

provincial protection or free-trade was superseded. If federation was to be set aside, which he said was impossible, there might be provincial politics again; but while this sovereign question of federation existed, provincial politics were absolutely at an end. The hon. member for Waratah need not throw any slur on the protectionist party. They recognised the inevitable, which the hon. member's party never did.

Resolution reported, and read the second time.

Motion (by the Right Hon. G. H. REID) proposed:

That the resolution be agreed to.

Mr. CRICK (West Macquarie) [11-38]: I congratulate the Government on forcing this resolution on, simply because they do not wish to break a promise. They never broke one before, and they would not like to break one now.

Question resolved in the affirmative.

Bill presented, and read the first time.

Motion (by the Right Hon. G. H. REID) proposed:

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

Mr. HAYNES (Wellington) [11-39]: I hope that between now and Tuesday next the Premier will consider whether it is advisable to deal with this bill on Tuesday next, and whether there is any prospect whatever of its being passed.

Mr. SPEAKER: The hon. member cannot now debate the question.

Question resolved in the affirmative.

House adjourned at 11-40 p.m.

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## Legislative Council.

*Tuesday, 5 July, 1898.*

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Consolidated Revenue Fund Bill—Statute Consolidation Bills—Correspondence—Supreme Court Practice—Adjournment (Government Statistician)—Immigration Restriction Bill (second reading)—Port Kembla Harbour Bill—Suspension of Standing Orders.

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The PRESIDENT took the chair.

### CONSOLIDATED REVENUE FUND BILL.

Royal assent reported.

[*Mr. Crick.*

### STATUTE CONSOLIDATION BILLS.

The following bills were read the third time:—

Trustee Bill.  
Audit Bill.  
Impounding Bill.  
Liens on Crops and Wool and Stock Mortgages Bill.  
Coroners' Bill.  
Banks and Bank Holidays Bill.  
Bills of Sale Bill.  
Evidence Bill.  
Evidence (Penalties) Bill.  
Wills, Probate, and Administration Bill.  
Pastures and Stock Protection Bill.  
Commons Regulation Bill.  
Public Hospitals Bill.  
Conveyancing and Law of Property Bill.  
Liquor Bill.  
Weights and Measures Bill.  
Cattle-driving Bill.  
Naturalisation and Denisation Bill.  
Legal Practitioners Bill.  
Newspapers Bill.  
Auctioneers Licensing Bill.  
Bankruptcy Bill.  
Medical Practitioners Bill.  
Stamp Duties Bill.  
Statute Law Revision Bill.

### CORRESPONDENCE.

*Ordered* (on motion by the Hon. E. PULSFORD):

That there be laid upon the table of this House copies of the following letters:—

- (1.) From the Assistant-Statistician to Mr. Pulsford, M.L.C., 26th July, 1897.
- (2.) From Mr. Pulsford to the Statistician, 1st April, 1898.
- (3.) From the Statistician to Mr. Pulsford, 6th April, 1898.
- (4.) Various letters, dated April last, from Mr. Pulsford to the Colonial Secretary, with the correspondence thereon between the Colonial Secretary's Department and the Statistician.

### SUPREME COURT PRACTICE.

The Hon. J. H. WANT: I desire to give notice of my intention to move to-morrow for leave to bring in "a bill to simplify and amend the practice of the Supreme Court." If I may be permitted to do so I would like to say that I do not pretend that this bill is, like some other bills we have heard of lately, absolutely perfect. My object in laying it on the table of the House is that the profession generally, from whom I may be able to get some assistance in improving it, may have an opportunity of seeing it; also that the public may have a thorough opportunity of discussing it, and of suggesting any amendments which it may be found neces-

sary to make in it. I hope hon. members will be able to give me their assistance to make this bill as perfect as possible.

### ADJOURNMENT.

#### GOVERNMENT STATISTICIAN.

The PRESIDENT: I have received a notice under the 13th Standing Order from the Hon. E. Pulsford of his intention to move the adjournment of the House to discuss a definite matter of urgent public importance, namely, "the action of the Government Statistician with regard to parliamentary business."

The Hon. E. PULSFORD rose to move:

That this House do now adjourn.

He said: It is generally believed that the statistical office exists for the collection and distribution of information, but from what is now happening this conclusion seems to be open to very considerable doubt. On the 11th of August of last year this House ordered, on motion by the Hon. E. Pulsford:

That there be laid upon the table of this House a return showing the details of the estimates of customs and excise duties for New South Wales which are given on pages 18, 25, 32, and 39 of the "Tables illustrating the Imports and Customs Collections of the Commonwealth of Australia," as prepared by Mr. Coghlan.

A week later, in reply to a question as to when this return would be ready, the Hon. the Vice-President of the Executive Council answered as follows:—

The details are in the possession of Mr. Coghlan, and will be obtained and laid upon the table of this House after the return of the Statistician to the colony.

That was on the 18th August. To-day is the 5th July, 1898, and this return has not yet been laid upon the table of the House. During this long interval I have tried in various ways to get this information. I may say that after the period mentioned—August last—Mr. Coghlan, who was away on leave, had his leave of absence extended, so that he did not return to New South Wales until after Parliament had prorogued. When January arrived, and the convention was about to re-assemble in Melbourne —

The Hon. J. H. WANT: On a point of order, I desire to say that I certainly did not hear the notice read; but I notice by the rules that

no motion for the adjournment of the House shall be entertained until the formal business

shall have been disposed of, and then only for the purpose of discussing a definite matter of urgent public importance.

Well, I am at a loss to know how it can be said that it is a matter of urgent public importance to attack an officer of the Government. I can quite understand that the hon. member should have the opportunity of framing a sort of motion of want of confidence in the Minister for permitting an officer to do these things; but I should like to have your ruling, Mr. President, as to whether my hon. friend can take up the time of this House by simply making an attack on a gentleman who has fallen across his path with regard to some statistics on the federation question. I submit, so far as this rule is concerned, that you, Mr. President, will have to decide whether this is a matter of urgent public importance, and I appeal to you to say that it is not.

The PRESIDENT: I desire to say that the hon. and learned member representing the Government had the opportunity at the proper time to object to this motion. I read it as soon as I received it, which is the usual course. The hon. and learned member should then have taken exception to this motion being treated in a formal way. As to the importance of the motion, and its bearing upon the conduct of a public officer, I may say that there has hardly been an opportunity of understanding the nature of the hon. member's motion.

The Hon. Sir JULIAN SALOMONS: I do not know whether I should be in order in pointing out that no one could know from the notice of motion the hon. member handed in what it was he proposed to discuss, although the notice was read by the President. Until the hon. member rose no one had an idea that under his notice of motion he was about to call in question the action of an officer of the Government. Surely you, Mr. President, can see what inconvenience, danger, and injustice might result from such a course. This is not a calling in question of the action of a member of the Government, but that of a paid official in the public service. This House, on the *ex parte* statement of the hon. member, is asked to canvass the conduct of a public officer. I submit that some opportunity must be afforded to know what it is that an hon.

member who gives notice of a motion of this kind proposes to discuss. It is self-evident from what the hon. member has been good enough to say up to the present moment that the matter he proposes to discuss is not a definite matter of urgent public importance; but we could not discover that until the hon. member proceeded to discuss the question. Even if Mr. President had ruled that the matter was one of urgent public importance, it would still be possible for this Council to say that it was not. It is utterly impossible in this instance that what the hon. member proposes to discuss can be a matter of urgent public importance. I do not know in what respect the hon. member is about to complain of the conduct of this public officer, but I say that the course proposed should not be taken. It is an infringement of the rules of the House. Suppose an hon. member proposed to call attention to the conduct of a clerk of petty sessions in the country. He could not be allowed to proceed under this standing order, because although the matter might be definite it would not be one of urgent public importance. One of our standing orders says that it shall be competent for the House to decide on motions without notice or debate "that the subject-matter is not one of urgent public importance." I do not say that the hon. member is proposing to do any injustice or anything which he does not think himself justified in doing; but it would be a dangerous precedent to allow a debate of this kind to take place under the terms of a motion for the adjournment of the House.

The PRESIDENT: I have already said that the forms of the House have been observed. I read the hon. member's notice of motion. Of course, it was impossible at that stage to understand the particulars which the hon. member proposed to discuss; but no objection was taken to the terms of his notice of motion, and I therefore felt it my duty to allow the motion to go as a formal one—that is, to allow the hon. member to submit it.

The Hon. C. E. PILCHER: I think that, without taking objection to the President's ruling in any way whatever, it is competent for an hon. member, at any period of the debate, to submit a motion such as that indicated by the hon. member, Sir Julian Salomons. After the hon. member giving

the notice of motion had made an exhaustive speech, it might be apparent to the House that the matter was not one of urgent public importance, and at that stage I submit that any hon. member could make a motion to that effect. I desire to take the President's ruling as to whether it is not competent for an hon. member to make that motion at any time during the debate under our standing order.

The Hon. D. O'CONNOR: I rise to order. I should like to know what the hon. member is now discussing, seeing that the President has given his ruling?

The Hon. Sir JULIAN SALOMONS: I hope that the President will understand that I had no idea of saying one word in derogation of any ruling he has given. I consider that the point I am taking is perfectly consistent with that ruling. I understood the President to rule that on the notice by the hon. member being given, there being no objection taken, the President was bound to allow him to rise and submit it. It is quite plain that the President could not tell what the hon. member intended to discuss. The motion I desire to move can, I submit, be moved at any time during the hon. member's speech. An hon. member might easily write and hand in a notice of motion concerning a matter which was not of urgent public importance at all.

The Hon. C. E. PILCHER: I must admit that I am a little in the dark as to what has actually taken place. My impression is, that there being no objection, the hon. member's motion was allowed to be put as a formal motion; but I was also under the impression that such a motion could not be put as a formal motion. If that is so, the other point which has been raised need not be discussed.

