

Legislative Council.

Thursday, 18 October, 1917.

Average Cost of Attendance at State Schools—Aborigines Protection (Amendment) Bill (second reading)—Birds and Animals Protection Bill—Bega and Wilberforce Labour Settlements Bill.

The PRESIDENT took the chair.

AVERAGE COST OF ATTENDANCE AT STATE SCHOOLS.

The Hon. T. WADDELL asked the SOLICITOR-GENERAL AND MINISTER OF JUSTICE,—(1) Has the attention of the Government been drawn to the statement made in the Commonwealth Official Year Book, No. 9, 1916, to the effect that the cost per head of average attendance at State schools for the year 1914 was, for New South Wales, £8 18s. 9d., while that of Victoria was only £5 17s.; Queensland, £5 10s. 1d.; South Australia, £5 9s. 11d.; Western Australia, £7 11s. 1d.; and Tasmania, £4 13s. 2d.? (2) If so, will the Government make inquiries as to why the cost per head for State education for children in New South Wales exceeds that of any other Australian State?

The Hon. J. GARLAND answered,—I shall be glad if the hon. member allows the question to stand over until Wednesday next, as I have not yet received the information.

ABORIGINES PROTECTION (AMENDMENT) BILL.

SECOND READING.

Debate resumed (from 17th October; *vide* page 1725), on motion by the Hon. J. Garland:

That this bill be now read a second time.

The Hon. T. WADDELL: The hon. member, Sir Joseph Carruthers, has taken exception to this measure on the ground that it stops short with aboriginals and half-castes. I happen to have had some experience in districts I have represented in another place in connection with the handling of blacks. I have also had many conversations with gentlemen who have had the responsibility of looking after the remnants of this old race, and I must say from all I have learned by experience and

from all I have heard I have long since come to the conclusion that a measure such as the one now under consideration is very necessary in the public interest. I know that the men who have proved most dangerous in connection with blacks' camps have been men who in some cases are not even half-castes, but who, whilst they have black blood in them, have all the tyranny of the white race added to the degradation of blacks with whom they have mingled. It seems to me that there is not very much force in what the hon. member said—that those who have black blood in them will be ostracised, and will be denied that protection which is now thrown about them as aboriginals or half-castes, and that we shall therefore be doing them a great injury. Under our system of education every boy and girl in this country can be educated. It very rarely happens nowadays that any family lives in a district so remote that there is not available a half-time school at which the children can be educated. The great majority of these people, in fact almost the whole of those who, the hon. member complains, will no longer be protected if this bill becomes law, get a fair education. They acquire not only the ordinary rudiments of education, but they are taught a moral code, and they are trained to be good citizens. They have the fullest information, and everything necessary to make them good citizens. It rests entirely with themselves. If any of these boys or girls with a dash of black blood in them wish it, they can be good citizens; and if they are good citizens they will be received cordially by any section of society. In my travels I have many times in country hotels seen persons, evidently with a certain amount of black blood in their veins, who knew how to behave themselves, and they were just as welcome at the table as anyone else. So that it lies entirely with that section of the community which has black blood in its veins—a very small section indeed—to be good citizens. The State has done its duty—it has educated them; and if they do their duty in return, and are good citizens, they will not be ostracised. We have all seen at times men who are perfectly black—negroes, in fact—at hotels, even first-class hotels, at the best table. I myself have seen men,

quite black, dressed decently, who knew how to behave themselves, and who were good citizens. No one in this advanced stage of civilisation will have any objection to a man on account of his colour, so long as he behaves properly, and we would honour him as much as any other citizen if his conduct is such as to merit honor. Personally, I cannot agree with the hon. member who has criticised this bill so warmly. In a matter of this kind, I take it, we ought to a large extent be guided by the inspectors of aborigines, honorable men who have been appointed on account of their extensive knowledge of the habits of the blacks; and if they, as the result of experience, have found that it would be well to exclude from the protection extended to aborigines generally men with a smaller quantity of black blood in them than half-castes, we should accept their advice. I hope the Minister will give the House some information on the point, and if we find that the inspectors have strongly recommended that this measure be passed, we should be guided by them. Whilst we are not only willing, but anxious that the State should throw a fair amount of protection round the remnants of that old race in this country, whose land we have taken, even if it does cost a few thousand pounds, none of us would desire to see State money thrown away in directions where its expenditure would be ill-advised. I venture to say that it would be difficult to find a section of the community on which State money would be more thrown away than on the very class which the hon. member, Sir Joseph Caruthers, is so anxious to protect. I hope the Government will adhere to that provision. If it is necessary to alter it in some way that may be beneficial, well and good; but to remove the provision altogether and compel all those with black blood in their veins to come within the definition of "aborigine" would be to make a serious mistake. I hope the Minister will not adopt this course.

The Hon. Dr. NASH: There are one or two points of view in regard to this subject upon which I should like to say a few words. I notice that if this amendment of the original Act is passed the amount of money required to be expended upon the remaining black people in the country will be considerably diminished, because

it will really then become an expenditure upon 6,580 people as against an expenditure on practically twice that number. So that it really is to be a question of cutting down the expenditure on the present black population in the country. I feel disinclined to agree with the hon. member who has just finished his speech in regard to the tolerance shown to the octoroon, the quadroon, or any other section of the population of the State which has black blood in its veins, by the white people. A famous American once said, in reply to the taunt that the black blood was not as strong as white blood—he was addressing an audience of black people—that it was stronger, because one drop of black blood in the body of any person made the person black. This is so under the law of the United States—one drop of black blood cannot be wiped out. It makes a person practically belong to the black race. This bill might perhaps have my approval on the ground of economy, because there is no question in New South Wales or in Australia to-day that is more pressing, in my opinion, than the need for economy; but I ask myself the question whether this is the proper time for a measure of this kind? According to the latest statistics, we have in the country some 6,580 aboriginals.

The Hon. N. J. BUZACOTT: Does the hon. member mean in New South Wales?

The Hon. Dr. NASH: There are in New South Wales 6,580 aboriginals, of whom 1,597 are full-blooded, and the remainder are half-castes. We have left in this country only 1,597 of the full-blooded members of the original black population. I presume that the Minister will agree that there are still some men, even among the blacks, who possess pride of race. They have some pride left which belongs to the black race, and which existed before the white man came to take possession of their country. If that be so, and if there be among that 1,597 any men with this pride remaining to them, then I say we should not pass this bill for altering the Act which now exists. The white people have come here, and have taken everything away from these black people, until all they have left is perhaps among a few of them that pride of race. If there be any such, this bill would only emphasise that the blood which flows in

them has no respect from the people who have taken their country. All we have to do is to wait for a few years, and they will be all gone. Every one of them will be gone from the country. Nobody will be left who has one tinge of the pride of race left in him, and I know that this pride of race does exist among black men.

In the year 1888 I saw the last wild black man in Victoria, in a camp across the border. That man, as compared with everybody else in that camp, was a gentleman. He was prepared to resist at once any slur that was cast upon him as a black man, or upon his race. It was the first time in my life, and the only time, although I have lived all my life in Australia, that I had seen a man with a pride of the race of people who lived here before the white man came. The Government should pause before they alter the present law. They should wait for a few years, when all the full-blooded blacks will be gone, and then they can wipe out all the black camps from the face of the country. If they wait until then there will be nothing said about it. This bill was practically not debated in another place. The Minister who was in charge of the bill introduced it, and there were a few remarks made by four members, after which it was passed without further consideration. It is one of those peculiar instances where a bill of minor importance passes in another place, with hardly any comment, and comes to this House to be debated at considerable length. I really think that, looked at from a point of view that our race has come here and has taken from these black people all that they ever possessed, that we should not, at this stage, seeing that the whole need for action will be wiped out in a few years, persevere with this amendment. I think that we should leave well alone, and expend in the coming year as much money for this purpose as we have been doing for a few years past. The hon. the Minister introducing this bill did not give us any reasons that appealed to me in favour of an alteration, and no reasons were given by the Minister in charge of the measure in speaking on the second reading in the other Chamber. If there be any backing for throwing out the measure on the second reading, I feel

inclined to vote for it being thrown out, and I fancy that the Minister himself would be very much obliged to the House if it did throw it out.

