

my appointment, I was spoken to by one of my friends who said, "Well, how do you think the Labour Government's legislation is going to get on in the Upper House?" I said, "That all depends." "Depends on what?" I was asked. I said "The legislation." And I think that sums up the situation. I have had nine years' experience in this Chamber, and I came into it with very hazy ideas and views concerning it. I had a very peculiar picture of it in my mind, but I was pleasantly disappointed when I found who were the gentlemen I had to meet. I have looked upon this Chamber as a sort of university to me. I have attended as regularly as I could, for I have always found that I could learn something from hon. members who have been more fortunate than myself in gaining positions in life and opportunities to improve themselves which do not fall to the lot of one who has to work from a tender age. I have always felt proud of being a member of this House, and now that I have through a set of circumstances reached this high and honorable position I trust I shall live up to it, and at least do nothing which will either disgrace the Chamber or bring discredit upon the party which I represent.

With regard to the matter brought forward by the hon. member Mr. Doyle, I realise it is a serious matter, and one affecting the health of the community of Newcastle; and I shall, along with my colleague, make it one of the very first things to bring before Cabinet at its next meeting. In respect of the suggestion put forward by the hon. member Mr. Ryan, we all know that there is congestion in the city; accommodation is difficult to obtain and it will be more so by the time the Prince arrives. If on inquiry it is found possible to give effect to some scheme which will relieve the congestion, and provide for country visitors to the city during the forthcoming busy time, I am sure the Government will do all in its power to carry such a scheme into effect. I thank hon. members again for their very kind remarks on my appointment to this high position.

Question resolved in the affirmative.

House adjourned at 5.39 p.m.

Legislative Assembly.

Tuesday, 27 April, 1920.

Opening of Parliament—Members sworn—Election of Speaker—Special Adjournment.

OPENING OF PARLIAMENT.

The House met at noon, pursuant to the proclamation of his Excellency the Governor, convening Parliament.

The Clerk read the proclamation.

The Clerk announced that he had received a list, certified by his Excellency the Governor, of the names of the members to serve in this Parliament, together with the respective writs on which they were so returned.

The Usher of the Black Rod, being admitted, delivered a message, "That the Commissioners request the immediate attendance of this honorable House in the Legislative Council Chamber to hear the commission for opening Parliament read."

The House went, and hon. members having returned,

The Clerk informed the House that his Excellency the Governor had been pleased to issue a commission, under the hand of his Excellency the Governor, authorising the Hon. John Storey, the Hon. James Dooley, and the Hon. John Estell, of the House therein named, to administer the oath or affirmation of allegiance to the King, required by law to be taken or made by members of the Assembly.

The Clerk read the commission.

MEMBERS SWORN.

Eighty-eight members elected to Parliament took the oath and signed the roll.

ELECTION OF SPEAKER.

Mr. SIMON HICKEY (Botany) [12.25] moved:

That Daniel Levy, Esquire, do take the chair of this House as Speaker.

He said: If the House accepts this motion, the gentleman I have just named will rank as the fifteenth Speaker of this Assembly since the establishment of responsible government sixty-four years ago. In that period we have had twenty-five Parliaments, and thirty-six Ministries, which surely indicates that

the number of Speakers in no way synchronises with the number of Parliaments or the number of Ministries. Emblazoned on the historic walls of this Assembly are the names of our past Speakers. We see there the names of the Hon. Terence Aubrey Murray, the Hon. Sir George Wigram Allen, the Hon. Sir Edmund Barton, the Hon. Sir Joseph Palmer Abbott, and the Hon. William McCourt. These five gentlemen presided over the deliberations of this Chamber while half a century's progress and change was being effected without. And while that change was being brought about something similar in the way of development was being embodied in the statutes which this Chamber sent forth. This indicates that our parliamentary progenitors accepted the view that has been held in the country which has produced the mother of Parliaments, that the Speaker's chair should be regarded as a sanctuary around which party conflict should not rage. If ever we did depart from that tradition in this House, we did so somewhat in conflict with the precedent established by that country whose Parliament we always seek to emulate, and the opportunity that is now presented in this House to go back to the old-time precedent of our political forbears here will, I venture to say, after all be welcomed by a considerable number of hon. members. In later days, the duties of the Speaker have become vastly more complex than formerly. Up to almost the fifties in the House of Commons, fourteen standing orders were held to suffice, but nowadays we have to adopt the bulky tome of "May" to guide us—a volume in which is set out the clear and written law, the deep-trod footmarks of ancient custom. So to-day the Speaker has to be a many-sided man—to a greater degree than the Speaker of bygone days. He needs to be familiar with parliamentary procedure, and he requires to have a judicial temperament, and a fair mind—qualifications which present difficulties that would be insuperable to many members of Parliament. I have come to the conclusion that the qualities of a successful parliamentarian and of a successful Speaker are somewhat antipathetic. A successful parliamentarian comes to be an advocate.

[*Mr. Simon Hickey.*

He is an advocate the whole time. He is an exaggerator often; a belittler on other occasions. He does anything that will count in conflict; but those qualities must not be shown by a Speaker, because he goes out of the party political picture altogether and enters a political sanctuary in which those one-sided advocacies of policy cannot possibly reckon. He is the one character in Parliament who might be expected to take the place of that allegorical figure of ours who holds the scales of justice while blindfolded. Hon. members, more especially those of comparatively long parliamentary experience, must recognise that the Speakership in a party political sense seems to have ceased to exist. Because of that there have been Speakers in this Assembly who have held to the claim, and have ventured to express it, too, that they should receive immunity at the poll. After all, that idea is not so far-fetched. In the ordinary way a party-man plays his part well by playing it as a party man. The Speaker has no such opportunity. He drops out of the arena of conflict and has to do something else. He does not bulk, in large measure, in the public eye as others do who push themselves forward in this Chamber. In consequence of that there is something to be said for the idea that when a Speaker goes before the electors this Assembly might temper the wind for him. The idea of separating the Speaker from party is not a new one, as will be seen from the following quotation from Dicey:—

It has hitherto been the special glory of the House of Commons that the Speaker who presides over the debates of the House, though elected by a party, has for at least a century and more tried—and has generally tried with success—to be the representative and guide of the whole House and not to be either the leader or the servant of a party. The most eminent of Speakers have always been men who aimed at maintaining something like a judicial, and therefore impartial, character. In this effort they have obtained a success, unattained, it is believed, in any other country except England. The recognition of this moral triumph is seen in the constitutional practice—almost one may now say the constitutional rule—that a member once placed in the Speaker's chair shall continue to be re-elected at the commencement of each successive Parliament, irrespective of the political character of

each successive House of Commons. Thus Speakers elected by a Liberal majority have continued to occupy their office though a House of Commons be elected in which a conservative majority predominates, whilst on the other hand a Speaker elected by a conservative House of Commons has held the Speakership with public approval when the House of Commons exhibits a Liberal majority and is guided by a Cabinet of Liberals.

So it seems to me, finally, that all this House requires to fill such a position is to find the man with the conspicuous capacity necessary, and in addition to that a meticulously-minded man who will preserve the liberties of every member amongst us and protect the meekest if any survived. The gentleman whose name I have just mentioned has had the experience in this House, and in this particular position. He is no stranger, and already he has established his claim to those attributes. We knew the nominee to this position as a youth, unfavoured by fortune. We knew him as an academician, when he stood forth as a scholar. Speaking from the period of years which I am privileged to speak from in this House, I should say that his performances and his record—especially since he became Chairman of Committees and Speaker—have been such as to stamp him as a gentleman. For that reason I say that he is a scholar and a gentleman, and I commend those qualities to this honorable House, while at the same time saying "Behold the man."

Mr. BIRT (Sydney) [2.37]: I have very much pleasure in seconding the resolution moved by the hon. member for Botany. I do so with pleasure because I am one of the junior colleagues of the hon. member for Sydney, Mr. Levy. The great electorate of Sydney has elected Mr. Daniel Levy with a full quota and to spare, and I think that this House would do well to give to the metropolitan constituency the honor of having the first Speaker under the new system, in the person of the senior member for Sydney. Personally I wish further to express my pleasure at being afforded the opportunity of speaking to this motion, because I can go back longer than most members of this Chamber in my knowledge of the hon. gentleman under discussion. Before he knew me I knew him. In 1887, after sitting for the junior

University examination, and when leaving the precincts of the University, I wondered who the small Jewish boy was, who was surrounded by an admiring lot of school-fellows. In those halcyon days admiration of that sort is given only where intellect warrants it. I learned that he was the "don" of Crown-street public school, and when the results came out he was a "don" indeed, because in that examination he secured four medals in the seven subjects in which he had qualified. As the first boy from the public schools he won the Hordern prize to the Grammar School, and right through his University career he kept himself, and did credit to his parents, credit to his State, and credit to his country.

The hon. member Mr. Levy stands to-day in a position where he is known, and favourably known, for his achievements, and for the fights which he has had to win in order to gain the position in which this House will place him to-day. When in 1898 he first sought to enter this Parliament I saw his initial steps, and the same industry that had characterised him as a youth characterised him as a political aspirant. He then retired in favour of a gentleman, Mr. Henry Chapman, whose candidature he afterwards supported, and who was elected. But three years later he was that gentleman's opponent, and he out-distanced some men who were much more fancied—if one may use a sporting term—and was elected as the hon. member for Fitzroy. In 1904 I had the temerity to throw down the gauntlet to him, and in the electorate of Darlinghurst—the first election for that seat—mine was the first political scalp to be hung to his political belt. From that time onwards many men better qualified than I—one has become a Minister of the Crown, one was a member of the Federal Parliament, and there have been others—have gone down before Mr. Daniel Levy, and he always has held the position which he achieved in 1901—the trusted of the people of East Sydney and Fitzroy and Darlinghurst.

From the outer vantage point which I held for many years before I came into the magic circle in which to-day I have plunged, I have seen many Speakers—the dignified Abbott, the courteous McCourt, the learned Meagher, and others—

and I wish to say that in the whole run of Speakers whom I have witnessed there is no man to whom Daniel Levy need cry "Enough," as far as a knowledge of parliamentary law is concerned. So far as physical proportions are concerned, he would have to get in very early. However, during the last Parliament he reigned over our Assembly, and proved himself a master of parliamentary law. There is another aspect of the question which recommends itself to me, and it is this: we often hear to-day from newspaper-writers of the chasm which exists between the University and Parliament, and it is certainly something to be deplored that so few men who are graduates of the University should aspire to become makers of our laws, but would rather become the dispensers of them in the courts of justice. In the number of Speakers we have had during the sixty-four years referred to by the hon. member for Botany (Mr. Simon Hickey) from Sir Edmund Barton down to Mr. Justice Cohen and Mr. Levy, I believe I am correct in saying that the first representative with a University degree who occupied the chair as Speaker from the day of Sir Edmund Barton was Mr. Justice Cohen, the immediate predecessor of Mr. Levy. Mr. Levy is our representative on the Senate of the University. He holds many learned positions—on the Board of the Museum, the Public Library, and other bodies to which you have elected him. Let me appeal to you to-day to again put Mr. Levy into the chair which he is so well prepared to adorn—the chair of Speaker of this Legislative Assembly. Mr. Levy, since the time he first secured the suffrages of the people, has never been defeated, and though there have been times in this Assembly when he, a doughty fighter for his party, might have been considered in the counsels of his party he has been given no preference above men less qualified. With the exception of Mr. Storey and perhaps one or two others Mr. Levy is the only man here to-day who has had twenty years of uninterrupted service, and during the whole of that period there is no position he has occupied, whether as Chairman of Committees or as Speaker, that Mr. Levy got out of his turn from the members of this Assembly. I submit

[Mr. Birt.

that, because of his capacity, because of his experience and knowledge of parliamentary law, there is no man in the whole of the ninety men sitting here to-day who is better fitted for the position of Speaker of this House than Mr. Levy, and I have pleasure in seconding his nomination.