The Hon. E. PULSFORD: I have not desired to take the motion as a formal motion. It is a motion in accordance with our ordinary procedure under which the adjournment of the House is moved. It is customary to submit such motions, both in this House and in the Legislative Assembly, in order that questions of importance may be discussed. I submit that I am in order, and should be allowed to proceed.

The Hon. J. H. WANT: I understand the President to say that he gave his ruling just now upon the supposition that this motion had been moved as a formal

[*The Hon. Sir Julian Salomons.*]

motion. It would now seem that that was a mistake, and that it was not intended to be formal. As a matter of fact the motion could not be taken as a formal motion, and under those circumstances—if I might suggest the course—I would submit that the motion should now be put in the ordinary way in which motions for adjournment are put. That would enable an hon. member to submit a motion such as that indicated by the hon. member, Sir Julian Salomons. The standing orders make it perfectly clear that such a motion can be made at any time in just the same way that a motion that a member be no further heard can be submitted. It is impossible for the President, for any member of the Government, or for the House, to know whether the subject-matter of a motion of adjournment is a matter of urgent public importance until the discussion has been allowed to proceed to a certain length. For instance, we might have submitted a notice of motion to discuss the conduct of a police magistrate, and the subject-matter might be a complaint that the magistrate wore a brown suit instead of a white one, or some such ridiculous thing as that, but it would only be when the hon. member reached that portion of his address that the House could say definitely that the matter was not one of urgent public importance. If the House found that it was only a question of what coloured coat he should wear I take it that any one could object at once. Therefore I would suggest that the question should now be put in the ordinary way, so as to give my hon. and learned friend, Sir Julian Salomons, an opportunity to move that it not being a matter of urgent public importance the House declines to hear it. Very few of us have heard the motion read. It is usual to give notice to the Government of a motion of this kind so as to put them on their guard. My hon. friend did not do that, and I for one had not the remotest idea of what was going to happen. I thought the hon. member was just going to get up to represent the Government, and that my occupation would be gone. I had not the remotest idea that the hon. member was going to attack a government officer.

The PRESIDENT: It seems to me that there has been a misunderstanding from the first as to the hon. member's intention to have the motion put as a formal one. I

said at first that the motion was put as a formal one in the ordinary way. The hon. member intimated his desire to have the motion put as a formal one, and I put it to the House as a formal motion, and no hon. member objected to it. Of course, the hon. and learned member can move that the hon. member be not further heard, but that is a very unusual course.

The Hon. Sir JULIAN SALOMONS: I have not moved such a motion. It would be discourteous to the hon. member to do so; but the rule provides that the Council itself may say in regard to a matter which an hon. member proposes to discuss that it is not one of urgent public importance. I move:

That the matter mentioned in the hon. member's notice is not one of urgent public importance.

Question put. Division called for.

The Hon. E. PULSFORD: I do not desire to waste the time of the House by pressing the matter to a division.

Question resolved in the affirmative.

#### IMMIGRATION RESTRICTION BILL.

##### SECOND READING.

The Hon. J. H. WANT rose to move: That this bill be now read the second time.

He said: In moving the second reading of this bill, I should like to point out that it is a form of legislation which this House has already accepted in a very much stricter form. Some time back both houses of the legislature passed a very stringent bill against the immigration of coloured races. That measure had this disadvantage: that it singled out amongst all the other peoples of the world the inhabitants of countries with which England and ourselves were on a peaceable and friendly footing, and with whom we had friendly relations, both commercial and otherwise. When that bill reached the Imperial authorities, strong protests were made by the people of Japan, and also on behalf of British subjects who were included in it through being of the coloured races. The Imperial Government thought that the measure would throw difficulties in the way of our commercial relations with some of those people, and at the same time act unfairly as regards those coloured races who had become part of the British Empire. That being the case, it was still thought by the people of this colony that a measure of

that kind was urgently necessary, because everyone of us must admit that we are being flooded to a very great extent with a most undesirable class of people. A great many of those who come are of the very worst class. I know of my own knowledge that the people that we get, from China, for instance, as a rule, are coolies of the lowest class from Canton and its surroundings. We do not get the good part of the population except in scattered instances, such as merchants, and other men of high character who come and enter our commercial life. It was at first thought advisable to pass a very strict measure which would almost prohibit the landing of all these coloured races. The two objections to that measure were, first of all, that it interfered with commercial treaties, and in the second place it was found to be very offensive from its singling out the coloured races alone. Under the circumstances the Imperial Government refused to accept the bill as it stood, although all the colonies had passed it, and it had become the law, so to speak, of the whole of Australia; but at the same time it was suggested by the Imperial authorities that a measure should be introduced based upon the principles of an act which had been passed in Natal under circumstances somewhat similar to those in which these colonies are placed, for the restriction of the immigration of those coloured races. A great many of those people being Hindoos and Chinese, who were British subjects, it was suggested to all the premiers that, if it was possible to avoid the very stringent measure which had been passed, we should adopt that which had been found to work exceedingly well in Natal. There are three advantages in this act over the old one. First of all, it is not nearly so stringent; and, therefore, is not likely to cause acerbity of feeling or any bitterness between ourselves and those people with whom we are on friendly terms. Secondly, it has received virtually the assent of the Imperial authorities. It has been approved of by them; and, in order to avoid any difficulty whatever, I have followed exactly word for word the Natal act, as I call it, as it has been accepted by the English Government. Therefore, no question will arise as to the acceptance of this measure when it is passed by this legislature. The third advantage is that it does away with the difficulty of

referring only to coloured races, and drawing that invidious distinction. The last and most important of all is that it has been found to work exceedingly well so far as it has gone. It may not, perhaps, go so far as some people think it should; but it is undoubtedly a step in the right direction. I said just now that it had been copied word for word from the Natal act. I was not exactly correct in that statement, in that it contains three lines which are not in the Natal act, and which will be found in sub-clause *a* of clause 3. The clause provides that a person has to fill up a form and sign it, and it has to be in the form which is set out in the schedule. The only flaw which has been found in the working of the Natal act has been that some of these very clever gentlemen got these schedules, and were tutored up so that they could just manage to copy them and do no more. Under clause 3, sub-clause *a*, the Governor may alter the form by proclamation, substituting different phraseology from that which is contained in the schedule. That provision is put in the clause for the purpose of meeting those cases. If we find that any of these gentlemen get clever enough to be able to cram up on this subject, and to write the words which are set out in the schedule, and can do no more, the form can be changed every now and then so as to give them an opportunity to increase their schooling and their education on the question of filling up the forms. There is that small difference between the two measures; but with that exception it follows word for word an act which has been found to work exceedingly well. I should have preferred to alter some of the wording of the act, and to have made it perhaps a little clear. I do not like to cast any reflection on the gentlemen who drafted that measure, but it was thought that although it may not be as perfect as the Federation Bill was—without a blemish at all—still it was better to leave it in exactly the form in which it was in order to avoid any objection being taken to the bill by any of the other colonies, or their introducing legislation different from ours, and also so that it should be acceptable to the English Government. It is, perhaps, not so nicely worded as one would wish to see it, but at the same time it pretty clearly explains what the real

[*The Hon. J. H. Wain*

meaning of it is. Now the object of this bill is to restrict immigration of a character which for a long time has been an actual disgrace to this country. Of my own knowledge I know that people who have been found by their families to be insane have been shipped on board a steamer with a keeper and dumped down into this colony while the keeper goes back. These lunatics who are sent by people of good families and people with plenty of means are simply dumped down into this country and we are left to bear the expense of maintaining them, sometimes in lunatic asylums and sometimes in hospitals. They say that sometimes if a man has consumption in England and is just about to die, he is shipped off here with a gun and his consumption—that is the whole of his stock-in-trade—and is then left here. I do not mean to say that there are many cases of that kind, but there are some. The bill provides that if people come here who are paupers or who are likely to become a public charge, or who are idiotic or insane they are not to be allowed to land. And where any doubt arises as to a man being a pauper, he, by depositing a certain sum, can land, and if it is found that he is all right, his money is returned; but if it is found that he is not, then his money can be forfeited, and he may be sent back, under certain provisions to which it is not necessary for me to refer until we get into Committee. Then, under sub-clause *a* of clause 3, which speaks for itself, if any objectionable immigrant when asked to do so by an officer, fails to write out and sign the form of application set out in schedule A, he shall not be a person whose acquaintance is considered desirable in this colony. Hon. members must know that until lately a great number of Hindoos, Greeks, Afghans, and all sorts of people have been landing here, and they have been nothing more nor less than a drag upon the people of this colony, to say nothing of the desirability of keeping such people out of the territory. We have been compelled to feed them and take care of them.

The Hon. Dr. MACLAURIN: This would not keep Greeks out!

The Hon. J. H. WANT: No, not people from Greece itself, but it would keep out these Greek gypsies—I forget the place from which they come—who were landed in Adelaide the other day.

The Hon. H. C. DANGAR: You cannot make any exception!

The Hon. J. H. WANT: You cannot make any exception, but if a Greek comes here he has to fill in this form.

The Hon. Dr. MACLAURIN: You will find that they will all do it!

The Hon. J. H. WANT: If they do we cannot help it. A great number of those who do land here are absolutely ignorant of anything.

The Hon. C. E. PILCHER: Unless you ask them to write it in Spanish. I am not quite sure that you can under this clause. It says any European language!

The Hon. S. A. STEPHEN: It does not say in some language!

The Hon. J. H. WANT: If it is in any European language——

The Hon. Sir JULIAN SALOMONS: In some of the hon. and learned member's picturesque language!

