

owner, and the second the owner by reason of the sale of the property for non-payment of rates. By this clause, under the Municipalities Act, the Roads Act, the Goldfields Water Supply Act, the Water Boards Act, and the Metropolitan Water and Sewerage Act, a property could be sold without the owner's knowledge. None wished to put obstacles in the way of recovering rates due; but the owner or other person having interest in a property should be protected against its being sold without his knowledge. The clause should be altered to provide for due notice. The last paragraph of the clause provided that it should not apply to certificates of title given in respect to sales effected before or after the passing of this Act. He had a vivid recollection of a dispute as to retrospective legislation. This was purely retrospective legislation to which there was grave objection. The Minister should explain this, and should give reasons why it was not advisable to give a little more thought to suggestions advanced in no antagonistic spirit, but with a desire to assist the Government in the recovery of rates due to local governing bodies. It must be remembered that we should protect the rights of property as well as other rights.

THE PREMIER did not desire to push this matter, seeing that there was a request for farther consideration. In regard to advertising, it must be borne in mind that the Judge did not make an order without satisfying himself that reasonable notice was given to protect the rights of any person having an interest in land desired to be sold. In regard to the question of notice, where the duplicate might not be produced, power was given to the Registrar to require that certain notice should be published; but where the duplicate was produced it became unnecessary to advertise. There might be cases where valueless blocks of land were sold on which the cost of advertising would run to the value of the land. In regard to providing that the Bill should apply to sales effected before the passing of the Act, this was intended to cover the sale of some land by the Cottesloe Road Board about two or three months ago. The board complied with the requirements of the Act, advertisements were

made, and the persons bought in good faith, believing that they could obtain the title and the vendors believing that they could give a title, but when the transfer was presented it was found for the first time that there was no power to obtain a title through a defect that should undoubtedly have been provided for by our law. Seeing that we gave the power under the Roads Act to sell land, we should have given power under the Transfer of Land Act to render these sales effective; otherwise we should mislead the corporations and the purchasers. In the cases referred to we were justified in providing the remedy given in this Bill. The leader of the Opposition was only anxious to see that the law was made as effective as possible, and the Minister in charge of the Bill was quite willing that progress should be reported.

On motion by MR. RASON, progress reported and leave given to sit again.

ADJOURNMENT.

The House adjourned at 22 minutes to 11 o'clock, until the next afternoon.

Legislative Council,

Thursday, 1st December, 1904.

	PAGE
Leave of Absence	1567
Bills: Municipal Institutions' Act Amendment, second reading moved, adjourned	1567
Industrial Conciliation and Arbitration Act Amendment, Council's Amendments	1571
Factories Act Amendment, second reading moved, adjourned	1572
Motion: Payment to Members of Council, to reduce	1573

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

PRAYERS.

PAPERS PRESENTED.

By the MINISTER FOR LANDS: Return showing Shipping Agents' charges on

shipment from London to Western Australia.

LEAVE OF ABSENCE.

On motion by **HON. W. KINGSMILL**, leave of absence for one month granted to the **Hon. Z. Lane**, on the ground of urgent private business.

MUNICIPAL INSTITUTIONS ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (**Hon. J. M. Drew**) in moving the second reading said: This measure contains almost all the alterations proposed at the various municipal conferences held during the last eight years. As doubtless will be remembered, in 1900 a Bill having for its object the consolidation of the Municipalities Acts was introduced in this House, passed by this House at a late stage of the session, and hurriedly dealt with.

HON. G. RANDELL: It was not hurriedly dealt with in this House.

THE MINISTER: No; it was hurriedly dealt with in another place, and consequently many amendments suggested by the conferences could not be dealt with. They have now been introduced in this measure with other amendments which the Government think desirable. I will touch on the proposed alterations as shortly as possible, in order that hon. members may not be unnecessarily wearied. Clause 3 repeals Section 40 of the principal Act. This refers to the qualification of mayor and councillors, and does away with the ratable value of £10 qualification, and provides that all persons liable to be rated are qualified for the office of mayor or councillor. Clause 4 repeals Section 43 of the principal Act, and by doing this removes the qualification for the office of auditor, enabling properly qualified persons to be candidates for the office, whether ratepayers or not. At present they must be ratepayers.

HON. R. F. SHOLL: Quite right, too.

THE MINISTER: A number of councils have requested this alteration because the choice of auditors is so limited. This will widen the choice. Clause 5 repeals Section 47 of the principal Act. The wording of this clause differs very little from the section repealed, but it is clearer and more easily understood. It

provides that the mayor shall take office immediately after extraordinary elections, the present Act only making this provision in regard to councillors. Clause 6 repeals Section 52 of the principal Act. This clause provides for the qualification of electors, and also that every person liable to be rated as owner or occupier shall on the 1st day of September be registered. The present Act says that only those persons who have paid their rates shall be registered. The clause also provides for the preparation of electoral lists. Clause 7 repeals Section 55 of the principal Act. This clause sets out how the mayor, councillors, and auditors shall be elected, and the number of votes to which each person is entitled according to the ratable value of the property owned or occupied. The clause also provides for voting on the unimproved land value system of rating, and stipulates that all rates must be paid on or before the 31st day of October: otherwise persons not paying before that date will be precluded from voting at the election. It will be noticed that there is a small reduction in the number of votes—(**HON. W. KINGSMILL**: Fifty per cent. reduction)—allowed for the office of mayor; otherwise the voting power remains the same as in the present Act. As against this I may refer hon. members to Clause 21, which provides that questions of raising loans are only to be decided by persons owning property, which provision does not exist at present, and which will prove acceptable to this Chamber.