The Hon. J. GARLAND: I do not say I would!

The Hon. Dr. NASH: I only say that I imagine that the hon. member would. I think that when he has thought over the matter he will be glad to see it thrown out, on the broad and humanitarian ground that he does not wish to throw any insult upon anyone of the 1,500 remaining members of the black race who still survive in the State of New South Wales.

The Hon. N. J. BUZACOTT: I regret to say that I do not know very much about this subject. When I knew that this bill was being passed, and the object of it, it seemed at first sight to please me. I thought it might be a move in the right direction. I listened to the speech of the hon. the leader of the Government, who moved the second reading, and I listened to the speech of the hon. member, Sir Joseph Carruthers. I looked through the bill that is before the House, and the Acts which we propose to amend, and I now feel in some doubt about passing the measure and as to whether it will be beneficial or otherwise. With respect to the saving to be effected I am not much concerned about that. I consider that the white race, when they came to Australia, although they took the country from a black race who were not well fitted to turn it to any beneficial use, yet they did take it from them, and not only took it from them, but they introduced the vices of the whites among the blacks. In all probability that is a matter for which we at some time will have to pay the penalty, for I think that whenever wrong is done, retribution sooner or later overtakes either the individual or the State which has done the wrong. Now to come to the bill. The proposed definition of aborigine takes away from those who are less than half-caste the protection of the Act. I would like to know what will become of the old women and young children of half-castes, because with this altered definition of aborigine they will have no right to stay in the camps and will not come under the administration of the board. I find on reading the

Principal Act that the board now has power to put certain persons out. Paragraph 2 of section 8 provides that the board may remove from a reserve any aborigine who is guilty of any misconduct, or who, in the opinion of the board, could be earning a living away from such reserve. I think that ought to be ample power. The hon. member, Mr. Waddell, said that the board recommends this bill and has actually asked for it. I do not know why it cannot, under the provisions of the Principal Act, exercise the power which this bill proposes to give it. I think it would be wise, if it were practicable, to get those who are less than half-caste away from the camps, and distribute them amongst the white population, but I see the difficulties to which I have alluded.

The Hon. Sir THOMAS HUGHES : From what I have seen of this measure it seems to me that it is a piece of hasty legislation such as this House is appointed to inquire into. I do not think many hon. members had any idea of the provisions of the Principal Act at the time the bill was introduced. It is for us to look at the protection which is now afforded to the quadroons and octoroons, and of which it is proposed to deprive them. The original Act provides a very large measure of protection for all occupants of aborigine camps in the State. That is noticeable in section 7 of the Act, which states that it shall be the duty of the board to provide for the custody, maintenance, and education of the children of aborigines, and to exercise a general supervision and care over all matters affecting the interests and welfare of aborigines and to protect them against injustice, imposition, and fraud. Thus a wide public duty has been deliberately undertaken by Parliament to protect and care for persons who are aborigines within the meaning of the original Act.

The Hon. J. GARLAND : The protection afforded under that section extends to the children of octoroons!

The Hon. Sir THOMAS HUGHES : I know it. I shall deal with that directly. Section 9 of the Act provides that any person who gives, sells, or supplies, except in case of accident or on the prescription of a duly-qualified medical prac-

[The Hon. N. J. Buzacott.

itioner, any liquor to any aborigine, shall be guilty of an offence against the Act. By far the larger number of the persons who are in camp will, under this bill, be compelled to leave, and the most likely places to which they will go to spend their time will be the hotels, where there is always drinking going on. What protection, therefore, is to be afforded to a lot of people who, up to the present, have been brought up under the care of the Aborigines Protection Board—an excellent board, well-managed, and doing its work well? These people, without any preparation, will have to make a new start in life. Is that performing a duty to the aborigines of the country such as we should perform? I say certainly not. It seems to me that the only reason for bringing in the bill is to save a few pounds, because that is the main reason given by the Minister in charge of the bill in another place. I quote the words of the Acting Premier, who introduced the bill: "There is hope that the operation of the amendment suggested in this bill will tend towards reducing this expenditure very considerably, and that in years to come the expenditure in respect of the aborigines will reach vanishing point." There are two ways in which this measure could have been brought before the House. It could have been recommended to us on the ground that it is good for those quadroons and octoroons that they should be turned adrift. That has not been done. It could have been urged that there are other sound reasons why they should be turned adrift. No substantial reason has been given why we should deprive them of the protection they have had for years. It may be that there is a reason, but the House has not been placed in the possession of evidence to justify the passing of the measure. The hon. member, Mr. Varley, is a member of the Aborigines Protection Board, and I should like to hear from him. I have no idea what his views are, but I would ask him, as a member of that board, whether the board approves of turning all these people adrift at this moment?

An Hon. Member : Mr. Varley is not now a member of the board!

The Hon. Sir THOMAS HUGHES : His signature is on the last report issued

by the board, and he must be better informed on this matter than I am. I am simply judging the facts as they appear on the surface, and if there is an hon. member who has definite knowledge on the subject, I should be grateful if he would give us his views as to whether, by a stroke of the pen, we should so far limit the definition of the word "aborigine" as to take away from these thousands of persons the protection they have at the present moment, and turn them adrift in the world. It may be a good thing to do so, but the evidence that it is so is not before this Chamber. If the Government wants to go on with the measure at this stage, I think it should be sent to a select committee of inquiry, so that the facts may be presented to the House. I have here the last report of the Aborigines Protection Board. The board does not recommend this drastic turning out of these people.

The Hon. J. GARLAND: It does recommend it. I told the House, and I repeat, that the Aborigines Protection Board unanimously recommends this measure!

The Hon. Sir THOMAS HUGHES: In this report it does not say so; and if it does now recommend it, all I have to say is, that in the short space of twelve months the board has entirely changed its point of view. In the report the board says that in the past the only distinction made in the collection of the census has been between full-bloods and half-castes, and in the latter term have been embraced all who are not of the full blood, including quadroons and octoroons, who have really no right on a reserve set apart for the use of aborigines, and will, it is hoped, be gradually weeded out. That is all the information in our possession with regard to the desires of the board. We have the official recommendation of the board that they be gradually weeded out.

The Hon. J. GARLAND: I say that the board has unanimously recommended this bill!

The Hon. Sir THOMAS HUGHES: Does the hon. member say that the board recommends that these people shall be turned out at once?

The Hon. J. GARLAND: I say that the board recommends this bill as drafted!

The Hon. Sir THOMAS HUGHES: If we pass the bill in the way that it now stands, the weeding out cannot be gradual.

The Hon. B. B. O'CONNOR: Suppose there are half-castes in the camp now, what is to be done with their children?

The Hon. Sir THOMAS HUGHES: They will be turned out; there are no half measures.

The Hon. L. F. HEYDON: The children of half-castes would be half-castes!

The Hon. Sir THOMAS HUGHES: If the children are not half-blood aborigines they will be liable to a penalty of £20, under section 10 of the Principal Act, for remaining with their fathers and mothers. It is an ill-considered piece of legislation.

The Hon. J. ASHTON: Does the hon. member know how many quadroons and octoroons there are?

The Hon. Sir THOMAS HUGHES: Yes, I have the figures.