The Hon. J. H. WANT: I do not care if it is in some of my picturesque language. At all events, no one can complain that the bill is too strict. It has been found to work exceedingly well, and that is one of the best things in its favour. If it does not succeed altogether in keeping out undesirable immigrants, it goes a long way towards securing that object. Seeing that both houses saw fit to pass a much more stringent measure than this bill, hon. members can only object to the bill on the ground that it does not go far enough. It is, to a certain extent, an experiment, so far as we are concerned, although it has got the brand of approval by the way in which it has been working in other English colonies. In *Hansard* I saw a statement, made in the other House, that it was working in Victoria, and working well. I am not in a position to say whether that is or is not correct, but one thing I know is that all the premiers, when they found in England that they could not get the royal assent to the other bill, agreed amongst themselves to have legislation similar throughout all the colonies, and accepted this bill, which the Imperial authorities informed them would be acceptable to them, and which we should be able to get passed into law. The other clauses only provide the machinery for the working of the bill. A man's wife and children, for instance, may come if he is domiciled here, but the wife or minor child of a prohibited immigrant cannot

land. It provides for the liability of masters and owners of ships who illegally land these immigrants. It provides for the carrying out of the law by the police authorities, and the way in which people are to be returned to those places from which they have come, and of course it concludes with that provision which gives the jurisdiction, conferring that jurisdiction on courts of summary jurisdiction. The penalties are not very heavy, except in a case where a master brings a shipload of immigrants, and if they chance to transgress they have to pay in proportion to the amount of their sins; that is to say, in proportion to the number of people they bring. If they choose to bring shiploads of coolies here, knowing they ought not to bring them, they have to take the responsibility of their action.

The Hon. H. E. KATER: How is it to be discovered whether a person is an idiot or insane, or suffering from some loathsome disease?

The Hon. J. H. WANT: There are officers whose duty it will be to ascertain that.

The Hon. H. E. KATER: What sort of test are they going to put these people to?

The Hon. J. H. WANT: Clause 6 provides:

Any person who shall satisfy an officer appointed under this act that he has been formerly domiciled in New South Wales, and that he does not come within the meaning of any of the sub-sections (c), (d), (e), (f) of section 3 of this act, shall not be regarded as a prohibited immigrant.

There is another clause which provides for the appointment of these officers, and of course we will have to take very great care in making the appointments. A great deal will have to be left to those officers in the same way as we have to leave a great deal to the health officers in passing ships.

The Hon. H. E. KATER: The act may be made very harsh in its operation!

The Hon. J. H. WANT: It will not be half as harsh as the bill we passed previously. This is a step in the right direction. It will have this advantage: that the law in all the colonies will be the same; it has been found to work well, and it is acceptable to the Imperial authorities. It has worked well in Natal; the Prime Ministers made inquiries on the subject when they were in England, and the Imperial Government intimated their willingness to accept this measure. It was thought better to avoid any conflict with the Imperial

[The Hon. J. H. Want.

authorities, to accede to their wishes not to press forward the stringent measure which we formerly passed, and to enact a bill which we know will be acceptable to them. Under these circumstances, and with the knowledge we have, that it is necessary to make provision for preventing undesirable immigrants coming here, I ask hon. members to pass this bill. The other day we were informed that fifty people landed in Adelaide. Notice was given to them to clear out. They had to be supported by charity, and they are now about to come to New South Wales, as being the only country which will permit them to enter it without restriction. The bill is introduced to meet cases of that kind, and in order to let shipmasters understand that they will have to take the responsibility of their action if they introduce people of this class, we have introduced this bill.

Question proposed.

The Hon. Sir JULIAN SALOMONS: I am afraid the Attorney-General cannot have had time, owing to his many duties, to understand the nature of the bill he is now submitting. I intend to move later on that this debate be adjourned until Tuesday next. I understand that Parliament is to be prorogued on Thursday, and I cannot easily imagine a grosser absurdity nor a greater disgrace than to pass this bill, which is not of the nature that my hon. and learned friend thinks it is. That is perfectly plain from his speech. Do not let me be misunderstood. I quite agree with all that my hon. and learned friend has said as to what the bill desires to do. I have nothing to say against his remarks about undesirable immigration. But I do not think he can show us any act in any of the Australian colonies of the same nature as this bill. As to Natal, I decline to be a party to this Council acting upon a measure passed under circumstances which I do not know. It is impossible to believe that an act of this kind could be brought into a house of parliament —

The Hon. J. H. WANT: Is the act not in force in Natal?

The Hon. Sir JULIAN SALOMONS: I would not pass any bill on the assertion that it is in force in Natal. I do not know anything of the circumstances there. I do not know how that parliament is constituted; but I know that this bill, on the face of it, is a most grave absurdity, and

it would work an injustice which would be a greater wrong and disgrace than all the Asiatics that might ever come to Australia. My hon. and learned friend pointed out certain clauses with regard to prohibited immigrants, but that is only a small part of the bill. This bill provides as follows, with regard to certain persons to whom I will refer in a few minutes :

The master and owners of any vessel from which any prohibited immigrant may be landed shall be jointly and severally liable to a penalty of not less than one hundred pounds sterling, and such penalty may be increased up to five thousand pounds sterling by sums of one hundred pounds sterling each for every five prohibited immigrants after the first five, and the vessel may be made executable by a decree of the Supreme Court in satisfaction of any such penalty, and the vessel may be refused a clearance outwards until such penalty has been paid, and until provision has been made by the master to the satisfaction of an officer appointed under this act for the conveyance out of the colony of each prohibited immigrant who may have been so landed.

That means that a captain might be fined up to £5,000; that a vessel might be seized and sold, and refused a clearance, and what for? I am sure my hon. and learned friend did not know what he was proposing. Take, for instance, a person who is called a prohibited immigrant, who is defined as "any person being a pauper or likely to become a public charge." How could a captain know that he had a person of that kind on his vessel? A ship might start from Fremantle or Calcutta, and any of these persons might be on the ship without his knowledge. It is evident that my hon. and learned friend, notwithstanding his great knowledge, has been unable, owing to his many duties, to look through this bill.

The Hon. J. H. WANT : I have looked through it most carefully !

The Hon. Sir JULIAN SALOMONS : If a vessel starts from Melbourne to this port, how can a captain tell whether any of the passengers would come under the provisions of this bill? Is he to marshal all the passengers on deck and ascertain whether they are paupers or likely to become a public charge, or whether they come under the following descriptions :—

- (d) Any person suffering from a loathsome or a dangerous contagious disease.
- (e) Any person who, not having received a free pardon, has within two years been convicted of a felony or other infamous crime or misdemeanour involving moral turpitude, and not being a mere political offence.

This bill has evidently been drawn by some one who can have given no thought to the subject.

The Hon. C. E. PILCHER : It has evidently been drawn by a lawyer in the interests of the profession !

The Hon. Sir JULIAN SALOMONS : I cannot conceive for a moment how any person could have drawn such a bill. Among prohibited immigrants we find :

- (f) Any prostitute and any person living on the prostitution of others.

Is the captain of a vessel, when he is about to start on a voyage, to gather together all the women on board, and find out whether there are any prostitutes amongst them? It is ludicrous on the face of it. Yet he will be subject to all these severe penalties if he brings such people here. This is a subject which requires the most careful attention. Parliament will rise on Thursday, and we are asked to pass this bill on Tuesday. It is much more important, for the reputation of the colony, that we should not pass a measure of this kind than that we may suffer some injury from the arrival of undesirable immigrants. Under clause 8 the penalty if more than five prohibited immigrants are landed may be increased up to £5,000, by sums of £100 each for every additional five prohibited immigrants. The captain and the owners of the ship landing these persons render themselves jointly and severally liable to that penalty, and the vessel may be sold to recover it. My hon. and learned friend, the Attorney-General, drew attention to sub-clause *a* of clause 3, which provides that :

Any person who, when asked to do so by an officer appointed under this act, shall fail to himself write out and sign, in the characters of any language of Europe, an application to the Colonial Secretary.

shall be deemed to be a prohibited immigrant. That provision I cannot understand, and, therefore, I am not going to say anything about it. But my hon. and learned friend failed to read the provision under which

any person being a pauper, or likely to become a public charge

will be dealt with as a prohibited immigrant.

The Hon. J. H. WANT : I did refer to paupers being landed here !

The Hon. Sir JULIAN SALOMONS : Did the hon. and learned member tell us



that the captain and owners of a ship bringing prostitutes would be liable to the penalty provided for in clause 8?

The Hon. J. H. WANT: I did not read the bill word for word!

The Hon. Sir JULIAN SALOMONS: No doubt it is desirable to keep out of the colony paupers, criminals, and prostitutes; but justice must be done.

The Hon. J. H. WANT: We can strike out any of these provisions in Committee!

The Hon. Sir JULIAN SALOMONS: I refuse to deal with an important matter of this kind upon Tuesday night, when Parliament is to be prorogued on Thursday. I am not going to impute motives, and to say why I think these measures are brought in during the last hours of the life of a parliament.

The Hon. J. H. WANT: This measure was before the Council last session!

The Hon. Sir JULIAN SALOMONS: It was only on the last sitting night that it came before us.

The Hon. J. H. WANT: It was restored to the business-paper then; but it came here from the Legislative Assembly last session!

The Hon. Sir JULIAN SALOMONS: Does the hon. and learned member think that hon. gentlemen have been revelling since last December in subjects like that dealt with in the bill? The bill provides that a prostitute, if she can pay £100, may stop here.

The Hon. J. H. WANT: That is not so. That is the amount of the guarantee. There is a clause in the bill under which such persons may be sent back!

The Hon. Sir JULIAN SALOMONS: I was referring to the provisions of clause 5. I see now that the sub-clauses of clauses 2 and 3 are in each case numbered *a*, *b*, *c*, *d*, *e*, and *f*, and in reading clause 5 I made the mistake of confusing sub-clauses *c*, *d*, *e*, *f* of clause 2 with the similarly-numbered sub-clauses of clause 3. That, however, does not in any way affect my contention that we are being asked to pass a measure under which the captains and owners of all British and colonial vessels which happen to have on board persons suffering from contagious diseases, or any of the objectionable persons mentioned in clause 3, will be liable to very heavy penalties. I know nothing about Natal, and I decline to enter upon a consideration of the ques-

[*The Hon. Sir Julian Salomons.*

tion how a similar measure came to be passed there. Can the hon. and learned member show me an Australian colony in which such a measure is in force? If he had an interest in a ship, could he be brought to agree to a proposal of this kind for a moment? A captain may not know that a passenger is insane, or a pauper, or one who has been convicted of a felony or misdemeanour, or one who is an undesirable person.