Sir GEORGE FULLER (Wollondilly) [2.44]: I have listened carefully to the speeches of the two hon. members who have proposed and seconded the nomination of Mr. Levy for the position of Speaker of this Assembly. In whatever I may have to say to-day I can assure hon. members that I speak with no feelings of anger, but the expressions which I give to the House, and which will go forth to the country, will be expressions of the deepest regret on my part and on the part of hon. members of the party which I have the honor of leading at the action a man, who is a member of our party, has seen fit to take in this House to-day. This is an occasion on which all hon. members should have the fullest opportunity to express their opinions with regard to what is taking place. I speak on behalf of a large number of members of my party, who are content to leave the matter entirely in my hands. There will be other hon. members who feel that it is their duty, not only to themselves but also to their constituents and the country generally, to express their views in regard to the matter; and I do trust and hope that nothing will be done on this occasion which will in any way debar hon. members who wish to give free expression to their opinions. If anything should be done in this House to-day with a view of preventing such expression of opinion, the responsibility for anything which may occur afterwards will be on the shoulders of those who are responsible for actions of that sort.

In reading the newspaper this morning I was astounded to find that an hon. member who was seeking the position of Speaker of this House, which is a gift entirely in the hands of hon. members themselves, should have thought fit, ere his nomination came before hon. members, to advance his own claims and his own point of view in the public press.

AN HON. MEMBER:

Sir GEORGE FULLER: Let me at once say that there is not another member of the party to which I belong who would for one moment consider the taking of such action as the hon. member has taken to-day. I give hon. members on the other side of the House also credit for this, that under similar circumstances there is not a single one of them who would act towards his party and his country in the same manner. The hon. member has thought fit in his statement to the papers to-day to make out that if he did not take the position there was another member of his party who was prepared to do so.

Mr. CANN: Half a dozen!

Sir GEORGE FULLER: The hon. member can keep on repeating that, and I have no doubt that eventually he will believe it. Why, the hon. member Mr. Levy has put up to me as leader of the party the names of three hon. members on this side of the House who, he said, were prepared to take this position if he did not.

Mr. CANN: Quite true!

Sir GEORGE FULLER: And the hon. member who sits grinning in his place knows perfectly well that every one of those three hon. members whose names he gave to me have indignantly repudiated any idea of accepting nomination to this responsible position. But now we find it suggested in to-day's paper that there is some mysterious man on this side of the House who is prepared to take the position if the hon. member does not submit his name. Who is this mysterious man on this side of the House? Is he among the members of my party? Is he a representative of the other section of the opposition, who were certainly not returned to put the Labour party in power? No; this mysterious gentleman exists only in the mind of the hon. member himself, and is put forward as his excuse for the attitude which he is adopting here to-day. Hon. members will see from his statement in to-day's paper that undue modesty is not a characteristic of the hon. member's. He says:

It would make no difference so far as voting strength is concerned whether I or another anti-Labour man takes the chair; and that being so it would be of no advantage to the National party for

me to decline an office which all sides of the House are agreed I am best qualified to fill.

HON. MEMBERS: Hear, hear!

Sir GEORGE FULLER: Hon. members who so loudly applaud the reading of that statement by the hon. member, or those of them who were in this House ten or twelve months ago, did not think then that the hon. member was the man best qualified for this position, but they did on that occasion put forward the hon. member Mr. Stuart-Robertson, one of their own party, as a man better qualified to fill the position than the hon. member Mr. Daniel Levy. But for the position in which they find themselves to-day—but for the fact that if they are to retain their occupancy of the Treasury benches it is absolutely necessary for them to elect an hon. member outside their own ranks—they would not for one moment have thought of considering the claims of the hon. member who has been nominated.

It has been put forward by the hon. member who has moved this motion, that the man who gets into the position of Speaker gets into a sanctuary. I hope we shall always respect the man who occupies the position of Speaker in this House. But what has happened in the old country where the continuity of the office of Speaker has been in most instances religiously respected? What do we find there in regard to the position as compared with what we find in New South Wales? Mr. Gully, one of the most prominent Speakers who ever occupied the position in the House of Commons, in his address to his constituents, made no allusion to politics. Michael MacDonagh, in his work "The Speaker of the House," says:

He was Speaker of the House of Commons, and as such he could have nothing to say to party controversy. Like his predecessors, he recognised that a Speaker cannot descend into the rough strife of the electoral battle, not even to canvass the electors, without impairing the independence and the dignity of the Chair of the House of Commons. But he addressed a public meeting in Carlisle, and gave the following reasons why the Speaker should not be opposed when seeking re-election.

The first reason was that the English people were in the main lovers of fair play, and that it had struck them as being a somewhat unfair spectacle to see someone who, in the public interest, was disabled from protecting himself

by the ordinary weapons of political warfare, exposed to an attack and unable to defend himself. A Speaker could not withdraw from the political arena. On the contrary, he must be a member before he was a Speaker, but he was disarmed. It had occurred to our fathers and forefathers that it was unfair to put a man disarmed in the middle of a ring, and that the proper course was not to subject him to the conditions of a contest. That appeared to some people of the present day to be a quixotic piece of generosity. He hoped there would be some generosity left still in public life.

Mr. Speaker Lowther, following precedent at each general election, offered himself as a candidate in a written communication in which he refrained from touching on political questions. In the course of his first address to the electors of Penrith after his appointment to the Speakership he said :

More than ten years ago I was unanimously adopted by the House of Commons to preside over its deliberations in Committee as Chairman of the Committee of Ways and Means; during two Parliaments it was my privilege and good fortune to discharge the duties of that office, and on 8th June, 1905, I was unanimously elected to be the Speaker of the House of Commons, one of the most distinguished and dignified offices open to one of His Majesty's subjects.

I trust that you will consider my record and qualifications to be of such a character as to justify you in continuing to return me as your representative, an honor of which I have been deeply sensible in the past, and for which in the future I shall be very grateful. The Speaker, as you know, has no politics, and I forbear therefore from entering upon a discussion of any of the current topics of political controversy, but I hope and believe that in my hands your interests will be safe, and I can promise that my best endeavours will be put forth to serve you.

I ask hon. members to contrast the position in the case of the contested elections which took place in connection with the House of Commons, when they who occupied the position of Speaker had no politics, when they did not canvass their constituents, when they did not address meetings at all the corners of the streets or from various platforms throughout the constituencies, with the position taken by the hon. member when he was seeking election for the electorate of Sydney. During the elections and on other occasions there was not a single member of the National party of New South Wales who used stronger language to put forward in words of the most intense character the disaster which would occur to this country if the present Government assumed the reins of office. Surely the hon. member has not forgotten the way in which he was fought at the elections by the men who are now on the Government side, and who used their strongest endeavours to defeat him, and get him out of the political life of this country. None of the nice remarks were made about him during the elections which were to-day made by those who proposed and seconded the motion for his

[Sir George Fuller.

election as Speaker. I feel sure that if the Ministry were in a position to put a man on their own side into the position of Speaker, without endangering their position as the Government of New South Wales, they would never have thought of the hon. member for one moment in connection with the Speakership. Amongst all the old members of the Liberal party and the members of the National party there was no one who was more pronounced, more vigorous, and more scathing in his denunciation of the Government party than the hon. member Mr. Levy; and that being so, his attitude to-day is to me incomprehensible. I say again there was no one who used more strong or vigorous language in pointing out the great danger to the welfare of the country if the present Government party got into power. And knowing this, it is inconceivable that a man who has held these opinions for many years, and who to-day holds exactly the same opinions, and with almost tigerish ferocity has given expression to them on many occasions, and especially in the elections which were held a few weeks ago, should at this moment in this House appear to put them on one side and play the game of those men who have been his political enemies throughout the whole of his political life. Could these old walls speak and could we hear from them the unmeasured terms in which the hon. member denounced the action of another hon. member in doing what he himself is doing to-day, it would be impossible for any of us to realise that the Daniel Levy who on that occasion denounced Mr. Willis for his action is the same Daniel Levy who to-day is following in Mr. Willis's footsteps. I feel sure that memories of the past in connection with these matters must be in the brain of the hon. member at the present time. We, who know him well, and hon. members opposite also, know that he has been haunted during the last ten days with these memories of the past. Ever since he contemplated taking this step, wearying days and sleepless nights are what the hon. member has been going through. He was told by members of his party what was the straight and honest course to take in this matter, but the bait held out by the Govern-

ment proved too alluring for him, and for the sake of temporary occupancy of the position, he has been prepared to put aside the friendships of a lifetime, his own reputation, and even to sacrifice honor itself. I do not want to say anything I would regret in the future, but I wish to express briefly my own view and the views of those I represent, and put them clearly before the country. It would have been well for the hon. member if those who opposed him so bitterly at the last election had been successful. His public career up to that time had been clean and reputable. As has been said here this afternoon—and I agree with it—the hon. member's career inside and outside of Parliament is one of which he may well be proud. But I would like to ask him whether he considers for one moment that the Government is paying him a compliment in offering him the position of Speaker to-day. Does he not realise that it is only because of the position in which the Government finds itself that it is asking him to take the chair? Does he not realise that instead of paying him a compliment, the Government is really passing upon him the greatest possible insult? It is presenting him before the public as a man who has been guilty of breaking his electioneering pledges and betraying his constituents. Hon. members know that the hon. member has in his possession a letter which was sent to him by the National Council in Darlington pointing out that if he took the chair this afternoon the members of that body would be reluctantly compelled to withdraw their support from him. That letter was addressed to the hon. member by the council which was responsible for his being returned to Parliament, and which helped him not only with its influence, but also financially. In order that there may be no misunderstanding I will read the letter:

Darlington Liberal Club,
King's Cross, Darlington,
24th April, 1920.

Dear Mr. Levy,

Mr. Caldwell was deputed on behalf of the council of our club to interview you and ascertain whether you intended accepting the position of Speaker. He reports that you "declined to state what was in your mind."