The Hon. H. E. KATER: If half-castes marry, what are their children?

The Hon. Sir THOMAS HUGHES: I am afraid I am not in a position to inform the hon. member at the moment. The hon. member, Mr. Heydon, says they also are half-castes.

The Hon. H. E. KATER: Then they ought to be provided for!

The Hon. Sir THOMAS HUGHES: My knowledge as to the effects of this particular measure is knowledge merely on the surface of things, and is acquired from the existing law relating to the management of aborigines, and from the last published report of the Aborigines Protection Board; and it does appear to me that the matter has not received the consideration which is its due. While I would be very loth to vote against the Government in what I believe is its well-intentioned effort to do good, I should like to, in some way, prevent a measure of this kind becoming law without much further careful consideration.

The Hon. J. ASHTON: Will the hon. member state the figures with regard to quadroons and octoroons?

The Hon. Sir THOMAS HUGHES: I beg the hon. member's pardon. In proposing the second reading of the measure,

in another place, as reported in *Hansard* on the 9th instant, the Acting Premier said :

At the close of last year the number of aborigines in New South Wales was : Males, 669 ; females, 450 ; children, 454—a total of 1,573.

That is, full-bloods. Added to that 1,573 is the very large colony of half-breeds and quarter-breeds. The Acting Premier went on :

As regards half-castes and their descendants, there were 1,280 males, 1,025 females, and 2,721 children—or a total of 5,026 persons.

The Hon. J. ASHTON That does not separate half-castes on the one hand from quadroons and octoroons on the other !

The Hon. Sir THOMAS HUGHES : No ; but I think we may fairly assume that the children are more numerous than the parents, and that the greater proportion of that total of 5,026 will come within the provisions of this bill, and will be turned adrift if it becomes law. I appeal to the representative of the Government not to press the bill to its final stages at this late date in the session. Let us debate it as fully as possible, and get all the light we can upon it, and if we cannot come to a reasonable conclusion I suggest that the Government will suffer nothing by allowing it to go over to next session. The actual saving in money is, I am sure, a matter which does not really appeal to the Government. The Government believes it is doing a humanitarian act, but on the evidence in my possession, I differ from it. I quite recognise that while it may be a very good thing to remove quadroons and octoroons from the company of full-blooded blacks, that is a proposal very different from turning those quadroons and octoroons loose on the community.

The Hon. L. F. HEYDON : There is no provision for that in the bill !

The Hon. Sir THOMAS HUGHES : But that will be the effect.

The Hon. A. E. HUNT : There are hundreds and thousands of them loose on the community already !

The Hon. Sir THOMAS HUGHES : At any rate the board has a certain supervision over them, and has, according to its own report, done excellent work. On the point mentioned by the hon. member, Mr. Hunt, I may quote another pass-

[*The Hon. Sir Thomas Hughes.*

age from the board's report in reference to the work of the Home Finder, who looks after the quadroons and octoroons. It is as follows :—

At the end of the year 1915 there were eighty girls in situations, all enjoying the comfort of good homes and wages paid regularly.

In the case of those girls who were apprenticed, their pocket money is signed for weekly, and the balance paid to their credit with the board's trust account, which had a balance of £1,071 2s. at the end of the year.

All that is to be thrown away if this bill is passed. I suggest to the Government that as this is not a matter of public urgency it may well be given a little more consideration, and some provision should be made for these people before they are turned adrift.

The Hon. G. F. EARP : I had not intended to say anything with regard to this measure, and only felt impelled to do so by the refreshing criticism we have just heard almost for the first time in this Chamber since the present session commenced. I cannot conceive of anybody at this time of day being so mean as to wish to press a measure of this kind on the ground of economy. Here is a race which has existed on this continent, according to geological discoveries which have come to light, some one hundred thousand years, and which, from the advent of the white man, will have been wiped out in about two hundred years. At the present rate of decrease of the full-bloods, in fifty years there will not be one left. The white man has taken their land, and by his vices has done them other great injuries. Under those circumstances how can anybody for a moment consider the question of economy in protecting the remnant of this unfortunate race ? I regard the measure not only as a humane one, but as most opportune. As a member of the Association for the Protection of Native Races, I had some experience extending over a number of years with regard to the natives, and contemplating the facts, I have come to this conclusion : that there is only one means by which the remnant of this race can be preserved, namely, by work. There is no other. We have taken their land from them. The native was a hunter, but his country has been taken and his occupation is gone ; he has nothing to do, and he accordingly degenerates, as the white race also would

degenerate in similar circumstances. He is degenerating because he has nothing to do.

AN HON. MEMBER: Would you advocate segregation?

The Hon. G. F. EARP: I would not. "Protection" for the aborigines is really a misnomer. It only means segregation in idleness in camps. I take it the object of the measure is to make those capable of working, work. These quadroons and octoroons have been educated by the Government; they have been fitted to take their rank as citizens in the community. How are they going to do so if they are always to be "protected" in camp?

AN HON. MEMBER: Why does not the board send them out?

The Hon. A. E. HUNT: The board has all its time taken up to keep them in!

The Hon. G. F. EARP: I am not here holding a brief for the board, and I do not say I support all that the board does. The board, however, recommends the measure, and I can quite understand its doing so. Its members know perfectly well that the only chance of doing good for the black race, and giving them a chance to continue in existence, is to make them work. The only way of enabling them to work is to educate them and send them into the community, with the same chance as the white race, and in competition with it. That, to a certain extent, has been done; many thousands of these unfortunate people are working, but the board requires the power which the bill provides to enable all these people, when they are educated and fitted to take their place in the community, to do so. I take it that most of the difficulties that have been conjured up may be dealt with in Committee by suitable amendment, so that I think it would be a very drastic action indeed to throw out the bill because some difficulties have cropped up. From what experience I had during my connection with the Association for the Protection of Native Races, I regard the bill as a most desirable measure. What is the few thousand pounds that will be saved? Certainly it will come to vanishing point in time, for this reason, that the full-blooded blacks are dying out; consequently, in the course of time, the tragedy will happen that eventually there will be nothing to be spent

on them. As to the quadroons and octoroons, however, if we allow them to take their place in the community and give them an education fitting them to discharge the obligations of citizenship, and compel them to do so, they will have a chance of persisting, and that will be their only chance of doing so. I trust therefore that, notwithstanding the opposition which has been shown to the bill, such a step will not be taken as to throw it out. My own experience impels me to support it; furthermore, I understand that the authorities at present in charge of the protection of this race recommend it. As a matter of actual experience and common sense, it is the only thing that can be done to preserve the native races of this State, and to save the country from the disgrace which would ever attach to it for having wiped out the race which the white people displaced when they came to this land.

The Hon. L. F. HEYDON: I have listened with great interest to the speeches of some of the speakers, and whilst I have every respect for those hon. members, I have failed to follow their argument on this occasion. I will not yield to anyone in my idea of humanity, or in my sentiment about the black race which occupied this country before we came here; but when I apply those remarks to the bill before us, anyone would think that it was the full-bloods and the half-castes we were cutting out, whereas it is those in whom the white blood largely predominates who are affected by this bill. An appeal to this House to be tender to the octoroon, who has seven-eighths white blood, for the sake of the great black race of aborigines, I cannot follow. Is it any good—is it any kindness—to these people, following the remarks and arguments of the last speaker, to allow them to lead a sort of gipsy life, with no responsibility for their work, no responsibility for their maintenance, coddled and spoon-fed, trained up in idleness, and confined in an aborigines' camp? Is that kindness to the octoroon, who is a seven-eighths white person? Surely it is the greatest cruelty. Would it not degrade any people to give them a home in a blacks' camp; to herd with full-bloods and half-castes, and breed with them?