The Hon. J. H. WANT: A captain will be liable for landing such people, not for bringing them here!

The Hon. J. M. CREED: There is no penalty incurred if the captain keeps these persons on board his ship!

The Hon. Sir JULIAN SALOMONS: A captain would not know the character of his passengers, and would permit them to land in the ordinary way. It might turn out, however, that some of these passengers had been convicted of a felony in some other colony.

The Hon. J. M. CREED: I agree with the hon. and learned member that the measure wants amending, and that there is not sufficient time in which to discuss it!

The Hon. Sir JULIAN SALOMONS: This is a matter of great moment, and one which requires grave consideration and deliberation. I am in sympathy with the Government in what they propose to do, and with what the Attorney-General has said about the objection to the admission of undesirable immigrants. But that is no justification for passing a bill worded as this is; and what is the use of discussing the bill now, when Parliament is going to prorogue on Thursday?

The Hon. J. H. WANT: There is plenty of time before then. What about to-morrow?

The Hon. Sir JULIAN SALOMONS: I do not take the hon. and learned member seriously. He suggests that to-morrow night will give us sufficient time in which to discuss a measure of this importance.

The Hon. C. E. PILCHER: To-morrow the debate upon the address in reply is to be resumed!

The Hon. J. H. WANT: That will not take five minutes!

The Hon. Sir JULIAN SALOMONS: The hon. and learned member thinks that because he has spoken no one else desires to speak; but I understand that the ad-

jourment of the debate was moved by the hon. member, Mr. Creed, and I believe that he will have much to say that will be worth listening to. How can it be seriously supposed that the House can deal with this bill during the present session, when it has yet to be read the second time, taken through Committee, and then read the third time? It is not the fault of the Council that the measure has not been dealt with earlier. The bill wants careful examination, and certain parts of it must be taken out.

The Hon. J. H. WANT: We have nothing else to do to-night. I do not want to rush the measure through!

The Hon. Sir JULIAN SALOMONS: If you, Mr. President, did not leave the chair for a moment between now and the prorogation the measure could not be dealt with during this session. Like many other bills, it has only been brought up here so that it may be said of it, "It was brought before the Council, but they refused to pass it."

The Hon. J. H. WANT: The bill was brought in here last session, but Parliament was suddenly prorogued before it could be dealt with!

The Hon. Sir JULIAN SALOMONS: The second reading has been moved to-night, and it is intended to prorogue Parliament on Thursday. The captains of vessels like those belonging to the Peninsular and Oriental and the Orient Companies do not examine their passengers before they land; but the bill if passed would compel the captain and owners of any vessel before allowing a passenger to land to make inquiries as to whether he was suffering from a contagious disease, or was, for other reasons, a prohibited immigrant. How they would find out if their passengers were paupers, or had been convicted of crimes I do not know. How could they find out that the female passengers were women of loose character? What captain would have the courage to go upon the quarter-deck and summon the female passengers to assemble for the purpose of conducting an inquiry under the provisions of this measure? Would any captain be found bold enough to say to such passengers, "Under an act passed by Mr. Want a day before the prorogation of Parliament I may be fined £1,000 if I allow any person of light character to land,

and therefore I must go into these matters?" Full deliberation must be given to the serious matters dealt with in the bill, and I hope that not only shall I be supported by hon. members, but that there will be a unanimous vote in favour of the adjournment of the debate. I hope that some other hon. member will take it upon himself to support my contention that the bill, as worded, would throw onerous burdens upon shipowners and captains, and that its provisions as drawn would be found unworkable. I therefore move:

That the debate be adjourned until this day week.

The Hon. Dr. MACLAURIN: I confess I have considerable difficulty in offering any opposition to the bill, because it is a well-intentioned measure, and is meant to deal with a real difficulty. In my official capacity I had ten years ago frequent occasions of recognising that persons were brought to this colony who ought not to have been brought here—paupers and sick persons, and others who were evidently brought here only to be a burden upon the colony.

The Hon. H. C. DANGAR: I rise to order, and I do so entirely in the interests of my hon. and learned friend, to whom we are always glad to listen. The hon. and learned member, however, ought to confine his speech to the question immediately before the House, namely, the adjournment of the debate. The hon. and learned member is clearly addressing himself to the principles of the bill.

The Hon. Dr. MACLAURIN: The hon. and learned member is quite right!

The PRESIDENT: It is quite clear that the hon. and learned member is out of order in speaking to the main question when the adjournment of the debate is moved!

The Hon. J. H. WANT: I think it is hardly fair to suggest that the bill was sent to the Legislative Council at the last moment. The bill was sent whilst the Council was sitting last session, and when it was anticipated that we should be here for some considerable time.

The Hon. J. M. CREED: We had thirteen days!

The Hon. J. H. WANT: Are not thirteen days sufficient for the passage of the bill? We shall come under the subclause dealing with lunatics and idiots if hon. members say to the contrary.

The Hon. J. M. CREED : There was not ample time to discuss it !

The Hon. J. H. WANT : If we had gone on with the measure last session there would have been ample time in which to have finished it.

The Hon. J. M. CREED : It was for the Government to go on with it, and not the House !

The Hon. J. H. WANT : The Government would have gone on with it only this House stopped work suddenly.

The Hon. J. M. CREED : By reason of what ?

The Hon. J. H. WANT : By reason of the Government telling us to.

The Hon. Sir JULIAN SALOMONS : The Government prorogued Parliament !

The Hon. J. H. WANT : There was plenty of time to discuss the measure, and it is not fair to say it is now brought forward simply because Parliament is about to close its doors. It is brought up for this reason, that the prorogation stopped it before. It is also brought up at the earliest possible moment from the other House. It was restored to the business-paper in the usual way, and it is now sent here. I have already pointed out that day after day these people are coming to our shores, and unless the bill is passed that state of things will continue. I have pointed out one instance in which sixty or seventy of these people have been landed in Adelaide, and their destination is New South Wales. Scarcely a day passes but ships are coming here with Afghans and Syrians, who go about the country a menace to settlers and to unprotected women and children. If the measure stands over till next Parliament, this state of things will go on. In the meantime, all the other colonies are waiting to see this bill passed into law, so that they may also adopt it. If we do not pass it, their hands will be tied, and they will say, "New South Wales has refused to pass this kind of legislation ; what then is the good of passing it here ?"

The Hon. Sir JULIAN SALOMONS : We do not refuse to pass it !

The Hon. J. H. WANT : Delay amounts to the same thing.

The Hon. H. C. DANGAR : Will it be necessary to send this bill home for the royal assent ?

The Hon. J. H. WANT : Undoubtedly, and the sooner the better.

[*The Hon. J. H. Want.*]

The Hon. Sir JULIAN SALOMONS : That proves that it cannot come into force for some time !

The Hon. J. H. WANT : It will not be a long time, because the Imperial authorities have signified their intention of accepting the measure if it is a copy of the Natal act.

The Hon. C. E. PILCHER : The bill will never do as it is !

The Hon. J. H. WANT : I mean a measure to the same effect. The bill has been sanctioned elsewhere exactly as it is.

The Hon. C. E. PILCHER : Then it only shows they are grossly careless !

The Hon. J. H. WANT : No doubt there are faults of draftsmanship. I dare say there are some things in it which require alteration. If hon. members think it requires it, let it be altered. There are, however, other acts of Parliament in other colonies containing matters more serious than those appearing in this bill, and where the punishment is more severe for offences.

The Hon. Sir JULIAN SALOMONS : There is no such act in any of the Australian colonies !

The Hon. J. H. WANT : But they are going to pass it if they can !

The Hon. Sir JULIAN SALOMONS : We are not preventing them !

The Hon. J. H. WANT : We are preventing them now. If there are any objections to portions of the measure, let them be altered in Committee.

The Hon. Sir JULIAN SALOMONS : It is not the wording, but the substance, in regard to which there is objection !

The Hon. J. H. WANT : The bill is a very short one, and it can be easily altered if necessary. My opinion is that there is sufficient intelligence in the House to settle the bill in one night. I hope the House will see its way not to adjourn the debate.

The Hon. C. E. PILCHER : I should like to warn hon. members that more than once we have had to admit that at the very close of a session we have rushed through important legislation, and have afterwards repented it. I might, for instance, remind hon. members of the Federal Enabling Act. The effect of the bill before us is to throw difficulties in the way of many millions of her Majesty's subjects coming to this colony—perhaps as important subjects as we, certainly more

important in numbers, and, perhaps, quite as important in every other respect. That itself is a serious consideration, and one we must be careful about. I am not for a moment saying that I shall oppose the bill. I will not oppose the bill, but I shall do all I can to make serious modifications in it in Committee. Although I think the course which my hon. and learned friend, Sir Julian Salomons, has suggested of postponing the bill for a week—in point of fact, to throw it over to next Parliament—is a wise and reasonable course, still rather than have it said in the country, which will be said, and perhaps may be said with great effect, that this Council refused to legislate in this direction, I would to-night pass the bill as it is now, on the distinct undertaking of the Government not to go one step further with it.

The Hon. Sir JULIAN SALOMONS: Do you mean the second reading?

The Hon. C. E. PILCHER: Yes.

The Hon. J. H. WANT: What is the use of that? You cannot restore it to the list again!

The Hon. C. E. PILCHER: I do not see that you can restore it to the list under any circumstances. If it cannot be restored then I entirely concur with the hon. and learned member, Sir Julian Salomons, and I will take all the risks of voting with him on this subject. I am quite clear, altogether apart from the matters my hon. and learned friend has pointed out, that this is a kind of legislation which it would be wicked to hurry in at the tail end of a session, when the matters under consideration deserve long and mature reflection. I shall support the motion, then, which has the effect of throwing the question over till the next Parliament. We know the people of the country will never know a word about our action to-night. The public inland and in Sydney will never know that the Council, or, at any rate, the members who spoke on the subject, expressly said that they are quite willing to legislate in this direction, subject to certain modifications; but whether they know it or not we are not concerned about that. They ought to be informed about it. This is a matter which ought not to come on now, but which ought to be postponed till next Parliament. I shall, therefore, support the motion of my hon. and learned friend.