HON. M. L. MOSS: That is all right, but the other provision is all wrong.

THE MINISTER: In New Zealand only one vote is allowed for the election of mayor, and the same provision also exists in South Australia and in the corporation of Sydney, New South Wales. Western Australia is, I believe, one of the few countries in which plural voting is adopted as regards municipal elections. Clause 8 amends Section 56 of the principal Act. This shows how the electoral lists are to be prepared. Clause 9 amends Section 71 of the Act. It deals with annexations or extensions of municipal boundaries; also provides for the alteration of electoral lists, and the payment of rates in regard to such portion affected. Clauses 10 and 11 repeal Sections 94 and 106 of the Act, and relate to voting in

absence. Clause 12 is a new clause, to enable electors who are unable to be present on polling day to record their votes to go before the returning officer after nomination, any time before polling day, and record their votes; but voting in absence in the ordinary sense is abolished under this Bill. The system has not given satisfaction, and I am informed it has led to a good deal of trafficking in votes. Clauses 13 and 14 deal with the election of auditors. It will be noticed that provision is made for one auditor only to retire annually, and the election is for two years. This will result in there being an auditor every year who has previously carried out the duties, except when extraordinary elections take place. There will, I say, always be connected with the council one auditor who has had previous experience. Clause 15 amends Section 167 of the Act, and gives more power to make by-laws for the regulation of brothels and for other purposes. Clause 16 amends Section 169 of the Act. It gives municipalities the power to license shoeblacks, which it does not possess now. Clause 17 amends Section 221 of the Act, and provides for dealing with any street which may have been set out less than 66 feet wide before the passing of this Act with no outlet, so that it may, with the approval of the council, be continued at the same width through any land adjoining. Clause 18 gives the council power to resume a strip of land not more than five links wide where it has been reserved across or along a street after it has been dedicated to the public use. Clause 19 provides that the owner of a corner block or allotment shall see that the true position of the corner post of the allotment is kept. This will reserve the true position for any measurement which may be required at some later date. Clause 20 amends Subsection 7 of Section 322. This allows the municipalities half of the police court fines. It provides that in the case of a prosecution carried out under the Bread Act of 1903 by the officers of the municipalities, all fines etc. recovered shall go to the municipalities. Clause 21 repeals Section 323 of the Act. This clause provides for the maximum amount of rates which can be levied by municipalities on the present system of rating, and also for rating on the unimproved

capital value. It will be noticed that under that system the city of Perth is authorised to strike a rate not exceeding 2d. in the pound, and all other municipalities not within proclaimed goldfields 4d.; municipalities within proclaimed goldfields 9d. These specified amounts have been fixed after inquiries have been made throughout the various municipalities as to the amount of rates required by those municipalities.

HON. G. RANDELL: Can you tell us the meaning of "capital unimproved value?"

THE MINISTER: The capital value of land.

HON. G. RANDELL: I want some light on that matter.

THE MINISTER: I will give reasons later on. Clause 22 repeals Section 325 of the principal Act, and sets forth the clearer statements that have to be prepared by the council and put before the ratepayers. It also provides for the preparation of estimates, and what is required by rates to meet such expenditure. Clause 23 repeals Section 326 of the Act and makes provision for the valuation of all ratable land in the municipalities. Clause 24 repeals Section 327 of the Act. This sets out the rules that have to be observed in connection with the valuation of ratable land in the municipalities on the annual value and on the unimproved capital value also. It will be noticed it is optional for any municipality to adopt whichever of the two systems it prefers. It has been urged at every municipal conference since 1898 that the unimproved capital value system of rating should be included in the Municipal Institutions Act. This system has been given to the roads boards of the State, and is, I believe, working satisfactorily. The system has also worked well both in Queensland and New Zealand. Clause 25 makes provision for rating persons residing on mining tenements. These persons, though living within the boundaries of municipalities, are at present exempted from paying rates, although they enjoy all the privileges which the municipalities confer. This provision is also contained in the Roads Act and in the Water Supply Act. Clause 26 provides for the valuation and rating of tramways. There is no power at present to levy rates on tramways, though arrangements have