Is it not more kind to allow persons who are seven-eighths white to go out into the community, rank as white, and live as white? It is infinitely kinder. I cannot follow the argument of hon. members who have spoken, and I claim to be as tender-hearted, as patriotic, and as sensible in the application of the principles of humanity as any man. The quotation read by the hon. member, Sir Thomas Hughes, shows that the Aborigines Protection Board considers that these octoroons and quadroons ought not to be allowed to reside in the blacks' camps, and that they should be eliminated gradually. I suppose this bill does not necessarily mean that the board will be indiscriminate in its action. This bill will largely operate as to the future, and will deprive certain people, who are more white than black, of certain claims on the Government. But that the change will be heartlessly enforced we have no right to conclude. I trust the Government Department and the Aborigines Board. There is no wish whatever that I can suspect to do anything of the kind to these poor people. It is a great kindness to remove these people, who are one-eighth black and seven-eighths white, from the miserable degrading gipsy conditions of life in the aborigines' reserves, and treat them as white citizens in a white community.

The Hon. G. H. G. VARLEY: I have been appealed to to say something on this occasion. I am not at present a member of the Aborigines Protection Board, nor have I been a member for the last two years; but the recommendations of the board at the time referred to by the hon. member, Sir Thomas Hughes, were unanimously arrived at by men who had anything from twenty-five years down to five or six years' experience. The constitution of the present board is entirely different, and from the experience I gained as a member of the board, I cannot understand how this recommendation can have been unanimously arrived at. The change is too drastic—too sudden. I still hold with the view expressed in the report that the quadroons and octoroons should be dealt with gradually. The experience we gained showed that there was very little difficulty in dealing with the full-bloods and the half-castes. It was the octoroon and the

[*The Hon. L. F. Heydon.*

quadroon who were the cause of all the trouble. If you throw those two classes out of the camps on to the public, and they are allowed to get as much drink as they want, the effect, I am sure, will be to aggravate the present trouble.

The Hon. T. WADDELL: Is it not the quadroon and the octoroon who are demoralising the rest of the camp?

The Hon. G. H. G. VARLEY: That is a debatable point. What will become of these people if they are suddenly removed from the protection of the camps? Where can they reside?

An Hon. MEMBER: They can earn an honest living like other citizens!

The Hon. G. H. G. VARLEY: Where can they obtain money with which to establish homes for themselves? That is the trouble which has to be solved. We know that in some parts of the country the quadroon and the octoroon goes to the shearing-shed, drinks, plays cards, and probably returns home without any money. He feels little or no concern for his wife, or whoever he may be living with, and his family, because they are in the camp being looked after. I think we might be allowed a few years more to deal with this matter. Last year I find the births of full-bloods numbered seventeen, and the deaths fifty-eight, or an increase of deaths over births of forty-one; whilst for the same period the births of half-castes were 168 and the deaths fifty-seven, or an increase of births over deaths of 101. I believe it is necessary for the board to have some authority to deal with the quadroon and the octoroon, but I hope the Minister will see his way clear not to proceed with the bill to its final stages. I endeavoured to obtain the latest information to-day bearing on this question, but unfortunately the inspectors were away, otherwise I would have made myself cognisant with some of the reasons assigned for the introduction of this measure.

The Hon. A. E. HUNT: I should not have addressed myself to the question before the House but for the remarks of the hon. member who has just resumed his seat, and his suggestion that the passing of this bill should be delayed. I support the measure. I think it is a right step on the part of the Government to deal with the octoroon and the quadroon. There is not the slightest doubt that at

the present time those members of the blacks' camps, for whom our sympathy is sought, are going out into the community and indulging in all the vices we are told will affect them. They are working, they are receiving good wages and they are prepared to work, but the trouble is that they can go back to the camp whenever they get out of work, and live for certain months of the year. Instead of working all the time, and settling down under conditions which would be advantageous to the community, they return to the lazy life of the camp; and so the trouble has to be confronted year after year.

AN HON. MEMBER: The Government does not keep them in the camp!

The Hon. A. E. HUNT: I am one of those who believe that the Government should not keep them. I have every sympathy with the black race, and believe that we should do all we can for the benefit of the aboriginal, and possibly the half-caste. I was pleased to hear the observations of the hon. member, Mr. Earp, particularly his remark that the only way to save the black race is to make them work. They have been workers in the past. Those of us who have lived in the back country know that every few months the blacks used to shift their camps and set out on long journeys in order to hunt. They travelled from centre to centre; they were always building humpies, and always doing work of some sort. Now that they are put into camps at the expense of the Government, and provided with rations and blankets, they do no work; they loll about, and disease comes along and sweeps them off. If these men were given something to do it would help to keep them in health, and they would not die out half as rapidly as they are doing at present. To put the blame for the decadence of the black race upon the white man is to my mind unjust. We know that measles and diseases of a similar character break out in the camps; that those who are attacked immediately plunge into cold water, and that this causes the death of many aborigines. No doubt diseases have sprung up as the result of the settlement of the white man; but the same thing has happened all over the world wherever the black races and the white races have intermingled. Surely we do not want to continue the condition

of things we have had in the past. The trouble is a growing one, and the time will never be more opportune than it is to-day to deal with this matter. I heartily support the Government in the action it is taking, and as one who has had considerable experience of the way these people work and the conditions under which they exist, I sincerely hope that the House will pass the bill.

The Hon. J. GARLAND, in reply: I am bound to say I did not imagine when I introduced this bill that it would meet with the strenuous opposition which has been displayed. Nor did I imagine that the shade of Sir Henry Parkes would be invoked for the purpose of inducing hon. members to vote against the measure. But I cannot cavil at the criticism levelled against the bill. I still think the measure is a good one, and that the view which has been expressed by the Aborigines Protection Board, the members of which are experienced and know a great deal more about the aborigines than most hon. members of this House, should guide hon. members in dealing with this measure. Seeing that the board unanimously supports the bill I take it there must be very good reason for it. And it seems quite clear from what has been said by members who have experience that the object of this bill is to save the quadrooms and octoroons by making them go out and work instead of living in idleness in the camps. A further great advantage of this bill will be that it will remove the quadroom and octoroon from association with the full blooded blacks and the half-castes, an association which I venture to think is of benefit to neither section. It has been suggested that economy is the main motive for promoting this bill. I indignantly repudiate that suggestion. It may be true that incidentally economy will result from the measure, but it was never initiated on account of the saving that would be effected. I do not intend to reply at length to the various criticism which has been made. I recognise that, with regard to one suggestion at any rate, it is well worthy of consideration, and that is the effect of this bill on the supply of liquor to the quadroom and the octoroon.

The Hon. A. E. HUNT: They get it all the same!

The Hon. J. GARLAND: Possibly they do, but it is a matter well worthy of consideration. What I suggest is that we should pass the second reading of the bill, and instead of putting it through Committee to-day, I will hold the Committee stage over until next sitting-day, Tuesday. That will allow hon. members who desire to place any amendments before the House, which in their opinion will improve the bill, to submit those amendments after consideration. It is not the intention of the Aborigines Protection Board to act harshly or precipitately towards the large number of quadroons and octoroons who are at present in the aborigines' camps. The board declares that it has no intention of bundling all these men, women, and children out bag and baggage.

The Hon. Sir JOSEPH CARRUTHERS: Can the board do otherwise if the bill passes?

The Hon. J. GARLAND: I think it can.

The Hon. J. ASHTON: Is it not possible to put in a small clause safeguarding these people, and giving the board discretion to get rid of them gradually?

The Hon. J. GARLAND: I am prepared to accept any suggestion along those lines. I feel confident from the report read that the board has no intention of doing this, and that any suggestion on these lines will meet with its warm approval.

Question resolved in the affirmative.