At a discussion among councillors held to-night it was unanimously agreed that this reply was unsatisfactory. We thought that, as a member of the council, you might have given us something definite. Our president, Mr. Higgs, has been empowered to see you in this matter, and convey to you the intimation that should you accept this position we shall be reluctantly compelled to withdraw our support, which has always been so loyally given.

Faithfully yours, &c.,

(Signed by eight members of the council.)

That letter was presented to the hon. member by the president of the league on Sunday morning last. The hon. member has not taken this action hurriedly. He has been worrying himself over it during the last eight or ten days. His best friends, fearing the disaster that would follow him if he accepted the position of Speaker, have used their utmost endeavours to prevent him from taking it. The members of the National Association, of which the hon. member was a selected candidate, and which did all it possibly could to help him into Parliament, have taken action similar to that of the Darlington electoral council. Under these circumstances I cannot extend any consideration to the hon. member, I as leader of the party have given to the hon. gentleman, as I feel sure he will admit, every consideration in this matter. But it seems that it is only his own self that he has been considering in a matter of such moment—a matter which absolutely affects the position and destinies of parties in this House. I feel sure that in years to come, when the hon. member finds that by his action to-day he will have broken the political ties and bonds of a lifetime—when he is an outcast from the party with which he has been allied, and feels, as I am sure he will feel, remorse as the result of his action to-day, he will not consider himself compensated for his action by the temporary occupancy of the Speaker's chair.

Mr. J. STOREY (Balmain), Premier [3.7]: I suppose I can say, as the hon. member who has just resumed his seat said, when he rose to address hon. members, that I have listened with a great deal of interest and patience to the speeches which have been made. It seems to me; and I think to hon. members on this side, that almost all we members of

the Government have to do is to listen to members of the National party condemning one another. They did it before the election. We listened patiently. They did it effectively—so effectively that we have changed places in this House. Now it would appear that we have again to listen, in the new House, to members of that party continually making attacks on one another. We do not mind if they do that persistently and regularly. But I want to say to the leader of the Opposition that he is quite wrong when he assumes that there was any compact between myself and Mr. Levy. If I wanted to give him proof of that—

Sir GEORGE FULLER: I did not say there was any compact!

Mr. J. STOREY: You asked me what price he was paid.

Sir GEORGE FULLER: I did not say anything about a compact!

Mr. J. STOREY: You assumed we were rich enough to pay him. If as much had come out of the public exchequer to pay him as came from your Government to pay for motor-cars, you might speak. At some later period, when it is my duty to tell the country what amount was paid from the public exchequer by the late Government unnecessarily, I shall do so. However, I do not want to delay the House at this stage by entering upon what might be termed personal recriminations or cross-firing in consequence of what was done in connection with the motor-cars except to say that whatever the late Government did in connection with those motor-cars we shall carefully and scrupulously avoid doing. There was no compact or bargain between Mr. Levy and myself as representing the Government. If you want proof of my impartiality in the matter you can get it from the fact that Mr. C. W. Oakes, the hon. member for Eastern Suburbs, who was vice-chairman of the Prince's committee, has been permitted by myself to continue in that office, just as though he were a member of the Government. Hon. members opposite have got themselves into such a state of mind that it appears to be utterly impossible for them to think of others except as rogues. In spite of that, we have listened with pleasure and delight to the fact that

[*Mr. J. Storey.*]

they have continued that line to such an extent that we are where we are today.

However, I do not want to continue that; but I want to say to hon. members opposite that it was they who introduced the system of proportional representation; it was the hon. member for Wollondilly (Sir George Fuller) standing where I am standing now, who introduced it, and who told the House that the purpose of the system of proportional representation was the removal of that rigidity of party discipline which had characterised previous systems. Now, because we have succeeded under that system—as my party always has succeeded when new systems of electoral reform have been brought in—they condemn us for it. When the hon. member for Sydney (Mr. Levy) was nominated for the office of Chairman of Committees in this House I rose and supported him in the heartiest way for election to that position, because of the skill he had displayed and the impartiality he had exercised. Hon. members opposite know that. The leader of the Opposition knows that the Labour party, from its inception, never stood for rigidity of party, but only for the removal of the injustices heaped upon the people whom we represent. If we were forced into the party system it was because of the forces which we found opposed to us.

In the hon. member for Sydney (Mr. Levy) we have a gentleman whose talents are of such a character as will enable him to carry out his duties as the presiding officer of this House in a manner which will do credit to the House, as he has done in the past. I say to my hon. friend that he need not complain about what hon. members on this side of the House have done. He has no reason to complain. We have done nothing in connection with the Speakership, or with the appointment of any officer of this House, of which we need be ashamed. I have seen the hon. member for Sydney (Mr. Levy) but twice since the general election. I met him accidentally in the street, and I saw him on one other occasion, simply to ascertain from him if it were true, as reported in the press, that he was likely to be a candi-

date for the position of Speaker. I asked him if it were a fact, in order that I might be able to make other arrangements for filling the position if it were not so.

Mr. J. C. L. FITZPATRICK: Whom else had you ready?

Mr. J. STOREY: If I were to advertise for a Speaker to-morrow, and to appoint an hour at which candidates were to meet at that door, there would be some killed in the rush. I just want to say to the hon. member for Bathurst (Mr. Fitzpatrick) if I may address him personally, that I do not think he would be killed, because I believe he would get in before all the others. There is no need for me to disclose names.

Mr. J. C. L. FITZPATRICK: There is a need!

Mr. J. STOREY: I will content myself by saying that, following out that desire which has characterised hon. gentlemen on this side of the House to see the best man in the chair, we thought—when it was announced in the press by the hon. member Mr. Levy, or by somebody on his behalf, that he was likely to be a candidate—that he would be the best man, and we were prepared to leave it at that. We could have secured the services of a couple of other hon. gentlemen.

Mr. J. C. L. FITZPATRICK: Two others?

Mr. J. STOREY: More than two. I was careful whom I approached, because some of them would have accepted it. Hon. members need not be uneasy; I am not going to name anyone. The leader of the Opposition, in the few words he had to say, conveyed more than if he had spoken for hours. The hon. member left the distinct impression on the minds of his listeners that there was an understanding between the Government and Mr. Levy in regard to the Speakership, and for that reason I am justified in pointing out that Mr. Levy was not the only candidate for the position.

I claim to be one who was always anxious that the best man available should be elected Speaker of this Assembly. I certainly objected to Mr. Willis being appointed Speaker under the circumstances, and I am not going to say one word about him; but the man who made Mr. Willis Speaker of this House was called all

sorts of disreputable names by hon. members opposite, though within a very short time afterwards he apparently became a giant intellect and the first citizen of the land. Hon. members spoke of Mr. Holman in the most bitter terms. The leader of the Opposition, in his ignorance of what took place on that occasion, declared that Mr. Levy is guilty of conduct unprecedented in this House. If that is the case I would point out that the hon. member the leader of the Opposition, and his friends most lavishly applauded in the latter portion of his political days the man who was responsible for the appointment of Mr. Willis, and the man who at the time was condemned in no unmeasured terms. I refer to Mr. Holman. The National party—or the Liberal party—finds itself in a difficult position because one year they condemned Mr. Holman, saying that he was a class of man whom no reasonable or decent citizen could look in the face, and the next year they hailed him as the first citizen in the land. Under those circumstances hon. members on this side have got into very much the same frame of mind as the public, who consider that hon. members of the National party are not to be regarded seriously. That is the position we find ourselves in to-day.

It appears to me that the anger displayed by the hon. member for Wollondilly (Sir George Fuller) has not been so much because Mr. Levy has consented to take the chair as because a distinguished little gentleman is coming from other parts of the world who may be entertained by myself and my colleagues. That was one of the difficulties which confronted us in our endeavours to persuade the members of the late Government to vacate their positions. If we have not secured some more acceptable gentleman for the position it is because we were unable to assume those offices to which we were entitled as a result of the elections. I assure the House and the country that in nominating Mr. Levy for the position of Speaker of this Assembly we have done it deliberately because we think he is best fitted for the position, and will fill it with credit; and so long as he displays the impartiality which characterised his past conduct in the chair there should be no complaint on the part of hon. members.

Mr. J. C. L. FITZPATRICK (Bathurst) [3.20]: I desire, as far as I possibly can, to avoid coming into conflict with hon. members on the opposite side of the House, or bringing into disrepute any of the proceedings associated with the election of Speaker. I am surprised at the leader of the Government adopting the attitude he has. In the first place, instead of endeavouring to prevent anything in the shape of trouble in this House, the hon. member took an opportunity of getting off some of his stale jokes and platitudes of last election, and of every election with which he was associated whilst leader of the Opposition. A few cheap guffaws from the gallery, and a little hand-clapping, seem to be quite sufficient to meet all the demands of the hon. member as leader of a big parliamentary party.

The hon. member has taken some pains to endeavour to induce hon. members and the public outside to believe that there was more than one traitor in our party. We have only had one at any time, but the other side has always known exactly where to lay hands upon him. In the days of Willis they knew where to get Willis. They got him in the same fashion as they got Levy; they knew where to find him, and were in touch with him for days at a stretch; and the hon. member—or the dishonourable member, as I prefer to call him—has been at pains to keep himself well in the limelight in relation to the Speakership, basing his claims to the position on the ground, in the first place, that he was thoroughly competent—for which we had to accept his own word—and in the second place alleging that he was only following out the constitutional method adopted for hundreds of years in the British House of Commons, namely, of continuing to hold office until he either resigned or died in harness. I will admit that that is the practice which has been in vogue for many hundreds of years—in fact, almost without a break; but it has been due to circumstances altogether dissociated from those which land the hon. member in his position at the present moment. I marvelled when I saw a little cartoon which appeared in the *Daily Telegraph* the other day. It is entitled, "Will Daniel

go into the lion's den? Will he dare to be a Daniel?" The picture represents the lion at the gate, and the hon. gentleman walking towards it in a toga, in accordance with the decision of those who desire to put him in the lion's den with as little clothes on as possible. But, strange to say, he holds his hands down this way, instead of holding them up that way. The hon. gentleman would be more at home if he had been depicted with his hands wide open, and his pockets also. It is either an error on the part of the artist or else an intention which was arrived at after due deliberation.

I want to point out to the leader of the Government that he has done a great injustice to men who have been his colleagues. He has done a contemptible act to a number of hon. members with whom he has fraternised for a number of years. He has said that there was a number of members on this side who were prepared to do the abominable piece of treachery Mr. Levy has been guilty of. I challenge him to name one who would be so despicable or so steeped in the dirty action associated with the hon. member's action to-day. I challenge the hon. member to mention one.

Mr. J. J. G. MCGIRR: I will give you a list of six!

Mr. J. C. L. FITZPATRICK: I would not take your list any more than I would take your pills.

Mr. BROOKFIELD: Will you say that your Government did not approach some members of the Labour party to take the position?

Mr. J. C. L. FITZPATRICK: I say that no man associated with Parliament in any shape or form was approached with an offer of the Speakership.

Mr. BROOKFIELD: Did you not approach me?