been made that a percentage should be paid to municipalities where the tramways exist. In the city of Perth it is £3 per cent. of the gross earnings. This clause, however, makes provision for this amount to be paid in all cases. The Queensland Act provides for a similar method. This covers the rates on all buildings, etc., used for tramway purposes. Clause 27 deals with the valuation and rating of gas mains and electric lines, and sets out clearly the basis of valuation, and amounts of rates due on the percentage system, which shall not exceed £1 10s. per cent. on the gross receipts. The Municipal Act at present is far from clear as to how the various councils should rate tramways and lighting companies, more especially in the case of companies extending their works in more than one municipality. This clause, however, will remove all difficulties. At any rate the intention is that it shall. Clauses 28 and 29 repeal Sections 343 and 344 of the Act. The principal Act provides that the whole of the rate must be paid before an appeal can be allowed. These clauses provide that the first moiety only shall be paid. Power is also given to the Appeal Court to exercise the provisions of Sections 60 and 61 relating to the Revision Court, to enable the council to examine the appellant in regard to the appeal made. Clause 30 repeals Section 345. This clause sets out the manner of appeal to the Local Court; also provides that in the case of assessment over £100 on the annual value, and £500 on the capital value, if the decision of the Local Court is not satisfactory the appeal may be taken to the Supreme Court. Clause 33 amends Section 375. This restricts to the owners of ratable land the right to vote on loans, by striking out the word "ratepayers." It also makes provision for leaseholders to vote under certain circumstances. Clause 32 repeals Section 376. It provides for owners voting in absence, etc. Clause 33 repeals Section 416. Clause 34 enables municipalities to expend funds on libraries, reading rooms, etc. This power is not contained in the principal Act. It is hardly necessary to point out the advantages of having this provision in the Act. Clauses 35, 36, and 37 seem to be simply formal amendments. There is also a schedule to

the Bill, which introduces many small amendments which on the reprinting of the Act will be included in the same. This is a system which is adopted in many States. Most of the amendments are insignificant, but others will result in the more smooth working of municipalities, and make the Act clearer. These amendments give councils more power in regard to making by-laws and issuing licenses, and also provide for all sinking funds in regard to loans being in Government inscribed stock of this State, so that sinking funds shall be safely deposited to meet loans when they become due. It has been adopted in other places.

HON. M. L. MOSS: This is one of the most difficult Bills to understand I have ever known.

THE MINISTER: I understand that amendments of the schedule will be introduced in the principal Act. The schedule also ensures that municipal councils shall present a statement of assets and liabilities to the ratepayers. The present Act only makes provision for a statement of receipts and expenditure. On the whole, I think the Bill is likely to commend itself to this House. Some amendments probably will be moved, and they will, I am sure, receive due consideration.

HON. J. W. LANGSFORD (Metropolitan-Suburban): In the discussion on the second reading of this Bill I should like to express appreciation of the mayors and councillors who throughout the whole of Western Australia have done such excellent work in our municipalities. The welfare of the people as regards health and in many other directions rests largely on our municipal councils, and the hundred and one other matters which go to make life happy and pleasant are reposed in their care. It says something for their patriotism, shall I say, that they are willing week after week, year after year, to work on in this humble but important sphere. The municipal conferences for many years past have had the Municipal Bill before them for purposes of amendment. There are many people who say that municipal conferences are nothing but picnics for those who attend them, but I can assure members that the work is arduous, and although perhaps I do not agree with all that is done at annual meetings of the con-

ference, I think the councillors who come together from time to time are able to bring forward measures for the improvement of municipal government which those not engaged in municipal work cannot possibly do. A great feature of this Bill is that it introduces alternative systems of rating, and for the first time in our municipal experience we shall have submitted for our consideration, and possibly adoption, a tax on the unimproved value of land. This may work very great hardship, if adopted, in many of our suburban municipalities, where we have so much vacant ground. On questions of finance the rate will be struck, and the amount of tax on each allotment will be fairly equitable. The man who lives in the locality will pay his rate; but the council may be out of pocket for years in respect of the non-resident ratepayer; and so it will be found that the municipal resources will not be so great under the new system as they are to-day. This proposal is an experiment in Western Australia, and should be very cautiously received. Moreover, if municipalities are to take charge of the unimproved value of land, where does the State come in if at a future time it should resolve to impose a general land tax? It is said that the value of the land is created by the people. Then surely it is created by the people of the State, as well as by those who live in the immediate vicinity. If this unimproved land value rate be imposed, then according to the Bill the system cannot be changed for three years. I fail to see why, if a municipality finds that by adopting this system it is getting on the rocks, it should not have an opportunity of reverting to the alternative system. If after a year's experience it is found that sufficient revenue cannot be raised, there should be the right to change the method. But Clause 23 provides that any council adopting the system of capital unimproved value rating shall not change that system until after the expiration of three years from the adoption thereof. It will be well if the Minister can give the House the particulars given to another place of the different rates which, under the unimproved value system, will be needed for each municipality. The schedule provides, for the first time in our municipal history, that a state-