Bill read a second time and committed *pro forma*.

BIRDS AND ANIMALS PROTECTION BILL.

In Committee (consideration resumed from 17th October, *vide* page 1722):

Clauses 2 to 6 as read agreed to.

Clause 7. (1) The Minister may, in the prescribed form and subject to any limitations as to locality and to any other conditions he may think proper, issue licenses authorising the holders thereof to take or kill the protected birds specified therein during an open season, for the purpose of selling the same.

(2) Any person who except in pursuance of such a license takes or kills any protected bird for purposes of sale shall be liable to a penalty not exceeding five pounds for each bird in respect of which such offence has been committed.

[The Hon. J. Garland.]

Amendments (by the Hon. J. GARLAND) agreed to:

That in line 6, after the word "birds," the following words be inserted:—"or animals."

That in line 11, after the word "bird," the following words be inserted:—"or animal."

That in line 13, after the word "bird," the following words be inserted:—"or animal."

Clause as amended agreed to.

Clause 8 consequentially amended and agreed to.

Clauses 9 to 23 as read agreed to.

Clause 24. Any person who uses cyanide of potassium or any other poison for the destruction or attempted destruction of any protected bird or animal shall for every such offence be liable to a penalty not exceeding fifty pounds.

Any poison found in the possession of the person so offending shall on his conviction be liable to be forfeited by the court, and to be disposed of as the court may direct.

The Hon. H. E. KATER: This clause is almost an absurdity. Anyone using cyanide of potassium or other poison for the destruction of a protected bird or animal can merely say that he did not intend to destroy a protected bird or animal, but only an unprotected one.

The Hon. J. GARLAND: I am going to deal with that by an amendment to provide for a regulation that may improve that position of affairs!

The Hon. H. E. KATER: I was going to suggest prohibiting the use of cyanide of potassium for the purpose of destroying any bird or animal, but if the hon. member can do it in another way it may be all right. Cyanide of potassium is largely used in the country, and is a most deadly substance. It is used for poisoning opossums, and the poisoners clear out a whole district in a very short time. Being a liquid, it is used easily, and it is a popular poison in the interior of this country. Where it is used all birds within a radius of miles are absolutely wiped out. I cannot suggest anything, because it seems to me that it would be scarcely worth while to take it out of the bill, or not to allow cyanide of potassium to be used. It might be made a prohibited poison under any circumstances, but that might not be wise, because it is very useful in getting rid of other animals, such as dingoes, &c. The hon. member might provide to make it punishable to use it at all for birds.

The Hon. J. GARLAND: I am quite alive to the very grave difficulty that

meets us in attempting to deal with this question of using poison. There is no doubt that in many cases where poisons might be used for the destruction or attempted destruction of birds the defence may successfully be put up that it was used really for other purposes. Still I do not think that even this clause as it stands is altogether valueless. I think it is of some value. On the other hand, to prohibit the use of any poison for any purpose of destruction is of course going a long way and raising an issue which may end in the defeat of this measure. I therefore would ask hon. members to let this clause go as it stands.

The Hon. G. F. EARP: Could it not be made a matter of permission by the Minister and allowed in certain cases?

The Hon. J. GARLAND: I will consider that question. What I did propose doing was to add a subclause to clause 25 dealing with regulations as follows:—

The Governor may make regulations prescribing the method of laying poison and safeguards in connection with the same, in order to prevent the destruction of birds and animals protected by or under the provisions of this Act.

It does seem to me that something may be effected by means of regulations dealing with the method in which poison is to be laid, or of safeguards that may be used in connection with the use of poisons.

The Hon. H. E. KATER: Who is going to see that the safeguards are carried out? In the wild districts of the country it would be impossible!

The Hon. J. GARLAND: I admit the difficulty, but it is a difficulty which is insuperable. There are two great conflicting claims. There are the claims of the men who want to protect bird life at all hazards. On the other hand, there are the claims of the stockowners, who consider that their lands will be rendered valueless unless they can destroy certain noxious animals. This bill contains provisions which are of great benefit, and which will go a very long way, at any rate in certain directions, towards protecting bird life. I would ask hon. members to allow this clause to pass as it stands. I will consider the suggestion made by the hon. member, Mr. Earp, and if that hon. member, or any other hon. member, will give me his assistance, between now and Tuesday, and we can hit upon any means

of retaining the beneficial provisions of this clause, we can recommit the bill on Tuesday, in order to make it as perfect as we can.

The Hon. J. C. GANNON: Would not the Minister allow dingoes or opossums to be killed by this poison?

The Hon. J. GARLAND: Yes.

The Hon. J. C. GANNON: The bill says not. It says that the persons would be liable to a penalty of £50!

The Hon. J. GARLAND: Dingoes are not protected.

The Hon. J. C. GANNON: What about foxes?

The Hon. J. GARLAND: The fox is not protected.

The Hon. J. C. GANNON: But, according to this bill, any man who uses a poison may be liable to a penalty!

The Hon. J. GARLAND: The fox is not a protected animal, so that foxes may be poisoned.

The Hon. J. C. GANNON: A person trying to poison a fox might incidentally poison a bird, and be liable to a penalty!

The Hon. A. E. HUNT: I do not think there is any need to proceed further with the clause. One would think that the settlers are not alive to the value of retaining bird life. They want to retain it just as much as anyone else does. Where they lay this deadly poison, it is laid at sundown, and is covered almost at daylight. I know that is done. On my place, where the water is poisoned, a responsible person goes out and sees that it is covered during the hours that the birds are about. A small hole is made at the side of the tank; the tank is netted, and the only way the pests can get in is through the small hole.

The Hon. J. S. T. MCGOWEN: I consider this is a very necessary and useful bill. No one who has been in New South Wales and has seen bush life for the last thirty or forty years can fail to feel disgusted and dismayed at the sacrifice of the beautiful animals and birds natural to Australia. I heard the interjection of the hon. member, Mr. Gannon, with regard to clause 24, and also what the hon. member, Mr. Hunt, said, and I ask how are you going to prevent this wanton destruction of bird life even if clause 24 be agreed to as it stands? It really provides that persons found in possession of

cyanide of potassium may say they are using it for animals not protected, and so escape punishment; but the destruction of our magpies and peewits, our kangaroos and other favourite animals, can go on just as before. In what way does clause 24 absolutely prevent the destruction that has been taking place for so many years?

The Hon. H. E. KATER: It does not!

The Hon. J. S. T. MCGOWEN: Then what is all the protest for? I admit the desirability of this law, but we should be thorough. We are not doing our best to preserve the bird and animal life of Australia. I admit that the settler does not want to destroy the jackass and the magpie, for which he has had a kindly feeling all his life; but he is going to destroy the fox and the rabbit with cyanide of potassium, and if on waking in the morning he finds he has destroyed some of the birds dear to him, he will say, "Poor things, I did not put the poison there for them, but for rabbits." This clause is not half drastic enough.

The Hon. Sir JOSEPH CARRUTHERS: I understand that the Minister proposes to take power in the next clause to provide for regulations governing the laying down of poisons. I think that would meet the case, and will protect bird life, while at the same time effecting the purpose for which the poison is laid!

The Hon. J. S. T. MCGOWEN: Cannot something of a more drastic nature be done to accomplish the purpose for which the bill is drafted? I understood the hon. member, Mr. Kater, to say that the clause is too stringent, but I ask the Committee to make sure we are getting very near the mark at which we are aiming. This clause does not do that. I do not think it will stop any individual from wantonly and recklessly destroying the birds of this country. Cannot the Minister meet me by the postponement of the clause?