Mr. J. C. L. FITZPATRICK: I asked you because you seemed to be about the most likely. I asked the hon. member, knowing that he was not a member of the Labour party, but was designated an independent, and, having been expelled from the party, was prepared, possibly, to take anything offered to him at the time. Levy would have been prepared to accept very much less. I pay him that high compliment.

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enable a Nationalist or Liberal Government to carry on. The Labour party would tear the House down. Of course, in spirit some of them might be willing, but the flesh would be weak. You will find a black sheep in every flock. If one did accept I should like to see him after his party had done with him. I should then like to see the man who had been guilty of the dirty treachery of which the hon. member is guilty to-day, speaking from a party point of view. The party has stood by him all the years when he was fighting for the constituency he so badly represented. Having been recreant to his trust and having spent the money furnished to him by his organisation so that he might win his battle, will he be man enough to come forward and return that money? We would have had two men of our party in here for his constituency had he been loyal to the man with whom he was fighting; but he could not even be loyal to him. The Premier has said that he could have got someone from the Progressives who would take the chair. I do not believe he could. I do not believe there is one amongst the Progressives who would have taken this bait. It is only a certain type of man who will do such a thing. I say, with all due respect to members of the Progressive party, that not a man among them would have accepted this office under the circumstances. The Premier has not been too particular in his remarks anent the Progressive party. Mr. Storey said at Wagga a little time ago—as showing the feeling that he had towards those who constitute the Progressive party:

Do not vote for that party of masqueraders. They are parasites, who have done nothing for you and will do nothing for you. If you will not vote for me and my party, then vote for Holman and his party.

MR. J. STOREY: But what did they say about me?

MR. J. C. L. FITZPATRICK: Nothing that was untrue. Nothing that they could say about the hon. member would be bad enough. They would err on the side of charity if they said a kindly word about you.

AN HON. MEMBER: Thank God, the hon. member has not any charity!

MR. J. C. L. FITZPATRICK: I have plenty of charity for a man who is doing the right thing. I want to know what the hon. member Mr. Levy proposes to do when he becomes Speaker, as I suppose he will, when this Government starts to carry out its programme; when it starts to carry out the behests of that big body of men who constitute the Trades Hall, the Labour Council, and those other militants outside, who say, amongst other things, that the "I.W.W. twelve" must be released unconditionally. What is the hon. gentleman going to do then, after having given a pledge to his constituency that he would allow none of this wild-cat legislation to be carried into effect, as far as he was concerned? He may have been estimating then that there was a prospective Cabinet Ministership in his pocket, but things have gone so evenly since that he is prepared to content himself with the Speakership. To do Willis justice, he did have a contract signed, sealed, and delivered before he undertook to take the chair. Although that contract was honoured rather in the breach than in the observance, still, to some extent it was honoured, until at last Willis got tired of having it broken so frequently, and he relinquished the chair.

What did the Government do when its friends, Mr. Horne and the hon. member Mr. Dunn, found it necessary, in the interests of their own honor and character, to relinquish their seats in Parliament, as they were opposed to the idea of freehold not being rendered an accomplished fact? They left the Government, and so reduced its majority of one to a minority of one. They got the majority back later, because the hon. member Mr. Dunn saw the light, or fancied he saw it. He had seen the darkness pretty clearly when he was outside the parliamentary premises. I am not going to say a word regarding the influences which brought about his change of view, though Mr. Campbell Carmichael has written something about the causes which made him change his mind. That, however, is by the way. Mr. Horne refused to come back to the fold, and the result was two by-elections. In the interim what did my hon. friends opposite do? They simply hauled out of the chair, for the time being, the Speaker they had put there.

They had elected a Speaker from their own party. Notwithstanding that they only had a majority of two, they sacrificed one of the majority to put him in the chair, and that is an indication of what they would have done this time if they had had a majority of two. Can anybody say that any spirit of generosity actuates them at this time? They are only using my hon. friend Mr. Levy, and they will chuck him away as soon as they are able to do without him. As soon as they can get a majority of two or three he will go on to the political dust heap, as he deserves to be. What will the hon. member do in the matter of the reinstatement of the strikers? He may have had a few of them in his constituency, but he also has those who are opposed to any departure from the system laid down when the strike took place in 1917. What action will the hon. member be prepared to take when the Government honestly asks the House what shall be done with the subsidy to certain religious denominations? Will he sit idly by? The Government will no doubt try to do by regulation what it cannot do by legislation regardless of what the consequences may be outside; but I can assure them that every action will be watched to see that no attempt is made through the medium of regulation or administration to do something which the Government is not courageous enough to do on the floor of Parliament. Now as to the new legal authority. The Premier tells us that he has referred the question of whether Mr. Hall can be brought back to two eminent legal authorities. I presume that one of them is the hon. member for Western Suburbs (Mr. McTiernan), and the other the hon. member for Botany (Mr. McKell). I want to point out to the hon. member for Sydney (Mr. Levy) that after all is said and done he must have some qualms of conscience about going into the chair for the purpose of allowing the Government to do by other methods than through the medium of legislation something they ought not to do in any other way. It is no suggestion of mine that the Government is prone to do this sort of thing or that it has some idea of carrying this

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nefarious practice into effect. The suggestion comes from an article in the *Labour News* of 12th April:

Those people who talk of impartially considering a Labour Government's "legislation" have been reminded that any Government can largely effectuate its policy by administration, and that the importance of bills in that respect is exaggerated.

That gives some idea of what they have in view.

This view will be strengthened by perusal of an article by "H.E.B." in the current *Worker*. The writer after remarking that "the task that John Storey has undertaken is one from which the, most courageous might well have shrank" because "we have not properly equipped him for the fight that lies ahead," asserts that "labour men and women will be modest in their expectations if they have any sense of decency or any due regard for the logic of events." What we are entitled to look for is an early display of administrative energy. "Legislatively the Labour Government is in a position which hampers its freedom seriously. But if it can avoid the parliamentary pitfalls that will be dug for its feet it will have a splendid field of action for its talents in the administration of the great departments of State." It is here, I think, that the members of the new Ministry will make good. "They will not be the slaves of departmental formulae; their brains will not become entangled in red tape; musty precedents and fossilised customs will make no appeal to them."

And so the paper goes on. This party of itself can do absolutely nothing. It is worked from outside. It is the militant section of the Labor movement that will make this crowd dance like a spider on a red-hot frying-pan. The hon. member Mr. Levy is really rendering help to a party which has not a majority of its own, but which can do incalculable harm. He is helping a Government which at the present time proposes to offer one of the vilest possible insults to the judiciary of New South Wales. I refer to the case of the twelve I.W.W. men, who have already had three separate trials. I do not believe there is in the history of this State another instance of a set of criminals being given the opportunity on three separate occasions of having their cases dealt with by a tribunal. Twice this case has been before judges, and once before a body which was brought into

existence for the purpose. The leader of the Government has said definitely outside that he is not going to allow himself to be bludgeoned into the unconditional releasing of these twelve men; yet now he proposes to secure the services of a judge from the little island of Tasmania—

AN HON. MEMBER: A very good judge too!

MR. J. C. L. FITZPATRICK: I am not questioning his ability; I only say that this proposition constitutes one of the vilest insults that could be offered to the judiciary of this State. It is a suggestion that not only the judge, but also the jurymen who tried this case, were all corrupt; that the twelve men who swore to do justice to the other twelve in the dock committed more than perjury—because, after all, perjury is a minute crime compared with the hardships inflicted on other men by those whom some hon. members of this House profess to believe guiltless. Now after three separate hearings, and after a decision of similar character being arrived at on each occasion, we find the leader of the Government, urged on by this militant gang outside—who have a great deal more sympathy for the criminal than for the unfortunate victims of the criminal—saying, “We will not allow these men to be unconditionally released, but we will appoint a tribunal for the fourth time, so that these men may have another chance.” God knows they may be able to get out then—it will be against the law of averages if they do not, on the fourth occasion, get someone who will pay a little deference to the efforts being made on their behalf. The hon. member Mr. Levy has agreed to abase himself. In the olden days, from the period when Sir Thomas Hungerford, in the year 1377, first took the position of Speaker of the House of Commons, it was customary—and the custom had been observed right down till possibly fifty years ago—for the man who was chosen to act in the capacity of Speaker to what was called “abase himself.” That is to say, he came into the House and threw himself upon the mercy of the House, declared that he was absolutely incompetent for the position, that he was a man of no account, that possibly he

knew nothing about the English language at that time, that he would be perpetually committing errors, and asked the House not to accept him, but to take some other man who had greater qualifications. No need for Mr. Levy to abase himself. He has already done it. At the eleventh hour, even before the rope is round his neck, before he has handed himself over to his purchasers, I should like him to consider the matter. I am not conscious that the remarks I am making will help him to come to that conclusion, but I am not here for the purpose of helping him. His business is to help himself. He has stated that there are other men ready to take this post. If there are other men who are willing to become traitors let them be traitors. Let them accept payment for the services they are prepared to render, but Mr. Levy has not been able to indicate one man who is willing to do that. He states that he knows one man who will be prepared to accept the position if he refuses it. He has queer ideas of what constitutes political rectitude if he is going to be influenced in the acceptance of a position of this kind by the claim that if he does not rob his constituency of that to which it is entitled somebody else will do so, and that he might just as well do it as the other chap. I have no time for the hon. member's morals. I am glad to see the Premier reading from that good old book, which is possibly one of his own that he has brought here—and has not been looked into for the past ten years—for the purpose of discovering some saving note for the present position.

MR. BART: It is a long time since you read it!

MR. J. C. L. FITZPATRICK: You do not read it at all. The hon. member had better not be seen reading it!

MR. BART: Go easy. You ought to change your name by deed of poll. You are a disgrace to the name!

MR. J. C. L. FITZPATRICK: Let the hon. member speak for himself. I do not wish to enter into recriminations over which the hon. member is possibly desirous of raising a scene. I am not afraid to express my opinions here or anywhere else with regard to that matter.

Mr. Levy, amongst other things, said that he did not court the position in the first instance; that he made no effort to secure the Speakership on the occasion when he was successful in gaining that post. The hon. member worried the "soul-case" out of hon. members on all sides of the House.

Mr. Mutch: He did nothing of the sort. That is false!

Mr. J. C. L. FITZPATRICK: Mr. Levy circularised hon. members, and I shall produce a copy of his circular.

Mr. Mutch: He did not circularise us!

Mr. J. C. L. FITZPATRICK: The hon. member's party did not want Mr. Levy then. They did not care whether they got his vote or not on that occasion. They knew the hon. member would be impotent then. The hon. member circularised hon. members of this House, and when the election of Speaker took place another member of the National party was nominated. In addition to the other member of the National party a member of the Opposition was nominated, even though the leader of the present Government expressed his intention of giving his support to Mr. Levy. The present Premier did not vote, however. The motion was moved that Mr. Levy take the chair. Mr. Colquhoun was nominated, as was also Mr. Stuart-Robertson. Why, they even fought for the bone when they had not a majority at all. How much would they have fought for it if they had a majority of two in the Chamber at the present moment? It seems to me that the politics of this country are being turned upside down.