The Hon. S. A. STEPHEN: I feel myself placed to-night in a rather difficult position, owing to the motion which has been proposed by my hon. and learned friend, Sir Julian Salomons. I did not know until I arrived here this evening that it is the intention of the Government, or is given out as the intention of the Government, that this House will not meet again after Thursday, or practically not after Wednesday.

The Hon. J. H. WANT: I have not said so!

The Hon. S. A. STEPHEN: Well, it has been given out in the House to-night, and has not been denied. If the Attorney-General will state that the House is going to meet, I shall take an entirely different course.

The Hon. Sir JULIAN SALOMONS: I will withdraw the motion if the House is going to sit next week!

The Hon. J. H. WANT: I cannot say one way or the other at present. I know it is hoped that the House will conclude its business this week. It is only fair to say that!

The Hon. S. A. STEPHEN: I got this bill, I think it was, on Friday morning. I took it home and I studied its details. I had the benefit of talking over various objections to the measure with my hon. and learned friend, Sir Julian Salomons. He saw that the difficulties, which no doubt had suggested themselves to him, and which I had considered, were such as to render it almost impossible for this Chamber to turn this into a proper measure in the time at our disposal. In addition to the objections which have been referred to by my hon. and learned friend, there are several more to which he has not alluded. There is the clause which says that the application shall be written out in "any language." Now, that word "any" certainly must be "some." That of itself is a matter which requires amendment. And further, in clause 7, it speaks of "the wife and any minor child of a person not being a prohibited immigrant." That means, if they are prohibited immigrants they can come in free without any prohibition at all. That is exactly the opposite of what the bill intends. Really, to put this bill into the shape in which it ought to be, means recasting it and remodelling it, and making it a new bill altogether.

With only to-night and to-morrow night to sit—and to-morrow night will be occupied with the address in reply—is it fair to ask this House to re-draw a measure which the Government ought to have sent up in a more perfect shape? One thing which leads me to feel great difficulty about this question is several speeches made in the Assembly a few days ago. We were told in the Assembly—however, I will not refer to that matter. The difficulty that I feel is this: that this measure comes here and is read the first time in November, 1897. The House does not meet again till the 30th, and it ends, I think, about the 9th of December. The Government having charge of this measure had a week or ten days in which they might have brought on the second reading. They do not do it. No doubt, after the recess the matter was lost sight of by every member of this House until it was brought up again to night. Probably, not a single hon. member except the Attorney-General has looked at the bill in the interim. What I should like to do is to pass a measure which would be accepted by federated Australia; because, whatever measure is adopted on this question ought to be a measure adopted by the whole of Australia. We ought not to have one measure here, another in Victoria, and another in Queensland. If any one of these colonies had been in such a hurry about the question they would have introduced a bill during the last seven or eight months, when their parliaments may have been sitting and ours was not. The difficulty which I find is to vote for a measure which really is nonsensical in some of its terms. It does not carry out what was intended. It practically makes the law apply to every man who ever came to the colony, no matter when he came. I assert, as an absolute fact, that this measure applies to every man who was not born in the colony, no matter when he came. My own personal feeling is that, if it is possible to thrash the bill out and to put it into proper shape, we ought to do that rather than be subjected to the opprobrium of shelving a bill with the main principles of which, I am sure, the House agrees.

The Hon. J. M. CREED: With regard to the proposal to adjourn the debate, I certainly think this measure is in such an imperfect condition that it is absolutely necessary to give time for its amendment in

[*The Hon. S. A. Stephen.*

detail. It would be very unwise, however, for the House to in any way leave itself open to the supposition that it was not in sympathy with the country with regard to the necessity for the passing of some such measure. Therefore, if the hon. and learned member who moved the adjournment of the debate would let the House pass the second reading of the bill, then move the adjournment of its consideration in Committee, showing that the House accepts the principle of the bill, but declines to hurriedly consider the provisions as to how the principles should be carried out, that would be the best course under the circumstances. I shall vote against any adjournment before the second reading of the bill; but I shall be prepared to support an adjournment afterwards.

The Hon. Sir JULIAN SALOMONS: I have not the slightest objection to adopt that suggestion: to allow the bill to go through its second reading on the understanding that its consideration in Committee will be adjourned.

The Hon. H. C. DANGAR: I think the suggestion made by the hon. member, Mr. Creed, a very excellent one indeed. I think the hon. member has suggested a way out of the difficulty in which we find ourselves. We ought to signify our acceptance of the principle of the bill, then defer its final consideration until the next session of Parliament. We did not know what the intentions of the Government were with regard to the duration of the session, but I think that when we come to consider a bill like this, which is of sufficient importance to be remitted to England to receive the royal assent, it is surely of sufficient importance to justify us in demanding that a sufficient time be allowed for its consideration. Although the Attorney-General has told us to-night that the Imperial Government is prepared to accept this bill, and I accept anything the hon. gentleman tells us with perfect confidence, I confess when I think of the number of her Majesty's subjects likely to be affected by the bill, that I do not understand the English Government at any time expressing a readiness to accept such a bill when they have refused a measure of less importance which we have already remitted to them. Apart from that, this bill is of far too important a character to be passed by this House in a session of only a few days, and as this

measure most certainly will have to be remitted to the British Government for the Queen's assent, what necessity is there for us to pass it hurriedly? The Attorney-General asks us to pass it to-night; but I do not see any absolute need for that. It is quite true that delay might result in the introduction of aliens, whom we are quite willing to prevent from coming here. We have heard from the hon. and learned member, Sir Julian Salomons, some remarks as to the way in which the measure has been drawn; and a more ill-drawn measure I never saw. The Attorney-General has told us that the bill is taken word for word from an act passed at Natal; and I may interpose that I do not think much of Natal draftsmanship if this is a specimen of it. It is almost impossible that this bill can become law within the limited time that this session apparently can endure. Suppose we pass the second reading of the bill, put the measure through Committee to-night, and pass the third reading to-morrow, there would then remain only one day for us to remit this measure to the Legislative Assembly. If we send the bill to the Assembly to-morrow night what chance is there of its becoming law? If we make amendments in it—as we undoubtedly shall do—what chance is there of the Assembly dealing with the amendments and sending the bill back to us?

The Hon. S. A. STEPHEN: They will accept the amendments!

The Hon. H. C. DANGAR: Even if they do?

The Hon. S. A. STEPHEN: Then it will pass. If we amend the bill to-morrow night the amendments can be accepted the next night in the Assembly!

The Hon. H. C. DANGAR: I am afraid my hon. friend is wrong.

The Hon. S. A. STEPHEN: If we make amendments in the bill, and the Assembly accepts them, the bill will not come back to us at all!

The Hon. H. C. DANGAR: They would surely have to send a message to tell us?

The Hon. Sir JULIAN SALOMONS: Who knows that they would accept the amendments?

The Hon. S. A. STEPHEN: Of course they would, because they would see that the amendments are improvements!

The Hon. H. C. DANGAR: I am not sure that amendments accepted in this House are so certain of acceptance in the Legislative Assembly as the hon. member has suggested. I come back to the old position, that this is a measure of far too great importance for us to pass it hurriedly. This session is to close in two days. I do not forget the fact that if we do not pass the measure it will afford so much capital to certain gentlemen at the coming elections. This may be cited as only another illustration of how this Legislative Council blocks the will of the people in regard to certain measures proposed in the public interest. I do not forget that. They may make what capital they choose out of it; but this House, thank God, as far as we are permitted to exist, passes measures it considers in the public interest. I am not at all sure that this measure, although it may be to the interest of particular parts of this colony, is a measure directed to Imperial interests. As one who opposed the passing of the Chinese Restriction Act, I am not greatly enamoured of this bill; but I do recognise the fact that the time is rapidly arriving when not only we, but all civilised peoples on the face of the earth, may find it necessary to pass measures of self-preservation of a similar character to this. I intend for the present to vote for the motion of the hon. member, Sir Julian Salomons.

The Hon. Sir JULIAN SALOMONS: I am quite willing to withdraw the motion of adjournment with a view to taking the second reading only of the bill to-night!

The Hon. J. H. WANT: There is one thing I should like to mention. It has been suggested that I should consent to a certain course, and I regret that I cannot do so, because it simply means shelving the question, and doing so in a roundabout way. I do not say it offensively. Now it is better to look things straight in the face and to say at once that you are not going on with the bill at all. Going on with the second reading only to-night means that you will not go on any further with the bill. The hon. member, Mr. Creed, suggests that we should pass the second reading to show that we are in favour of the principle of the bill. But that is not the question which we have to decide. The question is whether we will pass the bill into active and positive legislation. It is

not a question of our being able to say to the people outside that we are in favour of the principle. The question is, will we this session pass the bill as it stands or in an amended form?

The Hon. J. MACINTOSH: How do the Government propose to carry out clause 3?

The Hon. J. H. WANT: By passing the bill. The hon. member, Mr. Stephen, says he has not looked at this bill since last session.

The Hon. S. A. STEPHEN: I did not. I know the bill thoroughly. What I said was that most hon. members had not looked at it since last session!