The Hon. J. GARLAND: I do not think any good will result from postponing the clause. Let us pass it on the offer I have made. I will be only too happy if, between now and Tuesday, the hon. member, Mr. McGowen, will make some suggestion to achieve what he desires. If he or any other hon. member does so I shall agree to the recommittal

[The Hon. J. S. T. McGowen.

of the bill. If no improvement can be made in it, we shall be able to send the bill to the other Chamber.

Clause 24 as read agreed to.

The Hon. J. B. PEDEN: I should like to move the insertion of a new clause to give effect in a considerable measure to the very important point raised by the hon. member, Mr. Waddell. He suggested that provision should be inserted in the bill for preventing the importation of possible further pests.

The Hon. J. C. GANNON: We have them all!

The Hon. J. B. PEDEN: There may be some yet to come, and it seems to me worth while to insert a provision to guard, as far as possible, against their introduction. We are entitled to have a provision in the State law requiring persons who bring birds or animals into the State to submit them for inspection. There is no question that under the Commonwealth Constitution we have full power to make an inspection law so that we can insist that every bird or animal brought into New South Wales shall be submitted for inspection as prescribed by regulation. Then we can go further than that. We can, in the interests of safeguarding the health and to a large extent the welfare of New South Wales, prevent the introduction of dangerous or hurtful things even though, from another point of view, they may be articles of commerce. I do not think there is any doubt that we can say straight out that no pest—that is, no bird or animal of a noxious species—shall be brought in. So I suggest that the following clause consisting of four sub-clauses shall stand as clause 25 of the bill:—“(1) Any person who brings or causes to be brought into New South Wales any live bird or animal without submitting the same for inspection as prescribed by regulation shall for every such offence be liable to a penalty not exceeding £50.”

AN HON. MEMBER: Would not that be beyond the order of leave?

The Hon. Sir THOMAS HUGHES: Can we impose penalties in this bill?

The Hon. J. B. PEDEN: Very well, we shall leave the penalty unstated. Subclause (2) will read as follows:—“Any person who brings or causes to be brought into New South Wales, or liberates or

causes to be liberated in New South Wales, any live bird or animal of a noxious species, or of a species likely to become noxious in New South Wales, shall for such offence be liable to a penalty not exceeding £ .” Then subclause (3) would be: “Any species of bird or animal declared by regulation to be of a noxious species, or of a species likely to become noxious in New South Wales, shall be deemed to be a noxious species or a species likely to become noxious in New South Wales within the meaning of this section.” I do not say that under that proposed subclause the Minister would be able to include a bird or animal which from no point of view could be regarded as a noxious species, but the clause would be useful as supplying a list. As long as care were taken in drawing the regulation to include only birds and animals which may fairly be regarded as being of a noxious species, the clause I think would be perfectly good. The fourth subclause I propose, which does not carry the matter very much further, is: “A person shall not be convicted of an offence under this section if he proves that the bird or animal was brought into or liberated in New South Wales with the consent of the Minister, or in pursuance of any authority conferred by regulation.” The main value of that subclause is, I suggest, that it will be an intimation that the proper course to adopt is to apply for permission. I move:

That the following new clause be inserted, to stand as clause 25:—

(1) Any person who brings or causes to be brought into New South Wales any live bird or animal, without submitting the same to inspection as prescribed by regulation, shall for every such offence be liable to a penalty not exceeding pounds.

(2) Any person who brings or causes to be brought into New South Wales, or liberates or causes to be liberated in New South Wales, any live bird or animal of a noxious species, or of a species likely to become noxious in New South Wales, shall for every such offence be liable to a penalty not exceeding pounds.

(3) Any species of bird or animal declared by regulation to be a noxious species, or a species likely to become noxious in New South Wales, shall be deemed to be a noxious species, or a species likely to become noxious in New South Wales within the meaning of this section.

(4) A person shall not be convicted of an offence against this section if he proves that the bird or animal was brought into or liberated in

New South Wales with the consent of the Minister, or in pursuance of any authority conferred by regulation.

The Hon. A. SINCLAIR: I should like to know if the State has any power to prevent the importation of animals from other States. Have we the power to prevent an animal being brought from Victoria?

An Hon. MEMBER: If it is diseased!

The Hon. A. SINCLAIR: The clause does not say anything about disease. The animal only becomes noxious under this bill; it is not noxious in the other State. I am doubtful whether we have any power under the Constitution to prevent other States from exporting animals.

The Hon. J. A. BROWNE: I have listened carefully to the reading of the proposed clause, and I should say there is no doubt about the power of the Parliament of this State to pass the measure. It is not a measure which interferes with trade between the States, and it has always been held as being perfectly clear that any State may impose what are called “inspection laws” to protect its trade.

The Hon. J. ASHTON: May it not interfere with trade between the States? Suppose I wanted to buy a cockatoo from a man in Victoria!

The Hon. J. A. BROWNE: The section dealing with trade between the States, as interpreted by the High Court, has been shown to be not so far-reaching as a great many people imagine. It was thought, for example, that the State of New South Wales could not seize and make its own, all the wheat in the State, because that might interfere with trade between States. It certainly did; but the High Court held quite unanimously that that was not the kind of interference with trade which was meant by the section. It has always been held—and there are numerous cases upon the question—that it is not an interference with trade within the meaning of that section to require, for instance, cattle or pigs to be inspected before being admitted. At the present time I understand cattle cannot enter the State of Queensland without inspection under that State’s quarantine laws; and what are called “police” or “inspection” measures have always been held to be within the power of States

both here and in America. I therefore do not think there is any doubt at all about the State's power to pass this clause. As to the desirableness of passing it, I think there can be very little question. For some reason or other a great many people coming from other countries to Australia have managed to bring along with them the most noxious bird or plant they could manage to gather in other parts of the world; and so we have had quite a number of animals and birds which now figure in the first and second schedules to this bill brought here as pets by people with the best intentions, who desire them perhaps only to remind them of their former homes but which have in practice become pests. I think it is high time steps were taken to prevent birds and animals being brought into the country without some kind of inspection by the State authorities. In my opinion the clause is one which the Committee should pass.

The Hon. Dr. NASH: I rise to order on the question of whether the proposed clause is within the order of leave. The bill is "to protect certain animals and birds; to repeal the Birds Protection Act, 1901, and the Native Animals Protection Act, 1903." Neither of those Acts has anything to do with importation, and there is nothing in the order of leave to the effect that this bill is to deal with importation. The order of leave confines the measure to animals which are within the boundaries of the State. It has nothing to do with other parts of the Commonwealth, or with animals outside the boundaries of the State. It is confined definitely, as are also the Acts to which it refers, to animals and birds which are already within the limits of the State. If a clause of the kind which the hon. member seeks to introduce is to be made law, it must come in under a different bill altogether. For instance, to show what was in his mind, the hon. member mentions the protection of the health of the people in this State. The bill has nothing to do with that; it is simply a measure dealing with bird and animal life within the State of New South Wales.

The Hon. J. TRAVERS: Will the hon. member look at clause 8!

[*The Hon. J. A. Browne.*]

The Hon. Dr. NASH: That refers to birds and animals within the State; it has nothing to do with anything outside the State. It does not touch the subject I am dealing with, because it is only to prevent a man saying that the bird he possesses was obtained from some other State. It is to prevent his making that a plea in defence. In other States there are birds exactly the same as ours. A man may put up the defence that the bird he possesses was got from another State. Clause 8 is, I understand, to prevent his putting up that defence. Examination of clause 8 tends to prove my point of order—that the bill applies solely to the protection of birds and animals within New South Wales. The proposed new clause makes no pretence of dealing with anything inside the boundaries of this State. It deals, of purpose, aforethought, with something outside our territory altogether.

The Hon. J. C. GANNON: But when you bring them in it deals with them!