An HON. MEMBER: You have been turned upside down!

Mr. J. C. L. FITZPATRICK: Yes, but we are not crying over it. The only thing that interferes with our harmonious relations at the present time is the fact that, when our fortunes have to some extent failed, we have to deal it out to an hon. member who finds easy repose in the ranks of the enemy.

I wish to give a brief record of matters relating to the Speakership. I am

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quoting from an article which appeared in a recent issue of the *Evening News*.

Much of the interest of the political crisis turns upon the Speakership, for in an evenly-divided House the withdrawal of a member from the voting ranks into the chair might give a majority of one to one side or the other.

A claim is being set up that the custom hitherto has been to re-elect the retiring Speaker. That was the custom during the two ten-years' reigns of Mr. Speaker Abbott and Mr. Speaker McCourt.

Let me depart from the text for a moment for the purpose of pointing out that Mr. McCourt had had a ten years' term of the Speakership. He had sat under Governments of diverse views politically. He had sat under Sir William Lyne, Sir John See, Sir Joseph Carruthers, and possibly Mr. Wade.

Mr. J. STOREY: He could have sat under us if he desired!

Mr. J. C. L. FITZPATRICK: Do not make any mistake about it. Long before the election of Speaker he had the intimation conveyed to him that his services were no longer required.

Mr. J. STOREY: That is quite wrong!

Mr. J. C. L. FITZPATRICK: It is quite right. Under the circumstances he would have been content probably to accept the position. Personally, I might have objected to that, but I believe the great bulk of our party would have been quite willing to allow Mr. McCourt to go into the chair, following precedents which had been established through centuries. But this position, which was the gift of a Government with a majority of two, was too good a prize to be offered to a member of the old Liberal party. There were too many starving folk who wanted all the billets available. They demanded the position and they got it. Mr. Cann was put into the chair and ultimately taken out of it for the purpose of preserving the identity of the Government that had lost its majority.

The custom was broken of set purpose in 1910 by the Labour party, which is now desirous of reviving it in order to obtain a political advantage.

At the election of 1910 the Labour party secured forty-six seats against forty-four seats won by the Liberals and Independents. Mr. McCourt had, for ten years, been Speaker, and was willing to again act in that capacity. Because it had a majority Labour applied the "spoils to the victor" system, and in-

stalled Mr. J. H. Cann in the chair. The Labour party to-day would again instal a Labour member in the chair if it had a majority.

In 1911 the Labour party lost its majority upon the resignation of Messrs. Horne and Dunn. Instantly it pulled its nominee, Mr. Cann, out of the chair, and offered the post—when its political life was in danger—to Mr. McCourt, whom nine months earlier it had declined to re-elect to the Speakership.

When they found themselves face to face with political and Ministerial danger they came out with an assumption of virtue and generosity. They offered to the man, whom they had thrust aside, this empty bauble, which at that time was worth very little, for the reason that the period of office was brief. That is the sort of generosity we might reasonably expect, and Mr. Levy might reasonably expect, when the position is changed later on.

Mr. McCourt refused to become Speaker in order to betray his own party by giving Labour a fictitious majority, and the Speakership was offered to other Liberal members, until Mr. Willis accepted it.

Two years later Mr. Willis stepped down from the chair, and Mr. H. D. Morton assisted the Labour party by accepting that office. Four months later Labour gained a majority at the election of 1913.

Was Mr. Morton, who had befriended the Labour party the previous session, re-elected to the chair in accordance with the custom now being exhumed for the occasion? He was not. The Labour party installed one of its own followers, Mr. Meagher, in the chair.

Not once while Labour held office in New South Wales did it follow the custom of re-electing the retiring Speaker.

If a Nationalist member were to now accept the Speakership from a possible Labour Government he would know from the history of the past ten years that the post was only offered him because Labour has not a majority. Had Labour a majority it would treat him precisely as it treated two previous retiring Speakers—Mr. McCourt in 1910 and Mr. Morton in 1913—by ignoring his claims and the "custom," and placing a Labour man in the chair.

That is a statement which is based on records to be found in the archives of this House. It is a clear indication of what has been done in the past, but despite this we had quite a controversy

carried on in the public press by a gentleman who signed himself Richard Phegan. I had some doubt at the time I read the latter as to the identity of the writer. I was not long in finding out who he was. Richard Phegan was not the writer of this letter and subsequent letters on the same subject. I recollect that a gentleman came into the House one morning and paid us a visit in the Ministerial room, and in view of the very few occasions upon which he honoured us with his presence it was easily discoverable that he had some object in view. Three or four of us were there conversing, and after the usual salutations had been exchanged this gentleman turned over the sheets of a newspaper, and then thumping the table, said, "Have you fellows read this letter about the Speakership? The man who writes this letter must have been a close student of constitutional history." This was a letter signed "Richard Phegan," and I will tell hon. members presently who he is, and what is more, I will tell them who wrote the letter. The letter proceeds as follows:—

A controversy has been raised with regard to this subject, presumably on the assumption that should Mr. John Storey be sent for to form an Administration, he might be unable to find a member who would accept nomination for the Speakership, and so a crisis would be brought about which might precipitate a fresh election. The experience of 1911, however, is still fresh in the memory of most followers of politics in New South Wales. This Parliament will probably run its statutory period, and if any useful work is to be done it is imperative that a Speaker should be chosen who will command the confidence of all parties. If precedent is to be accepted as a guide. Mr. Levy is entitled to accept nomination for the high office. He is still Speaker for certain Ministerial functions, and it will not be denied that he has shown a knowledge of procedure and an ability to control the House. With the exception of the late Sir George Wigram Allen, who was defeated in a contest by Mr. (afterwards Sir Edmund) Barton, in 1883, the Speakers of New South Wales Legislative Assembly have held office until they chose to retire, or declined to seek re-election. Turning to the House of Commons, we find that for over a century the one exception was Mr. Speaker Manners-Sutton.

I might mention in passing that Mr. Speaker Manners-Sutton was ousted from the chair. He was defeated by Mr. Abercrombie, a son of Sir Ralph Abercrombie, on the one specific ground that he had taken part in politics outside. Then Mr. Phegan goes on to quote an authority which the hon. member for Sydney (Mr. Levy) will recollect was frequently referred to by a person who occupied the Speaker's chair, and left it in such a condition that it had to be fumigated afterwards. The letter proceeds:

Professor Redlich, in his masterly book, entitled "The Procedure of the House of Commons," says: "It is true that now, as in former times, the majority always nominates one of its number in case of a vacancy; but for generations two rules have been strictly observed: first, that a Speaker, who does not himself wish to resign his office and quit political life, is regularly re-elected; and secondly, that re-election takes place notwithstanding that the party from which he came may have become the minority in a new Parliament." The present Speaker of the House of Commons (Mr. Lowther) has held office since 1905, and although the party to which he might be said to belong was defeated at a general election and different parties have held office since, his re-election to the chair has never been seriously challenged. Mr. Dasent, in "The Speakers of the House of Commons," says, "Politicians and parties may come and go; changes may and must occur in the aims and aspirations of the democracy of England which will affect the relations of the House of Commons towards the parent Assembly, but the Speaker's office, unfettered by the exigencies of party, and administered in the lofty and impartial spirit which has characterised the later years of its existence, will endure so long as the Constitution itself."

There is therefore nothing incompatible with his position as a member of the National party, in Mr. Levy accepting a second term in the Speaker's chair, let the nomination come whence it may.—RICHARD PHEGAN.

It may be suggested that I am reading extracts which buttress up the position which the candidate for the chair is taking on this occasion. Under a certain set of circumstances such would be the case, but it must not be forgotten that the Speaker of the House of Commons in no instance takes any part whatever in political campaigning or fighting. In the one case in which Mr. Speaker Manners-

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Sutton did take an active part in a political fight he, although one of the most eminent Speakers that had ever sat in the chair, was unceremoniously rejected from the position when he put up for re-election. Mr. Levy has been fighting in the forefront of the National party's campaign. He fought in this House, and I have the report of one of his speeches before me, and intend that every line of it shall go back into *Hansard*. The hon. member took a prominent part in the long discussion upon the Speakership at the time Mr. Willis was put into the chair, which was brought to a conclusion by a piece of political trickery on the part of the supporters of the Government. Every one of his words on that occasion will be again placed on record, so that in his quiet moments he may sit by his fireside and commune with his conscience or whatever does duty for his conscience, and read over the report of his utterances. The hon. member for North Sydney (Mr. Cocks) combated the statements made in Mr. Phegan's letter, and that gentleman again came to the rescue. He said:

I have Mr. Levy's own assurance that prior to his election in the chair in August last, the matter of the Speakership had never been referred to at any meeting of the National party, and that he had never received any assurance or promise from the Government or the party that he was to have their support. Mr. Levy knows that it is absolutely untrue from beginning to end. Right up to the moment of his selection he frequently complained that the National party had not made him its selected candidate, and in making the statement contained in that letter he lied, or if not his memory is one of the most obliging I ever knew a politician to possess. Mr. Phegan goes on:

Mr. Levy did not know until the actual moment of the election which members of the House intended to support him, and he was in considerable embarrassment over the matter. In fact, Mr. Levy is the first Speaker in New South Wales for many years who can be truly said to have been elected by the House itself. Let Mr. Cocks reflect on these facts; and he will then probably regret having dared to associate Mr. Levy's name with the possibility of a "sordid bargain."

It may interest your readers to know that in connection with Mr. Levy's election to the Speakership last year the same Mr. Cocks who now talks so glibly and so erroneously about Mr. Levy "receiving" the Speakership from his "friends and colleagues," actually intimated his intention to vote for another man, who, he was bound to admit, had nothing like Mr. Levy's qualifications for the office. I think Mr. Cocks should be the last man in the world to venture to offer patronising advice to a man like Mr. Levy. There is an unmistakable ring of insincerity about it.

Mr. Cocks has some confused knowledge of the debate which took place on the occasion of the election of Mr. Willis. If he will refer to the debate, he will find that among other things Colonel Onslow deprecated the action of the Government in placing a new Speaker in the chair in lieu of the retiring Speaker, Mr. McCourt, who had held office for the previous ten years, and was still a member of the House, and pointed out that there were only two occasions in the House of Commons of Speakers in one Parliament, not continuing to act in the succeeding Parliaments of which they were members. Those cases were Sir John Trevor, who was expelled for bribery in 1694, and Sir Charles Manners-Sutton in 1835.

In view of all the precedents, every right-thinking person will agree that Mr. Levy is quite entitled to accept nomination for a further term of office, irrespective of the party which is entrusted with the government of the State.

In conclusion, may I say that I have known Mr. Levy personally for a very long time. I am quite prepared to trust him to do the right thing. He needs no lessons in political propriety—

I might have had that idea for some time, but I am very sorry that I now have to break with the hon. member, for whom I have had the greatest respect for many years. I must point out the iniquity of the proceedings of the hon. member in connection with this matter.