ment of assets and liabilities shall be submitted to the ratepayers at the annual meeting. If the provision passes unaltered, what are municipalities to describe as assets? Thousands of pounds of borrowed money have been spent on road-making. Will roads made with that money be described as assets; and what percentage for depreciation will be written off each year? Will a drinking fountain be described as an asset? If we insert "liquid assets" or "convertible assets," the provision will be practicable. I think the submission to the annual meeting of a statement of liabilities is highly necessary; because a council has been known to greatly exceed its annual revenue, and the incoming council has been faced with a deficit of perhaps many thousands of pounds. I take it that the whole idea of sound municipal finance is in effect that the year's revenue must meet the year's expenditure, and that no liability of any consequence shall be carried forward. Section 153 of the principal Act is not sought to be amended in the Bill. The section provides for a quorum on a committee of the council, but does not specify the number of members of which the committee shall consist. Committees have been appointed containing majorities of the members of the council. I think that is improper; and I hope that when in Committee we shall have an opportunity of amending that section. I have much pleasure in giving this Bill a discriminating support.

HON. E. M. CLARKE (South-West): It is not my intention at this stage to block the Bill; because I see in it some very good provisions with which I am entirely in accord, and, candidly speaking, others that I will resolutely oppose. The first clause to which I take exception is No. 7, a repeal of Section 155 of the principal Act, dealing with voting power. I hold that all along the line it is recognised that if a syndicate is formed in this or any other country, the man who has the biggest stake in the concern, the man who holds the largest number of shares, has generally the greatest voting power. It appears to me that by Clause 7 a man who pays 10s. or 12s. per annum in rates has half the voting power of the biggest ratepayer in the town. I say that is wrong. I shall not

enlarge on the provision, but shall save my arguments for the Committee stage; because I hold that in debate it is a bad plan to show one's hand. But in fairness I wish it understood that I shall fight that clause to the bitter end. Clause 12 provides for absent voting. I am entirely in accord with that. I think that in every case where a person wishes to vote in absence, every facility should be given him, so that even the most simple-minded can exercise the right. This to my mind is an absolutely perfect clause, and one of the best in the Bill. Clause 17 is a really good provision. To Clause 18 I intend to move an amendment. I now come to Clause 23, providing for rating on the unimproved value of land. I will say at once, and I am sure the House will pardon me for saying so, that if the unimproved value system were adopted in the town to which I belong I should get off as lightly as any other man. I am now one of the biggest ratepayers; but under the new system I should get off very lightly; and if I studied my own interests I should vote enthusiastically for that clause. But I can see very clearly that the clause is objectionable, and will work injuriously in many country towns; therefore I shall oppose it in its entirety. Clause 31 is a repeal of Section 375. On this I must compliment the Government. It deals with voting power. As the Minister has told us, and I admire him for it, the clause gives the owner of property the entire power of voting as to loans. In other words, the tenant, who is here to-day and gone three weeks hence, will not have the power of encumbering another man's property with a heavy mortgage. I think that one of the finest features of the Bill; and I hail with delight its inclusion. Clause 34 I consider bad. Section 276 of the Act gives considerable power to expend money; and by this clause it seems to me that, for the amusement of a number of people who possibly do not pay rates at all, the council may spend any sum of money on lawn tennis courts, bowling greens, and, in short, on goodness knows what; while at the same time on the roads and footpaths one may be up to one's knees in sand or mud, and the property of the ratepayers who find the money is neglected. That clause I shall oppose absolutely. I think it unnecessary to take up the time of the House; because I feel

sure that three-fourths of the members are entirely with me on these various clauses. I have much pleasure in supporting the second reading of the Bill; but I intend to do my best with it when it goes into Committee.

On motion by HON. G. RANDELL, debate adjourned.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL.

COUNCIL'S AMENDMENTS.

Schedule of two amendments made by the Council, to which the Legislative Assembly disagreed, now considered in committee.

No. 1—Clause 3, line 4, before the word "district" insert "industrial":

THE MINISTER moved that the amendment be not insisted on.

HON. W. KINGSMILL: The reason of the Assembly for disagreeing with this amendment was incomprehensible, and their opposition seemed fractious. The amendment would make clear a point which had always been doubtful, and should be insisted on, because it would elucidate the meaning of the Act.

HON. M. L. MOSS: Surely both Houses were anxious that the court should hear disputes at a place as near as possible to the locality of such disputes. The reason given by the Assembly for disagreeing with the amendment was that as the State was divided into only three industrial districts, the court could not sit in more than three places. If this were so it would be some excuse for the Assembly's action; but by Section 28 of the principal Act the Governor may proclaim other districts.

Question passed; the Council's amendment not insisted on.

No. 2—Add the following new clause, to stand as Clause 2:—

Section 2 of the principal Act is hereby amended by the addition, at the end of subsection (a) thereof, of the following words:—
"And the intervals at which such wages, allowances, or remuneration shall be payable."

THE MINISTER moved that the Council's amendment be not insisted on.

HON. W. KINGSMILL could not see why an amendment for making the meaning of the present Act more clear should be objected to by another place. It was necessary that the province of the Arbitration Court should be defined, in deal-

ing with industrial matters of which this was one, and its powers should be set forth as clearly as possible, for which reasons the amendment had been moved in this House. This amendment could do no harm by making the meaning more clear, and he hoped the Council would insist on it.