The Hon. J. H. WANT: It is hardly fair to heap it on to the other sins of this Government that hon. members have not considered the question. I will take a fair view of the case. There is nothing in the world to prevent this bill from becoming law this session so far as this country is concerned. I quite appreciate what my hon. friend, Mr. Dangar, says with regard to the royal assent; but what I propose is, that we shall take the second reading to-night, and go into Committee, and then allow to stand over any important clauses which hon. members may feel disposed to allow to go over till to-morrow for further consideration. Why should we not go on as far as we can to-night? If we pass through as many clauses as we can to-night, we can in a short time to-morrow dispose of the remainder. In this way, if hon. members approve of the bill, and choose to make alterations in it, it can go down to the other Chamber and become law, as far as this country is concerned, in the present session. Again, if hon. members choose, they can suspend the standing orders with a view to taking the third reading of the bill to-morrow upon the completion of the Committee stage. There is no difficulty in the way of our finishing the bill to-morrow night, if hon. members can see their way to do that. Unfortunately, the Government has no other work for them to do.

The Hon. H. C. DANGAR: There is the debate upon the address in reply to be completed!

The Hon. J. H. WANT: That will not take long. Let us go on as far as we can, and then postpone the debatable clauses.

The Hon. Dr. MACLAURIN: Everything depends upon clause 3!

[*The Hon. J. H. Want.*]

The Hon. J. H. WANT: In answer to the observation of my hon. friend, Mr. Dangar, as to the bill being acceptable to the Imperial authorities, I find that the Premier, when the bill was passing through the Lower House, used these words:

With reference to this educational test I must warn the House against seriously altering the character of this bill, because, if we do, I have no assurance that we will get the royal assent. I am quite sure of getting the royal assent if we do not alter it in any respect, and I am afraid if we did what the hon. member for Eden-Bombala suggests, we would imperil the passing of the bill.

Those words were used in reference to a proposal to alter one of the sub-clauses. I would suggest that hon. members should go into Committee to-night, and allow debatable clauses to stand over until to-morrow night. If it be then found that there is any insuperable difficulty in regard to those clauses, hon. members must take the responsibility of not passing them.

The Hon. Sir JULIAN SALOMONS: With the leave of the Chamber I will withdraw my motion; but my hon. and learned friend must not understand that by so doing I consent to go through the Committee stage of the bill to-night.

Motion, by leave, withdrawn.

The Hon. Dr. MACLAURIN: I presume we are now at liberty to discuss the second reading of the bill. As I said on a former occasion, I had many opportunities when I was in a public department of recognising the necessity of passing some bill of this kind. No doubt for many years this country has suffered from the introduction of unsuitable immigrants. We have had persons coming here insane or suffering from serious diseases, and no doubt many other persons have been introduced into the colony who ought not to have been introduced. I quite approve of the passing of an act to give the Government power to prevent the introduction of undesirable immigrants of that kind; but in so doing we must be careful to see that the act is so drawn that it does not make it possible for the Government to be guilty of injustice towards persons who have a fair and reasonable claim to come into this country on various grounds, even although they might technically come under the designation of undesirable immigrants as defined in this bill. We shall see the effect of the bill better when we come to look at the various clauses. The important clause is

clause 3—that is the enacting clause upon which the whole of the bill hinges. Now, the first objection I have to clause 3 is that we are left in doubt as to what is meant exactly by the word “immigration.” We understood what “immigration” meant years ago, when there was assisted immigration to this country, and when persons were brought here who evidently came to spend all their lives here, who were a practical addition to our permanent population. But is the word “immigration” to be interpreted by the Government as applying to those who come here for a short time and who have no intention of permanently residing here, or in regard to whom we are not aware of any intention on their part to do so? The word “immigration” was well used in reference to the act as passed in Natal, for in Natal at one time there was a considerable introduction of persons from India who in some respects were undesirable although in other respects they were very useful, because they were brought to work, and worked very well. But their number was greater than was considered advisable, and so an act was passed to restrict immigration. These were people who did not come by any means as visitors, or for a short stay: they came to stay for years, and probably for ever, and it was quite reasonable that they should be considered as not of the class of immigrants. But would any one say that a passenger who comes by the French mail-boat or by the Peninsular and Oriental boat, or by any of these liners, to spend a few months with us, is to be considered an immigrant, and put under all the restrictions which should apply to a pauper coming from India or China? The two circumstances are perfectly different. A man, although he was affected by a disease which, perhaps, would in time put an end to his existence, might come here for change and for his health, as is very often recommended, and it would be madness to call such a man as that an undesirable immigrant. The definition, I think, must be restricted.

The Hon. J. M. CREED: He might be coming to visit friends!

The Hon. Dr. MACLAURIN: He might be coming to visit friends, or he might be coming for other reasons, so that it is clear to me that if we are to make this bill such that hardship and injustice will not be produced by it, we shall some how or other

have to define the word “immigrant.” “Immigrant” in the Natal act —

The Hon. J. M. CREED: Sub-clause *a* of clause 3, that to a certain extent provides against it!

The Hon. Dr. MACLAURIN: What is the nature of the certificate:

This is to certify that                      of                      aged                      by trade or calling a                      is a fit and proper person to be received as an immigrant in New South Wales.

But the person of whom I am speaking is not an immigrant by any means; he is a visitor who is coming here to see his friends or to see the country, or to benefit his health. How preposterous it would be if every man who takes his passage to Sydney by a Peninsular and Oriental steamer in London was obliged to get a certificate from the Agent-General that he is a fit and proper person to be admitted into New South Wales! I am not speaking against the principle of the bill. I quite respect and approve of the principle of the bill, but I contend that that principle must be expressed in language so clear and so definite that it cannot be made to work injustice to reasonable visitors whom we all wish to encourage as much as we possibly can. I think it will be necessary for the Government to provide some definition of the words “immigration” and “immigrant” which shall confine it to the class of persons whom they wish to exclude when they are undesirable. I am not prepared to give any such definition, and it will be very difficult to give any such definition, and that it is our reason for passing the second reading only this session, thereby showing that we approve of the principle of the bill, and at the same time giving the Government an opportunity of bringing forward such amendments as will bring the bill into relation with the circumstances of this country. It is a very good bill for the circumstances of Natal. It is not by any means such an excellent bill for the circumstances of New South Wales. Sub-clause *a* of clause 3, to which the Attorney-General referred, provides that any person who, when asked to do so by an officer appointed under this act, shall fail to himself write out and sign, in the characters of any language of Europe, an application to the Colonial Secretary in the form set out in Schedule B of this act, or in a form of a similar purport proclaimed from time to time by the Governor in substitution of the form set out in such Schedule —



There are a good many languages in Europe, and there are a good many characters in those languages. You have, for instance, the Czech language. I doubt whether there is a public officer who could tell whether an application was written out in the Czech language, or what its meaning was when it was written out in that language. It is the language of Bohemia, where they have a university which publishes scientific reports every year which are sent out here. I have never yet met any person who could read them. It is one of the cultivated languages of Europe. I am not prepared to say that we should not admit a person who puts forward an application in the Czech language. You must restrict the provision to certain languages. Then, again, the Turkish language is a language of Europe. It is written in Arabic characters. Are we to say that every man who can write an application in what purports to be Turkish characters is to be admitted? I think that is a point in which certain restrictions must be made. It must be confined to languages which reasonable people know something about. Then, again, as to the question of admitting a person suffering from a loathsome or contagious disease. Small-pox, I suppose, is one of the most loathsome and contagious diseases we have, and are we to say that any man who landed from a ship last week and is found to be suffering from small-pox is to be sent to prison for six months?

The Hon. Sir JULIAN SALOMONS: That is what the bill says!

The Hon. Dr. MACLAURIN: A man, from the fact of his having a loathsome or contagious disease, which small-pox is, would become a prohibited immigrant. He was not one when he went ashore, but he is found ashore suffering from that disease, and he is, therefore, a prohibited immigrant. Are we to say that such a person is to be liable to be brought up and sent to prison for six months, and the captain fined up to £5,000? Everyone agrees that there are certain loathsome diseases—for instance, leprosy and things of that kind—which it is very desirable to exclude from the country; but we must frame the act in such a way that it shall not be used to work hardship on people. There are other clauses which, perhaps, it is not well to discuss at present, but everyone can see

[The Hon. Dr. MacLaurin.

the difficulty there will be in working them. They would be very suitable in their application to Natal, and to immigrants from there, and they would be very suitable in their application to Thursday Island. But Thursday Island is not a part of this colony, for we are not yet federated so far as to legislate for that island; therefore, it is desirable that we should pause and consider before we accept an act in that exclusive form. Then, as to clause 4. A man, after he has landed from the ship, may be found to possess the character of a prohibited immigrant; but how long is the possibility of becoming a prohibited immigrant to stick to him? Is it to be for a year, two years, ten years, or thirty years?

The Hon. S. A. STEPHEN: For ever!

The Hon. Dr. MACLAURIN: What they mean to say is, that if any person escapes from a ship who ought not to be allowed to land, he may be removed; but what they do say is that any person not a native of this country, or not having a certificate from the Colonial Secretary, or not being the wife or minor child of a person, who is found afterwards in this country with, say, a disease, or who is an idiot or becomes insane, may be treated as a prohibited immigrant, and sent to prison for six months. An insane man may be sent to prison for six months under this provision. I am not objecting to the principle of the bill. I think the attempt is a very admirable and very desirable one; but I do think, considering the different circumstances of this colony, as compared with those of Natal, the wording of this bill requires a very great amount of consideration. I am not prepared to say what amendments I would propose in order to carry out the ideas I have been describing, and I doubt very much whether the Attorney-General is in a position to say what amendments he would propose. I am very certain that no one on the spur of the moment, in the very short time given to us, would be in a position to formulate the exact amendments which will be required. In fact, a measure of this kind ought to be considered very carefully in consultation with the officers who have to deal with the introduction of persons into this country. You ought to consult with the Collector of Customs, for instance, who is well acquainted with these matters. You

ought also to consult with the President of the Board of Health, who from that position has all to do with the examination of persons who are introduced. I think the Government ought also to consult with the managing officers of the principal steamship companies, for we do not want to make this bill so that it shall be a hindrance to trade more than can possibly be helped, and they are men who have had experience in every part of the world. This is not the first time that restrictive legislation of this kind has been introduced, nor is this the first colony which is proposing to introduce it. I remember that, nearly forty years ago, in the island of Malta, there was legislation of a similar kind, and there it was exceedingly necessary, because Malta was surrounded on all sides by countries from which there might be considerable immigration of undesirable persons—for instance, people from the Levant. They had specific legislation to prevent the introduction of these people, and masters of ships who brought persons of that character to the island had to sign a bond in a certain sum of money undertaking to remove these persons if necessary; or they had to find persons resident in the island who were willing to sign a bond to remove these people if they became a charge on the public institutions of the colony. It would have been wise for the Government to have taken steps to have made themselves acquainted with the legislation in such a country, which is much more exposed to undesirable immigration than we are. To propose to fine the master and owners of the ship £5,000 seems preposterous. Then it is proposed in clause 9:

A prohibited immigrant shall not be entitled to a license to carry on any trade or calling, nor shall he be entitled to acquire land in leasehold, freehold, or otherwise, or to exercise any parliamentary or municipal franchise.