Mr. Burt:

Mr. J. C. L. FITZPATRICK: I do not know that the honeyed words poured on Mr. Levy by the hon. member some minutes ago will compensate him for all the tirades of abuse which have been heaped upon him in days gone by from the same source. The letter says:

He needs no lessons in political propriety from such gentlemen as Sir Joseph Carruthers and Mr. Arthur A. C. Cocks.

Now who is the writer of these letters? The writer is Daniel Levy, and Mr. Phegan is a law clerk in his office. Put

that in your pipe and smoke it. Many hon. members will recollect the Willis incident. Some persons are under the impression that we are going to have a repetition of it to-day, but I am not out for anything of that kind, because I had quite enough of it the last time. All the same I am not going to be prevented from saying all I desire upon this matter right here and now, and then, so far as I am concerned, the incident will be closed. Amongst those who took part in the discussion when Mr. Willis was being proposed for the chair was Mr. Daniel Levy, and the words I am going to quote from his speech could just as easily be applied to the present candidate for the chair as they were reasonably and honestly applied to Mr. Willis. Here is what Mr. Levy said:

It cannot be denied that the question now before the House, if it can be said under the rules of the House that it is a question, is one on which hon. members can fairly be expected to express their views in a temperate way without indulging in any strong personalities. It is a genuine subject for criticism. We have before us a proposal to put into the chair of this House a gentleman—

Mr. J. C. L. Fitzpatrick: A what?

Mr. Levy: I am bound by the ordinary rules of debate to call him a gentleman for the time-being.

We have before us a proposal to put into the chair a gentleman who so far has not been shown to have one shred of qualification for this honorable and exalted position.

Mr. McKELL: Does that apply to Mr. Levy?

Mr. J. C. L. FITZPATRICK: No, to be just, I must say it does not apply to Mr. Levy, but that does not affect Mr. Levy's position to-day. Having done this one dirty trick he will later on have to lie a thousand times to protect himself from the punishment that will follow. The hon. gentleman will have to have resort to a course against which his conscience, if it found free play, would rebel.

The leader of the Government, when speaking, although he talked about a lot of other matters, would not say one word in reference to the qualifications of the hon. member for the Upper Hunter for the high position of Speaker. Several of us on this side tried to draw the hon. member out to tell us what qualifications the hon. member for the Upper Hunter

possesses, but the Acting Premier sat down without having said one word about it.

Mr. Cusack: That is not true!

Mr. Levy: I listened to what the Acting Premier said, and I was one of those who tried to drag from him a pretence of something like one qualification possessed by the hon. member for the Upper Hunter for this honorable position. Can it be wondered at that the Opposition have expressed their strong indignation at the conduct of this gentleman? We know very well that only a short time ago he was supposed to be a supporter of the Liberal party. Most of us had grave suspicions as to the loyalty of the hon. member; still, taking him all in all, it was supposed that he was favourable to that party which he was elected to support.

We thought the same of Mr. Levy, but we have been disillusioned. Here we have the case again of a supporter of the National party helping the opposing party to retain office by accepting the Speakership. The hon. member may endeavour to induce this House to believe that he is sitting now calm and unaffected, but I misjudge the hon. member if he is not in a state to qualify him for a position elsewhere.

There is no doubt he was returned at the last election as a supporter of the Liberal party; and although we cannot expect men to support the Liberal party on every occasion, still we did expect that the hon. member would give us a kind of general support. The hon. member who leads the Government has, by some peculiar kind of intrigue and manoeuvring, of which he is a pastmaster, succeeded in persuading the hon. member for the Upper Hunter to accept the position of Speaker on certain terms and conditions which are supposed to be embodied in a written contract, which contract, I say, should be laid on the table of the House.

Later on it was laid on the table of the House, and shortly I shall quote from it the terms on which Mr. Willis took the chair. On the present occasion the gentleman concerned is going to take the chair without any conditions at all. All the Government has to do is to bring its brass band along, and no matter what tune it plays this gentleman will have to dance to the music, or else lose his hold on the position. If he does lose his hold on the position that will be the last of him. The very fact that he will accept the position is an indication that when he is in he will hold on no matter what

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the cost. I understand he has had two promises made to him: one is that he will be knighted when the Prince comes. Hon. members opposite laugh. His Royal Highness, for whom a large number of members on the Government side have such a kind regard, will have the power of conferring honors. He is "the young man who is coming from abroad. The new Speaker is to be knighted." He is benighted at the present time. There is nothing so remote in the possibility of his being knighted, and the hon. member himself knows it. He is fighting like a caged tiger for this position. There is no manifestation of his responsibility to the party with which he has been associated for years. He is refusing to move with his friends, who have given him support for years. No one supposes that that is merely for the extra £500 a year that attaches to the position of Speaker. There are bigger prizes which he is after. There is nothing absurd in the suggestion of His Royal Highness knighting all the Speakers of the Houses of Parliament. I take no objection to His Royal Highness doing that. I have no doubt he has something of the kind in view. I do not know whether he will knight the Premier, Mr. John Storey; I do not know that Mr. Storey would accept such an honor; I do not know whether the Trades Hall would approve of it. I am rather inclined to think they would offer strong objection to any effort to lure the hon. member from the Labour party. But it is quite within the bounds of possibility that Mr. Levy will be knighted, that he will be found bending the knee before royalty, and will arise Sir Judas Iscariot or Sir Daniel Levy.

Mr. BEEBY: This is a very unfair attack. Your electors will be proud of you!

Mr. J. C. L. FITZPATRICK: I am responsible to my electors for anything I say, and I will answer to them. I am not here to sit down dumb and allow a man to be recreant to his party. I was elected as a Nationalist; I am a Nationalist now, and I am against any man who will endeavour to bring the Nationalist party into disrepute. As far as the hon. member for Murray (*Mr. Beeby*) is concerned, I want no consideration from him. He is in a new party now. God.

knows what his next party will be. He has tried all so far. Let him not be offensive to me. I want no consideration from him. The hon. member was one who came out not in the open, but who said across the table to Mr. Wood that it was true Mr. Cohen had been called by the Clerk before Mr. Willis was put in the chair.

Mr. JOHNSTON: It was not true!

Mr. J. C. L. FITZPATRICK: It was true. Mr. Levy, in the course of that speech, went on to say:

I say unhesitatingly that the country ought to know the nature of this contract which has been entered into between the Acting Premier and the hon. member for the Upper Hunter. Surely a contract of this kind, affecting the position of Speaker, ought to be made known to the House and to the public. Why should not the House and the country know it. The Acting Premier, with his usual bluff, said, "There is nothing very much in the agreement. The agreement is pretty well the same as what has been outlined in the daily papers." But we are not satisfied with that assurance; and I submit that this House cannot rest until that agreement, which the Acting Premier tells us has been entered into between him and the hon. member for the Upper Hunter, has been laid on the table. Can any hon. member tell me why, in the interests of public decency, the country should not know what are the terms and conditions of this contract?

Then he brings forward an agreement which he wrote himself to represent what had been arranged between the Premier and the hon. member for the Upper Hunter. He read the agreement, and then went on to say:

Hon. members opposite pretend to be very much surprised that we have expressed our indignation at the conduct of the hon. member for the Upper Hunter. I want to put this position: Suppose the position had been reversed, suppose the Liberal party, finding themselves in the same humiliating position as the Labour party are now in, had succeeded in persuading or cajoling one of the members of the Labour party into taking the chair of this House under the degrading circumstances which we know occurred during the last two or three weeks, what would hon. gentleman on that side of the House have called him? "Rat, scab, traitor, blackleg."

"Rat, scab, traitor, blackleg." That is what would have been said. Mr. Levy declares it would have been said. There is

not one tittle of difference between the position then and now. It is the same now as when that poor miserable individual was put into the chair. Mr. Levy said:

These words would be a mere circumstance compared with the epithets which they would hurl against the man who had done such a thing. We know that on the day after Mr. Dunn and Mr. Horne had, in the discharge of what they believed to be their duty, resigned their seats on a matter of principle, hon. gentlemen on the other side began to call them traitors and blacklegs. During the last election at Liverpool Plains I saw some of the dirty pamphlets of the party referring to Mr. Horne as a scab and blackleg.

The hon. gentleman went on at length. I do not want to quote the whole of his speech, but there are some portions of it which cannot remain out of the current copy of *Hansard*. Mr. Levy said:

I say that if the hon. member for the Upper Hunter is elevated to the chair, he is not entitled to the respect of members of this House.

Mr. Thrower: The last Speaker did not get it either!

Mr. J. C. L. Fitzpatrick: He got as much as he deserved!

Mr. Levy: Hon. gentlemen opposite ought not to talk about the last Speaker, because they know very well that he did receive that respectful consideration from hon. members to which he was entitled as Speaker, and, although at times we disagreed with his rulings, and on one or two occasions dissented from them, there never was during the last session any marked inclination to withhold from him the respect to which he was entitled as Speaker.

I agreed with that to the last word. Further on Mr. Levy said that the Speakership

was offered to at least five or six gentlemen. It is of no use denying that. The names have been given to-night. To every man whose loyalty they thought was a little doubtful, and who might be lured by this tempting bait,

Just as Mr. Levy has been lured by it, they offered the Speakership. They could not get any decent man to take it.

Does he stand to these words, as far as this contest is concerned?

and at last they fell back upon the hon. member for the Upper Hunter.

Mr. Eddes: He is not a decent man?

Mr. Levy: No, he is not a decent man. He cannot be a decent man. It does not matter to me what the hon. member did

fifteen to twenty years ago. I am judging him by his conduct on this occasion, and I say that his action in accepting the Speakership, offered to him under these degrading circumstances, shows that he is not a decent man, and is not fit to associate with the decent members of this House, and that he deserves all the ignominy and opprobrium that has been cast upon him during the course of this debate.

That is the hon. member for Sydney (Mr. Levy) on Willis, who was being elected in exactly the same circumstances as the hon. member Mr. Levy is being elected in to-day, save that there will be no demonstration, such as was then forced upon members of the Opposition because they were deprived of the opportunities of expressing their views. Free speech on that occasion was interfered with, but if I spoke here until to-morrow morning at this hour I should be entitled to do so. If I do not it will not be because there is any want of material.

Mr. CANN: We do not care. Has the hon. member brought his blankets?

Mr. J. C. L. FITZPATRICK: If we carried the debate on until an unearthly hour in the morning we might be able to defeat hon. members opposite. I hear a voice from the gallery say "No." I want no applause from the gallery. The hon. member Mr. Levy proceeded to say this:

What a certificate of character has been given to this man. I would not have one-twentieth part of what has been said against the hon. member uttered against me if £100,000 were offered to me.

That is the hon. gentleman who can sit here and listen to what has been said to-day.

An HON. MEMBER: He has gone out!

Mr. J. C. L. FITZPATRICK: He said:

I would rather cut my throat than sit here and listen to the opprobrium and infamous epithets which have been deservedly hurled at this man, for the conduct of which he has been guilty during the last few days. A man can have no sense of decency or shame when he allows hon. members, whose opinions, after all, are worth something, to say what has been said about him.