The Hon. Dr. NASH: It is not to deal with birds here at all—it is to prevent people bringing them in; and as the hon. and learned member who introduced it said, one point of view he had in his mind was the fear of some noxious animal. "Noxious" would have to be defined. He had in his mind animals which might spread disease being brought into the State.

The Hon. J. A. BROWNE: I should say there is no doubt whatever that the clause proposed is within the order of leave. It is quite obvious that, in order to protect the animals and birds we have within the State, it may be necessary to prevent the coming in of birds which will spread disease among those birds or kill them. Those two, I can suggest offhand, as being ways in which imported birds might injure our own birds, which we are trying to protect. A bird might be brought in, for instance, to kill off all the swallows. Surely it is for the protection of swallows that birds of that type should be prevented from coming into this State, or should be submitted to inspection. Quite apart from that, however, I submit that the point of order is altogether beside the mark, because, if it is beyond the purpose

of the bill, there is provision in the standing order for the Committee amending the title of the bill. Standing order 175 provides as follows :—

Any amendment may be made to a clause, provided the same be relevant to the subject matter of the clause, and a new clause or schedule may be proposed if relevant to the subject matter of the bill, or pursuant to any instruction, and be otherwise in conformity with the rules and orders of the House: Provided that no amendment or new clause shall be inserted which reverses the principle of the bill as read a second time; but if any amendment shall not be within the scope of the title of the bill—

is it to be rejected on that account? No, the Committee shall extend the title accordingly.

So, if anybody really believes that the proposed clause is outside the order of leave, all the Committee has to do is to extend the title. I submit, however, that that is quite unnecessary.

The Hon. Sir JOSEPH CARRUTHERS: The reading of the standing order limits the matter to the point whether this proposal is relevant to the subject matter of the bill. I say it is not relevant, and I ask you to rule it out of order on that ground. This is a bill for the protection of birds and animals. This proposal is not for the protection of birds and animals at all, it is for the exclusion from New South Wales of birds and animals—totally different things, which have been dealt with by different Acts of Parliament already. We have on the statute book measures which regulate the introduction of animals, bacteria, microbes, in fact anything of an objectionable character. A person cannot now introduce an animal without complying with the provisions of certain of our laws. Animals have to be quarantined. They are not quarantined under a bill for the protection of animals, but under measures relating to the matter of quarantine. Then, again, certain species of animals cannot be introduced from India and elsewhere, because of the diseases they may bring in. That is provided for in specific legislation dealing with that subject. Now the hon. member seeks in a bill to protect the bird-life of the country to introduce a provision to prevent the introduction of certain animals and birds which may be deemed to be noxious, a good purpose, I admit, and I should sup-

port the hon. member in his proposal if it were made at the proper time. But because this happens to be a bill dealing with birds and animals, the hon. member imagines it is relevant to the subject to deal with those birds and animals which are not in the State, and prevent their importation or introduction. I venture to differ from him. It may have a relevancy in the distant degree that you can always find if you analyse microscopically any subject proposed, but it is not sufficiently relevant to be in a bill dealing with this matter. The test of relevancy is this: That if a person looks at the index and reads the title of a bill, he will be made aware of its purpose. Would a person looking at the title of this bill assume that he would find in it provisions for the quarantining of birds and animals at places of entry in New South Wales? Would he imagine that in a bill for the protection of birds and animals, he would find provisions inflicting heavy penalties on people who imported birds and animals from elsewhere? I say no. It may be that we can correct the matter to some extent by amending the title. I admit that you can move your ground somewhat by amending the title; still, the standing order provides that even that can only be done where the amendment is of a relevant character. That is the point at issue: Whether it is relevant in a bill to protect bird and animal life to mention the importation of birds and animals from elsewhere.

The Hon. L. F. HEYDON: On the point whether this amendment is relevant or not, it seems to me that it is most strictly relevant to the question of the protection of birds and animals. This bill prohibits the shooting and poisoning of birds and animals. Surely, therefore, it also prevents any person from improperly bringing in things that will kill them. If the fox had been prevented from coming into this country under a provision similar to this, would it not have saved the lives of many thousands of animals? It seems to me the amendment is most relevant. These birds and animals are to be excluded because they are noxious. What are they noxious to? They are noxious to other birds and animals that we have here already. That is why they are noxious, and in the protection they have already

it is most relevant to keep out things that will kill the birds and animals. The clause will permit of animals being brought in if they will not do that. When the permission of the Minister is sought, he will reasonably ask, "What is the nature of this beast? Is it a mongoose? Are you sure it will not kill poultry or anything else?" He may say it is objectionable, and that he will not allow it to come in. But suppose it is an innocent beast, which will not kill anything? Then it will be allowed in because it is not noxious. The object of this is to keep out animals which will kill native animals and birds. Therefore it is just as much for the protection of Australian birds and animals as the provision prohibiting shooting and poisoning.

The CHAIRMAN: I am against the hon. member on the point of order. I feel bound by standing order No. 175, which provides that a new clause or schedule may be proposed if relevant to the subject matter of the bill. This is a bill for the protection of the bird and animal life of New South Wales, and any proposed amendment which may effectuate that intention I hold to be relevant and within the scope and purpose of the bill, as I have discovered it when reading it. For that reason I am against the hon. member, and I rule the clause in order.

The Hon. Dr. NASH: In view of the length of the new clause which we are asked to accept, I would suggest to the Minister that the further consideration of the bill should be postponed. We cannot be expected to understand this new clause without a chance to read it. I am sure it would be in the interests of the bill itself if the Minister would terminate the debate at this point and allow of its resumption on Tuesday next.

The Hon. Sir THOMAS HUGHES: I think the Minister might have the clause printed in the meantime and issued to hon. members!

The Hon. J. GARLAND: If the hon. member, Professor Peden, will withdraw the clause, and the Committee is prepared to let the bill go as it is, I will see that copies of the proposed amendment are printed and distributed amongst hon. members, and then, if needs be, we can recommit on the third reading.

[*The Hon. L. F. Heydon.*]

The Hon. J. B. PEDEN: As I understand it is the desire of the Minister and the Committee generally that the proposed amendment should be withdrawn for the time being, with a view to further consideration, possibly on recommittal, I am quite agreeable to adopt that course. In submitting the amendment, I moved to give effect to an idea put forward by the hon. member, Mr. Waddell, which I thought was an excellent one. Under the circumstances I am prepared to withdraw the proposed new clause.

New clause by leave withdrawn.

Clause 25. (1) The Governor may make regulations—

prescribing the maximum number of any specified protected bird or animal which any person may kill or destroy on any one day or within any specified period;

(2) Such regulations shall—

(iii) be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and, if not, then within fourteen days after the commencement of the next session. If either House of Parliament passes a resolution at any time within fifteen sitting days after such regulations have been laid before such House disallowing any regulation, such regulation shall thereupon cease to have effect.

Amendment (by the Hon. J. GARLAND) agreed to:

That after the words "specified period," the following new paragraph be inserted:—"Prescribing the method of laying poison, and safeguards in connection therewith, in order to prevent the destruction of birds and animals protected by or under the provisions of this Act."

The Hon. J. G. FARLEIGH: I notice that certain words are omitted from the last paragraph of the clause, apparently inadvertently. The wording, which for the sake of uniformity, this House has agreed upon is as follows:—"If either House of Parliament passes a resolution of which notice has been given at any time." In the paragraph, as it is submitted, the words "of which notice has been given," do not appear; therefore the whole intention of the clause is altered.

The Hon. J. GARLAND: I have no objection to the amendment!

The Hon. J. G. FARLEIGH: I move: That after the word "resolution," the words "of which notice has been given," be inserted.

Amendment agreed to.

Clause as amended agreed to.

Schedule 1.

