: To the close?

Mr. McMILLAN: The debate will be resumed, and no other business will be allowed to intervene until it is concluded.

Question resolved in the affirmative.

House adjourned at 1:35 a.m. (Thursday).

Legislative Council.

Thursday, 13 November, 1890.

The PRESIDENT took the chair.

A quorum not being present,

The PRESIDENT adjourned the House at twenty-seven minutes before 5 o'clock p.m.

Legislative Assembly.

Thursday, 13 November, 1890.

Civil Service Inquiry Commissions—Colonel Commanding Second Regiment—Mr. Egeson—Government Printing Office—Tram: Five Dock to Mortlake—Richmond River Harbour Improvements Bill—Pitt-street Fire—Petition—Charges against Mr. Speaker and the Chairman of Committees—Order of Business—Post Office Street—Paper—Marrickville to Burwood Road Railway Bill—Financial Statement—Hay and Deniliquin Tramway Bill—Adjournment (Order of Business—Transit of Stock—Mounted Infantry—Darling Island—Iron Ores—Homestead Leases—Rabbit Bill—Country Towns Water Supply—Locomotive Contract—Careening Cove and Neutral Bay Works).

Mr. SPEAKER took the chair.