That is the hon. member Mr. Levy on Willis, and Mr. Levy is just exactly following in the plainly laid-out footsteps that Willis made in the days when he was put into that chair. It is just as well for me to repeat often that the circum-

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stances are identical, and the analogy is complete. There is no difference between the positions occupied by the two men. When you have got that into your craniums you can estimate the position in which the hon. member for Sydney (Mr. Levy) stands. He said, further:

I would not allow the most degraded member of this House—if there were a member of this House besides the hon. member for the Upper Hunter whom I could call degraded—to speak to me in the terms in which hon. members have spoken of him for £100,000. It argues something rotten in the character of a man when he sits here, as we saw the hon. member sitting here, while the leader of the Opposition castigated him in a way that he knew he deserved. The hon. member did not have the impudence to open his mouth,

neither did the other,

and I do not suppose he will have the "hide" to get up and defend himself against the charges of malpractice and degrading conduct hurled against him in the course of this debate. It will be a pretty state of affairs when we have in the chair, to conduct the proceedings of this House, a man who has received the certificate of character the hon. member has received.

Mr. Cusack: It will not hurt him!

Mr. Levy: I know it would hurt me if things of the same kind were said about me, and it would hurt the hon. member, who would, no doubt, take up the same attitude as I would.

Let us see how much it would hurt him. We will have just a little more.

I say that the Opposition are justified in using all the forms of this House to prevent disgraceful conduct of this description. The Government have not got a majority, and therefore they have no business to hold the reins of office at the present time.

The same might be said here, if the hon. member Mr. Levy had not come to their rescue. If there had not been a member on our side who was prepared to be bought by the position and emoluments of the Speakership the Government could not have carried on. There was no chance of their getting a man from this side of the House or from the Progressives if they had not got the hon. member Mr. Levy. Many names were mentioned. I could mention two hon. gentlemen sitting here whose names were mentioned by the hon. member Mr. Levy as having been prepared to accept

the Speakership if he did not take it. This is no fanciful statement, as it can be vouched for by the hon. member Sir George Fuller and myself. These two gentlemen were asked whether it was a fact, and they repudiated the statement indignantly. Hon. members can be quite confident that their word is very much better than that of the hon. member Mr. Levy.

Mr. F. M. BURKE: They were standing down for a better man!

Mr. J. G. MCGIRR: But there were six others!

Mr. J. C. L. FITZPATRICK: That is not a fact.

Mr. LEY:

Mr. J. C. L. FITZPATRICK: Let the hon. member keep quiet. He is not a member of our party.

Mr. LEY: I was so jolly ashamed of you that I left it!

Mr. J. C. L. FITZPATRICK: Let me tell the hon. gentleman what he got out for. He got out because a Cabinet position was not offered to him.

Mr. LEY: That is untrue!

Mr. J. C. L. FITZPATRICK: The hon. gentleman knows it is true. The hon. gentleman told me himself.

Mr. LEY: You are lying!

Mr. J. C. L. FITZPATRICK: The hon. gentleman told me himself, in my own office.

Mr. LEY: It is a lie!

Mr. J. C. L. FITZPATRICK: I am not desirous of attacking the hon. gentleman.

Mr. LEY: I do not mind the hon. member attacking me!

Mr. BAVIN: It is an honor to anybody to be attacked by the hon. member!

Mr. J. C. L. FITZPATRICK: I am utterly unconcerned as to what the hon. member thinks on that point, but I am here to speak my mind. I am not concerned as to what the hon. member Mr. Bavin or what the hon. member Mr. Ley thinks. I am not going to stand here and hear statements made by any hon. member which are absolutely at variance with truth. The hon. gentleman can take his own course, or any course he feels inclined to take, with regard to me. These hon. gentlemen affect to be very superior.

Dr. ARTHUR: The hon. member is getting very tedious!

Mr. J. C. L. FITZPATRICK: Have you ever noticed that when one sheep breaks away a lot follow? As far as the hon. member for North Sydney (Dr. Arthur) is concerned—talk about tediousness. If I made a revelation with regard to the hon. member it would do him more good than all the hair restorer ever sold in Sydney. It is coming to a pretty pass when a traitor in the community is going to get the commendation and support of all the “right-thinking” gentlemen in the House; those who, like the hon. member Mr. Bavin, took exception to the Premier because he told him an untruth. Just fancy a lawyer objecting to any man who told him an untruth.

Mr. CANN: Look out. There are about a dozen behind you!

Mr. J. C. L. FITZPATRICK: In addition to these remarks of the hon. member Mr. Levy on Willis I was going to quote my own speech on Willis also. Why should an hon. member think that he ought to be beyond the bounds of criticism when he comes into this House and sheds his political coat at the behest of his antagonists on the other side of the House, and that no word should be said in disapproval of him? That will be a new doctrine as far as I personally am concerned, and I have been in this House for twenty years.

An HON. MEMBER: The hon. member is out of date!

Mr. J. C. L. FITZPATRICK: I would rather be out of date than up to date if that is going to be the ruling spirit of those who guide the destinies of this country. I have not had much assistance from men of the type of the hon. member Mr. Bavin or the hon. member Mr. Ley, but I have always managed to get back to this House without their assistance.

Mr. LEY: The electors do not know the hon. member yet!

Mr. J. C. L. FITZPATRICK: The hon. gentleman came up to my electorate and made a bitter and violent attack upon me, yet a smaller vote was recorded in that centre by my opponents than ever before.

Mr. LEY: I never degraded myself by referring to the hon. member!

Mr. J. C. L. FITZPATRICK: The hon. member is very high and mighty. If one could buy him at his own estimate and sell him at his real value one would lose a million of money. If the hon. member will leave me alone there will be nothing further about it. I shall not say any more about it. I shall not say some of the things I ought to say with regard to a certain water transaction.

The hon. member in charge of the House realises now that he is only going to have a slender hold on office with the assistance of Mr. Levy.

Mr. J. STOREY: We will withdraw then altogether!

Mr. J. C. L. FITZPATRICK: If the hon. member adopts that course well and good. The hon. member was very nervous until the last forty-eight hours. In his speech at Auburn he said:

I fully realise that with only half a mandate—

Everybody admits that he has only half a mandate.

Mr. J. STOREY: Since you have spoken I have a full mandate!

Mr. J. C. L. FITZPATRICK: That may be so, but the hon. member has admitted that he has only half a mandate. I do not know whether he thinks he ought to retain possession of the Government benches if he can only do so by the support of the hon. member for Sydney, Mr. Levy.

I fully realise that with only half a mandate the Government cannot go full steam ahead," remarked the Premier. "It will have to go slow, shaping such a course as it considers the people as a whole want it to steer at the present time. Therefore it shall be my desire, without for one moment losing sight of the declared objectives of the Labour movement—

His supporters outside will see that he does not lose sight of the Labour movement. Mr. Brookfield and Mr. Minahan and Mr. Gardiner will see that he does not lose sight of it, while other hon. members on our side will push him forward in quite a friendly fashion to his doom.

Therefore it shall be my desire, without for one moment losing sight of the declared objectives of the Labour movement, to move forward slowly, doing

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such things as it seems the country as a whole want doing just now. When later we go before the country—
That will be presumably three years hence.

Mr. J. STOREY: Hear, hear! We had some doubt about that an hour ago, but now we will be in for ten years!

Mr. J. C. L. FITZPATRICK: I have no doubt some people besides myself do not want an election in a hurry. Open confession is good for the soul. I suppose that if the ninety members of this House were asked the question, those few who said they were prepared to make another appeal to the country would have the microscope put upon them by the others who declared against a general election.

If, then, we are again returned, and with a clear and definite mandate, we will go ahead and give practical effect to the programme endorsed. A lot of people take an entirely wrong view of the Labour movement. It has set up for itself certain ideals, which cannot be realised in a day or a decade. I quite realise that the present social structure, which has taken centuries to build up, cannot be pulled down and reconstructed in twenty-four hours.

The Government can accept my blessing for what it is worth. As far as members on this side are concerned we will see that the Government do no injury to the country by the passage of any of the wild-cat legislation which it promised to the electors when seeking election.

Mr. F. M. BURKE: You could not stop it!

Mr. J. C. L. FITZPATRICK: We could but for the gentleman who is going to take the chair. The Opposition will keep a revising eye on all legislation that is introduced with the assistance of the Progressives, who will perhaps see eye to eye with us on some subjects, even if they are not willing to accept my views on the question before us at the present moment. If I am prepared to come out into the open and say with regard to this man Levy what other people are thinking, I do not know that I ought to be attacked by some members who have some feelings of awe at expressing their views on such an occasion as this. The Opposition will endeavour to safeguard the interests of the community. I know the task of the Premier is not going to

be an easy one. I know what he will have to face day in and day out. He will have haunting him a spectacle from over yonder.

Mr. J. STOREY: What is that?

Mr. LANG: The Treasury!

Mr. J. C. L. FITZPATRICK: The Treasury is all right. A careful handling of the revenue of this State was carried out by me during my brief period.

Mr. LANG: Where was it carried to?

Mr. J. C. L. FITZPATRICK: You cannot have your cake and eat it too. You cannot carry out public works and a thousand and one other things without having to pay for them. There is the method adopted by other Governments, notably the Queensland Government, which finds lots of things for that section of the people which support it, and finds it is cheaper to steal beef from the chilling companies than to raise it in the ordinary way. But we have to pay our way, and it is because we have paid our way to the uttermost possible farthing that to-day the Treasury is exhausted of funds. We have made provision for the present Treasurer, and he will be able to live possibly for a week or a fortnight and then the end will come, and the hon. member will have to find funds to meet certain obligations.

Had there been any effort made—as there was on a previous occasion—to stifle debate to-day, there would possibly have been a recurrence of what transpired in days gone by. I commend hon. members opposite to the straight path that leads to eternal salvation.

Mr. LANG: It is very narrow and it is very hard!

Mr. J. C. L. FITZPATRICK: It is straight even if it is narrow. If the Government desires to alter laws I want them to do it in a straightforward fashion; that is, by the introduction of bills which members will be able to examine, criticise, and amend. I warn them against doing by regulation or administrative act that which ought not to be done without the strengthening element of an Act of Parliament. I want to utter a warning to the man who is going to be put into the chair. I want to tell him that in the future the Speaker ought to be in his place in this House; that he is not elected to that chair merely

as an ornament; that he is supposed to be in that chair night in and night out, and not allow the chair to be occupied by a Chairman of Committees, whose appointment is practically a political one, and who possibly has no knowledge of the rules of procedure or the standing orders. Times innumerable we have had trouble owing to the fact that the Speaker had gone to a concert or dinner or some function of that kind, and allowed the Chairman of Committees to go into the chair, with the result that rulings were given against all precedents, which brought down wrath on the men who were responsible for those decisions. Mr. Levy ought to perform the duties attached to the position of Speaker, and I believe I shall have the endorsement of every hon. member when I say that except under very exceptional circumstances the Speaker should always occupy his position in the chair.