Question (not to insist) put and negatived; the Council's amendment thus insisted on.

Resolutions reported.

HON. J. A. THOMSON submitted that the amendments made by the Council in this Bill were not in order. They were, in his opinion, altogether irregular and did not apply to the Bill at all, but were amendments of the principal Act. He asked for the President's ruling on the point.

THE PRESIDENT: The amendments were perfectly in order.

Report adopted, and a committee of three appointed to draw up reasons, consisting of Hon. M. L. Moss, Hon. W. Kingsmill, and the Minister.

Reasons adopted, and a Message accordingly returned to the Legislative Assembly.

FACTORIES ACT AMENDMENT BILL.

SECOND READING.

THE MINISTER FOR LANDS (Hon. J. M. Drew), in moving the second reading said: The provision in the Factories Act which this Bill seeks to remedy is a serious blunder. The existing provision specifically orders the inspector to tell each factory owner that 150 cubic feet of air space is sufficient for each employee. One hundred and fifty cubic feet of air means, with a 14 feet ceiling, for each workman a space of $3\frac{1}{4}$ feet square, or about 5 feet by $2\frac{1}{4}$ feet. If the ceiling is eleven feet high, the space will be 7 feet by 2 feet or $3\frac{3}{4}$ feet square. No carpenter, so I am informed, could carry out his duties in such a limited space. It would not only be dangerous to health but inconveniently crowd the occupants. It must be remembered that with a small space allowed for employees, increased difficulties are caused in keeping factories properly ventilated. There are two points to be considered. It is a serious, in fact a vital error to fix a maximum air space beyond which an inspector cannot go. For example, in a

flour mill is it reasonable that an employee should work in a $3\frac{1}{4}$ feet square floor space? It is to be remembered that every factory employer has power to appeal against the demands of the inspectors. Every employer has power in every case where the improvement ordered is likely to exceed £5, if he thinks the requisition of the inspector unfair, to appeal to a resident magistrate, who will decide whether the request is reasonable or not. The effect of the section sought to be amended was never realised by Parliament when the provision was under consideration. The second point is that even if the educational regulation space is the maximum, such maximum for a factory is impracticable. The maximum in every case should be left to regulations. There should be no prescribed minimum, and invariably where there is a minimum, it is 400 cubic feet. In England, New Zealand, Victoria, New South Wales, and Queensland a minimum of 400 cubic feet is provided.

HON. W. KINGSMILL: There is no maximum.

THE MINISTER: I have here a report on the factories of Perth and Fremantle by Inspector Vincent, of the department of public health; at present he is chief inspector. This report was made last year on the different factories in Perth, prior to the introduction of the Factories Bill, and this was the result of his investigations: bamboo and wicker establishments 600 cubic feet of air space per head, cigar-making 1,000 feet, laundry 600 feet, cabinet-making 700 feet and 1,000 feet, small goods 2,500 feet, cabinet-making again 630 feet, plumbing 700 feet and 1,500 feet, furniture 900 feet, dressmaking 650 feet. So that members will see no injustice is likely to accrue if the minimum is placed at 400 cubic feet. In the by-laws of the Perth Local Board of Health, it is stated—

No keeper of a common lodging-house shall permit a greater number of persons to occupy any sleeping apartment in such house at any one time than will admit of each such person having at least 500 cubic feet of space. For the purpose of this clause two children under 10 years of age shall be counted as one person, and in the case of any apartments the walls of which do not reach from floor to ceiling, the amount of space in such apartment shall not be deemed greater than if such walls did reach from floor to ceiling.

I have here a work by Minton-Senhouse, a celebrated author on these matters, and he deals with the way in which the labour of the working classes is performed in England.

HON. M. L. MOSS: He is a barrister.

THE MINISTER: But he deals with facts. Writing of overcrowding he says:

The number of cubic feet of space in any room must bear to the number of persons employed at one time in the room a proportion not less than 250 or, during any period of overtime, 400 cubic feet of space to every person. In lieu of 250 feet, 400 feet is now substituted in the case of workshops not being domestic workshops and of bakehouses lit by artificial light other than electric light between 9 p.m. and 6 a.m.

In England the minimum is 400 feet, and right through the Australian States it is the same. I do not anticipate any opposition to the measure.

HON. W. KINGSMILL (Metropolitan-Suburban): It is not my intention to oppose the measure, but it seems to me it is necessary or advisable to fix in the Bill a minimum in order that persons erecting factories in the future shall know what plans they have to build on. I think it would be better if the minimum appeared in the Bill rather than be left to regulations. In several of the other States the minimum amount of air space is stated in the Act, and not left to regulations. That I believe is so, and it is in the interests of everybody concerned.

THE MINISTER FOR LANDS: There is no maximum fixed.