That contemplates that if a man has been living six months in this country he may still be called a prohibited immigrant. That would be a very high-handed thing, and to give this power to officers of the Government would be extremely dangerous. A respectable man might have been living here for six or twelve months earning his livelihood. He might have bought a piece of land, or obtained the lease of a house, and he might have become possessed of an elector's right, of which everybody is so

proud. Suddenly he might be pounced on by a Government officer, who would tell him that he was an undesirable immigrant. He might be put on board ship and sent away with only sufficient money to provide him with a living for one month. That would be a most dangerous power, especially if a general election was coming on. No one can tell how many undesirable immigrants might be shipped away. That might suit very well in Natal, but I do not think it would at all suit here. There are many other objectionable points in the bill. For instance, there is a penalty for bringing any idiot or insane person here. A man might come here from Victoria who might have a sister of weak mind. He might wish to keep her under his care and protection. It would be very hard if we prevented a person from doing so by making him liable to six months' imprisonment. I think, under the circumstances, it would be wise for the Government to be content with obtaining the second reading of the bill, and they should then take steps to have it remodelled so as to bring it more into accordance with the circumstances of this colony. Such a law might do very well in Natal where the immigration they want to stop is the immigration of large number of Indians who often bring very undesirable persons with them. In this country we have, and hope to have, the immigration of people of another class, that is of white people; and what is suitable for restricting the immigration of Asiatics is not suitable for other persons. If we make the law so wide and far-reaching as this bill will be we may work very great hardship. While I am ready to vote for the second reading of the bill, I would strongly urge the Government to take a little more time to consider the question. They should consult their principal officers who are conversant with this question, and then they can bring in such amendments as will make the measure suitable to the circumstances of this country.

The Hon. C. G. HEYDON: I was very glad to hear my hon. and learned friend, Sir Julian Salomons, express his readiness to withdraw his amendment for the adjournment of the second reading. Possibly the difficulties in the way of considering the measure in Committee may have been a little exaggerated. I admit the force of the criticisms directed at the

measure by various hon. gentlemen, particularly Sir Julian Salomons, Mr. Stephen, and Dr. MacLaurin. But it should be remembered that there is not only critical ability in the House, but also constructive ability. Take, for example, the hon. member, Mr. Stephen, who has carefully considered this measure, and who no doubt knows it well from one end to the other. If he were to set himself to work to put the measure in a form which would rid it of the objections which he has discovered, and which are very proper objections, I have no doubt that in very less time than has been foreshadowed he would be able to suggest amendments which would make it a measure good in detail as well as in its general scope. There is no occasion, because we may go into Committee, to rush the measure through. If we give an evening to the measure, it is not necessary to waste that evening. The clauses may be taken line by line, and amendments which suggest themselves to hon. members may be brought forward and considered. A great deal of progress may be made, even if we do not get the whole measure through. Personally, I would like to see the whole measure passed, but even if we do not pass the bill, the time will not be wasted, and we shall be giving proof, even to demonstration, that we are anxious to do our best to get the bill passed in a workable and creditable shape. With regard to one or two objections taken, there is something to be said on the other side. While recognising the great force of what the hon. member, Mr. Stephen, said, I think the remarks he made with regard to clause 7 might be met. There is a great deal of reason for that provision. As the hon. and learned member, Dr. MacLaurin, pointed out, it might be a very hard thing to say to a resident of Victoria who has a sister of weak mind, "You shall not come here, or if you do you shall have to leave your sister behind. You may be in a perfectly good position to maintain her, and to prevent her from being a burden upon the community, but you cannot come here unless you leave her in Victoria, because she is a prohibited immigrant." I think it is in view of such a hardship that clause 7 was drawn.

The Hon. S. A. STEPHEN : That clause would not provide for such a case !

[The Hon. C. G. Heydon.

The Hon. C. G. HEYDON : It would not provide for a sister, but it would for a wife or child. In such a case it would be very hard to say to a resident of Victoria, "You shall not come here unless you are prepared to leave your wife or child behind you."

The Hon. S. A. STEPHEN : It would not meet that case, and I cannot now explain the matter at length !

The Hon. C. G. HEYDON : It may be that I did not grasp the hon. gentleman's meaning ; but, of course, any valid objection shown by the hon. member would be entertained by hon. members. If we go into Committee on this measure, it will be the desire of everybody to eliminate from it any objectionable features which may be pointed out. It is agreed upon all hands that it is an important measure. What gives it importance gives it also urgency ; and unnecessary delay in dealing with it is, I think, to be deprecated. I would urge upon hon. members that, besides reading the bill the second time, we should enter upon the consideration of it in Committee, and do what we can with it there. Possibly we shall not be able to get it through, but we shall not be wasting time ; and we shall thereby remove some of the objections which might otherwise be taken in regard to our proceedings in the matter. I am perfectly prepared to co-operate with hon. gentlemen like the hon. member, Mr. Stephen, who have given more attention to the measure than I have been able to give it, with a view to removing its blemishes and getting it passed into law.

Question resolved in the affirmative.

Bill read the second time.

#### *In Committee :*

Clauses 1 and 2 agreed to.

Clause 3. The immigration into New South Wales, by land or sea, of any person of any of the classes defined in the following subsections, hereinafter called "prohibited immigrant," is prohibited, namely,—

- (a) any person who, when asked to do so by an officer appointed under this act, shall fail to himself write out and sign, in the characters of any language of Europe, an application to the Colonial Secretary in the form set out in Schedule B of this act, or in a form of a similar purport proclaimed from time to time by the Governor in substitution of the form set out in such schedule ;
- (b) any person being a pauper, or likely to become a public charge ;
- (c) any idiot or insane person ;

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- (d) any person suffering from a loathsome or a dangerous-contagious disease ;  
 20 (e) any person who, not having received a free pardon, has within two years been convicted of a felony or other infamous crime or misdemeanour involving moral turpitude, and not being a mere political  
 25 offence ;  
 (f) any prostitute, and any person living on the prostitution of others.

The Hon. J. H. WANT pointed out that this clause differed from a similar provision in the Natal act only in respect to the concluding portion of sub-clause *a*, which read :

or in a form of a similar purport proclaimed from time to time by the Governor in substitution of the form set out in such schedule.

Those words were inserted to meet the case of undesirable immigrants belonging to a coloured race, who had learnt to correctly fill in the form set out in the schedule, but who knew nothing more of the language in which it was made out.

The Hon. Dr. MACLAURIN urged the Attorney-General to take the clause into his further consideration. The first difficulty in connection with it arose, as he had already pointed out, from the absence of a definition of the word "immigrant." The person who drew up the bill did not seem to know exactly what he meant by the term. In some respects he seemed to consider "immigration" as equivalent to the act of landing. Clause 2, which the Committee had passed, exempted

The officers and crew of any ship of war of any government.

It was not to be supposed that the officers and crew of a man-of-war would settle here or come ashore for any considerable length of time, so that the exemption must have been provided in order to allow such persons to land here ; but were we to say that men coming here on a Peninsular and Oriental steamer, for example, should not be permitted to land until they had satisfied an officer of the Government that they did not belong to one of the undesirable classes mentioned in the clause. It was clear that the persons with whom we wished to deal were persons coming to settle in the colonies or to stay here for a considerable length of time, and it was necessary to properly define the word "immigrant" in order to carry out this intention. Sub-clause *a* required great consideration, and so too did the sub-clause relating to idiots

and insane persons. The Government of South Australia were good enough to take insane persons from Broken Hill and keep them in the Adelaide asylums, in order to meet the convenience of our Government ; and were we not to show reciprocity where the circumstances of the case demanded it? He had already said enough about sub-section *b*, and sub-clauses *e* and *f* would require great consideration. For this reason he strongly urged the Attorney-General to move the Chairman out of the chair and to withdraw the bill, so that he might reconsider it, and, with the assistance of his principal officers, re-introduce it in a form in which hon. members could pass it, and in which it could not work any great hardship.

The Hon. S. A. STEPHEN said that it seemed to him that the Committee had been a little premature in passing clause 2. Under clause 2, if a French steamer came here from Marseilles, bringing a lot of soldiers, they might not be permitted to land, because the exemption provided in the clause only referred to the officers and crews of ships of war.

The Hon. J. H. WANT : That is not the effect of the clause !

The Hon. S. A. STEPHEN said that it was provided in the bill that any person appearing to be a prohibited immigrant must fill in a form in some European language ; and, if the officer appointed to carry out the act wanted French people to fill in the form in German they might not be able to do so, and would be disqualified from landing. The clause did not say that immigrants were to be allowed to select any European language, but that the form was to be filled in in any language which the officer appointed to carry out the act might select. The more one looked at the measure the more ridiculous it appeared for a body like the Parliament of New South Wales to send home to the Queen. The drafting of the measure would be a disgrace to a schoolboy. To take one short extract. The clause read :

Any person who shall fail to himself write out—

Was that the way in which an act of Parliament should be framed, simply because it was desired to frame it on the same lines as an act of the Parliament of Natal? What was the Parliament of Natal? What were the circumstances of Natal?