Mr. BEEBY (Murray) [5.11]: There was no need in the early part of the discussion for the high assumption of virtue by the two hon. gentlemen who nominated the Speaker that they were controlled by one motive only, and that was to conform to the ancient traditions of the House of Commons. It is far better to be frank in these matters. The fact is that the position of the Government is strengthened by its securing a Speaker from the other side. There is no need for any concealment about it. The Government is entitled to strengthen its position, and there is no occasion for the constant suggestion that it has been done in order to conform to the ancient traditions of the House of Commons. It is being done in order to meet a peculiar political situation. There must be a Government in this country, and the affairs of the country must be attended to. The Premier, in order to enable him to do that, seeks a Speaker who does not happen to be a member of his own party. I raise no objection to the Government taking that stand. As to the selection of Speaker, I only desire to say that as far as Mr. Levy is concerned he was Speaker in the last House; he is a man of high qualities who can well discharge the duties of that high position. Personally I have to say that I told Mr. Levy that I thought if his acceptance

of the Speakership gave a majority to the party to which he was opposed at the poll the position was altered, and the question of tradition did not very much come into the matter at all. The fact is he is the only nominee before the House to-day. He is most highly qualified for the position, and there being no other nominee I regret that the debate should have been continued in the way it has been. I do not object to hon. members expressing their opinions, and I have no special objection to the criticism which has been directed to the Government nominee by the hon. member for Bathurst, Mr. Fitzpatrick. But I hope that where what a man wishes to say can be easily said in twenty minutes we shall not find hon. members occupying two or three hours in making their views known. This House is in a somewhat different position from the last one. There is now a new element pledged very definitely to propositions which are intended to bring about modifications of the party system of government. Our objective is no mere political catchphrase, but a definite principle, and I regret that our opening proceedings should have been characterised by a debate of this nature. Mr. Levy is the only nominee, and he should be conducted to the chair and receive from the House such support as will make it clear that he is the unanimous choice of hon. members. I hope the debate will be soon closed, and that we shall realise the introduction into politics of elements which will modify the violent party spirit which has characterised our proceedings during the last twenty-five years.

Mr. BROOKFIELD (Sturt) [5.17]: I had not intended to say anything, but feel impelled to rise in reply to some of the remarks which fell from the hon. member for Bathurst, Mr. Fitzpatrick. There was a pathetic wail underlying the abuse which the hon. member directed to the candidate for the Speakership. It was a wail based on the loss of the opportunity for crawling to a sprig of royalty in order to get a few knighthoods. The hon. member approached me in confidence, and to-day has broken that confidence on the floor of the House. He offered me a price if I would throw in my vote with the National party.

[Mr. Beeby.

Mr. J. C. L. FITZPATRICK: I say you lie!

Mr. BROOKFIELD: You offered me a certain price, and you said that if you had offered Mr. Levy half of it he would have accepted it.

Mr. J. C. L. FITZPATRICK: I said nothing of the kind, and you know it!

Mr. BROOKFIELD: Hon. members know that what I say is correct. The hon. member went further, and said that he did not want my continued support, but merely one vote from me when the House met.

Mr. J. C. L. FITZPATRICK: Yes, that is true, but the other is a lie!

Mr. BROOKFIELD: My vote was required in order that the House might be adjourned and the hon. member might have the pleasure of welcoming the Prince of Wales as a Minister of the Government in power. There was a pathetic wail running through the hon. member's speech, because he had been robbed of the chance of gathering in a few knighthoods. The hon. member in denouncing others should remember what he has said about me. He has addressed to me every vile epithet that could be hurled at any man, and yet, in order to get a few knighthoods, he was prepared to accept my vote.

The references made by the hon. member for Botany, Mr. Hickey, and the hon. member for Wollondilly, Sir George Fuller, to what has occurred in the House of Commons in days gone by have nothing whatever to do with us. What does it matter to us if certain things were done in the distant past? Times are changing so rapidly that we must establish a new order of things. We should not be guided by what "May" says or what some ex-Speaker of the House has said, but we should lay down rules of procedure for ourselves. These gentlemen who laid down certain principles in the past may have been actuated by the highest motives, but here we are on the spot, and we are more capable of judging what is required than any one else could be.

I consider that the remarks made by the hon. member for Bathurst, Mr. Fitzpatrick, in denunciation of the I.W.W. prisoners were ill-timed in view of the fact that the Government has

made it public that it intends to appoint a royal commission to deal with the cases of these men. No statement, detrimental or otherwise, in regard to these men should be made until the result of that inquiry is known. I hope that, instead of wasting time in making long speeches, hon. members will realise that the country, industrially and otherwise, is in a chaotic condition, and that it will be to our benefit and to the benefit of the people we represent if we at once put the Speaker into the chair and get down to business.

Mr. LEVY: I beg to express my thanks to hon. members for the honor conferred upon me, and I submit myself in all humility to the decision of the House.

Mr. Levy was escorted to the chair by the hon. member for Botany, Mr. Hickey, and the hon. member for Sydney, Mr. Birt.

Mr. SPEAKER: I beg to thank hon. members for the honor they have conferred upon me in re-electing me to the Speaker's chair. During my previous occupancy of the position I hope that I gave satisfaction to hon. members on both sides of the House. In my humble opinion that is the principal consideration. Certain criticism has been levelled against me to which it is not becoming for me to reply here, but I am glad to know that no exception has been taken to me on the ground that during the time I occupied the chair I showed incapacity or partiality. That is all I am concerned about. I cannot help observing that there are many new members in this Parliament, to whom probably the forms and usages of the House will not be familiar, and I have very much pleasure in intimating that I shall at all times be prepared to give new members any advice or assistance that lies in my power—either when I am in the chair or when I am in my room. I again desire to thank hon. members for the honor conferred on me, and beg to assure them that I will do my best to again merit the confidence they have reposed in me.

Mr. J. STOREY (Balmain), Premier [5.25]: It is my pleasant duty to tender you my hearty congratulations on your elevation to the distinguished position of

Speaker of this House. Hon. members have had experience of your occupancy of the chair, and of the impartiality you have exhibited on all occasions. During the last Parliament debates frequently took an acrimonious turn, and it will be remembered by hon. members who were then in this Chamber that you displayed coolness, courage, tact, and a wide knowledge of constitutional procedure. It is the desire of the members of the Government to carry out work which we believe will be in the best interests of the country, and if on occasions we call upon you to exhibit more than ordinary endurance it will be because we are anxious to get on with the public work. We also hope that you will give whatever assistance you can to the members of the Opposition. It is the function of the Opposition to criticise as keenly as possible the doings of the Government, and we are sure that you will in future carry out your duties with the impartiality which has marked your conduct in the chair hitherto.

Sir GEORGE FULLER (Wollondilly) [5.27]: I feel sure that you would regard it as somewhat hypocritical on my part if, after the opinions I have expressed on behalf of the National party, of which you have been a member, I now offered you my congratulations. Under the circumstances all I can do is to express the hope that your duties will be carried out with strict impartiality.

Mr. WEARNE (Namoi) [5.28]: I desire to congratulate you, sir, upon having been re-elected to the high and honorable position of Speaker of this House. At the same time, I wish to inform you that since you last sat in the chair as Speaker there has been brought into existence another political party—the Progressive party—which is represented in this House by sixteen members. I also wish to notify you that I have been elected leader of that party. I am sure that you will, with your usual fairness, recognise the party and myself as its leader. Amongst the members of the Progressive party are a number of men who are young in politics, and I was glad to hear you say you would do everything in your power to assist them. On their behalf I desire to thank you very much. You will find that the members of the Progressive

party will give you loyal support. We have come into the House to do the right thing. While we do that and strive to legislate for the benefit of the people of this country we recognise that we shall receive your support, just as we realise that if we fail to do our duty in that respect we shall not be entitled to your support.

Mr. LOXTON (Ryde) [5.31]: I desire, sir, to congratulate you on behalf of a small section of this Parliament, the Independent members, who, though small in numbers, will make their influence felt when party meets party. I have known you for many years. I have the highest opinion of your rectitude, and am satisfied that you will not allow anything which has occurred in the House to-day—which with great respect I say appears to degrade the House—to influence you in your rectitude and sense of justice, or in any action you may take to maintain the great traditions established by Speakers who have preceded you.

SPECIAL ADJOURNMENT.

Mr. J. STOREY (Balmaln), Premier [5.32]: I move:

That this House do now adjourn until 11.45 a.m. to-morrow.

I have to announce that his Excellency the Governor will be pleased to receive the Speaker to-morrow at noon; provision will be made to convey hon. members who desire to accompany the Speaker and members of the Government.

Sir GEORGE FULLER: That means that the House will meet to conduct the Speaker to his Excellency. Does it mean that we shall meet for business on our return?

Mr. J. STOREY: It will be necessary for us to reassemble afterwards, and then for the Government to move the adjournment of the House till an hour which will be named in order that we may meet again merely for the purpose of laying upon the table departmental papers which have accumulated.

Question resolved in the affirmative.

House adjourned at 5.34 p.m.

[Mr. Wearne.

Legislative Assembly.

Wednesday, 28 April, 1920.

Members Sworn—Presentation of Mr. Speaker to the Governor—New Ministry—Leader of the Opposition—Papers—Leader of the Progressive Party—Leave of Absence—Public Accounts Committee—Resignation of Members: Non-issue of Writs—Parliamentary Standing Committee on Public Works—Assent to Bills—Armistice Addresses—Adjournment (Wheat Silos—Irrigation Works—Returned Soldiers—Railway Construction—Hydro-electric Schemes—Housing Act—Waterfront Workers—Losses from Drought—Subsidy to Mothers—Increased Cost of Living—Venereal Diseases Act—Broken Hill Strike—Charitable Institutions—Schools in Country Districts—Closer Settlement—Water Conservation—Tramway Service—North Coast and Tablelands Development—Timber Concessions—Wheat Inquiry—Grants for local public works—Unemployment—Visit of the Prince of Wales).

Mr. SPEAKER took the chair.

MEMBER SWORN.

Mr. Walker, member for Cumberland, took the oath and subscribed the roll.

PRESENTATION OF Mr. SPEAKER TO THE GOVERNOR.

Mr. SPEAKER reported that the Assembly had been to Government House, where he informed the Governor that, immediately after the opening of Parliament yesterday, the Legislative Assembly, in the exercise of their undoubted right, had proceeded to the election of their Speaker, that their choice had fallen upon him, and that he had now to present himself to his Excellency as their Speaker;—whereupon his Excellency was pleased to offer him his congratulations. That he had then, on behalf of the House, laid claim to all their rights and privileges, particularly to freedom of speech in debate, to free access to his Excellency when occasion should require, and that the most favourable construction should, on all occasions, be put upon their language and proceedings;—to all of which his Excellency had readily assented. Mr. Speaker then repeated his grateful thanks for the honor the House had been pleased to confer upon him.