HON. W. KINGSMILL: No maximum. This provision which the Minister wishes to amend was moved greatly against my wish last session. It was moved as an amendment, and was no part of the Bill itself. It is only reasonable to persons about to erect factories that they should know with what plans they are supposed to comply. We might include a minimum in the Bill rather than leave it to arbitrary regulations.

On motion by HON. G. RANDELL, debated adjourned.

MOTION—PAYMENT TO MEMBERS OF COUNCIL, TO REDUCE.

Debate resumed on the motion of the Hon. C. Sommers, "That in the opinion of this House it is desirable to reduce the payment of members of the Legislative

Council to £100 per annum;" and on the amendment moved by the Hon. R. F. Sholl, to leave out all the words after "desirable," and insert "to abolish the payment of members of the Legislative Council."

HON. E. McLARTY (South-West): I wish to express my views before voting on such an important subject as the abolition of payment of members of this House. I may say at once that I intend to oppose both motion and amendment. I have not heard sufficient reason brought forward why payment of members of this House should be reduced by one half or abolished altogether. On the contrary, if it was desirable that members should be paid four years ago, it is far more necessary to-day. In the first place, we heard it advanced as a reason why payment should be reduced that the time of members is not taken up nearly so long in this Chamber as in another place. That reason has very little weight with me. If members in another place desire to take weeks over matters that we settle in this House in hours, that is no reason why the State should have to pay members of another place an additional amount. I have always been opposed to members of this House receiving less remuneration than members in another place. When payment of members was before the House four years ago, in speaking on the question, I said:—

The clause on which I desire to express my dissent before I agree to it is that dealing with the amount suggested to be paid to members of this House.

Members are aware that at that time a Bill was brought in providing for the payment of £100 a year to members of this House, and £200 a year to members of another place. I went on to say:—

I take it as an insult to members of this House that we should be offered £100, while for members of another place it is suggested that £200 a year shall be given.

I hold the same view to-day. Members of this House have quite as much ability and integrity and deserve as much remuneration as members of another place. Members fully realise—perhaps we do not always—the grave responsibility placed upon us in this Chamber to see that legislation which may be passed somewhat hurriedly in another place is not placed on the statute book without

being revised. That is a responsibility of which we should be fully sensible. I also said four years ago:—

I most emphatically enter my protest against the unequal payment, and I hope members of this House will also protest against it. I shall be satisfied if the amount suggested for members in another place be reduced to £100, but I am not willing for members here to accept half the amount to be awarded to members of another Chamber.

That is my opinion to-day. If the country cannot afford to pay £200 and the amount is reduced to one of £100, I for my part am willing to accept it, but so long as £200 is paid to members of another place, I enter my protest against the reduction of payment to members in this Chamber. In the first place it should be taken into consideration that when members are contesting an election for a province, they have an enormous area to travel over. In the province which I have the honour with others to represent, there are no less than seven constituencies embracing an enormous area, which has a growing and increasing population. In these constituencies there are a great number of centres, and I find at the present time they make a great many calls upon members. What with bazaars, agricultural and flower shows, and affairs of that kind, to which representatives are supposed to contribute, I think that the £200 a year paid to members will not leave a margin after a member has paid his hotel expenses and has contributed, as one has to do and should do, to societies and amusements. I think, however, to abolish payment of members would give the impression outside that there was a number of wealthy men in the Legislative Council so conservative that they wished to close the doors against candidates not in such a good position. That in itself is a reason why payment should be continued. Again, if payment is abolished, the result would be that some of the wealthy gentlemen who live in their mansions in St. George's Terrace and other fashionable parts of Perth will contest the elections in the provinces and be returned, because members in the country cannot afford to leave their business and give up their time to attend to Parliament for six months of the year without remuneration.

HON. R. F. SHOLL: They did it before.

HON. E. McLARTY: I am aware it has been done in the past. I was one of those who for six and a-half years served my country as far as my ability would allow me without payment. Having done that, I found it an expensive undertaking, and I do not know that I can afford at the present time to give up my time and pay these expenses without any remuneration. Many members in this House have to travel over 300 miles; and I think it would be unreasonable to ask these members, living at such a distance, to come up to Perth only to find that there is not half an hour's business before the House, and to return again for a week or a fortnight. I am not going to labour the question. I intend to oppose both the motion and the amendment, because I do not think there is any necessity for either.

HON. H. BRIGGS (West): When Mr. Sommers proposed this motion I took it more in the form of bantering, or quizzing, or at the most a satirical reference to a motion which was being made for an increase of salaries in another House; and I think that Dr. Hackett, by treating the motion in a humorous manner, dealt with it in a fit and proper way; but with an amendment of the form that is put before us by Mr. Sholl, the matter becomes very much more serious. It deals with a question that has already been settled. It would be as impossible to postpone the sunrise by putting back the hands of the clock as it would be to carry this motion in the present state of the times. Mr. Patrick very wisely and in a very able speech directed our attention to many constitutional countries and gave the payments in those countries. I may increase the illustrations he gave. There are two countries, Greece and Switzerland, which have two Houses. In Greece the senators receive £20 a month and the deputies £10 a month. In Switzerland members of the second House, the House of second thought, receive 10s. 6d. per day, and of the first House 6s. per day. I have reduced all these payments into British coinage so that they may be more easily compared. In the other instances I shall give, both Houses are paid alike. The payments are: France, £1 a day; Denmark, 16s. a day; Germany, 10s. 6d. a day; Austria, £1 a day; Belgium, £17 a