The Hon. J. GARLAND: I propose to ask the Committee to negative the first schedule, with a view to substituting another. The schedules are practically to the same effect, but the new schedule is more specific.

Schedule negatived.

Amendment (by the Hon. J. GARLAND) proposed:

That the following stand as the first schedule of the bill:—

First schedule.

Common Name.	Scientific Name.
Sparrow	Passer domesticus.
Starling	Sturnus vulgaris.
Silver-eye	Zosterops coerulescens.
Black cormorant or shag	Phalacrocorax carbo.
White-breasted cormorant	Phalacrocorax gouldi.
Pied cormorant	Phalacrocorax hypoleucus.
Little black cormorant	Phalacrocorax sulcirostris.
Little cormorant	Phalacrocorax melanoleucus.
Crow	Corvus coronoides.
Raven	Corone australis.
Friar bird or leather-head	Tropidorhynchus corniculatus.
Yellow-throated friar bird	Philemon citreigularis.
Grey crow-shrike, or grey magpie	Strepera cuneicaudata.
Pied crow-shrike, or black magpie	Strepera graculina.
Garrulous honey-eater, or miner or soldier bird	Myzantha garrula.
Sulphur-crested or white cockatoo	Cacatua galerita.
Rose-crested cockatoo, or galah	Cacatua roseicapilla.
Lory	Platycercus elegans.
Rose Hill or Rosella parrot	Platycercus eximius.
Blue-bellied lorikeet, or Blue Mountain parrot	Trichoglossus novæ-hollandiæ.
Red-rumped grass parakeet	Psephotus hæmatonotus.
Wedge-tailed eagle, or eagle hawk.	Uroæstus audax.

The Hon. H. E. KATER: The second bird mentioned in this schedule is the starling. I would like to give my experience of the starling. At Moss Vale, where

I always keep a few wethers, they were, before the advent of the starling, constantly fly-blown. The starling came there and increased in great numbers, and since then I have never had one wether fly-blown, because the blow-flies have nearly disappeared. Then, some years ago, there was imported, I think from New Zealand, the bot-fly, which increased in such numbers that they killed many horses. If a horse be opened, its stomach will be found to be one mass of these bot-flies. Then again came the starling, which was always rooting amongst the dung of the horse and eating the bot-fly, which almost entirely disappeared as the starlings increased, until now while there are thousands of starlings in the district you scarcely ever see a bot-fly. You may see two or three occasionally, but previously they were in such numbers that they were a menace to the horse stock, which died in great numbers. The experience, I am told, is exactly the same in other parts of the country. Anybody will tell you that since the starlings came the blow-flies have disappeared to a great extent, and the bot-flies entirely. At Moss Vale I have a garden which generally is full of fruit—of strawberries, peaches, plums, and other fruits—and I have never seen a starling in that garden. Outside there are thousands of them. Wherever the sheep are, thousands of starlings accompany them, sitting on their backs, and eating the insects from among their droppings. It is exactly the same with a mob of cattle. As the beasts proceed along, they are surrounded by thousands of starlings, who eat the insects in the same way. Some owners of gardens will tell you that the starling eats the fruit. Others who own crops say that the starling eats the wheat. My own experience is that if the starling is in the wheat crop he is not after wheat, but after insects. He will eat the insects in preference to the wheat, although if he is very hungry he may not be above taking a few grains of wheat, or a little fruit. I regard the starling as one of the most valuable birds we have to keep down the blow-fly and other fly pests. We regard the bot-fly, I have no hesitation in saying that the starling has saved this country from the loss of half its horse stock. I move:

That the word "starling" be struck out.

The Hon. J. TRAVERS: In clause 4 the Minister has a general power. The clause says:

The Minister may, by notice in the *Gazette*, add the names of any birds or animals to the first or second schedules of this Act respectively for any particular locality described in such notice or for the whole State, and may remove the names of any birds or animals therefrom for any particular locality described in such notice or for the whole State. The production of the *Gazette* containing such notice shall be conclusive evidence of such addition or removal.

It appears to me that there may be quite a number of birds to be added to this schedule, or to be taken from it, and that clause 4 was put in to provide that this can be done. It seems to me that while starlings might be the subject of objection in some localities, they might not be in others. Under clause 4 the Minister would have power to remove them from the schedule in one locality, or to add them in another, and I therefore think that this clause should be passed as it is.

The Hon. T. WADDELL: While it is quite true, as the hon. member, Mr. Travers, says, that the Government can alter the schedule, still I must confess that all I have heard in connection with what the hon. member, Mr. Kater, has stated, causes me to be very firmly of the opinion that the hon. gentleman is quite right in his contention that the starling has proved to be a bird of great value in the destruction of the pests that have been mentioned. I would urge my hon. friend, for the reason given, to allow the amendment to be carried. Then, later on, if any evidence should come out to show that we who hold these opinions are wrong, then the hon. gentleman could take action in respect of the localities in question.

The Hon. J. GARLAND: I will agree to that!

Amendment agreed to.

Schedule as amended agreed to.

Schedule 2 negatived.

Amendment (by the Hon. J. GARLAND) agreed to:

That the following stand as schedule 2 of the bill:—

Second schedule.

Common Name.	Scientific Name.
Rabbit	<i>Lepus cuniculus.</i>
Hare	<i>Lepus europæus.</i>
Dingo	<i>Canis dingo.</i>
Fox	<i>Vulpes alopec.</i>

Common Name.	Scientific Name.
Fruit-bat or flying-fox	<i>Pteropus poliocephalus.</i>
Tiger-cat	<i>Dasyurus maculatus.</i>
Native-cat	<i>Dasyurus viverrinus.</i>
Common kangaroo-rat	<i>Potorus tridactylus.</i>
Brush-tailed kangaroo-rat	<i>Bettongia penicillata.</i>
Gaimard's kangaroo-rat	<i>Bettongia gaimardi.</i>
Rufous kangaroo-rat	<i>Aepyrymnus rufescens.</i>
Hare wallaby	<i>Lagorchestes leporoides.</i>
Nail-tailed wallaby	<i>Onychogale frenata.</i>
White-throated wallaby	<i>Macropus parma.</i>
Paddymelon	<i>Macropus thetidis.</i>
Red-legged wallaby	<i>Macropus wilcoxi.</i>
Black-striped wallaby	<i>Macropus dorsalis.</i>
Swamp wallaby	<i>Macropus ruficollis.</i>
Scrub wallaby	<i>Macropus ualabatus.</i>
Wombat	<i>Phascolumys mitchelli.</i>
Long-nosed bandicoot	<i>Peraemeles nasuta.</i>
Common bandicoot	<i>Peraemeles obesula.</i>
Rabbit bandicoot	<i>Thylacomys lagotis.</i>

Third schedule.

Schedule as read agreed to.

Preamble and title as read agreed to.

Bill reported with amendments; report adopted.

BEGA AND WILBERFORCE LABOUR SETTLEMENTS BILL.

Bill received from the Legislative Assembly, and (on motion by Hon. J. Garland) read a first time.

House adjourned at 6.40 p.m.

Legislative Assembly.

Thursday, 18 October, 1917.

Printed Questions and Answers—Questions without Notice—Defamation (Amendment) Bill (second reading)—Life, Fire, and Marine Insurance (Amendment) Bill—Western Lands (Amendment) Bill—Suspension of Sitting.

Mr. SPEAKER took the chair.

PRINTED QUESTIONS AND ANSWERS.

TRADE-UNIONS.

Mr. COCHRAN asked the MINISTER FOR LABOUR AND INDUSTRY,—(1) How many, and which, trade-unions are registered under the Industrial Arbitration Act? (2) How many, and which, trade-unions are not registered under the Industrial Arbitration Act? (3) How