Were we not proposing to send home a measure which would be copied by the other colonies? He quite agreed with what the hon. and learned member, Dr. MacLaurin, had said on the subject of immigration into New South Wales by land or sea. Were we, as a federated country, to have questions raised as to whether a man coming here by land was an immigrant?

The Hon. H. C. DANGAR: We are not federated yet!

The Hon. S. A. STEPHEN presumed that we should be, although the hon. and learned member and himself might not live to see it.

The Hon. H. E. KATER: Until we are federated such a man cannot come!

The Hon. S. A. STEPHEN said that under the bill such a man could not come by land until we were federated. He might have lived in Victoria ever since that colony was formed, or he might have lived in Queensland ever since its separation from New South Wales, but under the bill he could not enter this colony, because he would be a prohibited immigrant. He really thought that the words referred to required careful consideration. He had said enough to show that the clause required recasting. It would be much better to stop now and have the clause recast than to pass others, every one of which might also have to be recast in consequence of the alterations made in the clause under consideration. He was sincere in his desire to pass the bill, but he wished it to be sent home in such a state that it might be a credit to the colony.

The Hon. C. G. HEYDON desired to support the objections of the hon. member, Mr. Stephen. Whatever was done with the clause he thought the words "by land" ought to be struck out. He quite admitted that immigration by sea stood in a different position from immigration—if such it could be called—from adjoining colonies. We might have other provisions dealing with undesirable people coming over the border, but there was no necessity for the sweeping provisions of the measure in regard to persons coming overland. Otherwise, every fellow-Australian—because they were fellow-Australians—from Queensland, South Australia, and Victoria, would find himself brought under the provisions of the bill. He thought the words referred to ought to be omitted,

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and the movements of population within the colonies should be free. Of course, special steps might be taken in regard to the movements of people who really were aliens, but the general provisions of the bill ought, he thought, to apply to people brought over-sea.

The Hon. H. E. KATER wished to emphasise what had fallen from the hon. and learned member with regard to persons coming into the colony overland. The boundary between this colony and Victoria happened to be a river, and persons crossing that river would have to do so by boat. But how about Queensland where the boundary was simply an imaginary line? Many persons residing near the boundary did not really know whether they were in New South Wales or Queensland. An alien crossing that line would be liable to the provisions of the bill. It seemed childish to introduce a bill of this kind setting forth that persons living on one side of a boundary, which was an imaginary line, could not cross it. It was on a par with the regulation that ticks should not pass a certain line. Nevertheless, they did pass the line, and so would persons living on the borders of the colony. It would be a great hardship to compel them before so crossing to announce that they were not suffering from loathsome disease. Sub-clause *d*, which dealt with persons suffering from loathsome, dangerous, and contagious diseases required definition. It was simply left to the person who happened to be in power at the time to say what was the loathsome, dangerous, or contagious disease. There should be a schedule setting forth what loathsome diseases were. He was now dealing with persons crossing an imaginary line separating New South Wales from Queensland. Of course, his remarks did not apply so much to persons coming over-sea, because they were examined by medical officers on board ship. Every man ought to be able to know what the law was, and he ought to be able to say that he would consult his doctor and see if he suffered from the loathsome diseases defined in it. Sub-clause *f* was perfectly farcical, and how its provisions were to be carried out he could not know. He could not help thinking that the Representative of the Government would be wise in withdrawing the bill and recasting it.

The Hon. Sir JULIAN SALOMONS suggested that the Chairman be moved out of the chair in order that the clauses of the bill might be recast between now and to-morrow, and put in such a form that the Chamber could accept them. If that were done he had no doubt that there would be no objection to suspend the standing orders so as to allow the measure to pass through its remaining stages.

The Hon. J. H. WANT said his hon. and learned friend, Sir Julian Salomons, began in a complimentary strain, and then finished up by saying that the bill was clumsily drawn. This bill was drawn up by gentlemen in another country, and approved of by the Imperial Government. Therefore, it could not be quite so clumsily drawn as his hon. and learned friend thought. However, he was quite willing, as he had said to the hon. and learned member, having heard the objections to this clause, to accept the suggestion to consider them carefully, and in the meantime hon. members could also consider them. If the House met to-morrow, as it no doubt would, and we found ourselves in a position to carry the bill through, perhaps altered in a direction they thought fair, then he would ask that the bill should be placed in the position in which it would be if it went through to-night; that was to say, that he should be allowed to move the third reading to-morrow. We should then be no worse off, so far as time was concerned. He hoped that, in the event of hon. members thinking this was a bill which could be placed on the statute-book, they would allow him to take the third reading to-morrow. On that understanding he was quite willing to fall in with the views of hon. members, and move the Chairman out of the Chair, and let the question stand over until to-morrow, when he hoped they would be able, not only to make it a workable bill, but acceptable to the English Government. He, therefore, desired to move:

That the Chairman do now leave the chair, report progress, and ask leave to sit again.

The Hon. J. M. CREED said that the House would expect the Government to take the full responsibility of preparing the amendments in this bill. It was unfair that a bill of this character should be amended by chance members, or as each member might think it. The amendments

in the bill should be printed and placed before hon. members by to-morrow night.

The Hon. J. H. WANT: How do I know what amendments the hon. member wants?

The Hon. J. M. CREED said that the Attorney-General must take that responsibility upon himself, and if he did not meet the wishes of the House the House would certainly postpone the measure. It was the duty of the Government to make such amendments in the bill as would enable the bill to pass.

Motion agreed to; progress reported.

#### PORT KEMBLA HARBOUR BILL.

##### SECOND READING.

Debate resumed from 8th December, 1897, *vide* volume xci, page 5615.

The Hon. Dr. GARRAN: With regard to this bill, which hon. members may have forgotten, when the House closed last session we were in the second reading debate. I had moved the second reading, and some hon. member moved the adjournment of the debate, but we did not get further.

The Hon. S. A. STEPHEN: I understood, rightly or wrongly, that the debate on this subject was not to go on to-night?

The Hon. Dr. GARRAN: That was never understood.

The Hon. Sir JULIAN SALOMONS: I also understood it!

The Hon. S. A. STEPHEN: This bill means, probably, the expenditure of a million of money, and it is brought on when we have about forty-eight hours to live—that is to say, in this session. Now are hon. members prepared to vote for a bill which means the expenditure of a million of money, knowing as little about it as they do to-night? The Hon. the Vice-President of the Executive Council, in his speech to-night, has not said one word to recommend the bill.

The Hon. Dr. GARRAN: I could not; I have already spoken!

The Hon. S. A. STEPHEN: Well, I, for one, would be willing that the hon. member should speak again, so that the hon. member may let us know what the bill means.

HON. MEMBERS: He cannot do that!

The Hon. S. A. STEPHEN: He can, by consent. As for myself, I was not here when the matter was on before. I beg to move:

That this debate be adjourned until to-morrow.

The Hon. J. MACINTOSH: I think the matter ought to be adjourned for a week in the hope that the session will be over before it can be dealt with. We have no information in regard to this project before us. Every word uttered by the professional men on the subject is doubtful. There is no reason for hurry in dealing with this measure. I will undertake to say that the harbour at Port Kembla is safer in its present condition than the harbour at Newcastle.

The PRESIDENT: The hon. member must confine himself to the question whether the debate shall be adjourned.

The Hon. J. MACINTOSH: I was showing that there was no reason for any hurry in regard to the bill. I hope that the consideration of the measure will be postponed until we get more information, and have before us some plans of the proposed works.

The Hon. D. O'CONNOR: As a member of the Public Works Committee who recommended this work, I am here to support any adjournment which may be required. The bill is to provide for a great national work. It is all very well for hon. and learned members, in their high consequentiality, to speak about what they do not know very much of. I can understand the kindly anxiety to understand this question expressed by the hon. and learned member, Sir Julian Salomons. This is a good thing.

The Hon. J. MACINTOSH: It is a good job!

The Hon. D. O'CONNOR: I will undertake to say that the hon. member has never been identified with a job in his life.

The Hon. J. H. WANT: The hon. member will, perhaps, pardon me. I understand it is the wish of the hon. member, Mr. Macintosh, that this bill should stand over until to-morrow. If that is so, I am quite willing.

The Hon. D. O'CONNOR: I would like to say that in my judgment there is no man who stands higher than the Hon. John Macintosh. I am willing that the consideration of this bill should be postponed till to-morrow evening, and I think it will stand every analysis that this Chamber can give it.

The Hon. G. DAY: I only want to say one word on this matter. There is not

the slightest doubt that it is necessary to adjourn the consideration of this great question until we have heard more about it. We are not in possession of all the facts concerning it. We ought to have full particulars before us when we have to debate and give our opinion upon this question. I am thankful that the Attorney-General is willing to have the matter adjourned till to-morrow, so that we shall have a fair opportunity of discussing the bill from beginning to end.

Question resolved in the affirmative.

#### SUSPENSION OF STANDING ORDERS.

The Hon. J. H. WANT: I propose to ask hon. members to consent to my moving this motion:

That so much of the standing orders be suspended as would preclude the passing through all its stages in one day of a bill intituled "A bill to extend the time of polling at parliamentary elections."

This bill is only for the purpose of allowing the time to be extended in winter to the hours of polling in summer. It is found that the present practice deprives many of the electors of their votes. It can do no harm to pass such a bill, and I do not see any difference between summer and winter. If this motion is passed hon. members still reserve to themselves the right to vote against the bill if they choose. As our time is very short now, I am asking for the suspension of the standing orders to enable me to carry the bill through all its stages if hon. members see fit to accept it.

Question resolved in the affirmative.

House adjourned at 8.58 p.m.

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### Legislative Assembly.

*Tuesday, 5 July, 1898.*

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Absence of Mr. Speaker and the Chairman of Committees.

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The Clerk informed the House of the unavoidable absence, through illness, of Mr. Speaker, and, in the absence of the Chairman of Committees, adjourned the House until the following day.