month; Portugal, £67 per annum; and the United States, £1,000 per annum, with 10d. mileage to and from the members' residences to and from Wasington, and £25 additional for stationery. Members will see that in the old world and in most constitutional countries, members in both Houses are paid alike. I shall now direct attention to a new country, Japan; and it is a remarkable coincidence that the Mikado granted the Japanese Constitution in February of 1889, the exact year in which our Constitution was reserved for the royal assent. All travellers with legislative knowledge who go to Japan agree in the opinion that the Japanese Parliament is the most efficient in the world. Something has been said in this debate as to the number of sittings, the length of sittings and the quantity of talk that is indulged in; and I may tell members that the Japanese, when they began their new era, sent commissioners to examine throughout the world so as to avoid the evils that were prevalent, and to choose the good; and they found that the greatest evil in all the Parliaments of the world was talk. For that purpose they moulded their Parliament on the system of the London County Council. Every measure is brought before energetic and able committees, thoroughly discussed, their report is brought into the House, debated and passed and becomes law. As an instance, in a recent session in Japan there were 32 sittings lasting 116 hours. During that time, 55 measures, many of them of great importance, were passed, and one of them was a measure which brought into view a new fiscal policy for the whole continent. Japan, with all its efficiency, is not so advanced in its electoral law as this State. Members are elected for four years. Every male citizen of 25 years of age who pays a land tax or any direct tax of ten yen (£1) has a vote if he has resided in his neighbourhood for 12 months. The Japanese Government do not believe in the citizens expecting them to do something for nothing. The payment of members of the Japanese Parliament is 2,000 yen (£200) per session; and the session lasts on an average about 12 weeks. In that progressive State the members are paid quite as much for one session as we are for the

entire year. There is another thing I should like to remark with regard to the amendment moved by Mr. Sholl. As I said before, it unearths the old question of payment of members. Arguments on that question are stale; and if they are to be put into words I should simply have to give members musty platitudes; but I shall point out what was, in my opinion, the main principle on which payment to members was granted. It was that, looking at the Parliament of the State in a constitutional matter as consisting of two Houses, it was thought that the citizens ought to have the choice of sending the members that they elected into either House. For many years there were three drawbacks to that in regard to this House. The first was in the qualification of members, the second in the want of means of the elected, and the third in the franchise required under the Electoral Act. I shall not speak on the last, because it is not relevant to the motion or the amendment. As to the first, qualification of members, we may remember that our Act of 1889 pointed out that each member, besides other qualifications, must have a property qualification of freehold to the value of £500 clear of all encumbrances, or £50 yearly rental under similar conditions; and it was enforced by a very severe penalty. Section 18 said that a member was subject to a fine of £200 a day unless he made a sworn declaration to that effect. That qualification of members was removed in the next Act of 1900. Then every person of 30 years of age, natural born, was required to be two years resident in the State, or, if a naturalised subject, five years resident in the State; and so that bar of qualification was thrown down. In 1900 the second obstacle was removed. A Bill was introduced for the payment of members, thereby allowing the electors to choose a man (it might be a man of intelligence only, or an artizan, or a man without means), and enabling him to take his place in the House. I am strongly opposed to altering that onward rate of progress. Edmund Burke mentions with pride "the ancient and inborn integrity, piety, good humour, and good nature of the English people." I think if he had to do with our people in this State, and if he had to peruse our newspapers and

see how quarrels are fomented between employer and employees, and how the law is brought into force, and how there is litigation on every hand, he would strike out those two items, "good nature and good humour." He would observe the sourness of disposition and feelings of suspicion and distrust. I myself, as a resident in this State of 22 years, can well appreciate the difference of feeling there is between employer and employees at present from what there was 22 years ago. There is not that mutual consideration, not that goodwill and kindly feeling which the Hon. C. E. Dempster so often impresses upon us as a necessary factor of prosperity. There is none of that now. I have recently come from a contest in the West Province where my opponent used the words: "There is the handwriting on the wall"—he need not have uttered any farther words—"the enemy is at the gate, and destruction is at hand." Those words were caught up with scowls and frowns by the people around. We need not wonder that these unions are doing so much to widen the chasm between the two classes, of employees and employers, what with all the various Acts, with union secretaries and officials whose very interest it is to fan the spark into a flame and fan the flame into a conflagration, whose very interests lie in that way. Look at their great leader, the man they all look to, John Burns, a member of the British House of Commons for Battersea. That gentleman once narrated the pathetic incident which is so well known to all members, of the Russian nobleman travelling with his wife and family in a sledge across the steppes, who had to throw out his cloak and his children, one after the other, because he was pursued by devouring wolves. This pathetic instance was made use of as a kind of parable. This great Labour leader said:—

The inmates of the sledge are the capitalists; the wolves are the workers; the cloak and the children and the wife, ultimately thrown out, are the various concessions the capitalist has to give to labour which he sees pursuing hard, and it will still run on until both horses and driver find no other resting-place than in the bodies of their pursuers.

If we have this feeling amongst our people. I think that we can have no prosperity, no peace, no happiness, no

ease. As a member for the West Province who has been pledged to support payment of members, I abide by my pledge and I shall support it, and I think as an individual the time is inopportune to make a change. I think the question has gone too far now for us to retrace our steps. We cannot turn back in falling over a waterfall. We must pass on, and I think with the last speaker (Mr. McLarty) that if this amendment were passed it would have no utility, it would be perfectly futile; but it would have this effect, that it would be looked upon as an insolent taunt from this House, and as an indication that we wanted to bar intelligence from entering this House; that we had seen the result of the last elections, and were afraid to give the same opportunities. Honestly I think they might justly adopt that tone; therefore for both these reasons I shall oppose the original motion and the amendment.

HON. W. MALEY (South-East): I have no intention of supporting the motion or the amendment. I am satisfied that this House has no intention whatever to make a retrograde movement. Our motto is upward, forward, and onward, if we can manage it. We recognise that this is a House of Parliament, and we do not want to build up stone walls and make fortresses so as to have security and remain here for all time. I have already spoken on this subject. When I first spoke in favour of payment of members I alluded to the effect it would have in this country. I referred to the subject when speaking on the Address-in-reply. I would like to say that at the time I entered the House a certain state of things existed which has been altered, and I think altered very much for the better. Before payment of members became part of the system of the State we found there were only certain individuals who could sit in this Chamber, and who did sit here. If I can trust my memory, there were in a house of 24 members about 10 lawyers; whereas to-day we see only one hon. member who is a member of that profession. I recognise that we have more than one belonging to the House, but they are not in the Chamber now. We have two members who come on almost every occasion, and

two others who come here when they can make it convenient. If the system of payment of members has had the effect of making such a reduction in the number of members belonging to one class, it must have done some good. As I have pointed out previously in my place in this House, we want men from every rank in life to frame our legislation. It is the aggregation of the wisdom of the State that we wish to have here, so that we can make wise legislation, and I think as regards the duties of this Chamber, the legislation we have turned out as unlearned men is quite as effective in its character and quite as easy to understand as that prepared by such able and learned men as those whose names I have before me, and who were here before we had payment of members. I see no reason to go back, and I am quite satisfied as regards the agricultural districts and the goldfields that no member would ever be returned to this or the other Chamber who pledged himself to the abolition of the system of payment of members. I repeat, I have no intention to vote either for the motion or the amendment. I do not see my way to propose a farther amendment, but I simply wish to block the proposition and amendment before the House.

HON. V. HAMERSLEY (East): Having recently been before the electors I feel it is right I should give expression to my views on the matter. I do not wish to deal with it at any great length, but simply to state that it is my intention to support the amendment. I realise that all the arguments are on the other side. Everything goes towards the fact that payment of members is essentially right in principle; but there is just a fear in the minds of some of us—and I think a great many—that payment of members is not going to pan out to the best interests of the country in the future. I for one shall vote against payment of members partly to protest against the great cost of government. We see that the cost of government is something over a quarter of a million sterling for the Commonwealth of Australia, and that is merely for governing a mere handful of people. It seems to me it would be a very safe thing to economise in this direction. No doubt payment of members has a tendency to bring about what

we would term professional politicians; and it is not in the best interests of the country that we should encourage that. It is my intention to support the amendment.

HON. T. F. O. BRIMAGE (South): I think in view of the overwhelming evidence before the House regarding this question, the mover of the motion and the mover of the amendment may not go to a division, and I only rise to give expression to my opinion that at the present time the country is distinctly in favour of payment of members, and that anyone who went to the goldfields for election would have to favour that principle or else he would not, I think, be elected.

Amendment put and negatived.

Question put and negatived.

ADJOURNMENT.

The House adjourned at twelve minutes past 6 o'clock, until the next Tuesday.

Legislative Assembly.

Thursday, 1st December, 1904.

	PAGE
Question: Victoria Park Tramway Project	1578
Public Health Bill Select Committee, Leave to travel	1578
Bills: Licensing Act Suspension, second reading moved	1579
Transfer of Land Act Amendment, in Committee resumed, reported	1583
Legal Practitioners Act Amendment, second reading passed: Bill referred to Select Committee	1585
Navigation, second reading moved, adjourned	1592
Truck Act Amendment, third reading	1578
Annual Estimates resumed; Treasury—Photo-lithographic to Miscellaneous	1593

THE SPEAKER took the Chair at 3.30 o'clock, p.m.

PRAYERS.

PAPER PRESENTED.

By the PREMIER: Return showing clearing contracts let by the Lands